

Shutesbury Selectboard Meeting Minutes  
July 9, 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

Volunteers & Other Staff present:

Guests: Mary David, Jennifer Wallace, Pam Ososky, Joseph's Ipad, Mary Jo Maffei, Michael DeChiara, Jan Rowan, Nathan Murphy, Keith Hastie, Robert Raymond, Steve Bressler, Jeff Weston, Tracy McNaughton, Melissa, [syarmac51@gmail.com](mailto:syarmac51@gmail.com), Mary Anne Antonellis, George, Matt B, Lynda Grybko, Todd Tietchen, Evan Jones, Bob, Mark Rivers, Stephen Dallmus, Carol J's Ipad, Tom Siefert, Ajay Khashu

Rebecca Torres calls the meeting to order at 6:04 pm. It is the first meeting of the year and Torres is to open the meeting and ask for nominees for chair of the SB. Stocker nominates Farrell and Makepeace-O'Neil as Co-Chairs. Farrell Seconds, Makepeace-O'Neil seconds. Roll call vote, Farrell: aye, Makepeace-O'Neil: aye, and Stocker: aye.

Agenda Review: As posted. Minutes will not be reviewed. Stocker would like to discuss the draft schedule for the SB.

Public Comment: Mary thanks the SB for all they do.

Review of Minutes: None

**Discussion Topics:**

1. Knotweed Proposal Presentation by Subduing Knotweed Coalition: Pam Ososky and Mary Jo Maffei present on behalf of the Subduing Knotweed Coalition. The Coalition is asking the SB to consider sponsoring applicants for the funding of the removal of knotweed, support landowners and possibly develop a bylaw or town policy. Steve Sullivan supports these efforts as he is now concerned because knotweed has started growing in drainage ditches. The coalition will stay in contact with ConCom. It is unclear how long it will take to eradicate but it is expected to be a multiyear process. The coalition will provide the SB with a plan for their approval.

2. ECAC Charge Review and possible vote: The SB approved the new charge of ECAC.

**VOTE:** Farrell makes a Motion to approve the new Shutesbury Energy and Climate Action Committee charge; Stocker seconds. Roll call vote: Farrell: aye, Stocker: aye, and Makepeace-O'Neil: aye; the motion carries.

3. Associate Planning Board Members Joint Appointment by Planning Board and Selectboard: The Planning Board voted to reappoint Keith Hastie and Tom Siefert as Associate Members. The SB voted unanimously to reappoint Tom Siefert and Keith Hastie as Associate Members of the Planning Board.

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

**VOTE:** Farrell makes a Motion to appoint Keith Hastie as an Associate Planning Board Member; Nathan Murphy seconds. Roll call vote: Farrell: aye, Stocker: aye, and Makepeace-O'Neil: aye; the motion carries.

4. Selectboard Google Calendar: No discussion
5. Selectboard (SB) review/appointment of Land Use Clerk Candidate recommended by Chairs of Planning Board, Conservation Commission and ZBA: Doc Pruyne is appointed as Shutesbury's new Land Use Clerk.

**VOTE:** Farrell makes a Motion to appoint Doc Pruyne as the new Land Use Clerk; Stocker seconds. Roll call vote: Farrell: aye, Stocker: aye, and Makepeace-O'Neil: aye; the motion carries.

6. PFAS Litigation Contract: The SB executed the Legal Services Agreement with the Law Offices of Kevin Madonna, PLLC, SL Environmental Law Group, PC, Douglas & London, PC, Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr, Mougey, PA and Taft Stettinius & Hollister, LLP (the "firms) regarding ongoing litigation efforts against the manufacturers of these highly contaminated products.

**VOTE:** Stocker makes a Motion to execute the contract as described; Farrell seconds. Roll call vote: Farrell: aye, Stocker: aye, and Makepeace-O'Neil: aye; the motion carries.

7. Selectboard review Army Corp of Engineers Update on 66 Leverett Rd: The Army Corp of Engineers Real Estate Division has asked the Town of Shutesbury to execute a Right of Entry Request. Mary Anne Antonellis contacted the project manager assigned to the release and they were still in the process of hiring an LSP to manage on their behalf. Antonellis attempted to gain more information but was told they could not provide any answers including the scope of work they would be doing, they could not give a schedule, could not say how often they would need access or what type of activities they would be doing, they could not say what type of equipment they would be using and bringing onto the site either. The Army Corp understands the town needs to have more information before signing the Right of Entry Request and suggested waiting until they have more information to provide the town. The Request gives Army Corp 7 years to complete the work, that does not mean it will take 7 years to complete and they will also be responsible for any damage they cause and will be required to repair any damage caused.
8. Selectboard review of the Amherst Town Council's letter regarding Education funding for the Amherst Pelham Regional Schools: Ajay Khashu and the SB discuss Amherst Town Council's letter regarding Education funding for the Amherst Pelham Regional Schools. The Superintendent was asked to develop a new budget that would eliminate all of the cuts previously made pertaining to student facing positions and they were asked to put back in all of the funds required to zero out any staff reductions related to student facing roles and that budget produced an increase of 8.2% for all towns. Shutesbury's FinCom felt that was not workable. Another 4 Town Meeting was held and Shutesbury discussed a compromised solution that would fall somewhere in the middle recommending that for the purpose of FY25 they pass a new budget that imposed a 6% increase on all 4 Towns. It is believed the process for FY26 will be changed and should begin discussions much earlier. They are pushing for a more collaborative process. Amherst Town Council has asked to meet with Farrell and Khashu to see where Shutesbury might fit in with their region. Farrell and Khashu will report back after their meeting with Amherst Town Council.
9. Selectboard Review of Lake Wyola Boating Bylaw: The most recent boating accident on the lake has prompted this discussion, before this accident it has been at least 40 years since there was an accident on Lake Wyola. Community members voiced their concerns for and against powerboats on the lake. The SB will establish a committee to review the bylaw of Watercraft and Persons Using Lake Wyola and continue to discuss.

**VOTE:** Farrell makes a Motion to establish a committee to look at the bylaw of Watercraft and Persons Using Lake Wyola; Stocker seconds. Roll call vote: Farrell: aye, Stocker: aye, and Makepeace-O'Neil: aye; the motion carries.

10. Town Administrator Updates: Our FY23 audit is underway. Due to stipulations made in the library grant there will also be audits done for FY24 and FY25. FY24 will be done before the end of the year. More funding may be needed for the FY24 than what was put aside and we might need to have a STM before winter. Chief Czerwonka has been upgraded and is now able to take fire calls with a weight limit of 35 lbs for the next month or two. Czerwonka will then have no restrictions. The building committee is actively monitoring the school trim and painting project. We are working on all employees having an email address on the town server. Emails has been discussed in the past and is a cost of doing business. It is believed we will need roughly another \$7,000. The SB is on board and a policy will be developed. STM cannot happen until free cash is certified. November 19, 2024 is selected as a potential STM date. There was also discussion of possible money for the track which will need to go before the CPA.

Makepeace-O'Neil Motions to Adjourn (8:26 pm) and enter into executive sessions for Reason No. 3, To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the government's litigating position. Litigation specific to Complaint received from Cowls regarding the Shutesbury Solar Bylaw with Special Counsel, Town Counsel and Planning Board Representative and not to return to open session; Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Administrative Actions:

1. Appointment letters for Doc Pruyne, Keith Hastie and Tom Siefert.

Documents and Other Items Used at the Meeting:

1. Amherst Town Council Letter;
2. Town of Shutesbury Legal Services Agreement;
3. Donna MacNicol email response;
4. Draft Knotweed proposal;
5. ECAC Charge;
6. Town of Shutesbury Watercraft and Persons using Lake Wyola Bylaw;
7. Town of Shutesbury Personal Watercraft on Lake Wyola Bylaw;
8. Lawrence Pruyne Resume.

Respectfully submitted,  
Geneva Bickford,  
Administrative Secretary

\*\* A full version of the 7/9/24 SB meeting is available to view on the Town of Shutesbury's YouTube page at: <https://www.youtube.com/channel/UC4ajoOcJsNzf5DBgMTZgcJA>