

Shutesbury Select Board Meeting Minutes
July 19, 2022 Virtual Meeting Platform

Select Board members present: Rita Farrell/Chair, Melissa Makepeace-O’Neil, and Eric Stocker
Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary
Other Staff/Volunteers present: Nate Heard, Michael DeChiara, Gail Fleischaker, Miriam DeFant, and Graeme Sephton/Energy & Climate Action Committee; Police Chief Kristin Burgess; Penny Jaques/Top of the Lake Project; Mary Anne Antonellis/Library Director; Mary David/Conservation Commission & ZBA candidate; Jeff Lacy/Zoning Board of Appeals; Kate Cell and Brad Foster/Library Board of Trustees
Guests: Mary Lou Conca, Joan Hanson, Penny Kim, and Joyce Braunhut

Farrell calls the meeting to order at 5:30pm.

Agenda Review: As posted.

Public Comment: None offered.

Discussion Topics:

1. Cares Grant Closeout: The online option for the Cares Grant closeout is screenshared. Torres: in the spring of 2020, Shutesbury dispersed \$156,410 in 2020 Coronavirus Relief Funds to provide internet for those in need, purchase election additional materials, i.e., mailing supplies, tent rentals and a variety of fundamental supplies, i.e., PPE for Town Hall, the Police Department and elementary school; the \$3,690.81 for the large smart screen and OWL was not approved and will need to be returned.
 - Makepeace-O’Neil moves and Stocker seconds a motion to approve the use of \$152,410 in 2020 Coronavirus Relief Funds and to return \$3,690.81 for non-approved Cares Grant expenditures.
2. Top of the Lake Signage: The “Top of the Lake Conservation Area Rules” sign is screenshared. Penny Jaques/project coordinator: 20 years ago, the Town acquired a sliver of land at the corner of Merrill Drive; a small CPC grant and additional funds from the Conservation Commission were obtained to create a park with an alternate canoe/kayak launch and a place to enjoy this end of Lake Wyola; the launch with big stones, native plants and a fence have been installed; the Highway Department created two parking spaces. Per Jaques, before announcing the area is available for use, a sign is needed; the near abutters have had some unhappiness with the project moving forward. The draft sign, to be posted near the parking spaces, is reviewed and edited. The sign has been approved by the Conservation Commission; feedback from Police Chief Burgess is needed to ensure officers are comfortable with enforcement: activities prohibited by by-law are noted thereby allowing officers the ability to cite offenses if indicated; violations are to be reported to the non-emergency dispatch line. Burgess agrees to ask the abutter on the west side to move the large “park here” sign further onto his property. Per Burgess, because there is only one officer per shift, they can attempt to monitor parking. Penny Kim notes the need to emphasize “enjoy this beautiful spot”. Jaques will have the sign made though will need assistance with a Spanish translation. Per Jaques: a formal opening will set a good tone for the

neighbors who will be invited along with the Community Preservation Committee, Conservation Commission, and Select Board.

- Makepeace-O'Neil moves and Stocker seconds a motion to approve the content Top of the Lake Conservation Area sign as edited. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

3. Community Choice Aggregation/ECAC: At 6:08pm, Michael DeChiara calls the Energy & Climate Action Committee (ECAC) and explains that Nate Heard is the lead Committee member on the concept of Community Choice Aggregation (CCA). The "Community Choice Aggregation of Electricity" slides are screenshared. Heard: legislation allows communities to change the energy supply from the utility company to a source that generates less carbon and could include greener and/or renewable options; about one-half of the towns in MA are doing CCA; the approach is flexible. The CCA purchases electricity on contract; the Town can opt out at any time; the utility maintains the power lines. There are two routes, market or public aggregation; with the market route, the broker's facilitation fee is part of the bill; the public route is a non-profit formed by the community. Per Heard, the ECAC is encouraged that there may be options to reduce rates and promote green energy; the broker arrangement seems best. Sample warrant article language is suggested. DeChiara clarifies: the warrant article language would need to be approved by Town Council; it is not a complex process and would enable the town to move forward with renewables and green energy; options include lower rates and mid-line renewables; suggests "noncutting of forests" as an option. Per DeChiara, Shutesbury would design their options; if the Select Board approves, the ECAC would develop an educational forum to take place before a town meeting vote; folks can opt in/out at any time. Stocker asks about the difference from "green up". Heard: CCA offers a change to the default supplier; it sets a level for opting in and gives the Town more options for specifying what is being offered. DeChiara: National Grid does not offer an option to save money; CCA drives the price down for everyone and is a town-wide systematic response versus individual actions. Gail Fleischaker: think of it as a buyer's club using the bargaining power of the whole community. It is noted that Amherst, Pelham, and Northampton are in process of setting up a non-profit and are now selecting a supplier. DeChiara: using a broker is faster. It is uncertain whether CCA would add points to the Climate Leaders/Green Communities program. Per Torres, a special town meeting could be held in November. DeChiara suggests the Select Board consider CCA; if approved, warrant language would be sent to Town Counsel; then, ECAC will prepare educational materials; it is conceptual at this point. Farrell notes the need for community education and that CCA is worth pursuing; suggests voting on the warrant article at a later date. Select Board members agree to further consider CCA. The "Community Choice Aggregation of Electricity" slides will be posted on the ECAC website.
4. Personnel Action Forms/Appointments: Torres explains the following appointments as approved by the Select Board.
 - Makepeace-O'Neil moves and Stocker seconds a motion to appoint Samantha Speciak as a library substitute, Linda Avis Scott to the Newsletter Committee

and Carrie Stone as Town Hall support person as well as Personnel Action Forms for Speziak and Stone. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

5. ARPA Requests Second Review: The reviewed and updated spreadsheet of ARPA requests is screenshared. Torres: \$525,000 available - \$300,000 for the school roof; if all requests are approved, it will be over budget; some items are on hold pending the whole picture.
 - a. Lot O32 Environmental Testing: Antonellis: on behalf of the town, testing is being done to clear the site before the library design process begins; four licensed site professional quotes were obtained; Fuss & O'Neill appears to be the best; they have reviewed the history of work done on the parcel over the past ten years, will do up to ten soil borings at B9, and, if indicated, install a ground water monitoring well to look for VOCs near B9; recommendations will be made based on their findings which will be reviewed with DEP and Army Corps of Engineers. Per Antonellis: the \$15,153 Fuss & O'Neill bid includes the monitoring well if needed; the Highway Department may need to do some clearing around B9; funds for a wetland delineation are not included in the bid. Torres: if wetland permitting is needed, the Town will follow the appropriate process. Antonellis: delineation has been done of the front five acres; a cost estimate for more delineation cannot be provided at this time. Stocker affirms that the bid does not include remediation. Antonellis, DeFant, and Torres will confer on wetland permitting to facilitate the timeliness of testing.
 - Makepeace-O'Neil moves and Stocker seconds a motion to approve \$15,153 in ARPA funds for testing on Lot O-32 by Fuss & O'Neill. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
 - b. Fire Department Exhaust System: this vote will occur during the next Select Board meeting.
 - c. ECAC: DeChiara apologies for not having dollar amounts with the request; all the items were identified in the MVP or HMP and some seem more pressing, i.e., the creation of a climate response fund that has an annual budget allocation; stormwater engineering has the highest level of importance, i.e., funds for an engineering study; community solar research for small scale installations around town; updating the Master Plan is a low priority though a consultant will be needed for the process; extend solar on town buildings; grant writing as an investment in funding opportunities. DeChiara: the priorities are stormwater engineering, \$50,000-\$75,000, and grant writing. DeChiara to Farrell's question: the MVP application is for the intersection of stormwater and dirt roads; an engineering report would provide a foundation for future funding; \$10,000-\$15,000 toward a climate response fund would provide funds to start grant writing with the addition of more funds for a stormwater engineering study. Farrell: the goal is to see the whole ARPA request picture; ECAC projects will be considered at a future meeting.
 - At 6:59pm, Fleischaker moves and DeChiara seconds a motion to adjourn the ECAC. Roll call vote: DeFant: aye, Sephton: aye, Fleischaker: aye, Heard: aye, and DeChiara: aye; the motion carries.
6. New Library Building Committee: The "Shutesbury Library Building Committee: Composition, Context, and Charge" is screenshared. Mary Anne Antonellis/Library

Director reviews the document and explains that the “Owner’s Project Manager” is a State term; this contractor or engineer will have municipal construction experience, specifically with libraries, and will work for the Town. Per Antonellis, the Trustees are presenting the charge to the Select Board; once it is approved, Antonellis will send the charge out to the community with a request for letters of interest and relevant experience; the Trustees will review the letters during their 8.29.22 meeting and recommend candidates to the Select Board as the appointing authority. It is noted that some letters of interest in the new Building Committee have been submitted and appointments are pending; the Committee’s new charge states that one or two members will serve on the committee for any major project. Antonellis: the Library Building Committee (LBC) will include a member of Shutesbury Building Committee as per the new bylaw; the plan is for the new LBC to be up and running by mid-September.

- Makepeace-O’Neil moves and Stocker seconds a motion to approve the “Shutesbury Library Building Committee: Composition, Context, and Charge”. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

7. Zoning Board of Appeals Appointments: Per Torres, a Town Announcement requesting letters of interest in serving on the Zoning Board of Appeals (ZBA) went out about one month ago; currently, Jeff Lacy is the only ZBA member; three individuals have expressed interest: John Aierstuck, Mary David and Michael Pill who is an attorney like outgoing chair Chuck DiMare. Torres: DiMare recommends Pill who, along with Lacy’s expertise, will accommodate members new to ZBA work; there are two full member and two alternate positions open. Torres explains that Pill may have a conflict of interest in cases involving W. D. Cows, Inc.; per DiMare, Cows has come before the ZBA about five times over a ten year period; an alternate would serve if Pill cannot. It is noted that both David and Aierstuck will be new to ZBA work. Select Board members and Lacy agree on the need for the candidates to introduce themselves before appointments are considered. Mary David is thanked for being present. Lacy: there are currently no cases before the ZBA; he has been fielding inquiries and working with Carey Marshall/Land Use Clerk and DiMare. The candidates will be invited to attend the 8.16.22 meeting.

8. CPC Grant Agreements: Farrell, as a member of the Community Preservation Committee (CPC): the CPC grant agreements, reviewed by Town Counsel Donna MacNicol, are with the Kestrel Land Trust (two) and the Historical Commission; the agreements address conditions of the grants, requirements per Statute, the funds approved, time parameters for performance and termination language if there has been no progress for three years; a town meeting vote is necessary to withdraw an allocation.

- Makepeace-O’Neil moves and Stocker seconds a motion to approve the “Community Preservation Committee Grant Agreement with Kestrel Land Trust” for land acquisition of Lot R-15/Pelham Hill Road and development for passive recreation. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

- Makepeace-O’Neil moves and Stocker seconds a motion to approve “Community Preservation Committee Grant Agreement with Kestrel Land Trust” for development of holdings at Ames Pond/former Janowitz property. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
- Makepeace-O’Neil moves and Stocker seconds a motion to approve the “Community Preservation Committee Agreement with the Shutesbury Historical Commission” for the historic guideboard restoration project. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

9. Town Administrator Updates:

- a. State Senator Jo Comerford: Elena from Comerford’s office called; Shutesbury is likely to receive an earmark; the hope is for each town in her District to receive \$50,000 toward a priority project, i.e., for Shutesbury, the school roof. Per Farrell, funding for the new library is in place; there are a lot of unknowns related to the costs for the school roof.
- b. Leverett Culvert: Leverett will be working on a culvert located after the “S” curves; the road may need to be closed for 1-2 weeks; the signs for the alternate route detour to Amherst will be located on Rt. 202; an added benefit will be reduced traffic through the center of Shutesbury; the work is anticipated to take place this summer.
- c. Locks Pond Culvert: It is hoped that the culvert replacement can be done in November; if not, Howard Kinder/Dam & Gate Keeper will be consulted to determine if the work can be done in the spring; the lake level is usually raised in April however this is dependent upon ice-out being certain; the Conservation Commission will also need to be consulted.
- d. Other Updates: National Grid subcontractors did energy audits at the school, Highway Department building, the town hall and library and will do an envelope audit at the Fire Department; the audits, requested by the Energy & Climate Action Committee, are being done in preparation for the next round of Green Communities Grants.

The second fire chief candidate interview will be held via hybrid format at 5pm 7.21.22.

Torres thanks Scott whose last official day was 7.15.22; she will be filling in while a new person is hired. Torres will be sharing a resume, submitted for the Administrative Secretary position, with the Select Board.

Administrative Actions:

1. Makepeace-O’Neil moves and Stocker seconds a motion to approve the 7.1.22 meeting minutes. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: abstain;
2. Makepeace-O’Neil moves and Stocker seconds a motion to approve the 7.5.22 meeting minutes. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye;
3. Makepeace-O’Neil moves and Stocker seconds a motion to approve the 7.7.22 meeting minutes. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye;
4. Select Board members will sign vendor warrants #23-2 totaling \$728,328.67.
5. Select Board members will sign payroll warrants #23-2 totaling \$99,655.52.

At 7:35pm, Makepeace moves and 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. "CARES Act Closeout" document
2. "Top of the Lake Shutesbury Conservation Area Rules"
3. "Community Choice Aggregation of Electricity" a presentation of the Energy & Climate Action Committee (see webpage)
4. "Shutesbury Library Building Committee: Composition, Context, and Charge"
5. "Community Preservation Committee Grant Agreement with Kestrel Land Trust" for land acquisition of Lot R-15 and development for passive recreation
6. "Community Preservation Committee Grant Agreement with Kestrel Land Trust" for development of holdings at Ames Pond
7. "Community Preservation Committee Agreement with the Shutesbury Historical Commission" for historic guideboard restoration project

Respectfully submitted,
Linda Avis Scott
Administrative Secretary