

Shutesbury Selectboard Meeting Minutes
July 30, 2024 Hybrid Meeting Format

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

Staff present: Becky Torres/Town Administrator

Volunteers & Other Staff present: Selectboard Meeting Room

Guests: Liz Goodsell, BZ Reily, J, Mike S, M Briggs, Jessica Makepeace, Amy Lehane, Todd & Kristen Ondrick, Meaghen Mikolajczuk, Frank McGinn, Miriam DeFant, Kathy Salvador, Jessica Carey, Carol J's Ipad, Charlene, Mike S, Chris Cummings, Lauren Abdow, Alex Abdow, Michelle's Iphone X, Judy Rimmel, Mark Rivers, Jon Lawless, Jennifer Wallace, Shannon's dad, Amanda Alix, Norene's Ipad, Linda Bills, Jan Rowan, Penelop Kim, Odinslaw, Adam Ondrick, Evan Jones, Becca Wheeler, Lake Wyola, Gail Fleischaker, Merrigan, Marie Rivers, George Arvanitis, Arlene Clark, Steve Schmidt, Sandy Bigelow, Rob Kibler, Jim Hemingway, Matteo Pangallo, Joseph's Ipad, Matthew Borowiec, Melissa Borowiec, Steven Mikolajczik, Howard Kinder, Sandra Yarmac, Nick Yarmac, Ana Clark, Michael Connors, Patti Connors, Michael Perry, Cali Brassil Perry, Don La Riviere, Susan Panlilio, Eric Panlilio, Susie Mosher, Lynda Grybko, David Dumala, Lauren Grybko, Charles Grybko, Tracy McNaughton, Katie Thompson, George Abdow, Paula Moore, April Stein, Judy Wells, Bill Wells

Makepeace-O'Neil calls the meeting to order at 6:06 pm.

Agenda Review: As posted.

Public Comment: Frank McGinn states you are using the blurred feature and all members are blurred out and no one can see you online. Makepeace-O'Neil corrects the issue.

Review of Minutes: Minutes of June 17, 2024 and June 25, 2024 were approved.

VOTE: Farrell makes a Motion to approve the June 17, 2024 minutes; Stocker seconds. Roll call vote: Farrell: aye, Stocker: aye, and Makepeace-O'Neil: aye; the motion carries.

VOTE: Farrell makes a Motion to approve the June 25, 2024 minutes; Stocker seconds. Roll call vote: Farrell: aye, Stocker: aye, and Makepeace-O'Neil: aye; the motion carries.

Discussion Topics:

1. Review of Council on Aging's request to have Senior Lounge returned to original state: The Council on Aging is asking that the senior lounge in town hall be cleaned out and returned to its original state as they have begun using the room again. Discussion is had about other items that need to be done to clean up the space such as painting and technology and perhaps some offsite or onsite storage space. TA mentions a space and storage study has been done in the past and the TA will share that information with the SB.
2. Review applications and make appointments to the new Boating and Safety Committee: The SB has received 26 emails of interest. Discussion was had between the SB and members of the community regarding the Boating and Safety Committee and it was decided the SB will continue to look for non-lake residents who would like to sit on the committee as well to help and address this concern as it involves all in town including those who do not live at the lake.
3. Selectboard vote to set the in-person Early Voting minimum hours for the September 3 primary election at 25% of Town Clerk's usual business hours: The clerk asks the SB to set the minimum Early Voting minimum hours for the September 3, 2024 primary election at 25% of the clerk's office

hours. Early Voting will start August 24 and will go until August 30. There will be 1 week of in person early voting for the September primary.

VOTE: Farrell makes a Motion that the SB set the in person early voting minimum hours for the September 3, 2024 primary at 25% of the town clerks usual business hours; Stocker seconds. Roll call vote: Farrell: aye, Stocker: aye, and Makepeace-O’Neil: aye; the motion carries.

4. Personnel Board Recommendation – TA Contract: Discussion was had regarding the change in process and the FinCom and Personnel Boards desire to be a part of discussions especially when process changes. Robert Kibler does call point of order as people participating in the conversation are not stating their names before speaking. Robert Kibler brings up the discussion of a quorum of the Personnel Board during this meeting and discussion is further had. Kibler indicates that the SB should expect someone to file a complaint. Amanda Alix brings up the issues of a Personnel Board quorum and also asks when the executive session minutes can be expected if there is no longer an active discussion going on regarding the TA contract. The SB indicates they don’t have a timeline of when they will be available.

VOTE: Stocker makes a Motion to hold an executive with the SB and representatives from the personnel board and finance committee; Farrell seconds. Roll call vote: Farrell: aye, Stocker: aye, and Makepeace-O’Neil: aye; the motion carries.

5. Approve PAFs (personnel action forms): No Discussion
6. The Selectboard Knotweed elimination discussion about how to “roll out” the mitigation plan and have multiple committees endorse it: Pam Osoosky provides a draft plan to the SB and Stocker would like a letter to be send stating what the plan is and that the SB voted for it and backs it as well as perhaps a few other committees such as ConCom. It is discussed further and the Knotweed Coalition will be in contact with ConCom and get their support. The coalition will get the map and the overlay with the States Wetlands protection map and meet with ConCom then return to the SB.
7. Review and Vote on Emergency Warrant for a Special Town Meeting on August 15, 2024: AT ATM there was an unfortunate oversight. Article 13 was the PFAS debt article for \$150,000 loan will be our second loan and we are in dire need of the funds. At ATM the moderator did not count the vote and we do not have any notes indicating we had a 2/3^{rds} vote. TA has spoken with Town Council who has double checked her notes and they state “clear majority” and clear majority does not pass a 2/3^{rds} vote. The Asst Clerk at town meeting recorded the same thing. Essentially Article 13 failed at ATM and the only way to correct it is to revote it. The Town Clerk has found that August 15 is the best date for STM. Makepeace-O’Neil mentions the agreement with the Police Union but that cannot be on this warrant because free cash has not been certified. The STM will be held August 15, 2024 at Shutesbury Town Hall.

VOTE: Makepeace-O’Neil makes a Motion to approve the warrant for August 15, 2024 Special Town Meeting; Farrell moves, Stocker seconds. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

8. Review of Fall Special Town Meeting Plans: There are a number of items that require STM. The police private duty detail fund, Matteo Pangallo has put forward a non-resident voters article that is different than what was brought to the ATM and there was a miscalculation in the budget that amounted to about \$1,100 in the assistant library clerks line and there will be a request to fund that as to the original calculation. Matteo Pangallo states the difference is because the wording from the petition article constituted a resolution as opposed to authorizing legislation and this would essentially take the input we got from the resolution and frame it in language that authorizes the home rule petition. This is drafted in line with what KP Law recommended in 2020 to the MA Municipal

Association and the language includes the specific legislation and is modeled off the Town of Leverett's language. The region is asking our CPA committee about funding the track so that track funding questions will be on CPC. CPC is now going to be meeting with Amherst in an earlier cycle to help accommodate getting this done. This will not be done until after free cash is certified and is just a preview. Notice will go out to all town committees to see if there are any other items that need to go on this warrant.

9. Water Delivery – PFAS: Makepeace-O'Neil did research and would like the SB to support having Berkshire Water deliver the water to those that need it. Makepeace-O'Neil is concerned with injury to employees delivering water and injury to those residents who are picking up the water jugs at town hall themselves. TA asks that this be a trial basis as she's had issues in the past with Berkshire Water. Makepeace-O'Neil says the cost to deliver will be \$3 per delivery and the cost for the water will be the same at \$9.25 per bottle. SB agrees to water delivery and will do it on a 3 month trial basis to begin with.

10. Town Administrator Updates: The painting at the school is almost completed. The upper deck and the chimney still need to get done. Our new Principal showed up at town hall with chocolate chip cookies introducing herself to the employees and got to meet most of them. The plumber was at the school at 7:15 this morning working on the leak and it has been completed. GZA has made a strong effort meeting with National Heritage to try and get accommodation and acknowledgement of our draw down cycle being ongoing for 50 years and they have made a strong effort to make it exempt but that was not received well. We do have clarity of what they do want but it has lead to the next effort because they are now requiring the town being do state certification on a number of levels on two different major permits that will cost more than what we had been looking at before. Because of this the TA met with Adrienne and the Engineer at GZA and Beth Wilson to inquire what the process will be to apply for an extension. If we are required to do everything it will take well over 1 year maybe 2 it would be best to ask for 3 years. The Dudleyville Dam engineer has put together a plan to remove the majority of the current Dudleyville Dam under an emergency order and the TA believes the ConCom is issuing the emergency order today. The work will begin soon and TA will alert the SB to when it will be happening. TA has a grant application in for the Dam Culvert.

Makepeace-O'Neil Motions to Adjourn (8:12 pm); Farrell moves, Stocker seconds. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Administrative Actions:

- 1.

Documents and Other Items Used at the Meeting:

1. Draft Special Town Meeting Warrant;
2. Shutesbury Non-Citizen Voting HRP email;
3. Email request for senior lounge to be returned to original state.

Respectfully submitted,
Geneva Bickford,
Administrative Secretary

** A full version of the 7/30/24 SB meeting is available to view on the Town of Shutesbury's YouTube page at: <https://www.youtube.com/channel/UC4ajoOcJsNzf5DBgMTZgcJA>