

Shutesbury Selectboard Meeting Minutes
December 6, 2022 Virtual Meeting Format

Selectboard members present: Rita Farrell/Chair, Melissa Makepeace-O'Neil, and Eric Stocker
Staff present: Becky Torres/Town Administrator, Geneva Bickford/Administrative Secretary
Volunteers & Other Staff present: Mary Anne Antonellis, Miriam DeFant, Grace Bannasch
Guests: Leslie Luchonok, Robert Kibler, Tom Siefert, Amanda Alix, D Pruyne, Jill Marland, Marylou Conca, Jon Lawless, Katherine A. Powers, Jamie Malcolm, Penny Jacques, Joan Hanson, Michael Hoostein

Farrell calls the meeting to order at 5:32 pm.

Agenda Review: As posted.

Public Comment: Jill Marland is not happy with the SB, concerns over funding legal line for additional attorneys. Les Luchonok, 61 West Pelham Rd. expressed displeasure with the SB in regards to communication. The town is confronting a serious public health emergency with potentially dire financial implications. The State DEP has issued a Notice of Responsibility to the Town dated November 18, 2022 regarding high levels of PFAS contamination at the Fire Department and adjacent properties. In the interest of transparency, accountability and public safety the SB and town officials should give a full and open accounting to town residents of what has occurred and what will be required to address this. This accounting should include a clear and comprehensive report to town residents and an open public meeting where residents can ask questions and engage in a public dialogue. Miriam DeFant requested additional funds for Emily Stockman, peer reviewer. Robert Kibler made requests of the SB. Tom Siefert: Thought he heard his name at the beginning of the meeting. Torres and Siefert will communicate.

Review of Minutes: Review of minutes of November 9, 2022 and December 1, 2022. One change to the December 1 minutes, guests should say Christine Robinson and Sally Fairfield.

MOTION to approve the minutes of November 9, 2022.

- Makepeace-O'Neil moves and Stocker seconds Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

MOTION to approve the minutes of December 1, 2022 as amended.

- Makepeace-O'Neil moves and Stocker seconds Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Discussion Topics:

1. Web Committee IT Development Requests: The web committee outlines reasons to hire a town IT person. There are three categories: 1) Immediate on going; 2) immediate one off; and 3) future one off project about municipal records archiving. Questions have been raised as to whether municipal records archiving falls under the domain of the web committee and is the committee able to investigate how other towns around Shutesbury handle this. Torres and Fleischaker discuss the charge of the committee and expanding

the charge which would allow the Committee to talk to other towns openly. Torres explains there are documents that need to be kept physically as part of the retention schedule and those would not fall under the charge of the web committee. Grace Bannasch indicates this web committee proposal is very much in the early stages of this conversation and this summary comes from her experiences as Town Clerk. Other departments will also be able to add a lot more from their own perspectives as to what the town needs. Bannasch gave an example of her PSU on her computer died the day after Election Day, November 9. Hank Allen has been assisting the Clerk. Hank Allen has been supporting the town in its IT needs. He has recently moved from Shutesbury and is paid hourly out of the IT support line. Hank has been helpful over the phone but having someone who could have come in the same day would have been more helpful. Fleischaker suggests TA, Town Clerk and her meet separately to figure out what needs to be kept physically and what is able to be electronically archived. Immediate ongoing needs, as pointed out by the Town Clerk, cyber security with town computers, particularly remote public meetings. Meeting scheduling has changed, it is no longer simply meeting in person. It now involves more technical aspects that consume more time than has been required in the past. Email archiving is an issue. We are now being charged for active Shutesbury.org emails. However, if we archive the inactive emails we will not be charged. For state mandated retrieval we must have a safe and secure electronic archiving system in place. Hank Allen has offered and will have a response to the committee by the end of this week with some proposals. Fleischaker suggests waiting until the committee hears from Hank. Makepeace-O'Neil discusses two stage authentication. Do not know the cost but know a lot of companies have gone that route adding another layer of security. Cyber security would include the Town and possibly the library and would not extend to the school. The school has their own IT person and they run separately from the Town. Fleischaker did reach out to Debbie Lee who runs the computer lab at the school and has not gotten a response. Nothing has been submitted to FinCom from the Web Committee. The Web Committee is asking the SB to acknowledge the need and give approval for the committee to continue investigating needs and ways of meeting those needs. Stocker thinks it's long overdue. The web committee will come back to the SB once they have heard back from Hank. Jamie Malcolm Brown indicates there have been many things the committee has let slide. It would be beneficial to have someone tracking these things. It is very important to keep the website secure as well as keeping the computers secure. Bannasch discusses "floppy disk problem". The clerk has a floppy disk that contains very important documents and has no way of accessing those documents. Fleischaker discusses the security of the town website. Currently the town is running Drupal 8 which is no longer supported. There are security updates that have not been installed. The Committee's suggestion is to hire a professional to do the total move from Drupal 8 to Drupal 9 which will include all the security updates and bring the town up to date. The committee has had conversations with Pantheon, our online host. They do not do the total upgrade but have several agencies who they are affiliated with that do. Pantheon introduced us to a contact at Origins. They gave an initial ballpark figure of \$4,000 - \$5,000 to do the total upgrade. They will have their tech lead look at it more carefully to see what a detailed quote would look like and the real cost. We did ask if there was a possibility of the service installing updates on a quarterly basis but have not gotten a response back. The web committee requests to continue the conversation with

Origins and get a detailed quote with exactly what the services and cost. Jamie reiterates it's more data base knowledge and Drupal specific knowledge and understanding how Pantheon works as a webhost. Jamie has put in about 30 to 40 hours on getting the upgrade going but it takes time. Web committee will get a detailed quote and a time line and will come back to the SB for approval and discussion or funding possibilities. Farrell indicates that the web committee has the SB's support in terms of moving ahead on going to the FinCom to discuss having some routine IT support in next year's budget.

2. Review of Issues for Region's Four Town Meeting on December 17, 2022: Torres advises the SB that FinCom has been talking a lot about the track and field project. There have been a lot of emails received in opposition to the artificial turf and will likely be one of the topics at the Four Town Meeting. The assessment formula will be the other topic discussed. Doug Slaughter was in delivering a Determination of Eligibility for CPC for the track project. It appears the region is continuing to try and fund the school committee vote for the artificial turf. The FinCom has developed a position against the artificial turf. Another major issue raised was a committee was formed to discuss guardrails on the assessment formula. Last year the guardrail was voted by all four towns and the impact it had was to make sure that there was no more than a 4% change up or down. There was lengthy discussion about the guardrails and it seemed no one was interested. Ajay and Bob last reported that it appeared the region administration was still going to keep the concept moving forward. They are NOT moving forward as a full policy and adopting it as part of the assessment formula. The statutory formulas were agreed upon and believe the statutory formula will be the one used. Doug had not run the numbers and is hopeful there won't be a need for a discussion about guardrails. Shutesbury FinCom's opinion on the track and field is that the artificial turf should not be pursued. Due not only to the cost but the potential environmental damage. There has been discussion about grass. They haven't supported the grass due to the ongoing maintenance cost which is a much higher cost than the artificial turf. The number of teams that can use the field in one week would be reduced as well. It would be best to do a joint FinCom/SB/School Committee meeting on December 17 at 8:30 am in advance of the start of the Four Town Meeting. The track was a split vote by Amherst town council and without Amherst Town Council going forward it calls into question the whole liability of the financing. They are counting on a lot of fundraising and donations from alumni. The school committee was waiting to get word on the fundraising status.
3. PFAS Update: The town received a Letter of Responsibility before Thanksgiving stating the Town is responsible for the PFAS that has been found in the soil around the fire station as well as in the ground water in at least 5 wells (3 residences and 2 public buildings) in the vicinity of the fire station. Two years ago, UMass began a program asking residents if they wanted to test for PFAS. Once positive tests started being reported DEP came in and started noting where clusters were forming. There are two clusters in town, one around the fire station and the second is around Old Orchard. DEP expanded the area around the fire station going all the way down to Wilson Road and up to town center to just west of town hall. Town hall was tested and came back negative for PFAS but the other areas were positive. DEP returned this past July and put in test wells around the fire station yard and did more water and ground sampling in that area. Per the

letter the Town is responsible for cleaning up the PFAS. One form of PFAS comes from the foam spray used by the fire department when doing training on vehicle fires. Shutesbury has been given a 30 day deadline to have all primary sites where Shutesbury installed POETS (Point of Entry Filters) retested for PFAS. Mark Watkins found a vendor for Poets, and the Town ended up installing four more POETS as well as paying for the Watkins POET. DEP tested the Watkins' water and affirmed the filters were working and the wells that had been reading high did not show a sign of PFAS. The Town now needs to hire an LSP to do testing of these five we have identified within the first 30 days. The Town would then work with the LSP to determine our next steps and take that plan to the DEP and review it to be certain that our actions fit into the required IRA's that we will be required to fill out. Last week Rita and I met with DEP, John Zigler and Capri Shaw where they outlined what actions they want the Town to take. They are requiring pre and post affluent testing. We have reached out to recommended LSP's with PFAS experience Fuss & O'Neill and Tighe & Bond. Proposals were requested and received from each of them. We have decided to move ahead with Tighe & Bond who will be in Shutesbury on Thursday. We have reached out to the residents involved to set up the testing and hope to keep moving down the path of facing our responsibilities. DEP was impressed that we had immediately taken responsibility for the PFAS we found without any contact from DEP. Farrell participated in the meeting with John Ziegler and Capri Shaw. They were very positive and spoke to how proactive Shutesbury was when the first testing was done. This subsequent testing demonstrates why we need to continue to be vigilant, go back and look at the houses that have filters and make sure they are working as they should. The PFAS is in the soil and water, obviously removing a massive amount of contaminated soil is unrealistic and probably won't solve the problem. We will continue to work on it but the most immediate need is getting the testing done. Makepeace-O'Neil is impressed that we have a filter that does such a great job. Stocker asks if there is another solution other than removing the soil. Farrell indicates DEP doesn't even know, but removing the soil is an extreme. Shutesbury is not the only community dealing with this problem and the town will rely upon our LSP on moving forward and addressing this issue. As was mentioned it's not only at the fire station, there is another neighborhood in town where there was no foam used that has PFAS problems. It is everywhere and it is the forever chemical. Tighe & Bond has been very involved in this since 2018. Tighe & Bond has been working in Princeton and they have forwarded to us the legal contact for Princeton as they have started a class action that the state is also involved in. Shutesbury may participate in the class action. This will be brought to the SB for a decision on joining the class action which could help assist us in some of the funding to help tackle this issue. The class action is against the manufacturer. Les Luchonok indicates the report that was given is exactly what he was asking for under public comment.

4. MSBA Boiler Invite Review: The MSBA invited Shutesbury into their MSBA program for the boiler. MSBA came out in September, Jackie Mendonza and TA met with them asking for as much detail about the program as possible. They have given the Town 120 days to respond, they have indicated we have been invited but NOT approved. The first step is confirming we will secure funding of between \$60,000 and \$100,000 for a feasibility and design study regarding the boiler. If we determine we want to move

forward we would need to plan a special town meeting and commit the money. They indicate it could be up to a \$1,000,000 project. All work would be restricted to the boiler room itself. Our boilers are made out of heavy steel and we have replaced pumps a number of times. This information was presented to FinCom last week. Bob Groves had more questions. A meeting with the MSBA is scheduled for Wednesday at 3 pm. If the SB has any questions they would like us to pose to the MSBA we would be happy to do that. Stocker wants to know what we will get for the \$1,000,000. Farrell asks if this is 100% funded by the MSBA. The MSBA does not fund it 100%. The Town would pay for half. The town would also pay for the initial feasibility study. If that goes nowhere we are out \$60,000 to \$100,000. Farrell's personal opinion is this is ill advised to pursue this. They denied the roof we desperately need but they want to give us \$500,000 for a boiler we don't really need to have replaced at this point. It will be good to have Bob be a part of that conversation. Torres will report back.

5. Lot O32 Future Meeting with Conservation Commission: Farrell exchanged emails with Miriam DeFant about possibly having ConCom on the agenda for the next SB meeting of December 20. That is pending more information. We are waiting on test results and also information from special counsel retained by the SB. Once we have an idea of what the recommendations are, there is a ConCom meeting coming up on Thursday which is a continuation of the hearing on the NRAD which is the wetlands delineation for Lot O32. I am not committing to the 20th.
6. Administrator Updates, FRTA Updates: The recap is not complete, Roy Bishop and David Burgess have been assisting us. There have been computer issues and we hope to have it wrapped up by the end of the week. Free cash has been sent in for certification. There was one request for information today and we hope to have free cash certified by the end of this week. Last week a leak was discovered in the boiler room. Jamrog came right out and got the issue resolved. The weather tomorrow has caused the delay of Gale Associates engineering work over at the elementary school roof. We are working to find an alternative day. Lastly, the MSBA meeting will be held tomorrow. Farrell asks if there has been any response from PVTA. TA has not heard back from Paul Johnson at PVTA. He is still working through the understanding of how to add a town legally. He believes it will take a vote from the Shutesbury SB and a compelling letter from the SB to the Board of PVTA. The PVTA board would have to approve the town. Other than a fixed route everything is only for seniors or is on call. Paul at PVTA will help construct a survey and help get a sense of what the needs in Shutesbury are for public transportation. He feels at a minimum we would be able to provide on call service for our seniors which is the primary goal. It appears on the surface going to Amherst is much easier to accomplish on a regular basis with PVTA's dial a ride program. We will touch base with FRTA so we have a comparison.

MOTION TO ADJOURN (6:58 pm)

Motion to adjourn: Makepeace-O'Neil moves and Stocker seconds roll call vote:
Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Administrative Actions:

1. Amend 12.1.22 minutes to reflect in “guest” section it should read Christine Robinson & Sally Fairfield.

Documents and Other Items Used at the Meeting:

1. November 9, 2022 Minutes;
2. December 1, 2022 Minutes; and
3. Web Committee Summary of Needs.

Respectfully submitted,
Geneva Bickford
Administrative Secretary