

Selectboard Meeting Minutes September 11, 2023 Zoom Teleconference 5:30 pm

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

Bob expressed concern for the Hager family, who lost a barn and a lot of equipment in a fire last Saturday. Any support for the family will be appreciated.

A motion was put forth by Andrew to approve the minutes of August 28. This was seconded by Rick. Roll call vote: Bob – yes; Rick – yes; Andrew – yes. Motion passed 3-0-0.

Department Liaison Reports:

Veterans Services – There was no response by the union about the vacant service officer position. The position has now been publicly posted.

Town Hall – Rick stated that tax bills for people who own property in Shelburne, but have out of town mailing addresses have been resent. The addresses on file are those that are on deeds, not necessarily where people actually live and receive mail.

Terry reported that the elevator has passed inspection and is now available to be used.

Senior Center – There will be a meeting on September 13 with fire and police personnel and the Emergency Management Director to talk on planning for emergencies for elders.

Highway Department – The road crew is doing more storm clean up, with a lot of issues caused by runoff. Paving on Bridge Street is scheduled for September 14, pending the weather. The state DPW will soon be working on bridges on Route 112 in Colrain. Traffic will be detoured through Shelburne so motorists can expect to see more traffic on some roads. The Bridge Street project will soon be completed. The new trees should be arriving this week.

Appointments:

6:00 pm Kyle Dragon, Animal Control Officer RE: Dog Hearing: Nolan, Zerah Fiske Road

– Kyle said that so far in 2023 there have been four reported incidents involving the Nolan's dogs and bicyclists, with three of those in slightly more than a month in July and August. Bob said that he had witnessed one of the incidents but had been unable to assist. Jay Gump said that two dogs had chased him, he dismounted from his bike and held the bike between himself and the dogs. One of the dogs seemed aggressive. He saw a third dog but that one did not leave its property. He was not bitten and did not require medical attention. Keith Burgoyne said a dog had run up to him as he cycled past. He looked back and saw that his partner was off her bike and was pinned by the dogs. He rode back to help her and both of them used their bikes to fend off the dogs. He said the dogs' owner was nearby but made no attempt to call off her dogs and said that they should find another place to ride their bikes. Neither rider was bitten nor did either require medical care. Peter Gill was out of the country and unable to attend the hearing but ACO Judy Garceau reported that Peter had also used his bike to deter the dogs. Pat Stevenson said she no longer walks along the road after having been surrounded by the three dogs. Kyle said the dogs' owners had been spoken with and they have been issued a citation. Options for the town include making sure the dogs are confined, ordering the owners to have liability insurance, or

ordering euthanasia. Bob remarked that, as he lived nearby, he knew it was a common occurrence to see the dogs wandering around and in the road. Andrew said the dog owners should not restrict or impede traffic, bicycles, or pedestrians, and he was disappointed that the owners were not at this hearing. The Board felt that the dogs needed to be confined to the house until a fence could be put in place. Kyle recommended a physical fence, not an electronic fence. A motion was put forth by Andrew to issue an order to Kelly Nolan, of 247 Zerah Fiske Road, that her dogs be confined indoors and allowed out only with leashes and muzzles to relieve themselves, until such time as a physical fence can be erected. This order to be effective upon receipt. This was seconded by Rick, Roll call vote: Andrew – yes; Bob – yes; Rick – yes. Motion passed 3-0-0.

Old Business:

Streetlights RE: Request to Allocate \$9,100 ARPA Funds for Inventory/Assessment of Existing Lights – Bob would like to create a street light committee which would be charged with specific duties, so that the Energy Committee could deal with other things. The proposed committee would include some members from the Energy Committee as well as others from the community. Rick thought that was a great idea, knowing that the project will require months of regular participation, and then long-term if town-owned streetlights become a reality. He thought perhaps someone who might be in charge should get a stipend. Andrew said he understood that some people had already volunteered to help. Tom Johnson thought having more people involved would be appreciated as long as the work already done isn't duplicated. He added that the industrial grade audit would be very comprehensive and hoped that ARPA funds could be used. The Board agreed to think about a streetlight committee and have some names ready for the next meeting on September 25. At the present time the ARPA fund balance is \$29,820. Funds for the pocket park and for the streetlight audit could come from ARPA and there would still be about \$10,000 remaining. Tom said the \$9,100 is the bid from Real Term Energy and they can be hired without going out to bid. A motion was made by Rick to approve using \$9,100 from ARPA for an assessment and inventory of the existing streetlights, under the charge of a streetlight committee being formed by the Selectboard. This was seconded by Andrew. Roll call vote: Andrew – yes; Bob – yes; Rick – yes. Motion passed 3-0-0.

Cowell Gym HVAC Project – Project Complete (John Walsh) – John said the project has passed building and electrical inspections and only very minor punch list items remain to be done. John has checked the system every day for two weeks and said the system is maintaining set temperatures.

West County Senior Services District Board of Managers Appointees – Shelburne has letters from four residents stating their willingness to serve. Until Ashfield and Buckland each have at least two interested appointees, a Board of Managers cannot be formed.

Relocation of Veteran's Memorial – The foundation has been poured. The monument has been taken back to Negus and Taylor's shop for cleaning. A date for the installation has not been set.

Community Preservation Act Committee – Nothing new to report.

Joe Giard, Transfer Station Attendant RE: Proposed Additional Staffing & Free Store – Terry said that having the Free Store gets the town \$700 per year and that money would be lost without the store. She said to pay a second person would cost \$15,000. Last year almost that much was left in the transfer station budget. Shelburne is one of only a few towns that does not have a second transfer station person. The Board was inclined to hire a second person only for the busiest times as Joe determined the need. Bob will discuss this with Joe. Andrew wondered if

the highway department employee, who sometimes helps out, could put in more hours at the transfer station.

New Business:

Review of Town -Owned Tax Title Properties – The town currently owns six properties with four of those ready to sell. The most likely one to sell is an eight-acre parcel on Brook Road, valued at \$92,100. It is a buildable lot. Also owned by the town and ready for sale are two adjacent lots on Main Street that might be buildable if they were to be combined into one, and a non-conforming lot on Mechanic Street. A buildable lot on South Shelburne Road and a property on Fiske Mill Road are also owned by the town but are not ready to be auctioned. The town has not had a land auction in at least 34 years. A motion was made by Rick to ask the Town Administrator and the Tax Collector to seek an auctioneer for liquidation of the eight-acre property on Brook Road and to report back to the Selectboard with procedures and details. This was seconded by Andrew. Roll call vote: Andrew – yes; Bob – yes; Rick – yes. Motion passed 3-0-0.

Citizen’s Petition for a Special Town Meeting (45-day window – Oct. 11) – October 11 is the meeting date set for the Special Town Meeting, which will be held at Town Hall.

School Committee members Martha Thurber and Willow Cohen asked the that town add three articles to the meeting agenda that had been passed over at Annual Town Meeting due to lack of information. The three articles all involve amendments to the Mohawk District regional agreement and must be passed by all eight Mohawk District member towns. The articles all involve changing the way the number of students is calculated. Rather than just base the Mohawk budget, and state funding, on the number of students attending Mohawk, the total number of students in each town would be counted including those who choose to attend schools in other districts. The Board was agreeable to putting the articles on the warrant for the Special Town Meeting but asked the school committee to help them understand the details and help to publicize the articles. A motion was put forth by Rick to put the three articles submitted by the Mohawk School Committee on the warrant for the upcoming Special Town Meeting. This was seconded by Andrew. Roll call vote: Andrew – yes; Bob – yes; Rick – yes. Motion passed 3-0-0. Tom Johnson said the warrant article concerning streetlights that had been submitted was “amateurish” and a new article was being written. Signatures to petition for the revised article are now being sought. Bob said he hoped to pass over the article until Annual Town Meeting, but Tom thought it made sense to deal with it now. Bob explained that he wanted to wait until there was a solid recommendation from a soon-to-be-formed streetlight committee complete with financial implications. At the previous Selectboard meeting the Board, Finance Committee and Energy Committee had all agreed that Annual Town Meeting was the place for the streetlight discussion. Tom said when the Energy Committee agreed to hold off until next spring they had thought the Special Town Meeting didn’t need to happen. Now that it is happening the thought was to move forward.

Open Meeting Law – Andrew had contacted the Division of Open Government asking if two Selectboard members attended a posted meeting of another committee, could each of them speak? Andrew said the key was that the Selectboard members could not deliberate with each other, but both could speak to the committee. Rick had also contacted the Division of Open Government and got the opposite impression. He understood that expressing opinions is a considered deliberation if the matter in question would later come before the Selectboard.

Any Other Business:

Pocket Park Update – Andrew reported that the construction of the pavilion, by students at Franklin Tech, will resume after tourist season. Kay Cafasso, the gardener who cares for the gardens near the potholes, has volunteered a group of her students to create a garden design for the pocket park. She asked for a donation of \$200. Money is available from the Buildings and Grounds account. A motion was made by Andrew to work with Kay Cafasso and her students to design a garden for the pocket park. A \$200 donation will be made. The motion was seconded by Rick. Roll call vote: Andrew – yes; Bob – yes; Rick – yes. Motion passed 3-0-0.

Parade Permit – Paul Bennet asked for a parade permit to do a climate march to end the use of fossil fuels in conjunction with a march in New York City. The march would be held on September 17. Details of the time, route, and number of participants were not available. The Police Department needs to give permission but has not been contacted. There seems to be no time to get the permit in order before the scheduled march. The Board suggested that if the marchers were to remain on the sidewalks and not get into the road it might be acceptable. Paul will consult with Chief Bardwell.

Sale of Police Cruisers – Two town cruisers have been placed into the municipal auction system. The bids were \$3,600 for one and \$3,150 for the other. The 2013 cruiser has been unused for some time. The 2016 cruiser was more recently disabled. The money from the sale will go into the Vehicle Stabilization Account. A motion was put forth by Rick to accept the bids for the two cruisers. This was seconded by Andrew. Roll call vote: Andrew – yes; Bob – yes; Rick – yes. Motion passed 3-0-0.

Next Meeting – The next Board meeting will be on September 25, at 5:30 pm via Zoom.

Correspondence:

Moderator Roland Giguere – Notice has been received that the moderator has appointed Jim Burnham to a three-year seat on the Finance Committee.

Public Comment: None.

Adjournment: At 7:30 a motion was made by Rick to adjourn the meeting. This was seconded by Andrew. Roll call vote: Andrew – yes; Rick – yes; Bob – yes. Motion passed 3-0-0.

Respectfully submitted,
Faye Whitney, Recording Secretary