Select Board Meeting Minutes August 8, 2022 5:30 pm via Zoom

**Call to Order**: Select Board Chair, Andrew Baker called the meeting to order. Others in attendance included Select Board members Margaret Payne, Roberts Manners, and Town Administrator, Terry Narkewicz

**Media Present**: Chris Larabee, Greenfield Recorder

**Acceptance of Meeting Minutes**: Meeting minutes of July 18, 2022 were not available for approval.

**Department Liaison Reports**:

Senior Center Update – Margaret reported that the Senior Center Director has spent numerous hours getting the new “My Senior Center” system up and running. The Center has partnered with a local orchard who is supplying fresh food and plants for seniors. In addition, the orchard is also allowing the Center to host their Memory Café in their gardens. Senior Center Director, Juli Moreno continues to monitor the Covid count in our area while gradually expanding its in-person programs and services at the Center. Masks are still required. The meals program continues to serve approximately 60 seniors on a “take-out” basis. Given the overall success of that program, the Center may continue as a “take-out” service in the future.

Veterans Service District – Margaret is Shelburne’s newly appointed representative to the Veterans Service District and will be attending her first meeting in the coming months.

Arms Library – Margaret met with Library Director, Laurie Wheeler and Arms Trustee, Dan Alden last week to discuss two potential projects. One is to improve the outdoor space behind the library and the second is to begin discussions with Buckland regarding the funding relationship between the two towns (Buckland & Shelburne) and the library. There is hopes of creating a memorandum of understanding that will clarify everyone’s role.

Town Office – Terry reported that the Town has been without telephone, internet, and a working elevator since Thursday. Comcast and Northeast IT were able to restore telephone and internet services late Monday afternoon. The elevator repair is scheduled for later in the week. Bob indicated that the outage was a result of a squirrel verses transformer.

Highway Department – Bob reported that the Little Mohawk Road Project is going well and is ahead of schedule. The road will be reclaimed from the intersections of Frank Williams Road and Reynolds Road this week. Bob thanked the residents for their cooperation and continued patience. The Highway Department’s tractor, used for roadside mowing is in New Hampshire for transmission repair. Given the complexity of the repair, Bob estimates that the cost could be as high as $8,000. While attending a Superintendent’s meeting sponsored by MassDOT, Mark learned that some of his anticipated roadwork may qualify for an additional $150k in supplemental funding given that South Maple Street and upper Bridge Street are considered to be State roadways (Route 2A). If successful in receiving the additional funding, it would allow the Department to repave Church and Mechanic Streets as well.

Memorial Hall Association has been working with local architect, Seth Wilschutz while planning “phased” renovation of the theater. Andrew anticipates that Richard Warner will discuss with the Select Board as more information is known.

Downtown Task Force Group – is scheduled to meet later this week.

**5:45 pm Mike Duffy, Technology Committee RE: Comcast Cable License Renewal** – members of the joint Buckland and Shelburne Cable and Technology Advisory Committee successfully negotiated a new ten-year contract with Comcast for cable television service. Before presenting the contract for Select Board approval in each town, the contract was reviewed by Buckland’s Town Counsel, KP Law, P.C. KP Law recommended some minor changes to the contract. The proposed changes were forwarded to Comcast and are currently under review. Shelburne’s Cable and Technology Advisory Committee Chair, Michael Duffy had hoped that the contract could be signed by both towns by its expiration deadline of August 13, 2022. However, given that Shelburne Select Board does not meet again until August 15th, Michael recommended that the Town preliminarily deny the contract and seek a 120 day extension from the Mass Department of Telecommunications and Cable. Following a brief discussion, Bob Manners presented a motion to preliminarily deny the proposed contract and to seek a 120 day extension. Margaret seconded the motion. The motion passed unanimously.

**6:00 pm Attorney Thomas Truax RE: Mohawk Trail Liquor, Inc Pledge of License & Inventory** - Attorney Truax appeared before the Board seeking approval for a pledge of license and inventory on behalf of Krunal and Kishan Patel, owners of Mohawk Trail Liquor, Inc. The pledge if approved, allows the licensee to use the overall value of the license and inventory as collateral for a refinance loan. Attorney Truax assured the Board that this practice is not uncommon. After hearing no further discussion, Margaret presented a motion to approve the pledge of license and inventory request on behalf of Mohawk Trail Liquor, Inc. Bob seconded the motion. Motion passed unanimously.

**6:15 pm Joseph S. Rae & Attorney Kevin Parsons, Shelburne Falls Brewery & Pub RE: Alteration of Licensed Premises** – Attorney Parsons explained that renovations to the banquet room and second floor bar area are complete therefore the liquor license must be amended to include alcohol service to those areas. Terry indicated that the application was complete. Hearing no objections or comments from the public, Bob presented a motion to approve the application for “alteration of premises” as presented. Margaret seconded the motion. Motion passed unanimously.

**Old Business**:

**Ancient Glacier, LLC RE: Draft Lease of 19-23 Bridge Street** – nothing to report. Waiting for Attorney MacNicol’s review of Ancient Glacier’s proposed changes.

**Emergency Call-In Policy for Highway Employees** – In accordance with the town’s personnel policies, regardless of hours worked, Highway Department crew members are paid a minimum of two hours at the overtime rate when responding to “emergency call in’s” as defined in the town’s personnel policies (section V,7). Highway Department employees requested that members of the Select Board consider increasing the number of paid minimum hours at the overtime rate from 2 to 3 hours. Bob reported that when discussing the proposed change with Highway Superintendent, Mark Shippee. Mark indicated that on average crew members are called in approximately 6 to 10 times annually. After discussing the overall minimal financial impact of the proposed change, Bob presented a motion to revise the paid emergency call in policy to reflect a minimum of three hours at the overtime rate. Margaret seconded the motion. Andrew hopes that this change will improve the morale within the department and lead to better cooperation when trying to engage those employees in town related projects that fall outside of their day-to-day routines. The motion passed unanimously.

**Buckland & Shelburne Shared Police Chief Services Agreement** – Following months of discussion with representatives from Buckland and Shelburne, Town Counsel, and representatives from the UMass Collins Center a draft Memorandum of Agreement between the towns of Buckland and Shelburne has been finalized for Shared Police Chief Services. The Agreement will remain in effect until June 30, 2023 and will supersede and replace a previous agreement dated April 1, 2022 between the Town of Buckland and Gregory Bardwell. This MOU will serve as an opportunity to further evaluate shared police services and its complexities to achieve a long-term agreement between the Towns. For the duration of the MOU, Chief Bardwell will remain an exempt employee of the Town of Shelburne for all maters including disciplinary; providing approximately twenty (20) hours of services to the Town of Buckland and approximately twenty (20) hours of services to the Town of Shelburne. The Town of Buckland has agreed to pay for 50% of the Chief’s salary, benefits, training other incidental expenses. Members of the Select Board thanked Chief Bardwell for his willingness to participate in this yearlong MOU so to explore the benefits and efficiencies of a combined police force. Margaret presented a motion to approve the proposed Memorandum of Agreement for Shared Police Chief Services effective August 1st, 2022 as presented. Bob seconded the motion. The motion carried unanimously.

**Police Chief Employment Contract** – Chief Bardwell’s employment contract was revised to incorporate the Shared Police Chief’s Agreement. Attorney MacNicol reviewed and approved the changes specific to the numbers of hours worked and his salary. Upon review of those changes, Bob presented a motion to approve the revised employment contract as presented. Margaret seconded the motion. The motion passed unanimously.

**Alice Lee, Delicatesse RE: Use of Town-Owned Sidewalk** – The Alcoholic Beverages Control Commission returned Ms. Lee’s liquor license application to the town without taking any action. Ms. Lee’s application included seating in the outside patio area behind 8 Bridge Street as part of her floorplan however, unless the town grants use of the town-owned sidewalk to transfer the alcoholic beverages from the restaurant to the back patio (in a secure manner), the license cannot be granted. Members of the Select Board as well as an engineer from GCG Associates viewed the sidewalk area before discussing Ms. Lee’s request for use of the town-owned sidewalk. Presently, the width of the sidewalk in front of her establishment meets handicapped accessibility requirements. If the town were to allow partial use of the sidewalk to transfer alcoholic beverages, the minimum accessibility requirements would be compromised. Members of the Board suggested that Ms. Lee speak to the building owner to see if a separate entrance/exit could be created in the back of her restaurant which would provide direct access to the patio area. No further action taken.

**Mask Policy at Town Hall** – Given that Covid numbers are relatively low in our area and precautionary measures are in place at Town Hall, an employee has requested that the Select Board consider rescinding the mask policy while inside the building. Terry polled employees at Town Hall and there were no objections. Masks will still be made available at the entrance of Town Hall so that employees and patrons can continue to wear masks if they choose to. The Board was supportive of the request.

**New Business**:

**Juli Moreno, Senior Center Director RE: Request to Hire Part-time Driver** – Senior Center Director, Juli Moreno and Transportation Coordinator, Bob Szafran interviewed Lou Peck on July 22, 2022 for a part-time van driver position. Given his driving experience and skill set working with seniors, Juli requested that the Select Board authorize his hire at an hourly rate of $16.50 contingent upon a successful CORI. Margaret presented a motion to hire Lou Peck as a van driver on a part-time, as needed basis for the Senior Center. Wages for the non-benefitted position are paid by the Franklin Regional Transit Authority. Bob seconded the motion. Motion passed unanimously.

**Joseph Judd, Town Clerk RE: Appointment of 2022 Election Workers** – Margaret presented a motion to appoint the following election workers for 2022. Bob seconded the motion. The motion passed unanimously.

Diantha Wholey Kate Whitaker Diane Mclachlan Chris Myers

Jacqui Goodman Dana Cusimano Alison Berglund Carol Foote

Sara Cohen Nancy Stevens Maureen Blackmore Beverly Neeley

Deborah Andrew Elizabeth Burnham Jennifer Hale Judith Truesdell

Maureen Moore Maureen Pike Penny Spearance Rita Jaros

Sheryl Clark Sylvia Smith Laurie Wheeler Tricia Yacovone-Biagi

James Kessler

**Other Business**:

**Christopher Morey, Resignation as Highway Laborer** – Chris tendered his letter of resignation on Friday, July 29th. His last day of employment with the Town of Shelburne will be Friday, August 12, 2022.

**Joseph Judd, Town Clerk RE: Assignment of Emergency Polling Location** – When the pandemic hit, the Greenfield Savings Bank was designated as Shelburne’s emergency polling location in accordance with the Governors Acts of 2020. Joe indicated that an emergency polling location would be activated only when an emergency arises that requires the Cowell Gymnasium to be vacated. Subject to the Emergency Management Committee’s review, Joe would like to change the emergency polling location from the Greenfield Savings Bank to the Town Hall. Andrew questioned why Joe would not want to designate a building outside of the floodplain (like the Grange or the town-owned municipal building) but did not want to delay the decision. Margaret presented a motion to designate Town Hall as an emergency polling location providing that the emergency management Planning Committee reviews and approves his draft protocol. Bob seconded the motion. The motion passed unanimously.

**Next Meeting**: August 15, 2022

**Correspondence**: None

**Public Comment**: None

**Adjournment:** Bob presented a motion to adjourn at 6:40 pm. Margaret seconded the motion. Motion passed unanimously.

Respectfully submitted,

Terry Narkewicz

Town Administrator