

Shutesbury Selectboard Meeting Minutes  
February 27, 2024 Hybrid Meeting Format

Selectboard members present: Rita Farrell/Co-Chair, Melissa Makepeace-O'Neil/Co-Chair and Eric Stocker

Staff present: Rebecca Torres/Town Administrator, Geneva Bickford/Administrative Secretary

Volunteers & Other Staff present: Matteo Pangallo, Jeff Weston, Nathan Murphy, Michael DeChiara, Robert Raymond, Steven Bressler, Grace Bannasch, Chief Burgess

Guests: Jon Lawless, Frank McGinn, Tom Siefert, Susie Mosher, Tracy McNaughton, Amanda Alix, Gail Fleischaker, Penelope Kim

Rita Farrell calls the meeting to order at 5:33 pm.

Agenda Review: As posted.

Public Comment: None

Review of Minutes: Minutes of February 13, 2024 were approved as amended. Stocker has one amendment Page 1, Topic 2, "Wester Mass" should be changed to read "Western, Mass".

**VOTE:** Farrell makes a Motion to approve the February 13, 2024 minutes as amended; Stocker moves. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: abstain; the motion carries.

**Discussion Topics:**

1. Review GZA GeoEnvironmental, Inc. Proposal: GZA provided Shutesbury with a proposal in July for \$104,600 in total to do the permitting required to replace the five year permitting for drawing down the dam. There is an extension on that permit through January 2025. Work will begin in March. GZA believes there is the potential to get an exemption or an extension for the MA Endangered Species Act ("MESA") work and the work required for the National Heritage & Endangered Species Program ("NHESP"). GZA would like to proceed with having conversations with the ConCom and reaching out to NHESP to see how detailed the work should be and what they think is necessary. GZA is putting in a request with NHESP to find out what kind of endangered species or creature is there. GZA is only charging time and materials. There was discussion around the increased cost. TA explained the last permit was put together by Mark Rivers, Penny Jacques, Mark Stinson from DEP and Morris Root and Emily Stockman was hired to do a wildlife study.

**VOTE:** Melissa makes a Motion to execute the contract with GZA Environmental for the Lake Wyola Drawdown Permitting, Dam Inspection and Repair; Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

2. Open Meeting Law ("OML") Violation Response Letter to Attorney General's Office and Amanda Alix: The SB received an OML Complaint from Amanda Alix regarding the SB's 1/31/24 Agenda and acronyms being used with no explanation. A response to the complaint will be sent.

**VOTE:** Farrell makes a Motion to approve the letter to Amy Nable; Makepeace-O'Neil moves, Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

3. Review Personnel Action Forms (PAF) for Highway and Police Departments: The SB approved PAF's for 2 officers Devon Pelletier and Curtis McGuire and a PAF for David Grenier with the Highway Department.

**VOTE:** Farrell makes a Motion to approve the Personnel Action Forms for the Curtis McGuire, Devon Pelletier and Dave Grenier; Makepeace-O'Neil moves, Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

4. Review Veterans Affairs Services Contract: Shutesbury participates in this service with other Franklin County Communities. The SB needs to vote to continue on as a member of the district.

**VOTE:** Farrell makes a Motion to execute the agreement for the Upper Pioneer Valley Veterans Services District; Makepeace-O'Neil moves, Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

5. Associate Member Appointment for Tom Siefert (Joint Session w/Planning Board): The PB voted unanimously to recommend Tom Siefert to the SB as an Associate Member. Tom Siefert was appointed to the Planning Board as an Associate Member by the SB.

**VOTE:** Farrell makes a Motion to appoint Tom Siefert as an Associate Member of the Planning Board; Makepeace-O'Neil seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; Weston: aye, Murphy: aye, DeChiara: aye, Raymond: aye, Bressler: nay, the motion carries.

6. Review Fire Department Grant Application for Automated External Defibrillator ("AED"): This is a grant that awarded a defibrillator to the Shutesbury Fire Department.

**VOTE:** Farrell makes a Motion to approve the Commonwealth of MA contract form for the defibrillator for the town of Shutesbury fire dept.; Makepeace-O'Neil moves, Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

7. Discuss Receipt of Amherst Pelham Regional School Committee's Vote to rescind the 2022/2023 debt authorization for a track and on 1/23/24 voted to authorize \$1,500,000 for a track defined differently than the earlier debt authorization: This is regarding the artificial turf fields with a new definition of what is being requested. No other towns have voted against it. The SB voted to confirm the Amherst Regional School Committee's vote on 1/23/24 to authorize \$1,500,000 for a track defined differently.

**VOTE:** Farrell makes a Motion to confirm the Amherst Regional School Committees 1/23/24 vote to authorize \$1,500,000 for a track defined differently than the earlier debt authorization; Makepeace-O'Neil moves, Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

8. Discussion and review of proposed Hunting on Private Property Bylaw: Matteo Pangallo presents the SB with a proposed Hunting on Private Property Bylaw (see attached). An informal committee will be formed and will include the police chief, the town clerk and a selectboard member. Chief Burgess has collected information regarding what other towns have done and is working on collecting data regarding responses to complaints and will inform the SB when she's ready to discuss further. Chief Burgess has spoken with the EPO's and Fish and Wildlife and they will assist if the town has any questions.
9. Review Cemetery Grounds Keeper Job Description Updates: The Personnel Board has reviewed and approved the job description (see attached).

**VOTE:** Farrell makes a Motion to approve the revised cemetery grounds keeper job description; Makepeace-O’Neil moves, Stocker seconds. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

10. Review Warrant for Presidential Preference Primaries: The SB approved the warrant for Presidential Preference Primaries to be held on March 5, 2024. Town Clerk updated the warrant to indicate the clerk was posting the warrant as the constable was unable to post this evening.

**VOTE:** Farrell makes a Motion to approve the warrant for the Presidential Preference Primaries to be held on March 5, 2024; Melissa moves, Stocker seconds. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

11. Town Administrator Updates – PFAS, Gasoline Cleanup: An air study was done next door to the Fire Station as part of the gasoline investigation to confirm the limits of exposure. A water test was also done on a sump pump and the TA hopes to have results in a week or so. Some lab results were contaminated and reports had to be redone. Jeffrey Arps was concerned and reached out to DEP to request an extension for reporting and that was granted. No new filters have been required for PFAS. There are about 40 filters in Shutesbury. Town hall had a couple of issues, the lock to the room in the basement was not working. The flag was found strewn between tree branches and the rope was tangled. The flag has been taken down and Al Springer will come back in warmer weather to repair and put the flag back up. The gutters at the school have not been holding up to the ice and sleet and the Building Committee is working with the architect to make repairs. Drainage has been an issue at town buildings, the court yard at the school as it has filled up with about 6 inches of water on two different occasions. The Highway Department is purchasing a large snake to be able to assist with drainage issues. TA is waiting for ConCom to come back to the SB. The SB still needs to pass the regulations that contain ConCom’s fees as they cannot begin charging new fees before a vote is passed. TA needs to send a report to the National Grid Fleet Program. The SB received a letter from Attorney David Bartley regarding a Right of First Refusal for a 49 acre parcel on the Leverett border on January Hill. It is indicated they are intending to sell the parcel but it does not disclose who the buyer is or what purpose it will be used for. TA believes Burgess will reach out to Bartley to ask those questions. Police negotiations will begin on March 14. The TA’s contract negotiation is scheduled for March 11, 2024 at 4:30 pm.

Farrell Motions to Adjourn (6:51 pm); 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. Tom Siefert Appointment Letter;

Documents and Other Items Used at the Meeting:

1. 2/13/24 SB Minutes;
2. GZA GeoEnvironmental, Inc. Proposal for Professional Consulting Services;
3. OML Complaint Received 2/12/24 from Amanda Alix;
4. Personnel Action Form for David Grenier, Curtis McGuire and Devon Pelletier;
5. Upper Pioneer Valley Veteran Services District Contract;
6. Fire Dept. Grant Application for Automated External Defibrillator;
7. Proposed Hunting on Private Property Bylaw;
8. Cemetery Grounds Keeper Job Description; and
9. Warrant for Presidential Preference Primaries;

Respectfully submitted,

Geneva Bickford,  
Administrative Secretary

\*\* A full version of the 2/27/24 SB meeting is available to view on the Town of Shutesbury's YouTube page at: <https://www.youtube.com/channel/UC4ajoOcJsNzf5DBgMTZgcJA>

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