

Shutesbury Select Board Meeting Minutes
March 6, 2018 Shutesbury Town Hall

Select Board members present: Michael DeChiara/Chair and Melissa Makepeace-O'Neil
Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary

Guests: Susan Millinger and Lisa Saunders/Women of Positive Presence; April Stein, Anna Aaron and George Arvanitis/Personnel Board.

DeChiara calls the meeting to order at 7:04pm.

Public Comment:

Susan Millinger inquires whether the Select Board has considered the option of sharing a police chief with a nearby town. The Select Board explains that this concept has been considered and is not an option at this time.

George Arvanitis asks if the Select Board has any updates on the Regional School budget. Torres: the Regional School Committee scheduled for 3.7.18 will be rescheduled due to the impending storm.

All wish Ellen McKay/Tax Collector a speedy recovery.

Discussion Topics:

1. Board of Registrars: Scott presents Susie Mosher/Town Clerk's report: the Republican Party did not submit a letter providing a list of recommended appointees, therefore, the Select Board may appoint one Republican and one Democratic registrar; the result will be two Democratic registrars, the current Democrat is Linda Seidman, one Republican representative and the Town Clerk representing the one unenrolled member. The Select Board previously received the 2.22.18 letter from Penny Kim/Shutesbury Democratic Committee Chair listing three Democrats willing to serve on the Board of Registrars: Sarah (Sally) Fairfield, Gail Fleischaker and Elaine Puleo. It is noted that Elaine Puleo has taken out nomination papers for the Select Board two-year position; holding an elected position makes one ineligible to be a registrar. Makepeace-O'Neil moves the Select Board re-appoint Peter Nyzio as the Republican representative to the Board of Registrars for a term ending 3.31.21; DeChiara seconds the motion that passes unanimously. The Board requests Democratic candidates Gail Fleischaker and Sarah Fairfield be invited to attend the 3.20.18 Select Board meeting.
2. Temenos Special Event Request: Torres: Temenos Retreat Center is planning a Full Moon Paddle fundraising event for 5.29.18; areas of concern are the proposed use of the Town Beach/South Brook Conservation Area, sites that are under the care of the Conservation Commission (SCC); the standing bylaws prohibit the use of these areas after sunset and open fires; representatives of the event are meeting with the SCC on 3.8.18; the public safety personnel have signed off on the event. The event itinerary is reviewed. Torres: per Police Chief Harding, the event is not open to the public and is a one-time event; Fire Chief

Tibbetts talked with Temenos director Elizabeth Witham and, if the fire pit is to be used, it will need to be inspected by the Fire Chief prior to its use; the SCC has the power to decline use of the area; the event will be managed by James McNaughton/Adventure In/Adventure Out (AIAO). Makepeace-O'Neil: even though Tibbetts and Harding have signed off on the event, because there is no cell service at the Lake, how would a potential emergency be handled? Torres: if professional services are required, Witham understands Temenos will be responsible for the cost. Makepeace-O'Neil emphasizes the need for a way to contact emergency services. DeChiara recognizes that approving this event would set a precedent. Stein: James McNaughton/AIAO is experienced in leading this sort of event. DeChiara moves the Select Board support the 5.29.18 Temenos Retreat Center event with the requirement that a first responder, from either the Police Department or Fire Department, is available for the event and that any subsequent event request is brought before the Select Board before November first of the year. Makepeace-O'Neil seconds the motion that passes unanimously.

3. Job Description Follow-up:

- a. Town Administrator: It is noted that the primary change to the description is the addition of supervisory responsibility for the Highway Superintendent, Police Chief, Fire Chief, Tax Collector, Treasurer, Accountant in addition to the Administrative Secretary and Custodian. DeChiara explains his proposed changes to the draft Town Administrator job description. Members of the Personnel Board and the Select Board review the language of both DeChiara's and the Personnel Board's drafts and make recommendations for clarity and completeness. All agree to use the Personnel Board draft. Torres: from her research, for a town administrator to have full supervisory authority to hire and fire, towns adopt a bylaw or have a charter requiring town meeting to make such a change; the current change is for the Shutesbury Town Administrator to perform day-to-day management and supervision; MacNicol suggested review of the strong/weak chief statutes; the supervision of the other positions can be included in the relative job descriptions; Attorney Brian Mazur/KP Law recommends review of statute to ensure that the Select Board's delegation of limited authority gives the Town Administrator authority to perform job reviews. DeChiara recommends adding language clarifying that the Select Board is delegating day-to-day authority and excludes the ability of the Town Administrator to hire and/or fire employees. DeChiara moves to approve the Town Administrator job description dated March 2018 that includes supervisory responsibility though excludes the ability to hire and/or fire employees; Makepeace-O'Neil seconds the motion that passes unanimously.
- b. Police Chief Job Description: Members of the Personnel Board and Select Board review the March 2011 description with edits suggested by Chief Harding. The need for an annual report and an emphasis on community outreach are identified. Torres will retype the document for review by Police Chief Harding, the Select Board and Personnel Board.

- c. DeChiara, noting that wage increases will be considered during the 3.8.18 joint FinCom, Personnel Board, and Select Board meeting: non-union staff do not have the same ability to weigh in on wage increases as union staff or department heads; he therefore recommends a periodic review of personnel and their job descriptions to ensure the description conforms to the evolution of a position and personnel experience. Arvanitis recommends a regular review of job descriptions and alignment with the wage rating system. Lisa Saunders: what do other towns do, who is Shutesbury comparable to? Torres: the municipal wage charts for Hampshire and Franklin Counties are reviewed; it used to be that union employees accepted whatever wage increase the non-union employees received; four years ago, there was an wage adjustment to bring the financial team in line with similar positions in other towns; at that time, the other employees also received wage increases. Arvanitis recommends syncing a three-year review with market values. Stein recognizes that salaries for all department heads are not aligned. For the 3.8.18 meeting, Arvanitis will have a document demonstrating the impacts of 1, 2, and 3% salary increases on the budget and tax levy.
4. Volunteer Dinner Debrief: The general consensus is that the event was a great success.
5. Anti-discrimination/Gender Identity Statement: The “Draft for Consideration – Shutesbury Select Board Resolution” is reviewed. Per DeChiara, Attorney Donna MacNicol/Town Counsel has reviewed the document. Makepeace-O’Neil moves the Select Board approve the Select Board resolution to include non-binary gender options for Town specific matters and place a related resolution on the annual town meeting warrant; DeChiara seconds the motion that passes unanimously. The proposed letter to the Registry of Motor Vehicles, having been approved by MacNicol, is reviewed and revised. DeChiara moves the Select Board send a letter to the Mass Registry of Motor Vehicles advocating for the placement of non-gender markers on state ids and licenses; Makepeace-O’Neil seconds the motion that passes unanimously.
6. Small Touches Contest Review Criteria: DeChiara’s “Small Touches Contest – Review Sheet” is reviewed and revised. Submissions will be reviewed, using the criteria, during the 3.20.18 meeting. In advance of the 3.20.18 discussion, DeChiara and Makepeace-O’Neil will use the criteria to rate the six submissions.
7. Annual Town Meeting Warrant Articles: Torres reads the list of the articles being developed into the record and explains the Planning Board’s rationale for considering a moratorium on marijuana related facilities. The Select Board requests Torres arrange a meeting with the Planning Board regarding the proposed moratorium and any other proposed Zoning Bylaw amendments; the tentative date is 4.3.18. Per Torres, codification of revolving funds is required by a change in relative law. The annual town meeting warrant will also include the gender identity anti-discrimination resolution and the Community Preservation

Committee project recommendation. The plan is for Town Moderator, Penny Kim, to meet with the Select Board on 4.17.18 for the purpose of planning the warrant's order of articles.

8. Town Administrator Updates:
 - a. The Highway Departments recently used nine tons of hot-patch to repair potholes.
 - b. The Wheelock project site has a new gate; safety personnel and electrical inspector have keys to the gate.
 - c. The executive session with Attorney MacNicol is rescheduled for 3.20.18.
 - d. The quote for the Town Hall roof is \$34,000.
 - e. \$10,400 from the Planning Grant will be available until June 30, 2019; of consideration is whether there is a useful way to do some planning work. Torres will send the grant specifics to the Select Board. The Board will prepare for a discussion with the Planning Board on 4.3.18.
 - f. Torres will attend upcoming MMPA and STAM events.
9. Committee Updates: Torres, per the Broadband Committee: the State has verified that Shutesbury will be reimbursed for make-ready overages; there will be a future reconciliation of costs.
10. Future Agenda/Action Items: Plans for the upcoming meetings are reviewed.

Administrative Actions:

1. The Select Board will sign vendor warrants totaling \$62,915.97.
2. The Select Board will sign payroll warrants totaling \$101,775.85.
3. DeChiara moves the Select Board approve the 2.20.18 meeting minutes; Makepeace-O'Neil seconds the motion; the 2.20.18 Select Board meeting minutes are unanimously approved as amended.
DeChiara moves the Select Board approve the 2.6.18 meeting minutes; Makepeace-O'Neil seconds the motion; the 2.6.18 Select Board meeting minutes are unanimously approved as amended.
4. Select Board members sign thank you notes to Eric McDonough and Dale Houle who recently resigned from the Fire Department and to the Sirius Community for volunteering to clean the Town Hall kitchen.
5. DeChiara signs the "Building Inspection and Zoning Enforcement Professional Services Agreement By and Between the Franklin Regional Council of Governments and the Town of Shutesbury" dated 3.6.18. This document was previously signed during the 1.23.18 meeting however FRCOG does not have a record of receipt.

At 9:32pm, Makepeace-O'Neil moves to adjourn the meeting; DeChiara seconds the motion that passes unanimously.

Documents and Other Items Used at the Meeting:

1. 2.22.18 letter from Penny Kim/Chair Shutesbury Town Democratic Committee
2. 3.1.18 Temenos Retreat Center Special Event Notification Form and proposed itinerary; 5.29.14 Town Bylaw in reference to watercraft and persons using Lake Wyola and the 5.7.88 amended "Town Beach at Lake Wyola Regulations"
3. Draft Town Administrator job descriptions dated March 2018
4. Draft Chief of Police job description with Chief Harding's suggested edits
5. Select Board Resolution re: Anti-discrimination/Gender Identity
6. Select Board letter to the Mass Registry of Motor Vehicles advocating for the placement of non-gender markers on state ids and licenses
7. Draft "Small Touches Contest – Review Sheet"
8. 3.5.18 draft 2018 Annual Town Meeting Warrant
9. 3.6.18 thank you letters to Eric McDonough, Dale Houle and Sirius Community
10. FRCOG Building Inspector and Zoning Enforcement Professional Services Agreement

Respectfully submitted,
Linda Avis Scott
Administrative Secretary