**Selectboard Meeting Minutes March 25, 2024 Zoom Teleconference 5:30 pm**

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

A motion was put forth by Rick to approve the minutes of March 11, as amended. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes. Motion passed 2-0-0.

**Department Liaison Reports:**

**Emergency Management** – The Emergency Management Committee had expressed confusion as to its status and role. Rick had found a paper trail to document those things. This will be discussed later in the meeting under New Business.

**Police Department** – The department has been asked by the Children’s Advocacy Center in Greenfield and the Commercial Sexual Exploitation of Children Coordinator and Community Educator to join a team in Franklin County as the West County law enforcement representative for both regional and statewide committees. Detective Tucker Jenkins will serve as the representative.

**Veterans Service Center** – VA health care has expanded to include anyone who qualifies under the Pact Act who has been exposed to toxic chemicals, to be eligible for VA health care, regardless of income or disability.

**Appointments: Budget Review with Finance Committee** (Jim Burnham, Todd Dubreuil, Jay Readinger, Terri Mitchell Finance Committee)

**5:45 pm Tricia Yacovone-Biagi RE: MVP Action Grant Update** – The original proposal had been for a risk assessment of critical Culverts. It required a 25% match. The feedback from the MVP program was that the state is not interested in funding culvert projects as there are other sources of funding available. The MVP program has realized that small communities are being left out due to having to come up with a 25%match. The program has now changed its rules and some communities will no longer need a match and as many two-year projects as possible will be funded. Shelburne has demonstrated that it has inland flooding and high financial needs, and qualifies for the no-match grant. MVP is encouraging the use of nature-based solutions to flooding such as rain gardens, bio-swales, and riparian buffers. Flooding at the intersection of Bardwells Ferry and South Shelburne Roads would be a good project. At that area during times of high water, Dragon Brook jumps its banks, due to an s-curve just before the existing culvert and floods neighboring areas. The updated MVP proposal would be a climate resilience plan for the Dragon Brook sub-watershed. It would be a two-year project. The first year would involve looking for strategies, reviewing case studies, and involving a local geomorphologist. In year two long-term solutions would be sought and implemented. Tricia said the new proposal addresses almost all of the10 MVP core proposals. Selectboard approval is sought so that Weston and Sampson, who are consulting on the project, can get started on a more detailed plan of action. A motion was made by Rick that the Selectboard reinforce its previous vote to support proceeding with the revised MVP project application, using nature-based solutions. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes. Motion passed 2-0-0.

**6:00 pm Jeff Boettner RE: Town-Owned Streetlight Proposal** – Jeff said that Real Term Energy has not provided the final numbers, but using a worst-case scenario the cost of the town owning and replacing the streetlights would be around $75,000. This number is likely to go down for several reasons. The number starts by assuming 104 fixtures will be replaced. Replacing 94 is more realistic since some lights are redundant. The worst-case scenario also assumes the use of the most expensive lights and the use of smart controls. The streetlight committee has decided against using smart controls and instead plans to use a dimulator, which would cause the lights to dim during late night and early morning hours, thus saving energy costs. Another cost reduction would be an incentive of about $7,000. That would be paid upfront, but later returned to the town. The streetlight committee also plans to apply for a Green Communities grant which could be as much as $25,000. The grant will not be awarded until well after town meeting. Jeff said the town currently pays Eversource about $15,000 per year for streetlights. Town-owned lights are estimated to cost $5,000 per year. The time to payback the investment in town-owned lights would be 7.5 ears in the worst-case scenario, but is more likely to be 6.5 years. Jeff said more accurate numbers should be available in about two weeks, hopefully by the time of an informational session, which will be held on April 17.

**6:15 pm John Walsh RE: Cowell Gym Deferred Maintenance Priorities** – John started his presentation by saying this was just about building maintenance not recreational programming. John has found 12 items that he feels are priorities, including replacing or fixing many windows, exterior painting, sound proofing the compressors, and fixing the handicap bleachers. The total cost of his priorities would be about $107,000. Andrew thought some of the items could be considered to be capital expenses and should be discussed along with all the other requested capital expenses. Andrew asked if the maintenance and costs could be spread over more than one year. John thought most items needed to be done right away but the gym windows and a few other things could wait another year. He realized it was a large expense, which should be spread over more than a year. Andrew suggested that CPA money might be available in another year. Jay said the CPA would not apply to indoor recreation facilities and Rick added that the town should “just get on with it.” In addition to recreational use the building is used by the clothes closet, the food pantry, and is the polling place for the town.

**6:30 pm Mark Shippee, Highway Budget and Capital Requests** – Personnel costs reflect the 4% increase that all town employees will be getting. The exception is that Mark would like to give Ray Townsley an extra salary bump because Ray has saved the town a lot of money due to his mechanical and fabrication skills. Mark explained various line items in the highway maintenance budget including costs associated with flooding problems last July and December. Capital requests are for a one-ton truck with plow and spreader. Mark has a quote for that of $118,747. A six-wheel dump truck is requested, with an estimated cost of $326,000. That vehicle is on the replacement schedule for FY’26. A lawn/sidewalk tractor would cost about $34,000 since Mark wants to upgrade to a commercial tractor, saying the last two homeowner-type tractors did not hold up well. There will be further discussion of capital requests at a capital planning meeting in the future.

**7:00 pm Greg Bardwell, Police Department Budget** – The overall operating budget is $1,000 less than last year. Part of that is due to maintenance being less than anticipated following another year of regionalization. Police salaries are consistent with the 4% increase recommended by the Selectboard. Reserve officer salaries are less because it is expected reserve officers will be working fewer hours. It was noted that the Town of Buckland is responsible for 49.8% of the total police budget.

Greg mentioned that the new hybrid cruiser, which arrived in 2024, has had some issues. It went back to manufacturer and the problems seem to be fixed. However, Greg has learned that the Ford Explorer hybrids will be discontinued. By the time the town needs another cruiser, scheduled for FY27, perhaps more options will be available. All electric vehicles are extremely expensive.

**Old Business:**

**RFP for Proposed Solar Array for Highway Pole Barn Roof** – A draft RFP, with Selectboard comments, has been given to the FRCOG procurement officer. There has been no response as yet.

**Roselli, Clark & Associates RE: Offer to Meet GASB 34 Compliance (discussion with Finance Committee)** – The auditors are willing to do this work, but were indefinite as to its need. It was the opinion of the board that meeting this requirement is not necessary until the town needs to get a bond. The Finance Committee had been asked for its opinion. Todd said the committee had not yet reached a formal decision. It was the personal opinion of Jay that the Selectboard had already decided what to do. In his opinion, he felt not complying was short-sighted and felt the town had some obligation to be in compliance. He questioned why the town even did an audit if it was not being used for management. Terry Mitchell and Todd felt if the town paid for an audit it would be beneficial to have an end product which could be used for whatever might be needed. This discussion will be continued after the Finance Committee reaches a consensus.

**Fees Collected in Addition to One’s Salary** – Terry spoke with the Collector who would agree to rescinding the bylaw that allows the collection of fees as long as her salary is increased to reflect the amount of fees that would have been collected. The three -year average of fees collected is $6,173. The bylaw change would apply to all employees who are allowed to collect fees. A motion was made by Rick to authorize Terry to put together language rescinding the bylaw for inclusion on the Annual Town Meeting warrant. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes. Motion passed 2-0-0.

**New** **Business:**

**Police Services Advisory Committee Representation (Selectboard & Finance Committee)** – Both Buckland and Shelburne should have representatives from the Selectboard, Finance Committee and an at-large member on this committee. Buckland has already appointed its members. Rick would like to be the Selectboard representative. The Finance Committee has not discussed this as yet. It is hoped that someone will come forward to be the at-large member. Andrew thought this decision should perhaps wait until there was a third board member, but Rick thought it should be moved forward more quickly. This will be continued at the next meeting, by which time it is hoped the Finance Committee will have chosen its representative.

**Annual Town Meeting – May 7th (Location and Time)** – Town bylaws call for the meeting to start at 7 pm but in recent years it has started at 6:30 pm. The meeting could be held at Memorial Hall or at BSE. It was decided that the lighting at BSE is better. A motion was put forth by Rick to hold Annual Town Meeting on May 7, beginning at 6:30 pm, at BSE. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes. Motion passed 2-0-0.

**Julia Godfrey RE: Community Orchard at BSE** – It had been the understanding that the orchard had been proposed for the opposite side of the property. The new site could impact the band shell and its uses. The board would like the opinion of school officials and the Shelburne Falls Military Band. Julia will be asked if she has talked with those two groups and why the location was moved.

**Clarification and reorganization of Emergency Mgmt. Committee and the Emergency Mgmt. Task Force** – Rick explained that the Emergency Management Committee did not seem to understand its structure or charge. After a search it was discovered that there were two committees – the actual committee and the task force. Last June nine people were appointed to a committee with an incorrect name. The actual committee was to have five voting members. Rick met with the nine-member committee, who thought they were an ad hoc task force. That group then voted to approve the following two motions, which Rick brought to the Selectboard. A motion was made by Rick to amend the section of committee appointments voted by the Selectboard at the meeting of 6/5/2023 named Emergency Management Planning Committee to be re-titled Emergency Management Committee as was established by the Selectboard at their meeting of 8/26/2013. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes. Motion passed 2-0-0. A motion was made by Rick to increase the number of voting members of the Emergency Management Committee from five as voted by the Selectboard 8/26/2013, to seven. EMC to be comprised as follows: the Emergency Management Director, the Shelburne Police Chief, the Shelburne Fire Chief, the Shelburne Falls Fire Chief, a Board of Health member, the Highway Superintendent, and an at-large member. A non-voting Selectboard liaison is also to be named to the committee. All individuals in those positions currently were appointed 6/5/2023 and will continue to serve on the reorganized committee for the remainder of fiscal 2024. The previous appointments of one member at-large and the Town Clerk are rescinded with our thanks for their service and apologies for the confusion. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes. Motion passed 2-0-0.

**Memorial Hall Association RE: Request to Rent Theater During Weekdays April 4, 2024 & May 30, 2024** – On April 4 the request is to use the hall from 1 pm until 10 pm. On May 30 the request is to use the hall from 9 am until 11 pm. The way the lease is written requires this to be decided by the Selectboard. Town Hall staff will be at work during both of those days. After discussion the board felt as long as the two groups had been warned to be as quiet as possible and to be careful of the elevator, permission should be granted. A motion was made by Rick to approve the rental of Memorial Hall theater on April 4 and May 30. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes. Motion passed 2-0-0.

**Any Other Business:**

**Fire Chief John Taylor RE: Request for Road** **Closure** – The fire department is planning a training exercise on Saturday, April 6. They intend to burn the former Dean homestead as the building is considered to be deteriorated beyond repair. The Selectboard is being asked for permission to close Patten Road from 83 Patten Road to the intersection with Reynolds Road, from 9 am until 3 pm. A detour would be set up and abutters would be notified. Terry said she had heard concerns from abutters about toxicity and has asked Health Agent Randy Crochier to reach out to Chief Taylor about precautions and notifying the DEP. A motion was made by Rick that pending clearance from the DEP, the Selectboard approves the closure of Patten Road on April 6, as presented. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes. Motion passed 2-0-0.

**School District Capital Surplus** – Town Counsel has said that if the school district wants funds for an E911 system it should go to Town Meeting for a vote and be kept separate from the use of any remaining surplus funds. The school’s business manager is now seeking advice from the school’s counsel.

**Planning Board Public Hearing** – Following a public hearing, the Planning Board is now asking that bylaws regarding the role of the Planning Board and one on mobile food establishments become general town bylaws instead of zoning bylaws. Rick said there was pushback from the ZBA at the hearing on food trailers. The Planning Board has now simplified the bylaw and wants it to be a general bylaw. Terry suggested perhaps it should be a Board of Health bylaw. Andrew thinks the word “trailer” should be defined as regards food trailers. It was thought the bylaws should have first been discussed with the Selectboard before asking the board to put them on the warrant for town meeting. As for the bylaw defining the role of the Planning Board, Rick did not think the role needed definition. Most boards simply follow MGL.

**Next Meeting** – The next Board meeting will be on April 8, at 5:30 pm via Zoom.

**Correspondence:** None

**Public Comment:** None

**Adjournment**: At 8:32 a motion was made by Rick to adjourn the meeting. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes. Motion passed 2-0-0.

Respectfully submitted,

Faye Whitney, Recording Secretary