**Selectboard Meeting Minutes July 1, 2024 Zoom Teleconference 5:30 pm**

**Call to Order**: Rick LaPierre called the meeting to order at 5:31 pm. Others present: Selectboard members Andrew Baker and Tricia Yacovone-Biagi (joined 5:36 pm), and Town Administrator Terry Narkewicz.

A motion was put forth by Andrew to approve the minutes of June 17. This was seconded by Tricia. Roll call vote: Rick – yes; Andrew – yes; Tricia – yes. Motion passed 3-0-0.

**Department Liaison Reports:**

**Highway Department** – Andrew is encouraging Mark Shippee and Jeff Johnston to get together to work on the transition of the Highway Superintendent’s duties.

**Pratt Library Board** – At a meeting last week, recommendations noted in the Town’s most recent ADA Transition Plan were reviewed. The possible purchase of a lift was discussed as well as grant possibilities. MOD grants are possible but they are most likely not large enough to cover the entire cost.

**Police Services Advisory Committee** – Rick attended a meeting last week. Bob Dean was elected Chair of the committee. Vice Chair and Clerk positions will be decided at a future meeting. The committee will plan to meet quarterly or more often if needed. The next meeting will be in August.

**Town Hall** – Tricia met with Terry to start becoming familiar with her new liaison role.

**Emergency Management** – Tricia met with EMD Tom Williams. She is hoping to prioritize an inventory of all equipment; placing materials where they need to be. Tom attended a FRCOG table top exercise. He is working on a training plan for the next emergency operations center rehearsal.

**Community Preservation Committee** – Andrew plans to attend the CPC public hearing on July 30 to promote several projects the Selectboard has been talking about.

**Memorial Hall Theater** – Andrew reported that progress is being made regarding proposed renovations to the theater’s seats and flooring. Someone is needed to make repairs on the tin ceiling.

**Appointments:**

**5:45 pm David Kong and Chief Greg Bardwell RE: Ice Cream Vendor Request** – In order to receive a permit to become a mobile ice cream vendor, a background check must be conducted. The police chief would be the issuing authority but Greg said the town has no bylaw allowing police to do background checks and that part of the license process cannot be waived. Town meeting would need to adopt a bylaw allowing background checks. That could be done at annual town meeting or at a special town meeting. Greg said that Town Counsel and the department of licensure agree that mobile ice cream vendors must have the background checks. Mr. Kong said he has a license in Charlemont and thinks that license would be valid in Shelburne as well. He operates his ice cream truck in four different locations in Charlemont. Mr. Kong thought his Charlemont license should be valid across the state. Andrew suggested that Mr. Kong and Chief Bardwell review the regulations along with Town Counsel. Greg said he would need to investigate the regulations and also learn what procedure Charlemont followed to grant the license. He will report his findings at the next meeting. A bylaw allowing police to do background checks is very specific. Greg added that such a bylaw would need to be approved by both the Attorney General and the FBI.

**6:15 pm Matt Valliere & Josh Hilsdon, PV Squared RE: Solar Array Project @ Pole Barn** – Matt said the contact documents have been signed and a site visit has been made. Electrical and mechanical drawings will now be started. Permission to install the system will need to be granted by Eversource as soon as a new account is established. PV Squared will work with Eversource to connect the system. Once municipal permits are secured and the drawings are done, the actual installation should take about two weeks, said Matt. John Walsh was concerned about getting the paperwork for Federal tax credits completed. Josh said there should be plenty of time to file the paperwork and that a low income bonus is also available. It is estimated that it will take Eversource about four weeks to review this project.

**Old Business:**

**Pocket Park Use/Rules for Consideration RE: Proposed Sign** – The Board has reviewed a proposed sign. The sign company will charge $300 for the sign, $100 for a post, and $500 for the installation. It was felt that the highway department could install the sign. Andrew will work with the highway department on placement of the sign, perhaps near the trash can. A motion was made by Andrew to accept the sign design as presented and fund it for $300 for the sign and $100 for the pole, with the highway department doing the installation. This was seconded by Tricia. Roll call vote: Andrew – yes; Tricia – yes; Rick – yes. Motion passed 3-0-0.

**Shelburne’s Americans with Disabilities ACT (ADA) Self-Evaluation and Transition Plan RE: Establish Public Comment Period** – Terry has updated the chart, showing that some items have been completed. The plan is to table this for at least 30 days and post the plan on the website for public comment. A motion was made by Andrew to accept the report in draft form and open it to public comment until August 12. This was seconded by Tricia. Roll call vote: Andrew – yes; Tricia – yes; Rick – yes. Motion passed 3-0-0.

**New** **Business:**

**Camp Apex – Greenfield YMCA RE: Request One Day Liquor License** – The request is for a one-day wine and malt license for August 23, from 4:30 to 8 pm, for the annual celebration of summer for Camp Apex families. Hitchcock Brewing Company would be providing the alcohol. A motion was put forth by Andrew to approve the one-day license for Camp Apex for August 23. This was seconded by Tricia. Roll call vote: Andrew – yes; Tricia – yes; Rick – yes. Motion passed 3-0-0.

**Elizabeth Boltz RE: Shelburne Falls Oktoberfest, 9/28.2024 at BSE One Day Liquor License** – The school has allowed alcohol vendors in the past and has given permission for this event. The license would be for one-day wine and malt. Floodwater Brewing would be the distributor. There was some confusion on the date of the event but it was determined to be September 28, from 11 am until 4 pm. A motion was made by Andrew to approve the wine and malt one-day license for Oktoberfest for September 28, with a rain date of October 5. This was seconded by Tricia. Roll call vote: Andrew – yes; Tricia – yes; Rick – yes. Motion passed 3-0-0.

**Elizabeth Boltz RE: Shelburne Falls Oktoberfest, 9/28.2024 at BSE Event Permit** – The organizers had asked that a portion of Mechanic Street be closed during the event. Police Chief Greg Bardwell recommended that the street remain open and the organizers agreed. A motion was put forth by Andrew to grant the event permit for the September 28 Oktoberfest, with a rain date of October 5. This was seconded by Tricia. Roll call vote: Andrew – yes; Tricia – yes; Rick – yes. Motion passed 3-0-0.

**Franklin Regional Planning Board RE: Selectboard Appointee** – Each town has two representatives to this board, one a Selectboard member and one a Planning Board member. The Planning Board nominated Paul Hollings to serve as their representative and Rick agreed to serve as the Selectboard’s representative. A motion was made by Andrew to appoint Rick LaPierre as Selectboard representative to the Franklin Regional Planning Board. This was seconded by Tricia. Roll call vote: Andrew – yes; Tricia – yes; Rick – yes. Motion passed 3-0-0.

**Selectboard Guidelines for Appointing Individuals to Committees & Boards – *adopted 2012*** – The guidelines have been in place since 2012 but the procedure has not been followed. Rick suggested two changes. The first was to add the word “commissions” in five places to get all categories listed. A motion was put forth by Andrew to add the word “commissions” in appropriate places in the guidelines. This was seconded by Tricia. Roll call vote: Andrew – yes; Tricia – yes; Rick – yes. Motion passed 3-0-0.

Rick also suggested adding a seventh item to the list. The wording would allow the Selectboard to consider allowing non-residents to be appointed in case of special qualifications or interests that would be of benefit to the town. Andrew suggested having non-residents be non-voting members. After discussion, it was decided that the Selectboard would not allow a majority of any board, committee, or commission to be non-residents and it was felt all members should be allowed to vote. It was proposed that no more than one non-resident be allowed to serve on any board. A motion was made by Andrew to allow up to one non-Shelburne resident to serve on any board, committee, or commission if the appointing authority deems it to be in the best interest of the board, committee, or commission and the town. This was seconded by Tricia. Roll call vote: Andrew – yes; Tricia – yes; Rick – yes. Motion passed 3-0-0.

**Tom Williams, 7 Taylor Road & Jacqui Goodman RE: Memorial Day Committee** – Due to clerical errors Tom Williams’ name was not put forward for appointment and Jacqui Goodman had been appointed but it was mistakenly thought she had not accepted. A motion was put forth by Tricia, to appoint Tom Williams and Jacqui Goodman to the Memorial Day Committee. This was seconded by Andrew. Roll call vote: Andrew – yes; Tricia – yes; Rick – yes. Motion passed 3-0-0.

**Tom Johnson, Energy Committee RE: Request to Appoint Robin Logan** – Tom had reported that all Energy Committee members were in favor of this appointment. A motion was made by Andrew to appoint Robin Logan to the Energy Committee. This was seconded by Tricia. Roll call vote: Andrew – yes; Tricia – yes; Rick – yes. Motion passed 3-0-0.

**J. Judd, Town Clerk RE: Early In-Person Voting @ Town Hall for 9/3/2024 Primary** – Joe had proposed that early in-person voting take place from 11 am until 2 pm on the following August dates: 24, 26, 27, and 29. A motion was put forth by Tricia to approve the early in-person voting dates, as presented. This was seconded by Andrew. Roll call vote: Andrew – yes; Tricia – yes; Rick – yes. Motion passed 3-0-0.

**Lyla Rozelle RE: Donation of a Downtown Bench in Memory of her Father Frank** – The Board was grateful for the donation but discussion followed on where to place it. Putting it near the information center seemed to be the best choice, unless Lyla disagreed. A motion was made by Andrew to place the donated bench near the information center pending agreement with the donor. This was seconded by Tricia. Roll call vote: Andrew – yes; Tricia – yes; Rick – yes. Motion passed 3-0-0.

**FY’24 End of the Year Budgetary Transfers** – The Board had received an itemized list of five transfers ranging from $75 to $3,200. A motion was put forth by Andrew to approve the list of transfers as presented. This was seconded by Tricia. Roll call vote: Andrew – yes; Tricia – yes; Rick – yes. Motion passed 3-0-0.

**Timothy Bohonowicz, Red Dahlia Café RE: Sandwich Board Sign Request** – This had initially come up during the Bridge of Flowers pre-construction meeting. One entrance to the café will be unavailable during construction. A sign would be placed at the corner of Water and Bridge Streets, notifying people that the café was open. Andrew was concerned about a stand-alone sign away from the business it was advertising. It was pointed out that other businesses have such signs and it appears to be allowed by right in the zoning bylaws. The sign would be up three days per week from 10:30 am until 6:30 pm. As this sign was allowed by right, no vote was necessary.

**Any Other Business:**

Tricia asked when and where recordings of Selectboard meetings were posted. The recordings are not on the town website but may be found on the Falls Cable site or on You Tube.

Rick would like Treasurer Angel Bragdon to be reminded that any enclosures with tax bills need to be approved by the Selectboard.

**Next Meeting** – The next Board meeting will be on July 29, at 5:30 pm via Zoom.

**Correspondence:**

**Sarah Davenport RE: Open Space Committee’s Proposed Trail** – Ms. Davenport owns land that would be crossed by the proposed trail. She made it clear that she did not want a public trail on her property. A second letter, which came in too late to be included in the meeting packet, was from Lara Radysh and Bob Higgins, other landowners who do not want the proposed trail on their property.

**Public Comment:** None.

**Adjournment**: At 7:42 pm a motion was made by Andrew to adjourn the meeting. This was seconded by Tricia. Roll call vote: Rick – yes; Andrew – yes; Tricia – yes. Motion passed 3-0-0.

Respectfully submitted,

Faye Whitney, Recording Secretary