

Shutesbury Select Board Meeting Minutes
December 23, 2019 Shutesbury Town Hall

Select Board members present: Melissa Makepeace-O'Neil/Chair and April Stein

Select Board member absent: Elaine Puleo

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

Guests: Sara Clark/Clark Auto Wrecking, Janis Gray/Newsletter Editor, and Jeff Lacy

Makepeace-O'Neil calls the meeting to order at 6:46pm.

Public Comment: None offered.

Agenda Review: No changes.

Discussion Topics:

1. Clark's Auto Wrecking Permit Review: Sara Clark provides a complete license renewal packet. Per Clark, no crushing was done during 2019, regular tire and battery removal occurred and used motor oil continues to be sold for heating; towing for town residents is no longer offered. The Select Board has no concerns about the operations at Clark Auto Wrecking at this time. Stein moves the Select Board approve the 2020 Clark Auto Wrecking Class III Auto Dealer license to expire 1.1.21 and to waive the annual license renewal hearing; Makepeace-O'Neil seconds the motion that passes unanimously. Per Clark, the Select Board may visit the business at any time.
2. Discuss Revised Newsletter Policy: Board members and Janis Gray/Newsletter Editor review Puleo's draft "Shutesbury Newsletter Policy". Gray notes that the policy revision does not clearly cover NextDoor Shutesbury and issues like Celebrate Shutesbury, the holiday shop at the Shutesbury Athletic Club, and requests by individuals to publish photos/poetry, situations where the sale of goods is for private profit. The Select Board agrees to draft a letter to Paul Vlach/NextDoor Shutesbury explaining that because NextDoor is no longer a non-profit entity, articles about NextDoor Shutesbury can no longer be included in the *Our Town* newsletter. Torres explains that although Celebrate Shutesbury is not sponsored by the Select Board, it is an opportunity for Town committees, boards, and the police and fire departments to participate. Makepeace-O'Neil: the tag sale is sub-part of Celebrate Shutesbury. Torres notes the need to differentiate self-promotion and that the annual holiday shop promotes culture and community and shoppers make the decision to attend the shop. Makepeace-O'Neil recommends and Stein agrees to the following language change to the draft: "We welcome news from Town of Shutesbury departments, boards, and committees, and from individuals and groups about local *community* projects, activities, or special events of benefit to our community".
3. Request to Study Regional Policing: Makepeace-O'Neil apologizes to Jeff Lacy for the difficult exchange between the Board and Lacy during the 11.26.19 meeting and if an environment for sharing one's opinions was not evident. Stein appreciates and respects

the work Lacy has done on behalf of the Town. Lacy admits to being taken aback by his 11.26.19 experience. Makepeace-O'Neil: Lacy has given the Select Board some material to think about.

Lacy explains that while speaking with a member of the Leverett Select Board, he learned that Leverett received a grant to explore shared community policing so he contacted Leverett Town Administrator Marjorie McGinnis. Referring to the "Professional Services Agreement", Lacy notes that Leverett has a contract with a consultant to look into the potential for shared policing with an adjacent or nearby town. Lacy continues: during the Master Plan visioning process, participants cited shared services as a possibility. Makepeace-O'Neil: the Select Board recently looked at sharing police services with Leverett and sharing a police chief with Sunderland; a feasibility study would provide an assessment that includes concrete information and might be something to check into. Lacy notes that the possibility of sharing is easier to do when a chief is retiring though the Town could explore if it is feasible to do so. Torres: the Town had a program with Sunderland ready to go several years ago. While speaking with McGinnis recently, Torres learned that Leverett is only looking at sharing services with Wendell; Shutesbury's first study was done in 2005 and when former Police Chief Harding was ready to retire, the Town looked at sharing a police chief with Sunderland and Leverett and Leverett found that the cost savings with a shared chief were not significant. Torres: by State statute, police chiefs are a protected class; a shared arrangement is ideal when a chief is retiring. Lacy: Leverett's consultant has municipal experience; Leverett and Shutesbury link up nicely road wise. Makepeace-O'Neil notes the value of a third party assessing the concept of shared police departments. Torres recommends that before going further, having a conversation on the topic of shared police services with Police Chief Fernandes. Makepeace-O'Neil recommends that the next step be a meeting with Police Chief Fernandes. Stein notes the importance of hiring and retaining good officers.

4. Publicizing New Annual Town Meeting Date: All agree to have the new date for annual town meeting added to the Town homepage, included in the upcoming issue of *Our Town* and added to posted Town Announcements.
5. Broadband:
 - a. Per Torres, the "Inter-Municipal Mutual Indefeasible Right of Use Agreement" was reviewed by Leverett's MLP attorney, a meeting about the agreement was held with Leverett and Shutesbury representatives and the document was signed by Shutesbury's Broadband/MLP. Stein moves the Select Board sign the "Inter-Municipal Mutual Indefeasible Right of Use Agreement" to be dated 12.17.19; the motion is seconded by Makepeace-O'Neil and passed unanimously.
 - b. TriWire Project Completion Date: Per Torres, Gayle Huntress/MLP Manager is working on final completion documents, however, a date certain has yet to be determined. Torres requests the Select Board to consider agreeing with the terms of the "Certificate of Final Completion". Stein moves the Select Board accept the terms of the "Certificate of Final Completion Bid #18-08H, Shutesbury MLP Telecommunication Cable Installation" with the date to be determined; Makepeace-O'Neil seconds the motion that passes unanimously. Torres refers to the 12.13.19

Memorandum from Dave Poplawski/Tri-Wire “Project Completion Notification, Bid #18-08H, Shutesbury MLP Telecommunication Cable Installation” regarding final closeout.

- c. Project Update: Per Torres, final installations are scheduled for 12.27.19.
6. Implicit Bias Workshop: The tentative date for a 2-3 hours long workshop is 4.30.2020. Further planning will be done during a future meeting.
7. Agreements:
 - a. Watkins Well Agreement: Per Torres, finalization of the “Confidential Settlement Agreement and General Release” remains pending further review by the attorneys; the water test results are pending and, because traces of chlorine were still present at the time of the tests, the Highway Department and Watkins sites may need to be retested. Torres: the full cost of the new well is \$74,376.68 paid for with \$40,000 from the original appropriation and a \$34,376.68 transfer from FinCom during their 12.23.19 meeting; the total run was 1800 feet.
 - b. Lori Saleem Agreement: Stein moves the Select Board sign the “Agreement Between the Town of Shutesbury and Lori Saleem”; Makepeace-O’Neil seconds the motion that passes unanimously. Saleem’s signature on the document is pending. Torres confirms for Makepeace-O’Neil that Ron Meck will need to make a public records request in order to obtain a copy of the document.
 - c. Police Academy Agreement: pending and will be considered during a future meeting.
 - d. Teamsters Memorandum of Agreement: Stein moves and Makepeace-O’Neil seconds a motion that the Select Board accept and sign the “Memorandum of Agreement By and Between the Town of Shutesbury and the Teamsters Local 404”; the motion is passed unanimously. Select Board members agree that, if necessary, Torres may change a \$.03 error in Appendix A.
 - e. Shutesbury Highway Department: Stein moves and Makepeace-O’Neil seconds a motion to approve the Personnel Action Form to hire Keith Wyman for the Shutesbury Highway Department 20 hours/week benefited position; the motion passes unanimously.
 - f. Shutesbury Fire Department: Stein moves and Makepeace-O’Neil seconds a motion to approve the Personnel Action Form to hire Miquel Rivera as a firefighter; the motion passes unanimously.
 - g. Emergency Management Performance Grant: Stein moves and Makepeace-O’Neil seconds a motion to approve and sign the relevant documents for the “Federal Fiscal Year 2019 Emergency Management Performance Grant” award of \$2,700; the motion passes unanimously.
 - h. State Historical Records Advisory Board Grant: Stein moves and Makepeace-O’Neil seconds a motion to sign a letter of support for the State Historical Records Advisory Board Grant application to be submitted by the Historical Commission for preservation of the Town’s Veterans War Memorial and preservation of seven veterans’ gravestones in West Cemetery; the motion passes unanimously.

8. Town Administrator Updates:
 - a. The Recycling and Solid Waste Committee (RSWC) is asking the Select Board to support their decision to accept the lowest bid for recycling services from Community Eco Power, LLC. Stein moves and Makepeace-O'Neil seconds a motion to support the RSWC proposal to accept the bid from Community Eco Power LLC of Pittsfield MA; the motion passes unanimously.
 - b. Michael DeChiara/Planning Board and Torres are preparing the Municipal Vulnerability Preparedness Grant application for submission. Stein moves and Makepeace-O'Neil seconds a motion to sign the Select Board letter of support for the Town's Municipal Vulnerability Preparedness Program grant; the motion passes unanimously.
 - c. The Select Board supports Torres' recommendation to have Paciorek Electric provide a quote to perform the maintenance for all four of the Town's generators.
 - d. Police Chief Fernandes is assisting Torres with research on the cost and effectiveness of using a battery powered snow blower for the town hall and library walkways; building maintenance funds will be used to cover the equipment cost.
9. Administrative Secretary Updates:
 - a. FY19 Annual Report submissions and the cover design are in progress; Stein agrees to draft the Select Board's report; Scott requests the Board reconsider the 12.31.19 due date for participation in the Select Board dinner.
 - b. The Shutesbury Athletic Club (SAC) license approval from ABCC was received on 12.18.19. Because the timing allows the Select Board to issue the Local Licensing Authority license after ABCC approval, the Select Board signs a new "Club License" dated 12.23.19 for the SAC (see file).
10. Committee Updates: None offered.

Administrative Actions:

1. For the 12.17.19 warrant, Select Board members signed vendor warrants totaling \$196,842.56, payroll warrants totaling \$115,239.04 and broadband warrants totaling \$9,255.50.
2. Select Board members sign vendor warrants totaling \$115,844.37.
3. Select Board members sign payroll warrants totaling \$101,454.13.
4. Select Board members sign broadband warrants totaling \$12,487.49
5. Stein moves and Makepeace-O'Neil seconds a motion to approve the 11.19.19 meeting minutes; the minutes are unanimously approved as written.
6. Stein moves and Makepeace-O'Neil seconds a motion to approve the 11.26.19 meeting minutes; the minutes are unanimously approved as written.
7. Makepeace-O'Neil moves and Stein seconds a motion to close Town Hall at 12 noon on 12.24.19 and 12.31.19; the motion is unanimously approved.

At 9:04pm, Stein moves and Makepeace-O'Neil seconds a motion to adjourn the meeting; the motion passes unanimously.

Documents and Other Items Used at the Meeting:

1. Town of Leverett “Professional Services Agreement” with MRI
2. 12.17.19 “Inter-Municipal Mutual Indefeasible Right of Use Agreement”
3. “Certificate of Final Completion Bid #18-08H, Shutesbury MLP Telecommunication Cable Installation”
4. “Confidential Settlement Agreement and General Release”; 12.23.19 “New Well-Watkins” cost detail
5. “Agreement Between the Town of Shutesbury and Lori Saleem”
6. “Memorandum of Agreement By and Between the Town of Shutesbury and the Teamsters Local 404”
7. Personnel Action Forms for Keith Wyman and Miguel Rivera
8. “Federal Fiscal Year 2019 Emergency Management Performance Grant”
9. State Historical Records Advisory Board Grant letter of support
10. WMAC: Solid Waste Disposal Services Bid Tab, 12.2.19
11. Municipal Vulnerability Preparedness Program grant letter of support

Respectfully submitted,
Linda Avis Scott
Administrative Secretary