

Shutesbury Select Board Meeting Minutes  
July 5, 2022 Virtual Meeting Platform

Select Board members present: Rita Farrell, Melissa Makepeace-O'Neil, and Eric Stocker  
Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary  
Other Staff/Volunteers present: Gail Fleischaker/Web Communications Committee, Mary David/LWAC, Mary Anne Antonellis/Library Director; Planning Board members Deacon Bonnar, Jeff Lacy, Robert Raymond, and Nathan Murphy; Don Wakoluk/Tree Warden, Paul Lyons/Town Moderator; Meryl Mandell and Gary Bernhard/Recycling & Solid Waste Committee; Steve Sullivan/School Committee  
Guests: Mike Vinskey

Farrell calls the meeting to order at 5:33pm, reviews the agenda and adds an unexpected item: a request from LWAC for a letter of support asking for a legislative earmark for stormwater study/management.

Select Board Reorganization:

To facilitate the annual reorganization of the Select Board, Torres opens nominations for Select Board chair. Makepeace-O'Neil nominates Rita Farrell as Select Board chairperson; Stocker seconds the nomination. Farrell accepts the nomination. Torres asks those in favor of Rita Farrell serving as chairperson to vote. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye. Rita Farrell is elected Select Board chairperson.

Stocker nominates Melissa Makepeace-O'Neil as vice chairperson of the Select Board. Makepeace-O'Neil accepts the nomination. Torres asks those in favor of Melissa Makepeace-O'Neil serving as vice-chairperson to vote. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye. Melissa Makepeace-O'Neil is elected Select Board vice-chairperson.

Public Comment: None offered.

**Discussion Topics:**

Unanticipated Item:

Lake Wyola Advisory Committee (LWAC) Request: Farrell refers to the LWAC letter requesting a \$350,000 earmark from the Commonwealth Land and Water Fund "to continue to address the more comprehensive stormwater management efforts within the Wyola basin area including work on town roads, private roads and at DCR facilities to improve stormwater conditions". Stocker/LWAC: Terry Smith and David Green (LWAC members) are familiar with the process and suggested the LWAC apply for funding; doing so will not preclude other applications for funding; the request is for the Select Board to write a letter of support; the scope is for work on both private and town roads specifically upgrades to stormwater drainage systems. Torres: if the funds come to the town, work on private roads is problematic. Makepeace-O'Neil: improvements to town roads would have a positive effect on the Lake area. Farrell: the MVP application is specific to stormwater management. Torres: to an extent, MVP funding supports both private and public work; response to this application is anticipated in August/September 2022. The draft LWAC letter is screenshared.

- Makepeace-O'Neil moves and Stocker seconds a motion to approve the LWAC letter to State legislators as drafted. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

1. Continue Annual Appointments:

Page 1: The vote on this page was not completed 6.21.22. Makepeace-O'Neil moves and Stocker seconds a motion to approve page 1 of the "Appointed Officials: July 1, 2022 – June 30, 2023". Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Tree Warden: Farrell and Torres met with Don Wakoluk and, if he is willing, they recommend his reappointment as Tree Warden. Makepeace-O'Neil moves and Stocker seconds a motion to re-appoint Don Wakoluk as Tree Warden. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Historical Commission: Farrell: the Select Board received two letters from Historical Commission members requesting Janice Stone be reappointed given her background and expertise; Historical Commission rules do not require residency in town. Stocker, noting that Stone owns property in Shutesbury, is okay with the reappointment. Torres believes the Historical Commission voted in the past to accept members from other towns; this may be too broad and concerning; other town non-elected boards, if approved by those with jurisdiction, are allowed to have members from out of town. Farrell: it is clear Stone has a long history of service to the town. Torres: when there was a shortage of town residents willing to serve, the Conservation Commission had out of town members. Farrell notes the need look for previous service in lieu of residency. Makepeace-O'Neil: there are times when expertise in town is not currently available. Torres suggests developing a policy regarding out of town membership on non-elected boards. Noting that she is working on compiling town policies, Gail Fleischaker encourages a new policy that includes a set of criteria for non-elected committees. Farrell: the policy would be for committees that do not have bylaws/statute specifying membership; it will be a reference point for committees and what the appointing authority will be looking for. The Board agrees to continue discussion about a membership policy during a future meeting. Appointments to the Zoning Board of Appeals and new Building Committee will be considered at a future meeting.

- Makepeace-O'Neil and Stocker seconds a motion to reappoint Janice Stone to the Historical Commission. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

2. Web/Communications Committee Policy Review: Fleischaker/Web Communications Committee Chair: both policies have been revised for clarity, simplification and accuracy as to actual practice. The "Town Announcements Policy" is screenshared. Fleischaker: the policy identifies the steps for a Town Announcement.

- Makepeace-O'Neil moves and Stocker seconds a motion to approve the revised "Town Announcements" policy. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

The "Shutesbury Website Policy" is screenshared. Fleischaker: the policy has been revised for clarity of language and terminology and includes the scope of the Web Communications Committee. Fleischaker notes that list the list of all Town policies, by title and the "last approved" date, is found under Town Governance section of the website.

- Makepeace-O'Neil moves and Stocker seconds a motion to approve the "Shutesbury Website Policy". Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

3. Appoint Associate Planning Board members w/Planning Board: At 6:16, Deacon Bonnar/Planning Board Chair calls the Planning Board to order.
- Nathan Murphy moves and Robert Raymond seconds a motion to re-appoint Ashleigh Pyecroft as a Planning Board Associate member. Planning Board roll call vote: Lacy: aye, Raymond: aye, Murphy: aye and Bonnar aye. Select Board roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye. The motion carries.
  - Murphy moves and Lacy seconds a motion to reappoint Jake Messier as a Planning Board Associate member. Planning Board roll call vote: Murphy: aye, Lacy: aye, Raymond: aye and Bonnar: aye. Select Board roll call vote: Makepeace-O'Neil: aye, Stocker, aye, and Farrell: aye. The motion carries.

At 6:19pm, Lacy moves and Murphy seconds a motion to adjourn the Planning Board. Roll call vote: Murphy: aye, Lacy: aye, Raymond: aye and Bonnar: aye; the motion carries.

4. Review ARPA Requests: Farrell: with input from relevant boards/committees, the Select Board will make the final decision about how ARPA funds will be used. Torres screenshares a spreadsheet of the requests received to date; of the \$525,000 available to the Town, \$300,000 has been committed to replacing the asphalt section of the school roof therefore all other requests, received to date, will not be funded as they stand. Other than the request for two election tents, written requests have been received. Torres to Stocker's question about other funding sources for the school roof: the MSBA site visit to the school remains pending and may take place in August; a decision is expected by October; the MSBA grant would be for 50% of the costs. Because the \$300,000 for the school roof is already committed, all Board members agree not to use it for another purpose.
- Pending an estimate, the sound system is supported.
  - Paul Lyons/Town suggests setting up a working group to consider the use of electronic voting for town meetings; other towns have used ARPA funds to purchase such a system for \$10,000. The system includes a yes/no clicker issued to voters at sign in; all votes, which are anonymous, are quickly tabulated electronically. Per Lyons, it would be wise for residents to vote on use of an electronic voting system. Stocker sees this use of ARPA funds as a lower priority. Makepeace-O'Neil likes the idea though it is not a high priority at this time. The electronic voting system is put on hold.
  - Additional testing on Lot O32: Per Library Director Mary Anne Antonellis, bids have been received from licensed site professionals to follow up on the results for the test pit B9 located in the rear of the Town owned parcel; the library will be built in the front of the lot. Test pit B9, indicating a petroleum based residue, is located near the former US Department of Defense site; there is a DEP order for the site. Antonellis expects to receive the Fuss & O'Neil proposal 7.6.22; the Jemsak proposal is \$23,000 and O'Reilly Talbot & Okun's (OTO) is \$40,500. Antonellis plans to run the proposals by DEP to ensure their requirements are satisfied; the testing is expected to be done by the end of summer. Stocker: will this include testing and remediation? Antonellis: just testing; the Army Corps disagrees with OTO's original findings for B9; the Town and DEP agree that more investigation is needed; the findings will either agree with the Army Corps or, if needed, determine what type of remediation is needed; the Town may then need to communicate with the Army Corps. Per Antonellis, there has been a lot of testing done on the front 5 acres: all wells within 500 ft of the site have been tested; soil borings were done at the library site, the former garage and drain sites, and anywhere there was a debris pile; the library will be down gradient from B9; the groundwater tests at the Water Resources Committee test wells were all negative; the licensed site professional will determine if being down gradient is an issue; OTO said no; test

pit B10, located half way between B9 and the back edge of the library site was negative. Select Board members agree this project has some urgency and that a firm number is needed for the 7.19.22 meeting. At 6:50pm, Farrell briefly steps away from the meeting.

- Fire Department Exhaust Capture System: Makepeace-O'Neil: this is an urgent work place safety issue. Stocker agrees.
  - Broadband: Municipal Lighting Plant Manager Gayle Huntress has submitted proposals for three different items. Stocker: the MLP has the ability to generate funds where other departments do not; is unclear why fiber to the home is included. Makepeace-O'Neil notes that the number of those requesting fiber installations is not clear. At 6:54 Farrell rejoins the meeting. Farrell asks if other grant funds are available to assist with fiber to the home; these households chose not to install initially. Torres: there are ARPA broadband funds available; the MLP Board previously stated they would not have any requests because other departments were in need. All agree to put the MLP request on hold.
  - Energy & Climate Change Committee: No costs were submitted with this request.
  - Tents: Torres' request is for outdoor town meeting large tent rental; the Town Clerk needs to have tents available in town hall; the Board of Health tents are stored off site; all available tents are used at annual town meeting; additional tents would provide more flexibility. Stocker, Makepeace-O'Neil and Antonellis support the need for more tents. Farrell: the Board will review and vote on the requests during the 7.19.22 meeting.
5. Textile & Book Recycling Collection: Farrell: the request from Gary Bernhard/Recycling Coordinator is for textile and book recycling bins, to be located on town property, to increase recycling and keep materials out of the waste cycle; there would be some income for the town. Bernhard: in November 2022, textiles will no longer be allowed in landfills/incinerators; CMark donates to Big Brothers Big Sisters, they set up, monitor, and empty the boxes; the town will receive 7cents/pound. Per Bernhard, CMark has a good reputation; the Highway Department offers easy access and visibility; the Leverett Transfer Station will also take textiles. Makepeace-O'Neil and Stocker support the plan. Bernhard will be happy to monitor how the program is working. Antonellis supports the book box; on a regular basis, people leave boxes of books at the library and she has no way to manage them. Torres is concerned about there being adequate room at the Highway Department location and asks about siting at the library. Meryl Mandell/Recycling & Solid Waste Committee Chair: other than Fire Department truck access, that site is visible and has easy in/out access. Mandell notes that the RSWC was not aware of the ARPA request; Farrell states that the RSWC will have the opportunity to submit a request. Torres will confer with the Fire Department; signage could make the site work. Antonellis suggests Lot O32 where there is a driveway for access. Bernhard: CMark will install wherever we want; he will check if the boxes can be installed on grass. Select Board members agree for Bernhard to ask CMark to check siting. It is noted the bins will add points toward the DEP grant. The Board plans to vote on the proposal during the 7.19.22 meeting.
6. FRCOG Inspection Program (FCCIP) Contract: Torres: the three year contract of \$4,600, for building inspection, is under the same terms; the Town has our own electrical/plumbing inspectors.
- Makepeace-O'Neil moves and Stocker seconds at motion to approve the three year \$4,600 contract with FRCOG for the Franklin County Cooperative Inspection Program. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, Farrell: aye; the motion carries.

7. Police Teamsters Union #404 Contract: Torres: the wage rate with an annual 3% increase will run from 7.1.21 to 6.30.24; contract negotiations/approval were delayed due to turnover; the detail rate was changed from \$48 to \$52/hour and is not retroactive; a new initiative for a one-time bonus of \$1,000 for a bachelor's degree and a \$2,500 one-time bonus for a master's degree is included; these bonuses are not built into the base rate. Negotiations were done by Makepeace-O'Neil, Bob Groves, and George Arvanitis. Makepeace-O'Neil notes the most significant change is the education bonus. Torres: the officers seem satisfied with the contract.
- Makepeace-O'Neil moves and Stocker seconds a motion to approve the "Town of Shutesbury Agreement By and Between The Town of Shutesbury Police, Teamsters Local 404 and Town of Shutesbury July 1, 2021 – June 30, 2024". Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
8. Town Administrator Updates:
- a. Remote Meetings: The State Senate has approved the extension of remote meetings for 18 months; there is pressure on the House to approve and the Governor to sign legislation before 7.15.22 when the remote meeting allowance expires.
- b. Regional Schools: Michael Morris/Superintendent is asking for a "Guardrails" working group of up to three members/town who need to be available during the summer months. Steve Sullivan/School Committee expects meetings will be in the evening; the next School Committee meeting is in August. Makepeace-O'Neil is willing to serve and, if needed, Torres will serve.
- c. Vacancies: There has been only one inquiry, to date, for the Administrative Secretary position; the ad needs to be posted on the website; the hourly rate for this benefitted position is \$18.52 – \$20.38. The Highway Superintendent will decide on his retirement date by 7.10.22.
- d. Small Town Administrators of Massachusetts (STAM): The recent meeting included updates on the State budget and surpluses; there is a large rainy day fund along with an increase in sales tax revenue; there was a presentation about violence in the workplace that noted an increase in encounters with extreme behavior and the need for employee support/training in how to de-escalate; if needed, training will be provided for Town employees.
- e. Farmers' Market: Torres asks the Board to support Town Announcement postings about the market which is sponsored by the Farm and Forestry Commission.
- Makepeace-O'Neil moves and Stocker seconds a motion to support the use of Town Announcements to support the farmers' market. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
- f. Fire Chief Update: On 7.7.22, the Fire Chief Hiring Committee will recommend one candidate, Leonard Czerwinka, as Fire Chief. Makepeace-O'Neil refers to the letter from firefighters requesting their input on the hiring decision. Torres: former Fire Chief Walter Tibbetts asked all the firefighters to consider volunteering for the Committee; then, when no one volunteered, former Firefighter George Davies, with two decades of service, represented firefighters. Stocker/Fire Chief Hiring Committee Chair: 7.7.22 will be an open meeting for the Select Board and others to ask questions. Torres to Stocker: if there are unanswered questions, voting will need to wait and hiring will occur pending a background check; the salary will be negotiated by Finance Committee, Personnel Board and Select Board representatives. Makepeace-O'Neil asks if it would be a conflict of interest for members of the Hiring Committee to serve on the negotiating team because they have information about the other candidates. Torres will consider this matter.

Administrative Actions:

1. Makepeace-O'Neil moves and Stocker seconds a motion to approve the 6.21.22 meeting minutes. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the minutes are accepted as presented.
2. Makepeace-O'Neil moves and Stocker seconds a motion to approve the 6.27.22 meeting minutes. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the 6.27.22 minutes are accepted as presented.
3. Select Board members will sign vendor warrants #22-28 totaling \$92,150.49 and #23-1 totaling \$298,137.28.
4. Select Board members will sign payroll warrants #23-1 totaling \$120,381.24.

At 7:51pm, Stocker moves and Makepeace-O'Neil seconds a motion to adjourn the meeting. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Documents and Other Items used at the Meeting:

1. 6.21.22 email from Stocker: "Fwd: draft letter LWAC"
2. Draft "Appointed Officials: July 1, 2022 – June 30, 2023"
3. 6.21.22 email from Miriam DeFant: "Janice Stone's reappointment to the Historical Commission" and 6.22.22 email from Henry Geddes: "Janice Stone's reappointment"
4. "Shutesbury Web Site Policy, Amended 11/18/21" and "Town Announcements Policy, Amended 06/xx/2022"
5. ARPA Requests
6. FRCOG Cooperative Inspection Program Contract
7. "Town of Shutesbury Agreement By and Between The Town of Shutesbury Police, Teamsters Local 404 and Town of Shutesbury July 1, 2021 – June 30, 2024"
8. 6.30.22 email "Urgent message from the Shutesbury firefighters"

Respectfully submitted,  
Linda Avis Scott  
Administrative Secretary