

Selectboard Meeting Minutes June 5, 2023 Zoom Teleconference 5:30 pm

Call to Order: Andrew Baker called the meeting to order at 5:30 pm. Others present: Selectboard members Rick LaPierre, Bob Manners, and Town Administrator Terry Narkewicz.

Acceptance of Meeting Minutes: A motion was put forth by Bob to approve the minutes of May 22. This was seconded by Rick. Roll call vote: Bob – yes; Andrew – yes; Rick – yes. Motion passed 3-0-0.

Department Liaison Reports:

Town Hall – Bridge Street has been paved with a base coat. The next phase of the project will be sidewalks.

Highway Department – Bob said that Peckville and East Cemetery Roads have been paved. This was financed by a WRAP (Winter Recovery Assistance Program) grant. The only issue is that the grant money will not be distributed until July, which is the next fiscal year.

Emergency Management – Bob said that the EMD, along with the police department and the town's two fire chiefs, are working with Mohawk High School to create a class, for next fall, about emergency services and how they work.

Cultural Council – Kate Whittaker is also planning to engage students by having them become adjunct members of the Cultural Council. This would expose them to the arts.

Police Department – There has been some response to the ads for full time officers. One application has been received.

Energy Committee – The committee has received some preliminary information regarding street lights, which will be discussed at an upcoming meeting.

Village Task Force – The group will be meeting on June 14.

Appointments:

6:00 pm Liquor License Hearing RE: Michael A. Wescott. Le Peacock, LLC, 10 Bridge St.

– The hearing was opened by Andrew at 6 pm. Michael is seeking an all-alcoholic beverages license for a new bar/restaurant, called Le Peacock, located at 10 Bridge Street. Michael currently operates Gypsy Apple and has many years of experience. He formerly had a bar in the Berkshires and a wine bar in Northampton. A license had existed for the property but that has been surrendered. This is a new transaction, not a transfer. The paperwork has been completed. Michel said he should be able to open as soon as the license is approved. His staff has been trained and they formerly worked in his Northampton location. There was no public comment. A motion was put forth by Rick to approve an all-alcoholic beverages license for Michael Wescott at 10 Bridge Street. This was seconded by Bob. Roll call vote: Bob – yes; Andrew – yes; Rick – yes. Motion passed 3-0-0. The hearing was closed at 6:10 pm.

6:20 pm James McMahon, Esq. RE: Catamount Cannabis Company Proposal – Atty.

McMahon represents Catamount Cannabis Company who hopes to open a small retail shop at 1105 Mohawk Trail. This was an informal discussion to introduce the plans to the Board. Both Anne and Jenny's husbands have been in the cannabis industry since 2018 so they are familiar with the rules and regulations. This will be a small-scale family business with a country store type of feeling. A draft host agreement has been provided. Atty. McMahon said the agreement was compliant with the latest laws. A community outreach meeting has been scheduled for June 22. In addition to the host agreement and the community meeting, a Special Permit from the

Zoning Board will be required. Atty. McMahon described how security would work and how sales would be compliant with state regulations. When asked, he said that the husbands' operation in Westfield is a completely separate business. Bob asked about market saturation. Atty. McMahon viewed market constriction as a positive, removing poorly run businesses and creating more traffic for well-run businesses. He said customers were driven by service, value, and high-quality product for fair prices. He said they want to make sure everything is done correctly and all the rules followed. The Board will review the host community agreement and provide feedback in a few weeks. Andrew said having a Special Permit from the ZBA would give him more confidence in signing a host agreement. Atty. McMahon said a host agreement can specify that all town permits must be in good standing, which could insure compliance with any Special Permit conditions.

Old Business:

Streetlights – Tabled until August 1, 2023.

Pavilion Project 19 Bridge Street – Andrew has submitted an application for a \$50,000 matching grant to the Commonwealth Spaces Program. It will most likely be September before the grant recipients will be notified. If the grant is awarded a match will need to be found. Andrew is suggesting that most of the funds come from CPA money, with some also coming from the Cultural District grant and ARPA. There will be meeting, this week, with members of the Bridge of Flowers committee to discuss gardening possibilities for both the pocket park and the small gardens near the potholes.

West County Senior Services District Board of Managers Appointees – Nothing new to report.

Franklin County Tech School Seeks Shelburne Representative to Serve on District Committee – Nothing new to report.

Relocation of Veteran's Memorial at BSE – An estimate for the cost of moving the monument will be given by Negus and Taylor. The flag pole, which is next to the monument, will be offered to the police department for placement at 623 Mohawk Trail.

New Business:

Inter-Municipal Agreement for Shared Police Services – Board members have reviewed the 13-page document and had no further questions. A motion was made by Rick to approve the Inter-Municipal Agreement for Shared Police Services between Shelburne and Buckland. This was seconded by Bob. Roll call vote: Bob – yes; Andrew – yes; Rick – yes. Motion passed 3-0-0.

Meeting with Zoning, Chief of Police, Counsel, Building Inspection RE: Flea Markets – The group met to discuss their concerns with the volume of people stopping at the Duck Pond and Catamount Traders last year. Concerns included traffic issues, pedestrians crossing the highway, and the dangers of such attractions without proper permits. Town Counsel drafted cease and desist orders for each of the two businesses, saying not to proceed until a series of issues were addressed. The town does not have a flea market bylaw. Both businesses ignored the orders and went ahead with their plans for the Memorial Day weekend. Counsel now wants a meeting with the full Selectboard, Police Chief, Zoning, and Building Inspectors to try to make a plan moving forward. A bylaw that outlines the process for flea markets including parking and police details is needed to keep people safe. Catamount has a parking area, the Duck Pond does not. Parking for the Duck Pond will no longer be allowed in the highway department lot. Terry has collected

some flea market bylaws from other towns. As such a bylaw would be a town bylaw, not a zoning bylaw, the Selectboard would create it. A meeting date of June 20 was tentatively set.

Annual Appointments of Boards, Committees, and Election Workers – A list of people serving three-year terms on various Boards and Committees whose terms expire this year, was presented. A motion was made by Rick to appoint those listed people for another three-year term. This was seconded by Bob. Roll call vote: Bob – yes; Andrew – yes; Rick – yes. Motion passed 3-0-0.

A list of people serving one-year terms and needing re-appointment, was presented. A motion was made by Bob, to appoint the listed people as presented for another one-year term. This was seconded by Rick. Roll call vote: Bob – yes; Andrew – yes; Rick – yes. Motion passed 3-0-0.

A list of election workers was presented. A motion was put forth by Bob to appoint the election workers as listed. This was seconded by Rick. Roll call vote: Bob – yes; Andrew – yes; Rick – yes. Motion passed 3-0-0.

Reorganization of the Board & Representation to Various Committees – A motion was made by Rick to appoint Bob to be Chair of the Board. This was seconded by Andrew. Roll call vote: Bob – abstain; Andrew – yes; Rick – yes. Motion passed 2-0-1. A motion was made by Rick to appoint Andrew as Vice-Chair. This was seconded by Bob. Roll call vote: Bob – yes; Andrew – abstain; Rick – yes. Motion passed 2-0-1. A motion was made by Bob to appoint Rick as Clerk of the Board. This was seconded by Andrew. Roll call vote: Bob – yes; Andrew – yes; Rick – abstain. Motion passed 2-0-1.

Following a discussion, the following liaison positions were suggested: Bob will have Highway Department and Senior Center. Rick will have the Police Department and Town Hall.

Committee representation was discussed as follows: Building Inspection Program, Chuck Washer; FRCOG, Bob; Solid Waste Management District, Terry; Transit Authority, Andrew; Franklin County Planning Board, John Wheeler; Veteran's Service Center, Rick; Village Partnership, Andrew; Pratt Building Committee, Andrew. A motion was put forth by Bob to assign liaisons and committee representation as discussed. This was seconded by Rick. Roll call vote: Bob – yes; Andrew – yes; Rick – yes. Motion passed 3-0-0.

Any Other Business:

Discussion on Public Comment Period – Rick suggested that public comment should have some parameters such as saying it would be held if there is time and at the discretion of the Chair. He did not want it to turn into a non-advertised public hearing type of discussion. Andrew said no discussion is allowed during public comment. It is only a chance for people to make comments. The public, however, can expect to discuss posted topics. Terry mentioned that prior Boards had limited public comment to 10 minutes. This topic will be discussed at a future meeting.

Next Meeting – The next Board meeting will be on June 20, 2023.

Correspondence:

Letter from Atty. John Richardson regarding flea markets.

Public Comment: None

Adjournment: At 7:12. a motion was made by Bob to adjourn the meeting. This was seconded by Rick. Roll call vote: Bob – yes; Andrew – yes; Rick – yes. Motion passed 3-0-0.

Respectfully submitted,
Faye Whitney, Recording Secretary