

Shutesbury Select Board Meeting Minutes
July 7, 2020 Virtual Meeting Platform

Select Board members present: Melissa Makepeace-O'Neil, April Stein, and Rita Farrell
Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary
Guests: Dan Bilodeau, Susan Rice, Penny Kim, Melanie DeSilva, Grace Bannasch/Town Clerk, Elaine Puleo, Police Chief Dan Fernandes, and State Representative Natalie Blais

Makepeace-O'Neil calls the meeting to order at 5:31pm.

Agenda Review: Torres add the Land Use Clerk's resignation to the agenda.

Public Comment: Penny Kim appreciates greeting the new Select Board and thanks them for their work. Susan Rice enjoys seeing the wonderful women leaders and is present for the meeting with Police Chief Fernandes. Dan Bilodeau congratulates new Select Board member Rita Farrell and is present for the meeting with Chief Fernandes.

Rita Farrell is welcomed as the new Select Board member.

Discussion Topics:

1. Select Board Chairwoman: Stein moves and Farrell seconds a motion to nominate Makepeace-O'Neil as chairperson of the Select Board. Makepeace-O'Neil agrees to Chair the Select Board for another year. Roll call vote: Stein: aye, Farrell: aye, and Makepeace-O'Neil: aye; the motion carries. Makepeace-O'Neil recommends electing a vice-chair and moves to nominates Stein as vice-chair and Farrell seconds the motion. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.
2. Timeline for Reopening Town Hall: Makepeace-O'Neil notes that she and Torres have shared some thoughts about reopening Town Hall and asks Torres for her perspective. Torres reports meeting with the Board of Health 7.6.20 and that the Board of Health members are not anxious for Town Hall to reopen to the public. Per Torres, things are going very well as they are; there has been no illness under the current capacity; staffing is at more than 50% which is allowable for essential services; some offices have staggered hours; this week, former Town Clerk Susie Mosher is set up in the presently unused Town Administrator's office in order to work with new Town Clerk Grace Bannasch. Torres continues: the drop box is a key element for folks to maintain Town Hall business without contact; the box is now distinguished with a bright cone and a new drop box sign has been ordered; the Town Clerk does need to conduct some "by appointment" business that is held outdoors. Per Torres: the Board of Health would like to meet under a tent; the question is whether some non-Zoom meetings will be allowed; there are two 20'x20' tents available. Torres: there is good separation for employees in Town Hall; we are taking steps and not rushing. Stein suggests that a pavilion might be constructed. Torres recalls the past suggestion for a gazebo. Scott notes the difficulty in meeting outdoors, i.e. the need for lighting, how to look at maps, and mosquitos, and that the Conservation Commission has successfully used Zoom to share maps. Torres: because the Select Board is exempt, it could hold indoor meetings, however, goals are

being accomplished via Zoom. Makepeace-O'Neil supports and Farrell agrees with keeping Town Hall closed to the public for now and that reopening be a standard agenda item.

3. FY21 Personnel Action Forms (PAFs): Torres reports the FY21 PAFs are almost complete, that they can be approved as a whole and only require the Chair's signature. Stein moves and Farrell seconds a motion for the Select Board to approve the FY 21 Personnel Action Forms for Town employees. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

State Representative Natalie Blais joins the meeting at 6:01pm, apologizes for missing annual town meeting and congratulates new Select Board member Rita Farrell. Farrell states she is excited and happy to be a Select Board member. Torres introduces State Representative Blais, lets her know the annual town meeting worked out very well despite the challenges and appreciates Blais' attempt to help the Town with a hybrid meeting noting that those who attended appreciated being outdoors. Blais takes the opportunity to thank former Select Board member Elaine Puleo for her years of service to the Town of Shutesbury. As a newly elected official, Blais appreciates Puleo's presence and how much she has given over many years of service to the Town and offers her sincerest thanks for Puleo's support and dedication to the community and the team. Blais acknowledges the 7.4.20 *Greenfield Recorder* article ("Women answer town government's call to serve in Shutesbury"). Blais virtually presents a certificate to Puleo stating the Massachusetts House of Representatives offers its sincerest appreciation for Puleo's dedicated years on the Shutesbury Select Board and wishes her continued success; the document is signed by Speaker of the House Robert DeLeo and Blais. In closing, Blais states that it has been a pleasure to work with Puleo.

4. Public Police Forum: Makepeace-O'Neil asks Police Chief Dan Fernandes to speak about his goals for the forum. Fernandes reports having had conversations with Torres and a few townspeople about when to hold and how to facilitate a forum; the goal is to have an open productive dialog and, to help understanding, demonstrate through the meeting what the Shutesbury Police Department does on a daily basis for the town. Stein: will townspeople want to talk about racial bias; the (Black Lives Matter) banner (on Town Hall) says something, though how do we expand on what we are already doing? Stein notes being impressed with how Fernandes handled a matter during annual town meeting. Fernandes to Makepeace-O'Neil's question about format: the goal is for everyone who has questions/concerns to have them addressed. Makepeace-O'Neil, noting that the forum will be virtual, suggests there be an opportunity to submit questions ahead of time and that the chat function be used to moderate questions in order for there to be a nice flow and to reduce the possibility of spiraling down. Farrell recommends using a moderator to ensure questions are managed, notes that she does not see this as a one-time event, and identifies the need for ongoing dialog between the community and police force; this should not be a gripe session. Makepeace-O'Neil sees the forum as a conversation starter. Stein affirms the need for questions to be submitted ahead of time and a neutral facilitator. Stein suggests that Fernandes attend one Select Board meeting/month. Makepeace-O'Neil agrees and suggests the Fire Chief also check in regularly. Stein:

Town Announce can be used to encourage submission of questions beforehand. Torres to Makepeace-O'Neil's thought about anonymous submission of questions: in general, the policy is to avoid responding to anonymous comments/questions. Makepeace-O'Neil: the name of the questioner could stay with whoever is collecting the questions; this would meet the need for freedom to ask questions and to keep the names of questioners from public view. Farrell suggests the presentation include a statement from the Chief about the role of the department. Fernandes agrees with the policy on anonymous questions and, depending on the question/concern, he may want to follow-up to assist in solving a problem. Fernandes: the forum needs to be an open dialog with folks comfortable in attending. Melanie DeSilva suggests a way to direct questions via chat that is private to the moderator; in the webinar format, there are no mics or cameras. Makepeace-O'Neil: one person could have the ability to turn mics on/off in a Zoom meeting. Stein: in a webinar, you do not know who else is there; race is a taboo subject and seeing who else is in the room will help. Penny Kim: Paul Lyons/Town Moderator presents a very calm and thoughtful presence. Dan Bilodeau: regarding anonymous questions, what if people do not want Fernandes to follow-up or what if the name only goes to the moderator and someone may want to talk with Fernandes offline? At 6:26pm, Makepeace-O'Neil leaves the meeting. Fernandes: there is concern that there is not enough transparency and it is frustrating to not be able to work with someone regarding a problem because he wants to tackle problems and not avoid them. Stein: if the meeting becomes unproductive, that will provide information about where the community is at. Fernandes will answer questions to the best of his ability as he wants to know what he can do better. DeSilva: this is why choosing the right moderator is so important; Lyons is level headed and grounded; Zoom is beneficial for managing a group. DeSilva recommends Fernandes and the Select Board consider how to set the stage for the meeting noting that it impacted her to hear about the history of Shutesbury's Police Department, its process for hiring, providing implicit bias training and the commitment to community policing; the goal is to dialog with Fernandes about what the community needs from the Police Department and how the community can support the Department, i.e. funding for training. Stein: this is a bright white community; an open dialog with the Chief is part of the solution though there is more to be done. Susan Rice states that her thoughts dovetail with DeSilva's and suggests that the tone be set by starting with a promise, a covenant, recognizing that the community is at stake, words need to be chosen carefully, and that those present are open to discussion; a promise that participants can agree to. Kim observes that the community may need to address the Select Board with questions about police policy. Torres: the Select Board is in charge of policy and has prioritized community policing; the majority of Fire Department calls are medical and the Police Department responds to these calls as well. Fernandes: generally, if an officer is on duty, they are the first one to respond to a medical call. Torres: community policing is a Select Board directive to the Police Department. Torres notes that the Department's role at the school familiarizes the children with the officers which is helpful if the officer needs to address a problem. Fernandes states that he follows the Massachusetts Chiefs of Police Association policies although some do not apply to Shutesbury. Fernandes to Torres' question: the direction from the Select Board is to do outreach, build relationships with children, and conduct community policing; the Select Board is supportive in these activities. Stein: community policing needs to be defined. Fernandes affirms the need to open the forum with the

Department's mission statement; community policing is a catch phrase and we are lucky to have officers in the Shutesbury Police Department that actually do it; these are officers who enjoy being out in the community, talking with community members and executing the mantra. Kim: there is concern about use of force/weaponry, is there a policy about this; as a subject, this needs to be addressed as there are situations where force may be needed. Grace Bannasch expresses concern that there may be school children who have police related trauma making the presence of police in the school feel unsafe and emphasizes the need to build mechanisms that are wholistic. Stein: this is the beginning of the conversation; what does "Black Lives Matter" mean as a community and how to make a safe place to have the conversation; it may be helpful to have an outside trained facilitator. Farrell: because there are so many layers, the first session may not go into depth however there may be further sessions; the first could begin with the role/philosophy of the Department with general questions and subsequent follow-up. DeSilva refers to Michael DeChiara's prior suggestion for data collection: the distracted driver law requires certain demographics to be collected when a citation is issued; this data will be reviewed and discrepancies, i.e. racial profiling, will be investigated. Fernandes: planning the forum is positive as there are town residents interested in it occurring. Stein suggests a Zoom meeting with a moderator. Farrell: based on experience, the Zoom webinar format is unwieldy especially with questions. Torres: it is necessary to ensure the moderator can control the flow of questions. Torres will ask if Lyons if he is willing and, if not, the Select Board could moderate. Tentative dates are considered. Farrell cites the need to create a thoughtful agenda before setting a date. Fernandes will see which officers will want to be involved. Farrell suggests thoughts on the structure of the forum be submitted to Torres and a draft agenda be prepared for review during the 7.21.20 Select Board meeting then a date can be set. Bilodeau: how would Fernandes want the meeting structured, could Fernandes be visible, format matters, i.e. via Zoom or outside? Fernandes wants an open productive conversation. Stein affirms the need for Fernandes to be visible. Fernandes will reach out to those who are interested and will work on planning with Torres. Stein appreciates the guests' comments. Torres appreciates everyone's input and notes the need for the Select Board to review their authority in relation to the Police Department; Shutesbury has "strong" chief who has the final say about hiring; the Select Board's authority is policy; Fernandes is an active problem solver. Torres recognizes, as DeSilva stated, the need to summarize the Department's history; officers touch people at vulnerable times in a supportive way. Torres: there will be more to talk about in two weeks, at the 7.21.20 Select Board meeting; guests may email or call her with ideas. Torres explains that the definition of "strong chief" is per State law which describes the separation of responsibilities.

5. Review Annual Town Meeting: Stein: when planning first started, we did not know how annual town meeting would take place; we are in a parallel process with Black Lives Matter and the Police and, because town meeting was successful, she has faith we know how to listen and work through a process. Torres: 177 individuals signed into town meeting. Farrell: the result was a testament to teamwork and was very gratifying; the event was incredibly well organized. Torres: the Police Department shutting down half the road was helpful. Stein notes that there were photos of the event in the *Daily Hampshire Gazette*. Torres: there were complaints about police officers directing traffic

without masks that were shared concern with the Police Department. Stein: people want to have an outside meeting again next year. Farrell: it was more fun being outside.

6. Assistant Town Clerk Applications: Farrell moves and Stein seconds a motion for the Select Board to hire an Assistant Town Clerk. Bannasch: former Town Clerk Susie Mosher is a strong candidate and she is counting on Mosher's assistance. Farrell notes that with the upcoming election calendar, it is a hard year to be a new Town Clerk. Bannasch notes that Mosher is wrapping up annual town meeting work while she is readying for the next election, swearing in new committee/board members, and standardizing instructions for Zoom, etc. Stein appreciates Bannasch's election as the new Town Clerk. Farrell moves and Stein seconds a motion to appoint Susie Mosher to the position of Assistant Town Clerk. Roll call vote: Farrell: aye and Stein: aye; the motion carries.
7. Town Administrator Updates:
 - a. Torres calls attention to the 6.29.20 "Statement from the Nipmuc Nation of Massachusetts" in the 7.7.20 packet and for the Select Board to be aware of notation #3 regarding Rolf Schilling-Cachat and suggests sharing the letter with others who were impacted by Schilling-Cachat's past actions.
 - b. The MLP Board will be hiring the MLP manager; as of now, Gayle Huntress is the only applicant.
 - c. Torres will be working on hiring an Assistant Tax Collector, a position that needs to be filled. Soon a year will have passed from the time a plan was made to hire the position; due to office constraints, a laptop will be used to facilitate remote training. Torres to Farrell's question, this is a specialist position, so word of mouth and contacting the professional treasurers/collectors' organization will get the word out; a tax collector does not need to live in town, however, we would be happy to have an in-town candidate.
 - d. It took five days to clear the field of annual town meeting remnants; two tents were lost in the post meeting storm.
 - e. The Municipal Vulnerability Preparedness grant process is resuming; a listening session to review the report will be set up.
 - f. Nitsch Engineering will be planning a listening session for the Small Bridge Grant funded Locks Pond/Sawmill River culvert replacement.
 - g. The auditors finished their work 7.6.20; it was a challenge to have the audit take place during COVID-19 conditions; indications are that the Town is in good shape; Town Accountant Gail Weiss, Town Collector Ellen McKay, and Treasurer Ryan Mailloux received high marks; Mailloux was trained by former Treasurer Gabe Voelker and is supported by Weiss.
 - h. Administrative Assessor Kevin Rudden is working on new growth and is utilizing a photo system for in-house inspections.
 - i. There were fireworks around Lake Wyola during the Fourth of July holiday; some of the fireworks were confiscated and the State Police handled a situation; cones were placed around the lake area roads to prevent parking in problematic sites; there were no complaints from the public.

- j. Torres plans to meet with Farrell to review the Select Board manual and timeline. Torres suggests the Select Board revoke to require only one Board signature; with the change in the Board, a minimum of two signatures are now necessary.

Unanticipated Topics:

- a. FY19 Annual Report: Scott requests guidance on whether to have the physical reports printed in black and white/grayscale with a color cover or with interior color; for 100 copies, the black and white version's cost is \$891.75 while the full color's cost is \$1,314.25. Stein and Farrell support ordering the black and white version as the full color version will be available on the Town website.
- b. Select Board members acknowledge Linda Avis Scott's resignation as Land Use Clerk effective 8.4.20. Per Torres, the job description will be posted 7.8.20 in a local newspaper and in the *Beacon*.

Administrative Actions:

1. Select Board members will sign vendor warrants totaling \$123,096.79 (FY20) and \$296,248.98 (FY21).
2. Select Board members will sign payroll warrants totaling \$93,337.78.
3. Select Board members will sign broadband warrants totaling \$6,665,64.
4. Stein moves and Farrell seconds a motion to approve the 6.23.20 meeting minutes. Roll call vote: Stein: aye, Makepeace-O'Neil: aye, and Farrell: abstain; the motion carries.

At 7:27pm, Stein moves and Farrell seconds a motion to adjourn the meeting. Roll call vote: Stein: aye and, Farrell: aye. The guests are thanked for attending the meeting.

Documents and Other Items Used at the Meeting:

1. "Shutesbury COVID-19 Town Hall Protocols"
2. Assistant Town Clerk Job Description dated 12.11.18 and Assistant Town Clerk Employment Ad
3. Assistant Town Clerk application from Susie Mosher dated 7.2.20
4. 6.29.20 "Statement from the Nipmuc Nation of Massachusetts"
5. 7.1.20 Shutesbury MLP Manager job posting
6. Assistant Town Collector Employment Ad

Respectfully submitted,
Linda Avis Scott
Administrative Secretary