

Shutesbury Select Board Meeting Minutes  
April 5, 2016 Shutesbury Town Hall

Select Board members present: April Stein/Chair, Mike Vinskey, and Michael DeChiara  
Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary

Guests: Gabe Voelker/Town Treasurer, Gian DiDonna/86 Pratt Corner Road-Alliance for Appropriate Development, Rolf and Jim Cachat-Schilling/187 Wendell Road, Asha Strazzero-Wild and Steve Schmidt/Broadband Committee, George Arvanitis, Gary Hirschfield, Weezie Houle, Eric Stocker, and Jim Walton/Finance Committee members, Jim Hemingway/318 Locks Pond Road and Dan Hayes/School Committee.

Stein calls the meeting to order at 6:39pm.

Agenda Review: Vinskey confirms that the Veteran's inquiry will be on the agenda.  
Public Comment Period: none offered at the opening of the meeting.

**Discussion Topics:**

1. Veteran's Inquiry: Voelker/Town Treasurer provides the Select Board with sample documents and explains that in the past, the Veterans Services office would hand deliver forms; with the current Greenfield Veterans Services office (VSO) system, there was a problem with receipt of documents; Greenfield has us hold payment requests for two weeks – payment requests are handled via our regular warrant cycle; Greenfield tells us not to release the checks before a certain date however these dates are not consistent. Voelker cites various examples demonstrating how difficult it is to fit Greenfield's request into the warrant system; per Boston, it is a 30-day cycle without dates. Voelker: the March request was "do not release before 3.25.16" – on 3.29.16, she was called and told the veteran was upset because he had yet to receive the check that was to be released that same day; Voelker told the VSO that the veteran could pick up the check in Shutesbury. Voelker has explained the warrant process and provided the warrant schedule to the Greenfield VSO staff and, per the Athol VSO, she is not breaking any rules; the Athol VSO is contacting Boston. Stein asks Voelker if there is a way the Select Board can be of assistance. Voelker states that she does not know how to meet the Greenfield VSO's needs; has proceeded to put the April payment request on to the current warrant. Stein acknowledges that Voelker is limited by the "do not release" and notes that in December the check was released early though checks cannot be released intermittently. Vinskey asks if the check can be sent to Greenfield VSO for mailing to the veteran. Voelker: that could delay receipt of the check. Stein acknowledges Voelker's professionalism. Voelker recommends awaiting the anticipated ruling from Boston; asks how the Select Board wants her to proceed for April? Stein: you have done what needs to be done. Voelker will cut the 4.12.16 check to be held until 4.29.16. At 6:55pm, Voelker leaves the meeting.

Public Comment Period:

1. At 6:55pm, Rolf and Jim Cachat-Schilling and Gian DiDonna join the meeting. Rolf Cachat-Schilling requests time to talk about historic preservation and reads from a document he agrees to provide for the record. R. Cachat-Schilling shows a photo of one kind of Native American feature: a way marker for a sacred landscape and states that Shutesbury has a super abundance of Native American features. R. Cachat-Schilling: this is an opportunity to grasp something that is important to the Town; the time has come to redress the accuracy of documenting Native American sites; no person of Native American descent has been involved in these discussions. Leslie Bracebridge/Historical Commission has reached out with a request for resource persons. Stein asks R. Cachat-Schilling if he is able to attend the 4.14.16 Historical Commission meeting. R. Cachat-Schilling: yes, and is interested in joining the Historical Commission. R. Cachat-Schilling states his concern about MGL Chapter 114 - if the Massachusetts Historical Commission becomes involved, the Town loses jurisdiction to the State. Stein appreciates R. Cachat-Schilling's presentation. R. Cachat-Schilling notes that he has lived in town for three years and is willing to provide a list of resources. DeChiara: this is a matter the Town needs to attend to; this year, there are three positions open on the Historical Commission and the Select Board is the recommending body; suggests a meeting to talk Historical Commission membership and a discussion relative to Native American history/artifacts with the Historical Commission; suggests that capturing the Native American history is part of the Master Plan therefore suggests inviting the Planning Board to this meeting as well. DeChiara: it is worth looking at legal exposure relative to the project before the Planning Board. Stein notes the need to consult Town Counsel. DeChiara recommends planning for this subject to be on a mid-May agenda. At 7:14pm, Rolf and Jim Cachat-Schilling and Gian DiDonna leave the meeting.

**Discussion Topics Continued:**

2. Current Broadband/MBI/WW Status: Schmidt: instead of sending more letters to MBI, the plan is to meet with MBI leadership about what is being done to move forward. Strazzero-Wild: during the 4.4.16 meeting, the Broadband Committee worked on customizing Shutesbury's letter to Governor Baker. Draft letter is presented for Select Board review and signatures. DeChiara suggests inviting a member of the Governor's staff to attend town meeting. Strazzero-Wild: the Broadband Committee has been inviting MBI staff to their meeting; we are dedicated to making asks that are possible. Vinskey participated in drafting the letter and appreciates the letter as it is. DeChiara moves the Select Board approve the letter to the Governor dated 4.6.16; Vinskey seconds the motion that passes unanimously. Vinskey asks Strazzero-Wild about a letter writing campaign. Strazzero-Wild: the Committee is still considering what the ask is; depending upon the Governor's response, there will be more clarity about the letter writing campaign. DeChiara moves to amend the prior motion to include sending a copy of the letter to the Lieutenant Governor; Vinskey seconds the motion that passes unanimously. DeChiara: regarding the possible scenarios, WiredWest is at the top, then, go it alone? Schmidt: the Committee does not see any savings in cooperating with a small group of towns, i.e. the Wendell proposal; we think MBI is going to want to build in cluster groups.

Public Comment Period Continued:

2. Strazzero-Wild states that she wants to better understand road matters, i.e. plowing and requests a copy of the plan that was developed to improve Montague Road including the budget for the recent work on Task Hill. Vinskey requests receipt of the same documents. Strazzero-Wild: the request for these documents was made months ago; the response from Torres has been that she is working on the request. Strazzero-Wild: a lot of money was spent for work that has not made much of a difference. Torres: the Task Hill work cost \$5,000; locating the road project notes from a Select Board discussion with Hunting is pending. Vinskey requests the plan developed by a FRCOG engineer about twenty years ago for different aspects of Montague Road including water runoff and slopes. DeChiara: the Select Board needs to set aside time to meet with Hunting to provide the requested information. Torres: there may not be a specific plan for the Task Hill work; Hunting had a meeting with all the concerned parties. Strazzero-Wild: as a citizen, she is requesting a transparent process for these types of things going forward; we did not know what was going to happen at the time; she would like advance notice and a chance to participate in what will be done; we are knowledgeable about our road. Vinskey acknowledges the need for residents to have advance information. Strazzero-Wild: we felt we had to be very demanding about getting the information we needed; we felt we were not part of a process that was happening to our land. Vinskey: what will the structure be for a meeting with Hunting? DeChiara: there will be roadwork every year and it is the Select Board's responsibility to know what is going to be done. Torres: Hunting was feeling pressure to make improvements on Task Hill. Stein recommends the Board invite Hunting to a meeting to reflect on the Task Hill project - what worked and what did not. Strazzero-Wild volunteers to participate on a committee to work on transparency relative to roadwork. DeChiara: the Select Board started the fall with a focus on communication; suggests a yearlong committee to focus on communication. Stein states she is unsure this is a way to proceed. Vinskey: meeting with department heads on a regular basis is a way to focus on communication.

**Discussion Topics Continued:**

3. Ambulance Contract: DeChiara moves the Select Board approve the "Town of Amherst and Town of Shutesbury Agreement for the Provision of Ambulance Service" beginning 7.1.16 and ending 6.30.18. Vinskey seconds the motion. Torres: at this point, Amherst is maintaining the same increments for a two-year period. Vinskey: why are not all of the expenses being recovered? Torres: Amherst is only charging for transportation not overhead. Motion is unanimously approved.

At 7:53pm, DeChiara moves to suspend the Select Board meeting; Vinskey seconds the motion that is unanimously approved. At 7:54pm, the Select Board meeting is resumed.

4. Sale of Town Parcel Lot B10 Lake Drive: DeChiara: based on the information from Ken Holmberg/Administrative Assessor, the Town owns 76 parcels with 11 buildings; suggests that considering the sale of town property be done in a systematic way. Torres: the sale of town property is infrequent. Stein to DeChiara: what are you envisioning; it is unusual for the Town to sell a parcel. DeChiara: at the last Select Board meeting, the sale of a parcel was considered; a thoughtful procedure or policy is needed to know what to

look at when considering a sale, i.e. how to establish a price. Torres: this is an infrequent process. Vinskey: it is being said that twenty years ago, the Select Board did not want to sell town land. Torres: every parcel that is brought up for sale is a different situation. DeChiara: guidelines for how to proceed and to provide a context are needed. Stein: the Select Board's job is to be thoughtful when a situation comes up; Lots B709 and B710/Lakeview Road were sold because it was an opportunity to help a towns person. Torres: Freeman Albertson and his attorney were surprised at the price being asked by the Select Board; at this point, nothing further has been heard. Vinskey: a piece of town property should be sold for the maximum amount possible; the Select Board's obligation is to look out for the welfare of the town. Stein: the Select Board needs to be realistic; the property is worth nothing to the Town; selling the parcels on Lakeview Road will allow the owner to sell his property; the market value is relevant. DeChiara: the Assessor determines the property value. Vinskey: each Select Board will have a perspective on the sale of Town property; suggests a procedure be put into the Select Board policy manual allowing it to be reviewed each year. DeChiara: there may be a compelling reason for not selling a piece of town land; wants to be able to state the rationale for a sale. Stein disagrees: selling town parcels is highly unusual; it was unfortunate that Freeman Albertson could not move forward with selling his house. DeChiara: until there is a policy, the Board will hold off on selling Town parcels. Considering a policy for the sale of Town parcels will be a June agenda item.

#### Administrative Actions:

1. Lake Wyola Road Race Event: DeChiara moves the Select Board approve and sign the Special Event Notification Form for the 6.12.16 Lake Wyola Association Road Race and Walk. Vinskey seconds the motion that passes unanimously.
2. Select Board Minutes: DeChiara moves and Vinskey seconds the motion to approve the 3.15.16 minutes. The Select Board approves the 3.15.16 minutes as amended.
3. Annual Report Cover: Scott: the goal of the new cover design is to increase readership. DeChiara suggests the Annual Town Report be scanned for posting on the Town website.
4. Our Town Article: draft Select Board article is reviewed and ready for submission.
5. Vendor Warrants: totaling \$51,589.99 to be signed.
6. Payroll Warrants: totaling \$91,328.17 to be signed.

#### **Discussion Topics Continued:**

5. Annual Town Meeting Warrant: DeChiara asks about the process for receipt of warrant articles, i.e. the Council on Aging request in Article #1. Torres: typically, the Town Administrator (TA) receives the warrant requests and prepares the warrant for Select Board review; the COA was established via bylaw so a bylaw amendment is necessary to increase number of members; the majority of the articles are on the warrant every year. DeChiara: it seems like the Select Board should be asked when a board, commission or committee wants something on the warrant. Stein: the process is that requests are made to the TA who puts the warrant together for Select Board review. Torres: there is only one vote for Article #2 - "Requires majority vote" should only be stated once. DeChiara: because six months passed without any action, the petitions referenced in Articles #3 &4, have evaporated; suggests swapping Articles #5 & 6 as the petition in #5 is moot; it is premature to have a place holder for Article #7. Torres, regarding Article #7, the

Planning Board has been asking for timelines. DeChiara: if the Planning Board has a bylaw the Article could be added. Vinskey: if Article #7 does exist, when would it be added? DeChiara: a draft warrant should contain an article that exists. DeChiara suggests all articles relative to financial matters be in one section of the warrant. Stein suggests Article #10, reports, be moved to before Article #8.

6. Draft Budget, Annual Town Meeting Warrant and Budget Hearing Dates/Finance Committee: The 4.4.16 draft budget is reviewed. Torres answers DeChiara's question about Line 5: this represents money that has not been used to fund the budget. Arvanitis: once the real numbers come in, these funds can be used if the FinCom has underestimated an expense. Arvanitis: Line 41/Payments in Lieu of Taxes come from Department of Conservation and Recreation land and Sirius Community; there are no big changes on the revenue side. Torres: Line 31/School Choice is the largest expense increase. DeChiara confirms this expense is only for elementary students. Arvanitis: page 6 shows the changes from year to year; for FY17, we agreed to a 3% salary increase; Shutesbury Elementary School (SES) decreased their request by \$19,000 due to receipt of grant funds – they have decreased their spending from FY16 to FY17. Vinskey: is the employee pay raise a cost of living adjustment (COLA)? Hirshfield: we did not identify it as such; it is an increase. Stein: it lines up with the negotiated police contract. Vinskey was under the impression that pay increases come from a change in step or grade. Torres: Shutesbury has never had a COLA and step increases; usually, when there is a step system, there is a separate COLA system. Vinskey: how does a town employee know what they are going to be paid? Torres: one has to wait until town meeting; the union employees are better protected. Vinskey: there should be a pay chart. Arvanitis: the chart is not a commitment – it shows the pay for different levels and is useful when hiring. Vinskey: what is an employee's pay based on? Stein: the Select Board recommends, the Town decides. Vinskey: how do we know when there are enough funds for pay raises? Arvanitis: in reality, we chose the 3% - the impact from 2-3% is \$5,600 – the FinCom feels this is money well spent. Stocker: the increase is not unrelated to COLA. Vinskey: folks on Social Security and others are not getting an increase. Torres: for many years, our chart was stable at 3%; the teachers and police have steps plus COLA. DeChiara: have we ever gone over 3%? Torres: no. DeChiara: the increase is an investment in retention; it is not necessarily merit. Stocker: it is a combination of merit, longevity, and COLA. Houle: this year, to maintain equity between departments, the increase was tied to the police contract. Hayes recommends the FinCom representative to Capital Planning have that committee look at the vehicle replacement schedule; feels the schedule is outdated. Arvanitis: for long term planning purposes, it is important to see what a replacement period might be. DeChiara: it seems like we should figure out a low risk way to try out surplus equipment. Hayes has interest in looking into surplus equipment; Plainfield and Ashfield use surplus equipment for reliability and a lower cost to own; recommends looking at options and drafting a warrant article that allows flexibility. Torres cites Article #14. Hayes offers to do more research. Vinskey: voters will want more research – one option is to take this article off the warrant, do research, and have a special town meeting or wait until next year. Hirshfield: the article could read "replacement with a spending limit". Stein asks what Hunting's position is. Vinskey has yet to speak with Hunting. Stein: Hunting needs to be part of the discussion. DeChiara is inclined to maintain Article #14; notes the need

to have a process for what is purchased. Arvanitis: using salvage equipment would be a fundamental change; it would take careful research/analysis. Stocker: didn't the Capital Planning Committee look at this? Walton: yes. Torres: there will be a direct impact on the serviceability of salvage vehicles; staffing and service response times will need to be evaluated; we need a thorough understanding of what we are changing. Walton notes the need for Hunting to be a part of the discussion. Torres: per Hunting, the main concerns are keeping the roads open and safety; a surplus vehicle may require more maintenance. Stocker: the truck we are replacing is 18 years old. Stein reaffirms the need for Hunting's input. Torres: Hunting and the Select Board are responsible for providing service for the town. Vinskey will provide data to prove the surplus vehicle will not need increased service. Houle: at this point in time, it takes nine months to build a new truck. Arvanitis: the current truck has needed a lot of repairs. Stocker: based on his experience, you do not continue to put money into an 18 year old truck needing ~ \$9,000/year in repairs. Vinskey: comparing the actual expenses of FY16 with the FY16 budget, a lot of items were underspent by a total of ~ \$120,000; where does this money go? Arvanitis: these funds go back into free cash. Vinskey: how much free cash does the Town need? Arvanitis: free cash is now \$993,000 – Article #12 proposes the transfer of \$100,000 free cash to the Capital Stabilization Fund. Arvanitis: free cash will be certified as of 7.1.16. Torres: the major donors to free cash are health insurance, snow removal and unemployment; unused departmental funds are returned to the general fund. Vinskey states he is impressed that departments do not spend all of their allocated funds; how much money do we need to keep in free cash? Torres: free cash can serve the purpose of limiting the tax burden relative to debt. Vinskey: it is a philosophical topic – the funds could be kept in the taxpayers' pockets until needed. DeChiara: there is big infrastructure to be considered, i.e. town hall, library. Arvanitis: we do have a lot of cash right now because we had a line to fund stabilization; when we do not have debt service, we can fund stabilization; with debt service, we cannot keep the higher levels of cash; we don't like to go with a debt exclusion override because it leads to fluctuations in the tax level. Vinskey: there are a lot of folks in town, that do not go to town meeting, who cannot afford things; more people will vote at an override. Torres: there are different focuses on what residents expect; to meet the town's needs, resources need to be shared. Vinskey: there will be more participation when people are asked whether to spend a certain sum for an item. Stein: we are saving so there are funds to pay for the larger items; town meeting is a place for folks to voice their concerns. Arvanitis: this FinCom feels we are practicing sound financial management. Vinskey states he expects to see another sum to go into free cash at the end of FY17. Arvanitis: we are running over on a lot of lines; there are some costs we cannot control. Torres: snow removal and fuel costs have been less. Vinskey: we will still be funding some free cash; suggests beginning to talk about the philosophical matters in September. Arvanitis invites the Select Board attend some of their meetings or the FinCom will attend Select Board meetings. DeChiara: the Select Board will be inviting departments to meet with us on a regular basis. Torres: once approved, the warrant must be posted; it is not required that the warrant and budget be mailed, however, Shutesbury has a tradition of mailing the budget and warrant to residents in preparation for town meeting. The budget hearing date is planned for 4.21.16 at Town Hall.

At 9:49 pm, Stein recommends postponing the Municipal Light Plant meeting. Torres: an Executive Session for reason #3 is not needed this evening.  
Next meeting 4.12.16: 6:00pm with Attorney MacNicol/Town Counsel regarding regular performance reviews and at 7:00pm Municipal Light Plant.

At 9:52pm, DeChiara moves, Vinskey seconds and all approve a motion to adjourn the meeting.

Documents and Other Items Used at the Meeting:

1. "Statement Regarding Bias Exercised by Shutesbury Select Board on the Matter of Historic Preservation and Expenditure of CPA Funds" by Rolf Cachat-Schilling
2. 4.6.16 Select Board letter to the Governor regarding broadband internet infrastructure
3. Towns of Amherst and Shutesbury Agreement for the Provision of Ambulance Service FY 2017 and 2018
4. Property card for Lot B10 Lake Drive
5. Town of Shutesbury Special Event Form for Lake Wyola Road Race and Walk
6. Annual Town Report cover
7. Draft 4.3.16 Annual Town Meeting Warrant
8. Draft 4.4.16 Town Budget
9. 5.2.15 Facilities Equipment/Furnishings and Vehicle Replacement Schedule

Respectfully submitted,  
Linda Avis Scott  
Administrative Secretary