

Shutesbury Board of Selectmen Tuesday September 24, 2013 Meeting Minutes

Members present: Chairwoman Elaine Puleo and members Al Springer and April Stein.

Also Present: Town Administrator Rebecca Torres, Administrative Secretary Leslie Bracebridge recording.

Chairman Puleo opened the meeting at 6:30 P.M. at the Shutesbury Town Hall

Appointments

Police Chief Harding: Was not present.

Topics

1. **Review Special Town Meeting Draft:**

- So far, there are 2 articles for the Nov. 5 Special Town Meeting:
 1. \$2,977.84 from Free Cash for an FY 13 hauling invoice. Because it's a prior year's expense, it requires a 9/10ths vote to pass.
 2. A presently unspecified amount to repair the M.N. Spear leaking slate roof:
 - The library roof repair bid has been posted on the Central Register (along with the hearse house re-bid) so assuming a bid or bids are received, the exact amount needed will be available in time for the special town meeting.
 - Building Committee member James Aaron stepped into the meeting to notify the Board of his concern that many slate roof workers' fall schedules are completely filled. Becky reassured Jim that while the bid is already on the Central Register, amending the bid specifications such as extending deadlines to June 30 is not a problem.
- Town Accountant Weiss expects to hear back on certification of Free Cash before the meeting.

2. **Review Hearse House Bid Status:**

- The Select Board is the awarding body for bids.
- Results of the first bidding cycle are in:
- Though the Building Committee worked very hard to make the project open to up to 4 builders, only 2 bidders responded:
 - The high bidder bid on all 4 parts and the alternate cedar roof.
 - The low bidder only bid on 2 pieces, and did not bid on the alternate shingle roof.
 - The high bidder was not interested in doing the remaining 3 parts, so the project has gone out for a second bid round, still in 4 segments in hopes of getting the most specialized contractors for each part.
 - Town Counsel advised against breaking the project up in that way due to inherent problems.
- The next bid opening is October 16 at 4 PM. The Building Committee will review the results at their 6 PM meeting that night, and asked if the Select Board could meet on October 17, if needed to award a contract. Selectmen agreed to meet at 8 AM on October 17, if needed, to award a bid.
- Both the Hearse House restoration and the Spear Library roof bids are going out to bid on October 3 with bids due back on October 16.
- Town Counsel MacNicol advised against re-bidding in the same format due to inherent problems.
 - Confused feedback and missed connections caused the bidding to go forward again in the same manner, which is the preferred method of the Building Committee.
 - There were 5 pages of edits separately written and added into the original bid.

3. **Review Draft Bylaw on Littering from the Recycling Committee:**

- Recycling Committee Chairman Meryl Mandell spoke with Chief Harding and the bylaw has been reworked with his input.

- Because the proposed bylaw is long and detailed, Leslie has suggested making it a policy first (rather than a bylaw) for a test run, which could be implemented, and edited if need be to make it more functional, simply by Select Board approval. Meryl is working with that concept, but indicated to Leslie that she prefers a bylaw.
- The goal of the Recycling and Solid Waste Committee would be to take the proposed by-law to the May 2014 Annual Town Meeting, so there is time to keep considering ideas before final decisions are made.

Select Board Action Items

1. **Select men unanimously voted to accept the 9/10/13 Select Board Meeting Minutes as written.**
 2. **Selectmen signed vendor warrants totaling \$113,178.98.**
 3. **Select men signed payroll warrants totaling \$87,598.84.**
 4. **BG disclosure form:**
 - When reviewing the process of having local people bid on local projects, Town Counsel advised that Robert “Bob” Groves should contact the Ethics Commission if he wishes to work on local town projects, as there is no disclosure form on record for him.
 - Bob has called the Commission, and completed a form as advised, which the Select Board approved and Elaine signed.
 5. **EMT (Emergency Management team) Support Letter about House Numbering** (Discussed by Selectmen in the presence of Fire Chief and Emergency Management Director Walter Tibbetts):
 - The Emergency Management Team has discussed the E-911 house numbering system relative to the 2008 introduction of Accessory Apartments into the zoning bylaws, by special permit of the Zoning Board of Appeals (ZBA). With 6 or more accessory apartments already permitted by the ZBA, the need for new house numbers to be assigned to them has become apparent.
 - The EMT members spoke with representatives of town departments with known interest in consistent numbering that remains in keeping with the originally and carefully assigned house numbers. The EMT learned that there was an absence of a town mechanism to notify the property owner to request a new number for any new Accessory Apartment. It also became clear that once the owner got a special permit from the ZBA, there was no notice to the owner to also get a “change of use” permit from the building inspection office.
 - The EMT prepared a letter which they recommend the Select Board send to town departments that are associated with building and planning. The letter emphasizes the need for a new number for accessory apartments that is consistently used across all departments. The letter also recommends that the ZBA advise accessory apartment applicants to apply to the Building Inspector’s office for a change of use application that will trigger various building code and fire safety code inspections.
 - Building permits are needed for Accessory Apartments in addition to the Zoning Board Special Permit, in order to review the change of use for fire safety and building code requirements.
- Selectmen unanimously voted to send the letter to the affected boards.**
6. **Schedule Special Town Meeting:** November 5, 2013 at the Shutesbury Elementary School.
 7. Elaine agreed to be the **Town Representative for Education Union Negotiations.** She’s done it 2 times as a School Committee member and 2 times representing the Board of Selectmen.

Topics the Chairman Could Not Reasonably Have Anticipated

1. The Selectmen tentatively scheduled the **All Boards Meeting** for Monday October 21 at the Elementary School dependent upon a space being available at the school, with the Select Board meeting at 6 PM that same night, also at the School.
 - a. Elaine offered to craft a letter asking the Boards to prepare comprehensive presentations including the charge of the committee and how to become a committee member.

2. Elaine asked Becky for a **Wired West update**:
 - a. The new Director is very experienced with the Internet, having developed and grown a number of Internet companies including JavaNet. Two or 3 of his companies went national.
 - b. His motivation in promoting the Internet in Western Mass towns stems from his family connections to Ashfield. He tried to move back to Ashfield to raise his family, but they don't have adequate Internet service so he is still working out of Hartford. DSL is not suitable for running a business
 - c. The terms of the new director's contract with Wired West are that he only gets paid if Wired West succeeds at getting a seat at the table as a full partner with MBI.
 - d. The new director has been attending Wired West meetings since January without contract.
3. Elaine described the **work being done on Pelham Hill Road** as "pretty dramatic."
 - a. Al: Highway Superintendent Tim Hunting hasn't ever repaved Pelham Hill Road. The sand has built up over those many years such that the water cannot run off the road. Paving is going no farther than Weavers (#299.)
 - b. Becky: One person sent a complaint letter to the Conservation Commission. Therefore Tim went to a Conservation Commission meeting which was very productive. The Commission understood what Tim was doing and why he was doing it, furthering a mutual understanding of the requirements of road maintenance and requirements of the Conservation Commission.
4. Selectmen reviewed up-coming **Select Board Essential Skills Workshops sponsored by the Franklin Regional Council of Governments (FRCOG)**:
 - a. Advanced open meeting law with Donna MacNicol,
 - b. How your Select Board can get the most out of FRCOG.
 - c. The basics of school finance.
 - d. You are the boss.
 - e. Preparing for the silver wave.
5. The **Massachusetts Municipal Association Fall conference for Select Boards is October 5.**
6. Elaine will go to the **Massachusetts Department of Public Health October 9 "Healthy by Design"** Community Leadership Award program at the State House, which is being held to support Active Streets and Zoning Reform legislation. (Shutesbury was one of 11 communities selected by a committee of event sponsors. The award is specifically in recognition of the town passing zoning reforms that seek to diversify housing choices to meet the needs of individuals and families of all ages and means, to protect open space, and to promote rural business development.)
7. Selectmen received an invitation for a **social meeting with Franklin County legislators about issues important to the region and towns on Thursday, October 3 from 6 to 7 PM at the Polish American Club in South Deerfield.**
8. Becky will attend the **Friday October 25 legislative breakfast meeting in Petersham.**
9. **Franklin County Select Board quarterly meetings** are good for connecting with area Selectmen.
10. Phoebe Walker has encouraged Elaine to become more involved with FRCOG. Ellen McKay is Shutesbury's representative and Becky attends when Ellen is not available. Some of their work is geared toward Greenfield and towns larger than Shutesbury.
11. Al meets regularly with the Veterans Agent of Franklin County and attends the **Central Franklin County Veterans District** meetings with Shutesbury's representative, Theodore Cumberledge.
12. **Selectmen unanimously voted to sign the Chapter 90 Environmental punch list and project request for repaving a segment of Pelham Hill Road.**
13. **Regional School District Planning Board (RSDPB) update**:
 - a. Becky recently served on a subcommittee charged with looking at 4 models.
 - b. Selectmen reviewed the subcommittee's report which included calculations of costs to the towns for some of the 4 models that seemed viable. The model favored by Shutesbury

- appeared to work for Shutesbury at the expense of the other 3 towns, while other models present significant budget increases for Shutesbury.
- c. So at the September 23 Regional School District Planning Board meeting, everyone present, who was not part of the Shutesbury contingent, basically felt that Shutesbury “wants to get our cake and eat it too;” that Shutesbury is holding the other 3 towns back.
 - d. Elaine: Local control is very important to the Shutesbury School Committee, as is having our school budget within town control. Elaine wants to be sure that something happens out of the 3 to 4 years’ RSDPB efforts, and also needs a way for Shutesbury to maintain control. Elaine would like to move closer to the ideal than lose everything. The “hybrid” model with Shutesbury contracting services could be a middle step.
 - e. Becky: They have a lot of valid points, but ideally the framework of the discussion should be about the elementary school, and the regional schools, and what is best for the schools. You have to talk about political interest, but we need to talk about the whole picture.
 - f. Elaine: If Shutesbury walks the whole thing falls apart.
 - g. Becky: They want legislation to get Shutesbury out.
 - h. April: What can we do differently? Becky: all we can do is stay in the conversation.
 - i. April: Where are do our School and Finance Committees stand on this?
 - j. Becky: We will discuss “it” at our next meetings; but nobody knows what “it” is. I don’t have answers “it’s” in such flux.
 - k. April: Is there a move to shift the discussion? Answer: The RSDPB tried a mediator: That was “terrible and awful.”
 - l. April: Pelham and Leverett don’t have enough kids to support their schools. If the scenario were different the conversation would be different. Becky: These things change all the time. We should be figuring out how to make things work.
 - m. Al: The state has a lot to do with it. April: Unfunded mandates; we have to learn to do more with less. Becky knows that in time, things will change. April: We could almost take all of Leverett and Pelham into our school.
 - n. Al: You only know one year, it could all change in the second year. Becky: We should be looking at the factors that make things shift.

The Select Board **adjourned at 8:22 P.M.**

Respectfully submitted,

Leslie Bracebridge
Administrative Secretary