

Call to Order: Bob called the meeting to order at 7:00pm. Other members present: Joe Judd and John Payne.

Media Present: None

Acceptance of the Meeting Minutes: Joe presented a motion to accept the meeting minutes of May 6th and May 14th, 2013 as presented. John seconded the motion. Motion carried unanimously.

Noteworthy News:

The Shelburne Board of Selectmen approved a film permit application submitted by Warner Bros. Pictures (a Division of Warner Bros. Studio Enterprises, Inc) last week. Friday, May 31, 2013 is the first scheduled day of filming in the Village.

Oklahoma Tornados – Bob expressed heartfelt thoughts to the citizens of Oklahoma impacted by two consecutive days of horrific tornados.

Department Liaison Reports:

Highway Department – Joe reported that operations of the highway department are status quo. John requested that the Department consider addressing the following concerns: First, the extremely invasive Garlic Mustard Weed plant is spreading along several of our town roads (Zerah Fiske, South Shelburne, and Bardwells Ferry to name a few). John requested that the Highway Department use the town's road-side flail mower to cut it down before the plants go to seed. Second, there is a road defect on the east side of Bardwell's Ferry Road (approximately 10' above where the new culvert was installed) where water has eroded the road's edge creating a dangerous drop-off. Joe indicated that he would convey both concerns to the Highway Superintendent.

Police Department – John reported that the Chief is ready to move forward hiring the third full-time officer. Working with the Town Administrator, he would like to post the job internally with the hopes of having the new hire in place by July 1st. The Chief has also begun the process of procuring new safety equipment. John will provide updates as details become available. The Chief is in contact with Warner Bros. almost daily as details of the filming are in the final planning stages. Now that Cowell Gymnasium renovation project is near completion, the Police Chief is in favor of proceeding with the relocation of the department. Before moving forward, Bob would like to first give Leo Ojala and the proposed Long Range Committee the opportunity to evaluate the town's building needs. Terry will contact Leo and request that the Committee, once appointed, provide the Board with a preliminary evaluation of all town owned buildings by July 15th. Lastly, John would like to have the fitness equipment previously housed at the gymnasium removed from his barn before the hay season begins. Terry recommended that someone clean the equipment before returning it to Cowell so not to reintroduce mold spores into the remediated area. Joe will speak to the Highway Department about sanitizing the equipment.

Town Office – Bob reported that the Town will save \$2,000 on the purchase of the new copier if ordered by May 31st of this year. Terry is also working with the supplier to network the copier to in-house computers to save money on individual ink cartridges.

Pratt Building Committee – Bob reported that members of the Building Committee have selected Margo Jones Architects, Inc of Greenfield, MA as the Designer for the restoration project.

Appointments:

7:15 p.m. Alain Peteroy, Franklin Land Trust – Cancelled due to scheduling conflict.

7:30 p.m. MTRHS School Committee – Joe indicated that he requested that Bob cancel the appointment because he was not comfortable discussing an employee of the School District, or the process relative to employee evaluations and contract negotiations.

Old Business:

Proposed Street Vendor Permits – Joe reported that the Committee will meet (Kevin Fox, Mary Vilbon, and Joe) within the next two weeks.

Proposed Development of the Glacial Pothole Area – Flood Plain Survey and Botanical Survey: Joe reported that he is in the process of scheduling both survey groups. He indicated that he has submitted a Notice of Intent to the Conservation Commission and he will mail a copy to the Department of Conservation and Recreation.

Cowell Gym Floor Restoration – Joe reported that the floor looks great. He hopes to have the gymnasium open by June 3rd.

Amended Cohn-Smith Conservation Restriction, Cooper Lane – Members of the Selectboard approved the initial conservation restriction in October, 2012. Since that time, Conservation Commission members voted in opposition of the conservation restriction in its present format and requested that the owners exclude the house lot and the small parcel across the road from the application thereby allowing the owners to sell the conserved land separately from the house lot should they wish to do so. The Franklin Land Trust has updated the conservation restriction documentation to reflect the changes and request that the Selectboard sign; signifying approval of the changes. John presented a motion to accept the conservation restriction as amended. Joe seconded the motion. Motion carried unanimously.

New Business:

GSFABA RE: June 8th Riverfest Celebration – The Greater Shelburne Falls Area Business Association is planning the 25th Annual Riverfest Celebration on Saturday, June 8, 2013 from 10:00 am until 4:00 pm. The two-part request includes closing Baker Avenue from 8:00 am until 6:00 p.m. to allow for setup and cleanup and; to allow vendors and performers along Bridge Street from 9:00 am until 5:00 pm. Joe presented a motion to approve the requests as presented. John seconded the motion. Motion carried unanimously.

Memorandum of Understanding between Town of Shelburne and First Congregational Church for Use of Facility as an Emergency Shelter and Installation of Equipment – Joe indicated as former Moderator of the First Congregational Church, he worked with the Executive Committee and Emergency Management Director, Chris Myers to develop both Memorandum of Understandings. When reviewing the first document for use of the facility, John raised a few questions relative to section 6: “Hold Harmless, Indemnification, and Releases” and section 7: “Termination of MOU.” In the second agreement pertaining to installation of equipment, the same question was raised regarding the 30 (thirty) day termination clause. While the likelihood of either party terminating either agreement in the first 30 days, John suggested that the terms of agreement should be inclusive of a one-year period so that once the town installs the transfer switch, they will have guaranteed use for at least a year. Joe will relay comments to Chris Myers and members of the Executive Committee. In the meantime, Board members will continue to review both agreements.

Ted Merrill RE: Resignation from Zoning Board of Appeals as a Full Member – The Zoning Board of Appeals and the Selectboard received a letter of resignation from Ted Merrill as a full member of the Zoning Board of Appeals. In the interest of continuity, Ted indicated that he is willing to serve as an Alternate member for one year. In a follow-up email from Zoning Board Chairman, Joe Palmeri, he requested that the Selectboard appoint Ted as an Alternate member and designate the newest member, Chris Macek as a full member. John presented a three part motion to accept Ted's resignation with regret; to appoint Ted as an Alternate member; and to designate Chris Macek as a full member. Joe seconded the motion. Motion carried unanimously.

Robin Sherman, Executive Director, Shelburne Housing Authority RE: Vacancy on Shelburne Housing Board of Commissioners – Ms. Sherman notified the town of a vacancy on the Shelburne Board of Commissioners. The Shelburne Housing Authority received notice of resignation from Commissioner Madeline DeSanty whose term runs through the 2014 town election. M.G.L. requires that the two boards meet jointly at a posted meeting to choose a person to fill the vacancy for the balance of the term. The only qualification is that the person must be a registered voter in the town. Matthew Leger-Small, a Housing Authority representative, will contact the Town Administrator to facilitate scheduling of a joint meeting of the two boards at the convenience of the Selectboard.

Sears Street/Highland Village CDBG Projects RE: Change Order #1 – Breezeway Farm Consulting presented Change Order #1 which encompassed the following work:

Sears Street

Change in Binder Course pavement depth (from 2.5" to 3.5")	\$13,000
Sewer service replacements discovered during construction	\$ 5,200
Drain line connection discovered during construction	\$ 5,000

Highland Village

Road reconstruction materials found to be inferior	\$37,800
Credit for road reclamation	(\$10,000)
One additional water catch basin to avoid ponding	\$ 2,800
Install HPDE pipe to connect additional catch basin	\$ 3,780

Joe presented a motion to accept Change Order #1 as presented for a total amount of \$57,080. John seconded the motion. Motion passed unanimously.

Approval of 2013 Sewer Rate – Town Collector, Maureen Pike requested that the Board, acting as Sewer Commissioners approve and set the 2013 Sewer Rate at \$.055 per cubic foot so that sewer bills can be sent out.. Joe presented a motion to approve the 2013 Sewer Rate as requested. John seconded the motion. Motion passed unanimously.

Elizabeth Kidder RE: Resignation as Zoning Board of Appeals Administrative Assistant – Due to changing circumstances in her personal life, Liz no longer feels that she has time to provide support services to the Zoning Board of Appeals. She will continue serving the Board of Health and the Planning Board. John presented a motion to accept Elizabeth's letter of resignation as presented. Joe seconded the motion. Motion passed unanimously.

Other Business:

Lisa Strout, Director Massachusetts Film Office – Given the enormity and complexity of the Warner Bros. Production, Lisa recommended that the Town take an additional step and incorporate an addendum to the approved Film Permit to further clarify the parameters of Warner Bros. Production's operations during filming, which will in turn support both parties. The addendum outlined fifteen (15) requirements which included lit message boards to notify traffic of filming activity, prior approvals from the town's designated liaison in the event there are changes to the filming schedule, prohibiting the Production Company and its crew members from parking in the Village and residential areas, limiting intermittent traffic control to 3-5 minutes (leaving discretion to the lead officer on duty), etc. Following a brief discussion, Joe presented a three-part motion to accept the addendum as presented, attach said addendum to the Warner Bros. Production application, and to utilize the addendum language for future applications. John seconded the motion. Motion passed unanimously.

Future Film Permit Applications: The Board briefly discussed revising the film permit guidelines and application to include a provision that would require future Production Companies to submit the application at least 45 days in advance of the Production and; a provision that would require the Production to negotiate reimbursements with residents and businesses for loss of business, use of property, and/or property damage. Terry will forward the suggested changes to Lisa Strout, Director of the Massachusetts Film Office for feedback.

VFW Post 8503 RE: Memorial Day Parade Request – The VFW Post 8503 is requesting permission to hold the annual Memorial Day Parade on Monday, May 27, 2013 at 10:30am. The Police Chief has reviewed and approved the request. Joe presented a motion to approve the parade request as presented. John seconded the motion. Motion passed unanimously.

John Pollard RE: Resignation from the Shelburne Free Public Library Board of Trustees – Members of the Board received a letter of resignation from John Pollard who wishes to resign as Library Trustee for the Shelburne Free Public Library effective immediately. Joe presented a motion to accept John's letter of resignation with regret. John seconded the motion. Motion carried unanimously.

Franklin County Emergency Communications Systems Board RE: Mt. Massamet Generator – Fire Chief, John Taylor notified the Selectboard of the FCECS intent to remove a generator located on Mt. Massamet, which powers the Town radio repeater. The Fire Chief recommended that a member of the Selectboard to attend the next meeting and request that the generator remain. Joe reported that he attended the FCECS meeting on Thursday, May 16th to make it known that Shelburne would like to retain the generator. Although no decisions were made, Joe is hopeful that the Board's request will be considered.

Emergency 911 Municipal Coordinator RE: Clarification of Road Names - John Taylor, the town's Emergency 911 Municipal Coordinator is seeking clarification on the following road names:

Anderson Road vs. Mercy Anderson Road
Barnard Road vs. James Barnard Road
Church Common Road vs. Common Road
Patten Road vs. Patten Hill Road
Roberts Road vs. Percy Roberts Road

Joe is working with Highway Superintendent, Mark Shippee, FRCOG representative, Bob Dean, the Massachusetts Department of Transportation and the Assessor's Office in attempt to determine the proper road names.

Selectboard Assignment's Going Forward – as the new fiscal year approaches, John wanted to have a preliminary discussion regarding the Board's leadership roles. He assumes that Joe will preside as Chairman and serve as the liaison for the Town Hall. He indicated that he would like to switch gears and relinquish his representation to the Franklin Regional Council of Governments after having served for multiple years and become more involved with the MTRSD. While John admits that he lacks the level of experience that Joe possesses, he would like to become involved in a manner that is helpful.

In response to John's comments, Joe explained the role of the Mohawk Municipal Advisory Committee, their original charter, the membership structure, their involvement with the school District, the downfalls, and eventual disbandment. The new Long range Planning Committee (comprised of Selectboard representation and School Committee members) will hold their first meeting on June 6th. While the Committee's mission is unclear, Joe is hopeful that once off the ground, that membership will be expanded to include more Selectboard representation and Finance Committee members. Joe indicated that he is not opposed to having John involved in the process when the time is appropriate.

Trinity Church RE: Request to Install Pole with Dog Waste Bags – the Pastor of Trinity Church has requested permission to install a pole and bag dispenser in a grassy area between the Church and the Arms Academy property so that dog owners have waste disposal bags available to them in the event their dog(s) defecates on either property. Board members were supportive of the request however, asked that the Church coordinate placement of the dispenser with the Highway Superintendent.

Chris Lynch, Matrix Design Group RE: High Speed Internet Access – Chris explained that Matrix Design Group is working with MBI to bring high speed internet to communities across the Commonwealth. Although municipal service centers will receive the service shortly, businesses and residents need help bridging the last mile of connectivity. Matrix Design Group is willing to provide engineering services to design a network that will suit the needs of the community. The Board agreed to invite Mr. Lynch and members of the Cable Advisory Committee to their meeting on June 17th at 7:15 pm. Bob requested that Terry allow forty-five (45) minute for the discussion.

Correspondence: None

Public Comment: Deborah Andrews stated that it was a pleasure to attend the Selectboard meetings to see how well the Board and the Town Administrator work together.

Adjournment: Joe presented a motion to adjourn at 9:00 p.m. John seconded the motion. Motion carried unanimously.

Respectfully Submitted,

Terry Mosher
Town Administrator