

Shutesbury Selectboard Meeting Minutes  
May 23, 2023 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: Grace Bannasch, Gail Fleischaker, Paul Lyons, Michael DeChiara, Jeffrey Arps, Chief Burgess, Donna MacNicol, Carey Marshall, Deacon Bonnar, Jeff Lacy, Mary Anne Antonellis, Arleen Read, Sam Evans, Jim Hemingway, Jeff Weston  
Guests: Amanda Alix, Norene, Joan Hanson, Joyce Braunhut, David Lawless

Farrell calls the meeting to order at 5:31 pm.

Agenda Review: As posted.

Public Comment: No Public Comment

Review of Minutes: Review of April 25, 2023 Minutes.

**VOTE:** Makepeace-O'Neil makes a Motion to approve the minutes of April 25, 2023; Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

**Discussion Topics:**

1. Response to Recent Police Issue: Two weeks ago there were a number of State Troopers in parts of Shutesbury, at the post office, cemetery and the Dudleyville Pond area. The Leverett Police Chief scheduled a training exercise with the State Police and did not inform Chief Burgess they would begin in Shutesbury. Chief Burgess took issue with the lack of communication as it is a basic courtesy and would like communication reinforced by the SB. TA has drafted a letter to the Leverett SB for the Shutesbury SB to review and sign asking that Leverett make sure there is communication in the future. TA's understanding is the State Police asked Leverett to communicate with Shutesbury the morning of the training however no communication was received. Makepeace-O'Neil requests the letter be one page.
2. Administrative Assessor Appointment: David Burgess was the Administrative Assessor for Shutesbury many years ago before going to Amherst. Burgess has been in Amherst for about 30 year and has an excellent reputation state wide for his work. Burgess will be working 20 hours per month. Shutesbury will be bringing on Roy Bishop who will do certain tasks with regard to revals and Burgess will take on the majority of the other responsibilities.

**VOTE:** Farrell makes a Motion to appoint David Burgess as the Town of Shutesbury's Administrative Assessor; Stocker moves, Makepeace-O'Neil seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

3. Library Substitute Appointments: Linda Chatfield and Beth Dicter are being appointed to the M.N. Spear Memorial Library substitute position filling in when people are on vacations or out sick.

**VOTE:** Farrell makes a Motion to appoint Linda Chatfield as a Library Substitute; Makepeace-O'Neil moves, Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

**VOTE:** Farrell makes a Motion to appoint Beth Dicter as a Library Substitute; Makepeace-O'Neil moves, Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

4. BOH District Agreement: Arleen Reed and Noreen Pease are present. Pease is the representative to the Valley Health Collaborative which is also the Public Health Excellence Grant funded by the State and includes six towns, Greenfield, Montague, Sunderland, Deerfield, Leverett & Shutesbury. There is no cost to Shutesbury all money comes from the state. The State has funded almost \$300,000 for this FY and have been awarded another 190K. Sarah Fisk will be the public health nurse. Fisk will be coming to town and working out of town hall. Some examples of what the public health nurse would do are talking to new mothers about issues or concerns, she may work on immunizations, blood pressure checks, possibly do home visits if needed and possibly health related counseling. There will need to be some discussion as to where the nurse will set up, she will need to have access to water and will need privacy.

**VOTE:** Farrell makes a Motion to approve the Valley Health Regional Collaborative Inter-Municipal Agreement for the Public Health Excellence Share Services Grant; Makepeace-O'Neil moves, Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

5. Public Records Law Policy: Grace Bannasch is here to ask the SB to approve the Public Records Law Policy that Shutesbury has been relying on since 2016. The policy will be given with all swearing in material and will be sent to all department heads. DeChiara would like to see a separate policy for volunteers and one for the general public. Bannasch would like to have training once the policy is in place and would like the SB to make sure all departments attend the training. Stocker and Makepeace-O'Neil feel the policy looks good.

**VOTE:** Farrell makes a Motion to adopt the public records law policy; Makepeace-O'Neil moves, Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

6. Use of Legal Funds Policy: This has been a challenge this fiscal year. The standing policy is that any committee or department ask the TA for approval before communicating with Town Counsel. This is done to help control and monitor the legal line expense. The town has gone through the legal line twice now and will likely need to draw upon it again before the end of this fiscal year. The DOR finance office is willing to work on a policy for the town and the TA is waiting to hear back from them. TA will come back to the SB with a draft policy.
7. Tighe & Bond – Jeffrey Arps: Jeffrey Arps is here from Tighe & Bond to give an update on the PFAS contamination. Arps presents a power point giving some background information on the PFAS contamination. A copy of the power point presentation will be sent to the TA and uploaded to the town's website. Delineations of soil and ground water contamination will need to be done and possibly more monitoring wells. There are not a lot of options as far as remediation goes. Soil remediation is difficult. Incineration is the preferred method but that is very expensive as you have to dig up the soil then have it transported by train. Getting the POETS installed will help. You could pave the rear of the fire department . A water line would help if that were an option. Farrell asks about the PFAS extending up the hill and wonders if there could be other sources. Arps states every septic system has PFAS in it from everyday things like laundry. Stocker asks if the town is on the POETS program forever and asks if the town is doing everything they can to solve this problem. Arps says the town is actively doing everything they can do. There is a lot of contamination in the ground water and that won't go away any time soon and will need to be managed until the technology catches up. Bottled water is being provided and POETS are being installed where needed. The carbon in POETS can last 3-5 years and samples are taken to be sure the POETS are working. Sam Evans is the technician who has been doing the testing for the town.

8. Final Review of Budget, ATM Warrant & ATM Plans: About two years ago TM passed the Associate Members of the PB bylaw. The AG's office gave approval but only allowing the Associate Members to have limited ability. Donna MacNicol advised the PB that the only way to proceed was by a home rule petition or working with the legislators to actually pass a bill. The SB was supportive of that. Jeff Lacy and DeChiara met with Jo Comerford's staff and was in contact with Aaron Saunders once he got elected and a home rule petition was recommended. In February DeChiara talked with Saunders and he pointed out the process, TM approves it, it goes to the house, then it goes to the Senate. Saunders recommendation was for DeChiara to send the language to him and Saunders would share it with house counsel. PB waited and didn't hear anything and realized that if TM doesn't pass it this year it won't get passed in this legislative session since their session ends in July 2024. DeChiara wrote to Saunders and he suggested that TM pass it with the language that was submitted previously. MacNicol had tweaked the language a little. The amendment could be done on the floor but DeChiara thinks having it on the warrant would be helpful. DeChiara believes it would be filed immediately upon passing. It will be sent to Saunders indicating it was passed and would appreciate the house voting on it and then the Senate would vote on it. This only pertains to Shutesbury and the language is asking for an exemption from the state law asking that associate members be allowed to do anything that any elected PB member could do. MacNicol's Article has the clarification Farrell was asking for. MacNicol added "or take any action". Farrell asks if there were any other changes in the Warrant. TA states the other change was in the budget it was noted there was a missing \$5,000 amount and the budget itself is changed. It was a duplicate entry with two different subtitles. One of the line items was removed and it reduced the annual budget. The figure in Article 11 is now \$6,906,641. The Warrant will be posted tomorrow. Lyon's asks about the to do list for preparation and if there anything he can do? Friday there will be a work party to setup for TM and would appreciate any help. TA will send final documents to Lyon's once she has it formatted.

**VOTE:** Farrell makes a Motion to approve the new language for the Associate Planning Board Members as edited by Town Counsel, Donna MacNicol; Makepeace-O'Neil moves, Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

**VOTE:** Farrell makes a Motion to approve the revised Article 11 reducing the town expenses by \$5,000 to \$6,906,64; Makepeace-O'Neil moves, Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

6:56 pm meeting is paused for 5 mins before reconvening for executive session

Administrative Actions:

1. Appointment Letters
2. Finalize letter to Leverett SB regarding communication

Documents and Other Items Used at the Meeting:

1. Jeffrey Arps Power Point Presentation

Respectfully submitted,  
Geneva Bickford,  
Administrative Secretary

\*\* A full version of the 5/23/23 SB meeting is available to view on the Town of Shutesbury's YouTube page at: <https://www.youtube.com/channel/UC4ajoOcJsNzf5DBgMTZgcJA>