

Shutesbury Select Board Meeting Minutes  
April 4, 2017 Shutesbury Town Hall

Select Board members present: Mike Vinskey/Chair, Michael DeChiara, and Melissa Makepeace-O'Neil

Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary

Guests: Joan Hanson, Sally Fairfield, Susan Millinger, and Susie Mosher/Positive Presence, Jeff Lacy/7 Baker Road, Al Werner and Ken Rotondi/Board of Health, James Cachat-Schilling/229 Leverett Road and Mary Jo Maffei.

Vinskey calls the meeting to order at 6:30pm.

Agenda Review: Vinskey: there will be no open session discussion regarding the Police Chief's contract.

Public Comment: Lacy requests to speak to the role of the Select Board in the budget process. Vinskey: this topic will be addressed later in the meeting. Lacy reads into the record an excerpt from the Division of Local Services "A Guide to Financial Management for Town Officials" regarding the Select Board's role in the budget process (portions of Section 3 p.23-25). Lacy states he would defer to an elected board versus appointed officials on budgetary matters.

**Discussion Topics:**

1. Town Hall Well Water: Ken Rotondi/Board of Health Chair: sodium, chloride, sediment and total dissolved solids are elevated; the well on his abutting property is within all limits; the age of the town hall well is not known – the supposition is that the casing is cracked and there is an incursion of surface water; action step: pump the well to determine if water is seeping in; if the casing is cracked, it could be resurfaced. Al Werner/Board of Health: the 300' monitoring well (located in the rear of the town hall lot) has water at 50' below the surface; none of the nearby wells have similar complaints. Torres: per Buzzy Booth/Mountain Spring Pumps, the town hall well is a "pounded well" and is most likely ~250' deep; there is more opportunity for the incursion of surface water with this type of well; Cushings & Sons is available to evaluate the well on 4.6.17. Werner: a visual assessment of the casing and determining if there is seepage of surface water will be informative in deciding whether re-casing will result in a good water supply; another possibility is to do nothing. Rotondi: the Board of Health would like potable water to be available in town hall. Torres: a new water cooler has been installed in the senior lounge. Vinskey: the next step will be an evaluation of the well casing on 4.6.17. Torres: the cost for both the kitchen faucet and wellhead water tests is \$520; most of this cost is related to the Volatile Organic Compounds (VOC) test. Werner: a test to evaluate the presence of lead in the plumbing should also be done.

2. Citizen Petitions:

DeChiara moves the Select Board endorse the “Resolution for Federal and State Carbon Fee Dividend”; Vinskey seconds the motion. DeChiara states his continued support for this citizen petition. Makepeace-O’Neil states her appreciation for the citizen petition process however does not see the role of the Select Board as one of political activism in endorsing citizen petitions. DeChiara: it is not out of bounds for the Select Board to support citizen petitions, however, agrees that with five citizen petitions, it makes sense to abstain from endorsing any of the petitions. Vinskey supports Makepeace-O’Neil’s point. DeChiara moves the Select Board refrain from endorsing any citizen petitions for the 2017 town meeting; Makepeace-O’Neil seconds the motion that passes unanimously. Citizen Petition: Zoning Bylaw Amendments: Makepeace-O’Neil moves the Select Board forward the citizen petition for a Zoning Bylaw Amendment to Section 6.1-3 (B)(1)(b) and Section 6.1-3 (B)(2) to the Planning Board; DeChiara seconds the motion that passes unanimously.

At 7:18 pm, Vinskey moves the Select Board go into executive session for reason #2/to conduct non-union contract negotiations and to return to open session; motion is seconded by Makepeace-O’Neil. Roll call vote: Vinskey: aye, DeChiara: aye, and Makepeace-O’Neil: aye.

Open session resumes at 8:31pm.

3. Select Board Budget: Vinskey states that he is uncertain the FinCom budget planning is in alignment with his goal to decrease the amount of money going into free cash, the need for a reduction in property tax, and transparency in the budget process. DeChiara notes that the Select Board met more frequently with the FinCom this year than last and that Joe Markarian/FRCOG Municipal Financial Management Specialist will be providing the town with guidance; the communication about the budget process and the documents prepared for town meeting need to be clearer and easier to understand. Makepeace-O’Neil notes the need for more transparency in the budget document and the need for each dollar to be spent as responsibly as possible. DeChiara: a well-articulated document makes sense; there is no intent to waste money. Makepeace-O’Neil: there is historical data that suggests some cuts could be made, line item explanations are needed, and vendors with lower prices could be used. Vinskey: the budget for FY18 continues to build free cash; Voelker/Treasurer suggested there be \$600,000 in free cash therefore the amount in free cash is adequate. Vinskey recommends a reduction in the amount of money allocated to free cash and returning those funds to the taxpayers. DeChiara: given the financial discussions, the budget is frugal. Vinskey: frugality has resulted in the buildup of a large reserve therefore the town can afford to lessen the tax burden. Torres: there are potential school expenses and capital improvement recommendations waiting for funding and crises have occurred in the past, i.e. the gasoline spill, that require funds. DeChiara: the FinCom produces the budget with input from committees and the Select Board. Vinskey: the Select Board has to be the entity coordinating

the financial direction of the town, otherwise, how can the Board approve contracts? DeChiara: the practicality is that after town meeting, the Select Board knows the budget for the next fiscal year. Vinskey: the message from the Select Board to the FinCom was not coordinated; at some point, the Select Board needs to ensure the budget is going in the recommended direction. DeChiara recognizes that the Select Board did not have consensus on the budgetary direction. Makepeace-O'Neil notes the need for transparency on budget line items from the FinCom. Torres: Vinskey may be seeking a hierarchical system for budgetary management; currently, the FinCom meets with departments and provides guidance on departmental budget preparation; Vinskey and Makepeace-O'Neil may see a financial crisis relative to property tax; the FinCom has been delayed in their process due to attention paid to concerns voiced by Select Board members. Torres, referring to Attorney Donna MacNicol/Town Counsel's 3.27.17 guidance regarding Shutesbury's Finance Committee bylaw: under statute the FinCom is charged with submitting a budget at the annual town meeting. Torres agrees with Lacy's citing that it is the Select Board's role to develop financial policy. Vinskey, per the DLS document cited by Lacy, the Select Board "addresses the fiscal issues of the town". Torres: coordination is bringing the parties together, i.e. FinCom and the financial team; for example, after Voelker heard the capital improvement report, she recognized that pending projects needed funding. Makepeace-O'Neil: potentially, the crisis is how hard it is for some residents to pay their taxes. Vinskey reads MacNicol's 3.27.17 email into the record. DeChiara, referring to page 29 of the DLS document: the FinCom makes "recommendations to town meeting on the budget" and, on page 23, the Select Board promotes "a team approach for addressing fiscal issues of the town" and "should assume an active role in any issue or policy that has broad implications for the financial condition of the town". Vinskey: the Select Board is to have a direct role in the formulation of the budget. DeChiara: the Select Board cannot mandate the FinCom, it can recommend. Vinskey: if the Select Board does not know what the financial direction is, their decision-making can be impacted. DeChiara: budgeting is just one aspect of financial management. Makepeace-O'Neil: how does the FinCom decide what direction to give departments? Torres: the FinCom responds to the current economy. Vinskey notes the Select Board responsibilities outlined in the DLS Municipal Calendar. Torres: this year, the Select Board was in conversation with the FinCom and Vinskey's ideas were put forth. DeChiara notes the impact Vinskey has had. Torres suggests the Select Board meet with the FinCom to review changes made during the 4.4.17 FinCom meeting. Vinskey requests the five-year Capital Improvement Plan projections as per the bylaw. Torres: this is one the main areas Joe Markarian will be providing assistance with. Vinskey emphasizes the importance of the Select Board's role in providing financial guidance and coordinating Town matters. DeChiara recognizes Vinskey's passion and commitment.

4. Select Board *Our Town* Article: Vinskey's 3.28.17 draft article is reviewed and edited. DeChiara moves to approve the draft article as amended and added to; Makepeace-O'Neil seconds the motion that passes unanimously.

5. Review Appointed Officials List: The Administrative Secretary will send a letter to board/committee/commission chairs requesting they confer with members whose terms are expiring on 6.30.17 to determine their willingness and availability to serve another term. Feedback from the letters will provide guidance regarding reappointments and the inactivity of some committees. Vinskey: individuals expressing interest in committee membership are referred to the particular committee. The Board considers how to handle potential conflicts in determining committee membership. Appointments will be made during the 6.27.17 Select Board meeting.
6. Review Annual Town Meeting Warrant Articles: Torres: the only additions to the current version are the citizen petitions. James Schilling-Cachat states his hope that the “Resolution to Preserve Native American Historical Sites and Traditional Cultural Properties, Including Ceremonial Stone Landscapes” citizen petition will be well supported; information on the petition is available at os-ah.org. DeChiara recaps the decision made earlier in the 4.4.17 meeting in which the Select Board decided not to endorse any of the 2017 citizen warrant article petitions. It is anticipated that the final version of the warrant will be available for review on 4.18.17. Ordering of the individual articles is reviewed. Torres: MacNicol is drafting the warrant article regarding land swap procedures.
7. Committee Reports: None offered.
8. MLP Board Selection Process: Torres shares the Broadband Committee’s suggestion for a joint meeting at 7:30pm on 4.11.17 to review the draft grant application and consider the process for selecting the five-person MLP Board. Vinskey provides a draft list of MLP Board “essential duties” for consideration.
9. Town Administrator’s Update:
  - a. Highway Department: During the weekend storm, the drive train fell off the largest truck/2003 and the other truck had a flat tire; the Department was able to finish the roads using backup equipment. The town’s insurance contact person is doing research to determine if submitting a claim for the snowplow is worthwhile.
  - b. FRCOG Fuel Bid: Extra unleaded and diesel fuels were left on the prior contract and there will be fuel left on the current contract as well; due to favorable market pricing, #2 fuel oil is not contracted for. The plan is to participate in the bid process then decide on how to proceed.
  - c. Amherst-Pelham Regional School District: Acknowledging receipt of the 3.16.17 letter from Jill Berry/Treasurer will be carried over to the 4.18.17 meeting.

Administrative Actions:

1. Vendor warrants totaling \$87,224.58 will be signed by the Select Board.
2. Payroll warrants totaling \$97,210.30 will be signed by the Select Board.

3. Select Board Meeting Minutes:  
 Makepeace-O'Neil moves and Vinsky seconds the motion to approve the 3.21.17 meeting minutes; Vinsky and Makepeace-O'Neil approve the 3.21.17 meeting minutes as presented; DeChiara abstains.  
 Makepeace-O'Neil moves and DeChiara seconds the motion to approve the 3.27.17 meeting minutes; Vinsky and Makepeace-O'Neil approve the 3.27.17 meeting minutes as presented; DeChiara abstains.  
 Makepeace-O'Neil moves and DeChiara seconds the motion to approve the 3.28.17 meeting minutes; Vinsky and Makepeace-O'Neil approve the 3.28.17 meeting minutes as presented; DeChiara abstains.
4. Police Department Resignation: Vinsky moves the Select Board accept John Stewart's resignation from the Police Department. Stewart served as a part-time officer. Makepeace-O'Neil seconds the motion. Vinsky: per Chief Harding, there are no plans to hire additional staff at this time. Motion passes unanimously.
5. Registrar Appointment: Makepeace-O'Neil: the Registrars of Voters is made up of two registered Republicans and two registered Democrats in addition to the Town Clerk, who is unaffiliated; the request is to reappoint Marilyn Tibbetts to fill the Republican vacancy. DeChiara: the current roster does not represent the registered voters in town; clarifies that there is currently one vacancy. Susan Millinger: at the last meeting of Shutesbury Democratic Committee, two names were proposed however the decision is not final. DeChiara proposes that Tibbetts' appointment be postponed until the Democratic names come forth. Makepeace-O'Neil: the appointments are staggered. DeChiara agrees to move forward with the appointment. Makepeace-O'Neil moves the Select Board appoint Marilyn Tibbetts as a Republican representative to the Registrars of Voters; DeChiara seconds the motion that is unanimously approved.
6. All Chairs Meeting Schedule: Vinsky proposes an All Chairs meeting in June to provide an opportunity to hear from Chairs about their prior year and any problems they may have encountered with accomplishing their tasks. Makepeace-O'Neil recommends including a conversation about posting meetings more than 48 hours in advance. Mosher: the Web Communications Committee will be scheduling a mid-May training on use of the new web platform. The All Chairs meeting is planned for 6.13.17.

At 10:42pm, DeChiara moves and Makepeace-O'Neil seconds the motion to adjourn; motion is passed unanimously.

Documents and Other Items Used at the Meeting:

1. Vinsky's Pre-meeting notes for 4.4.17
2. DLS "A Guide to Financial Management for Town Officials"
3. 3.22.17 Citizen Petition: "Resolution to Preserve Native American Historical Sites and Traditional Cultural Properties, Including Ceremonial Stone Landscapes"
4. 3.22.17 Citizen Petition: "Town of Shutesbury Zoning Bylaw Amendments"

5. Attorney Donna MacNicol/Town Counsel's 3.27.17 email "Fastcase Document – Mass. Gen. Laws Ch. 39 Sec.19"
6. Finance Committee Bylaw
7. DLS Municipal Calendar
8. Draft Select Board article for *Our Town*
9. FRCOG 3.13.17 "#2 Fuel Oil, Gasoline, Diesel" letter re: cooperative bids
10. Letter of resignation from John Stewart dated 3.24.17

Respectfully submitted,  
Linda Avis Scott  
Administrative Secretary