

Shutesbury Select Board Meeting Minutes
August 8, 2017 Shutesbury Town Hall

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

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

Guests: Susan Rice and Susie Mosher/Positive Presence; Anna Aaron/Personnel Board, Mary Lou Conca, Henry Geddes, Rolf Cachat-Schilling and James Schilling-Cachat

DeChiara calls the meeting to order at 6:33pm.

Agenda Review: No changes are made to the agenda.

Public Comment Period: None offered.

Discussion Topics:

1. 2017-2018 Select Board Priorities: The 7.30.17 version of the "Select Board 2017-2018 Priorities" is reviewed and the addition of "Research Shutesbury joining Solarize Mass program" is noted. Logan moves the Select Board approve the "Select Board 2017-2018 Priorities"; Makepeace-O'Neil seconds the motion that passes unanimously.

2. Native American Working Group/Charge & Composition: Select Board members review and edit the "Native American Preservation Working Group Charge". DeChiara reports hearing Doug Harris/Deputy Tribal Historic Preservation Officer (THPO) speak on 8.5.17; per Harris, the way you provide protection for historic sites is through education. Members of the public present review the document and offer no changes. Makepeace-O'Neil moves the Select Board approve the "Native American Working Group Charge" as edited; Logan seconds the motion that passes unanimously. Select Board members review and edit "Native American Working Group Member Qualifications and Process". Cachat-Schilling addresses Logan's concern about the process for verifying THPO credentials.
Rolf Cachat-Schilling: there are credentialed archeologists who will volunteer for specific projects; is concerned about asking for expertise as anticipates that those with credentials will assist; recommends avoiding asking for "demonstrated expertise". DeChiara: the group, as a whole will have a variety of skills, knowledge, and expertise. Henry Geddes notes that he is knowledgeable in "methods research" therefore is willing to review "letters of interest". Select Board members agrees to a working group membership of 7-9 persons. Logan moves the Select Board approve the "Native American Working Group Member Qualifications and Process" as edited; Makepeace-O'Neil seconds the motion that passes unanimously. The due date for submission of letters of interest is 10.2.17; the Select Board will consider the letters during their 10.3.17 meeting.

3. Research on Select Board Declaration re: Native American Preservation:
DeChiara, noting that the Select Board has created a Native American Preservation Working Group Charge, suggests a short, undetailed statement that acknowledges the likelihood of the presence of Native American ceremonial sites and sacred landscapes in Shutesbury. Logan: the Turners Falls Sacred Ceremonial Hill site is recognized as a National Historic Place on the National Register of Historic Places (NRHP); Shutesbury is within the radius where NRHP protections would presumably apply therefore all we need is a statement informing the public that the protections apply. Cachat-Schilling: there are different levels of law that apply; the NRHP/National Park Service is not an enforcement agency; designation means it is a National Historic Property (NHP) and has certain protections; it is an act of vandalism to destroy a NHP; sites outside of the Sacred Ceremonial Hill site prequalify; qualification has to be confirmed by a Federally recognized tribal expert; the State has other laws, i.e. Massachusetts Historical Commission (MHC). Logan: as per the 7.25.17 meeting, he understood the easiest route to be via the NRHP. Cachat-Schilling: a town would receive a response from the National Register more easily than an individual would; the other sites within the radius remain to be identified. DeChiara suggests the Select Board state sites exist and that the Select Board will take supportive action to have the sites recognized by the State and the NRHP. Makepeace-O'Neil supports a broad statement. DeChiara: the Select Board's commitment will be to do what is right via the process. Cachat-Schilling: problems arise because the MHC and the law do nothing to recognize sacred ceremonial sites based on the belief that Native Americans did not practice a religion; villages, economic sites, and burial grounds are recognized; there is a gap in the relevant knowledge; federal law does address ceremonial sites, however, a federally related permit has to be involved; identifying these sites requires a lot of process. Logan recommends tabling the topic to a future meeting as does not want to make a decision until he has gained a greater understanding. Makepeace-O'Neil recommends DeChiara draft a document expressing his and Logan's thoughts; DeChiara agrees. Logan plans to meet with Cachat-Schilling to gain further understanding and Cachat-Schilling will send relevant MHC literature. The topic will be revisited during the 8.22.17 meeting.

4. Process for 2017-2018 Employee Contracts: Makepeace-O'Neil: the Personnel Board has been focusing on the evaluation process; she will ask for consideration of the employee contract review process during the 8.10.17 Personnel Board meeting. Torres will inform the Finance Committee of the need to plan time for contract reviews. DeChiara suggests the Select Board consider an executive session for the 8.22.17 meeting in order to consider contract negotiation procedures. Makepeace-O'Neil and Logan agree. Torres: because the Select Board is not the negotiating body, she questions whether the reason for an executive session is valid. DeChiara: as the hiring body, the Select Board needs to consider whether there is anything that needs to be included in the negotiations. Logan states that he tends to agree with Torres; the Select Board needs to decide which members will work on which contract negotiating teams. DeChiara: it will

be better for the Select Board to consider the contract process before it starts. Logan: in closed session, the Board could make a list of items they do not want to be left out of the contract negotiations; such a process would be helpful and would not create a conflict between the negotiating groups. Torres: the Town Administrator participates in the contract negotiations by providing information and guidance however does not vote; suggests the Board send her questions about the contract negotiation process in advance of the 8.22.17 session.

5. Community Compact: Torres reports the District Local Technical Assistance (DLTA) funding amounts for the financial piece, budget and policy, have been received; the Community Compact portions, which are already in process, have been received. Torres: the Town has an opportunity to participate in one or two more aspects therefore suggests “water resources”: a feasibility study on the use of the town common well for town hall and, if use of the well is workable, funding to support the cost of implementation; “best practices”: could be used to learn how the incidences of road salt contamination can be reduced. DeChiara: as a small town, doing research on the topic of well contamination is relevant. Logan recommends moving forward as there is a need and funds are available; Makepeace-O’Neil agrees. DeChiara suggests concerns about climate change also be considered. Torres: funds connected to climate change concerns could be used to review the use of building fuel. The Select Board supports Torres work relative to the Community Compact.
6. Review *Our Town* Draft Article: Draft article is reviewed and edited. DeChiara will rewrite the document for submission to Janis Gray/*Our Town* editor.
7. Town Building Alarm Update: Makepeace-O’Neil: Citizen Security Services will do an assessment of the building(s) on 8.15.17; grant funding may be available and vendors are being evaluated. Logan recommends researching possible reductions in insurance rates relative to the installation of security systems.
8. Committee Reports:
 - a. Master Plan Working Group: Per Logan, the reconfigured group held its first meeting; the direction of the charge was considered and will be further discussed during the second meeting; a list of topics to be reviewed will be created along with a schedule for this review.
 - b. Regional Assessment Working Group: Per DeChiara, the group hired Mark Abrahams to be their consultant; during the last meeting, the members talked about Abrahams’ focus, i.e. how to define wealth, how to have sustainable payments overtime; the statistic for “wealth per child was considered”; when this stat is used, Shutesbury is less wealthy; Arvanitis and DeChiara have noted the need for the method to be in place before the budget cycle starts and there was no objection to this recommendation.
 - c. Energy Committee: Per Torres, during their recent meeting, the Committee considered electric car charging stations; they do not support electric cars due to the configuration of how fossil fuels are distributed, i.e. if power from the grid is

used to charge a car, the power used will be replaced with fossil fuel; Tesla tiles are a new concept to be researched – there are a few test homes in California and the tiles may be available in MA before the end of 2017; per Ben Brau/Energy Committee member, high efficiency solar panels and a metal roof on the school would be considerably less expensive than Tesla tiles. DeChiara reaffirms the need for the Energy Committee to meet with the Select Board and suggests 11.14.17 as the date for the meeting.

9. Town Administrator Updates:

- a. The microphone purchase is pending.
- b. Broadband: the utility checks needed to be redone a second time; a new non-interest bearing account for the State funds was opened; there will be separate warrants for the Broadband funds; the RFI went out 8.4.17 and responses are due by 9.1.17 – this in being done because WiredWest is asking towns to sign a memorandum of understanding.
- c. Jamrog is addressing the dehumidifier leak.
- d. The dog hearing is scheduled for 9.19.17; Torres will be notifying the dog owner and Town Counsel will be present for the hearing.
- e. A letter was sent to Aaron Snow/7 Oak Knoll regarding the results of the survey conducted by Harold Eaton and Associates; Snow requested a copy of the survey; as of yet, Snow has not indicated what action he will take; if Snow does not respond, Town Counsel will write a follow-up letter.

10. Future Agenda Items are reviewed.

Administrative Actions:

1. Select Board members will sign vendor warrants totaling \$62,200.65.
2. Select Board members will sign payroll warrants totaling \$77,681.95.
3. Select Board members will sign Broadband warrants totaling \$11,436.70.
4. Election Worker Appointments: Makepeace-O’Neil moves the Select Board approve the list of “Appointed Election Workers for 2017-2018”; Logan seconds the motion that passes unanimously.
5. EMPG Grant Application: Walter Tibbetts/Emergency Management Director is requesting funds to purchase forty shortwave radios and forty AC adaptors to be used by the neighborhood project “contact people”. Logan moves the Select Board accept the 2017 EMPG Grant Application; Makepeace-O’Neil seconds the motion that passes unanimously.
6. Chapter 90 Grant: Torres: Hunting/Highway Superintendent anticipates the Leverett Road paving project will take place in September. Makepeace-O’Neil moves the Select Board approve the Chapter 90 Project Request for the paving of Leverett Road from the cemetery to the beginning of the “S curves”; motion is seconded by Logan and passes unanimously.
7. FRCOG Appointment Document: Per Torres, the document has been completed for Ellen McKay/FRCOG Representative; the naming of a Building Committee representative to the FCCIP remains pending.

8. Special Event Form: Makepeace-O'Neil moves the Select Board approve the special event notification form for Celebrate Shutesbury to be held on the town common 9.16.17; Logan seconds the motion that passes unanimously.
9. Select Board Meeting Minutes: Review of the 7.25.17 meeting minutes will be carried over to the 8.22.17 meeting.

At 8:54pm, Makepeace-O'Neil moves to adjourn the meeting; the motion is seconded by Logan and passes unanimously.

Documents and Other Items Used at the Meeting:

1. 7.30.17 "Select Board 2017-2018 Priorities"
2. 8.8.17 "Native American Preservation Working Group Charge"
3. 8.8.17 "Native American Preservation Working Group Member Qualifications and Process"
4. 12.11.08 "Determination of Eligibility Notification: Turners Falls Sacred Ceremonial Hill Site"
5. Draft Select Board article for the upcoming issue of *Our Town*
6. 7.31.17 Torres letter to Aaron Snow regarding land survey results
7. "Appointed Election Workers for 2017-2018"
8. "2017 EMPG Application"
9. 8.7.17 "Mass DOT Chapter 90 Environmental Punch List and Project Request"
10. 7.11.17 Town of Shutesbury Special Event Notification for "Celebrate Shutesbury" 9.16.17

Respectfully submitted,
Linda Avis Scott
Administrative Secretary