

Selectboard Meeting Minutes December 18, 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 and Andrew Baker (arrived 5:32) and Town Administrator Terry Narkewicz.

A motion was put forth by Rick to approve the minutes of December 4. This was seconded by Bob. Roll call vote: Rick – yes; Bob – yes. Motion passed 2-0-0.

Department Liaison Reports:

Veteran's Service District – Rick said the next district meeting will be on January 9, when the budget will be finalized.

Police Department – The new cruiser is expected to be in service within the next two weeks. Rick provided some statistics. So far in this calendar year there have been 2,212 police calls in Buckland and 4,026 from Shelburne. There have been 65 traffic accidents, including 24 on the Mohawk Trail, 7 on Bridge Street, and 6 on Main Street. There have been 194 traffic citations and \$3,445 worth of fines levied. The Shelburne Fire District chief thanked the department for assistance during the recent fire on Charlemont Road. Officer Jeff Belanger helped out on many levels including using a hose and helping the family get set up with the Red Cross.

Highway Department – The heavy rain has caused flooding at Bardwells Ferry and South Shelburne Roads. Lucy Fiske Road is partially closed. The beaver pond on Patten Road is overflowing and is being watched. The pond next to the highway garage is overflowing and has caused a 40-foot long washout on the side of Colrain-Shelburne Road. Cooper Lane has multiple areas of significant damage. The flashboards on the dam went out, causing a significant amount of water to flow downstream, but it is safe.

Appointments:

5:45 pm Kay Cafasso RE: Pocket Park Preliminary Garden Design – Kay conducts classes in sustainable garden design. She had been approached by Andrew asking if the park could be a practice area for designs by her students. The goals for the park are to create an inviting space and host events. The final design shows a stage being located under the pavilion. There would be a row of evergreens along the south side to screen Memorial Drive and flowering trees on the east side to screen the Foxtown Diner. Other features of the site would include a perennial garden, and space for two pop-up tents. The park, as designed, would be low maintenance and have a low initial cost. Andrew and Rick felt the design brought various ideas together. Bob mentioned that the focus seemed to have shifted to a performance area, which was not the original intention. Kay said the picnic area was still the focus. She had tried to show the best area for a potential stage with the best sight lines.

Later in the meeting Andrew said he had originally proposed placing a small stage at the foot of the slope. Kay's design, with the stage under the pavilion, eliminated the need for another Special Permit for another structure on the non-conforming lot. The park design concept, as proposed, is not based around the idea of music or performances but it does recognize that the area is already being used by musicians on a regular basis. Andrew said he had a meeting regarding why the town was not awarded the Commonwealth Spaces Grant for the park. He learned that there were three times as many applications as there was funding. Another reason for not getting the grant was that Buckland had received a grant for its pocket park just last year. It is

unlikely that any such funding will be available in the coming year. Andrew said the next source of funding would be the CPA. He wants to create a proposal for the CPA to fund the next set of improvements to the park. Rick said he didn't think the park would qualify as it is not town owned, only leased. Rick also said the next town meeting would assign the CPA a budget, but proposals would not be funded until the following year. Josh Simpson then mentioned that he and his partners had once thought they would design and build a park and then lease it to the town.

6:00 pm Norman Beebe RE: Cowell Gym Director Vacancy – Bill Buck has resigned as director as of last week. Rec Committee member Diana Hardina has been acting as interim director. The position had been advertised but no one had applied. Norman was hoping the Selectboard would appoint Diana as interim director until such time as someone applies. If Diana decided to take the position herself she would resign from the Rec Committee. Mass General Law prohibits someone working for a committee of which they are a member, and further someone cannot work for a committee on which they have previously been a member for 30 days following resignation. Norman said that in the interim they need someone in that position and Diana is the only one who is willing and qualified to do it. After discussion, it was decided that if Diana agreed to resign from the Recreation Committee and volunteer as interim director for 30 days she could then apply for the interim or permanent position. If she did not want to do that, she could be appointed to fill out her own unexpired term on the committee. A motion was made by Andrew to appoint Diana Hardina as interim director of the Cowell Gym, starting in 30 days, pending her agreement to resign from the Rec Committee and volunteer during the next 30 days. This was seconded by Rick. Roll call vote: Andrew – yes; Rick – yes; Bob – yes. Motion passed 3-0-0.

Old Business:

Proposed Solar Array for Highway Pole Barn Roof – The pole barn has been completed and the highway crew is moving things into it. Terry is working with the FRCOG on creating an RFP for the solar project. Bob said that Andrew's son was involved with the project, which was very close to being an ethics violation. Rick agreed. Andrew responded that he had at no time put his son forward as a bidder or contractor with the town. He said his son is a principal with a solar company called Resonant Energy. Andrew added that his son was hired by Buckland to write, and later administer, a grant for a solar project on sewer district property. Andrew disclosed that as a sewer commissioner he had abstained from the process, which he said was done publicly, with transparency and full disclosure. Andrew's son told him about ways to get more tax credits by considering the pole barn to be part of the mounting structure and by installing the electric meter before the project is bid. Andrew spoke with the consultant from Solect who is doing both the Mohawk project and the Buckland sewer project, who said his company would be willing to help with the pole barn project. Rick felt that Town Meeting had voted on a project and now the Selectboard was trying to change it. Both Bob and Rick wanted to continue with the RFP process and get input from the Energy Committee. Andrew felt that trying to get extra tax credits could get the town an extra \$40,000 which could offset the extra expense needed to build the pole barn. Rick asked to know the cost of the consultant. Terry wondered how the benefits compared to additional expenses and the projected time delay. FRCOG had said that working with a consultant could significantly delay the RFP process. It was mentioned that the thought had been to use local companies for the project. Andrew said Solect already had two local projects and would be in the area a lot.

ARPA Funds – Rick wanted to be sure that the deadline for using ARPA funds was not at the end of 2023. Terry said the deadline was next year. Most of the remaining balance is to be used for the pocket park. At this time, construction on the pavilion is nearly complete and so far the cost is within the projected price range.

New Business:

Proposed Flag Policy for Consideration – Town Counsel suggested a policy that had been distributed to the Board. Andrew mentioned that half of the Town Hall is leased to the Memorial Hall Association, which displays marquees announcing upcoming movies. It was suggested that the policy be amended to allow leased portions of town buildings to be excluded for the prohibitions on what could be displayed on town owned buildings. Another question was about the cable that holds the banners that are often displayed across Bridge Street. The cable is attached to Town Hall. It was decided to leave that situation alone. If banners displayed are in violation of the flag policy the cable can always be removed from Town Hall. Terry will work on amending the policy and bring this back to the next meeting.

Draft “Guide for Boards, Committees, and Commissions” – After the first meeting of the CPA Committee, Andrea Donlon of FRCOG shared a document used by Buckland. The Board felt the document was full of information that would be of help for new board or committee members. It puts various portions of MGLs in one place. A motion was put forth by Andrew to approved the Guide for Boards, Committees, and Commissions as a useful tool. This was seconded by Rick. Roll call vote: Andrew – yes; Rick – yes; Bob – yes. Motion passed 3-0-0.

Shelburne Falls Brewery and Pub, LLC RE: Extended Hours for New Year’s Eve – The business has asked to be allowed to stay open on New Years’ Eve until 1 am instead of midnight and to allow a band to perform until midnight instead of 11 pm. A motion was made by Rick to approve the extended hours for the Shelburne Falls Brewery and Pub as requested. This was seconded by Andrew. Roll call vote: Andrew – yes; Rick – yes; Bob – yes. Motion passed 3-0-0.

FY’25 Proposed Budgetary Guidelines – Departments will once again be requested to seek realistic operating budgets based on actual costs and expenses. A motion was put forth by Rick to raise town employees pay rates by 4% for FY’25. This was seconded by Andrew. Roll call vote: Andrew – yes; Rick – yes; Bob – yes. Motion passed 3-0-0.

FRCOG Accounting Program Update for FY’25 – Currently member towns that use the accounting program pay a shared software fee of \$720 each. Going forward the software company is requiring that each town have an individual license, which along with a conversion fee, would cost \$13,258 for the first year and \$9,583 per year after that. Some towns are discussing having direct contracts with their present accountants. Shelburne is considering joining with Whately, to contract with the same accountant who is now working with both towns, through FRCOG. One town would hire the accountant and the other would share 10 hours of that time. FRCOG has always had a staffing problem and the sense among the towns is that the COG may be thinking of dropping the accounting program. Directly contracting with an accountant is still in the exploratory phase, but something will be in place to present at budget time.

Any Other Business:

Cowell Gym Issues – Terry has received reports that the roof of the gym is leaking and also that water is leaking through the foundation. Mark Shippee will check the foundation and Terry will

check the warranty on the roof. Also, the legs on the two oil tanks at the gym are rusting off. Two vendors have looked at the situation. The tanks would need to be pumped and removed, then be replaced by one tank. Oil will only be used as a backup now that the heat pumps have been installed. Terry said it would be a good idea to someday have a maintenance person to do routine maintenance on town buildings.

Next Meeting – The next Board meetings will be on January 8, 22, and 29, at 5:30 pm via Zoom.

Correspondence: None

Public Comment: None

Adjournment: At 7:35 a motion was made by Andrew to adjourn the meeting. This was seconded by Bob. Roll call vote: Andrew – yes; Rick – yes; Bob – yes. Motion passed 3-0-0.

Respectfully submitted,
Faye Whitney, Recording Secretary