**Selectboard Meeting Minutes September 23, 2024 Zoom Teleconference 5:30 pm**

**Call to Order**: Rick LaPierre called the meeting to order at 5:30 pm. Others present: Selectboard members Andrew Baker and Tricia Yacovone-Biagi, and Town Administrator Terry Narkewicz.

A motion was put forth by Andrew to approve the minutes of September 9. 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 reported that paving has been completed on Cooper Lane, Brook Road, Wilson Graves Road, and Fiske Mill Road. Jeff Johnston will be attending the September 24 Conservation Commission meeting, where knotweed treatments will be discussed. Warner Brothers is doing sub-drain and ledge work on Old Greenfield Road. There will be a site meeting on Sept 26, at 3 pm on Stoddard Road, where a box culvert needs repairs. The cost is estimated at $300,000. The solar panels have been delivered and are now inside the pole barn. Gill Engineering has been hired to do the necessary engineering work to allow a temporary bridge at the site of the now closed bridge near 80 Bardwells Ferry Road. Jeff is starting work on a Small Bridge grant proposal for the bridge. Jeff asked if Shelburne had ever considered partnering with the Colrain transfer station, which seems to offer more services than the present shared transfer station. Terry explained that the Colrain transfer station is a “super site,” which is open to all residents of Franklin County for the disposal of hazardous materials. It is not necessary to partner with them.

**CPA Submittals** – Andrew said he had submitted two pre-applications to the Community Preservation Committee for pre-development site work for future affordable housing.

**Town Hall** – Town Clerk Joe Judd is preparing for the upcoming election. He is also learning the new vital statistics system. Tricia has talked with him about his emergency management duties as public information officer. Tax Collector Angel Bragdon has sent a second reminder to those who are delinquent on their tax payments. About 100 bills, worth about $140,000 are in arrears. Andrew said that taxpayers should be aware of the costs to the town of unpaid taxes.

**Senior Center** – Sylvia Smith said the Board of Managers sees no need for a joint meeting of Selectboards. All felt the plan, as presented, was straightforward and had no questions.

**Emergency Management** – While EMD Tom Williams is out of town Fire Chief John Taylor will be acting Emergency Management Director, if needed.

**FRTA Advisory Board** – The September meeting was cancelled. The next meeting will be in November.

**Police Services Advisory Committee** – This committee will be meeting later this week.

**Police Department** – Most of the department as well as some fire department and EMS members attended an ALERT training, held at Mohawk. The topic was post active shooter training. Shelburne was well represented at the Child Advocacy Center awards banquet as Detective Tucker Jenkins received the Champion of Children Award.

**Appointments:**

**5:45 pm Fred Vohr and Maureen O’Reilly RE: Location for Outdoor Naloxone Box** – Board of Health Chair Fred Vohr said Naloxone, aka Narcan, is very effective in reversing an opioid overdose. It is available at Town Hall but only when the building is open. The Board of Health would like to have it available in one or two outdoor locations. The information center and the Shelburne Fire Station were mentioned as possible locations. The Board of Health had voted to request that the information center and the fire station be locations for the Naloxone boxes and to bring this matter to the Selectboard. No one from either location has yet been consulted. Andrew said he would be more comfortable if he knew those locations had been approved by those in charge of them. A motion was made by Tricia to support the placement of two outdoor Naloxone boxes in readily accessible locations, that the Board of Health deems appropriate. The BOH/FRCOG public health agent is directed to find those locations, seek the approval of those entities, and update the Selectboard as agreements are reached. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes; Tricia – yes. Motion passed 3-0-0.

**6:00 pm John Cornman, Arms Library Board RE: Request to End 50 Year Lease Agreement** (Laurie Wheeler, Library Director) – John explained that the only reason for the lease was to get historic tax credits from the state for renovations. This has now been accomplished. Rick said breaking the lease would likely require advice from Town Counsel and wondered whether it would be better to amend the lease rather than terminate it. Andrew said that whichever party was responsible for the building maintenance, it ultimately fell on the town to pay for it, either directly or through the library budget. John said that since the town maintains its other buildings and has the expertise, it should not be up to the library director to organize maintenance. Rick suggested that the trustees come up with a proposal for amendments to the lease and return to the Board at a future meeting. Andrew said that each town building has someone to steward it and didn’t think the library director’s role in putting together a maintenance budget would disappear if there was no lease. John and Laurie said that Laurie has spent a lot of time negotiating with vendors and solving problems. She would like to have that duty removed. John will come to a future meeting with proposals for amending the lease.

**6:20 pm Jeff Boettner RE: Eversource Streetlight Buy-Out Cost $11,767.32** – Originally the cost of the buy-out from Eversource was over $14,000. The price has been reduced to $11,767.32. The streetlight committee is now asking the Board to approve that price. Town Meeting has already approved the buy-out. A motion was put forward by Tricia to sign the letter of intent to purchase the streetlight poles from Eversource for $11,767.32. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes; Tricia – yes. Motion passed 3-0-0.

Jeff said he had purchase orders for new lights and equipment. The question was whether to start purchasing now or wait until there is a signed contract from Eversource, which could take two to four weeks. Since funds for the purchases were already allocated via a grant, the Board felt there was little risk in going ahead with the purchases. A motion was made by Andrew to authorize the streetlight committee to move forward with purchase of fixtures for the streetlight conversion program. This was seconded by Tricia. Roll call vote: Rick – yes; Andrew – yes; Tricia – yes. Motion passed 3-0-0.

**6:40 pm John Walsh RE: Cowell Gym Estimates for Improvements (Painting and Fence)** – Three bids apiece had been submitted for painting and fencing at the gym. The Board wished to accept the low bids. A motion was put forth by Andrew to accept the bid of $5,650 from Renaissance Painting for painting and the bid of $6,840 from Hastie Fence for fencing. This was seconded by Tricia. Roll call vote: Rick – yes; Andrew – yes; Tricia – yes. Motion passed 3-0-0.

**Old Business:**

**Knotweed Management Plan RE: Old Greenfield Rd – Con Com Mtg. 9/24/24 –** The Con Com will be meeting to hear applications for spraying and smother and cover solutions to areas of knotweed. Rick thanked Cynthia Boettner for her help in finding solutions. Tricia wanted to have a plan in place to prevent such situations in the future. Andrew said there were two issues, protocols regarding fill, and figuring out what actually works against knotweed.

**Tom Williams, EMD RE: ARPA Fund Request** – Tricia said she would like to get an AED for the Town Hall. It might be kept in the foyer so it would be available at all times. The cost would be about $2,000. The other idea for using ARPA funds would be to use about $4,000 to do exterior repairs to a small room at Cowell Gym. That room could then be used to store some emergency management equipment. John Walsh said fixing that area is already part of the two-year maintenance plan he has created for the building. Fixing the exterior of the building was scheduled for next year. Rick said that using ARPA funds may not be prudent for this project as other needs have come up. Discussion of other projects qualifying for ARPA funds was to occur later in the meeting.

**Transfer Station Operations RE: Proposed Changes** – Terry has investigated the cost of bags versus stickers and determined that the higher cost may not be worth the proposed changes. There would also be the question of where the bags would be stored. Terry said the town uses approximately 25,000 labels per year. The minimum order for 33-gallon trash bags is 40,000 and the cost differential is significantly higher.

A Charlemont Selectboard member has asked about making the bottle return area available to any Mohawk or Hawlemont school district program. For many years the returnable bottles have been handled by the Mohawk Athletic Association for the benefit of Mohawk sports. Due to a lack of volunteers, the bottle area is often overflowing. The Board agreed to contact the athletic association and see what they might be able to do to move the bottles more quickly as a first step in solving the problem.

**Solar Array Installation @ Highway Pole Barn** – Necessary permits and the Eversource connection agreement have been received. Installation should be able to start on October 21.

**Melissa Elie RE: Moonlight Magic Event & Use of Pocket Park** – At the previous meeting the Board had posed questions regarding the placement of a community tree and what sort of decorations would be used. Melissa said the lights would be plain white lights and the garlands would be green. Rather than placing the tree in front of the pavilion, the Board wanted the tree placed closer to Deerfield Avenue on the grassy area. That spot would provide a place to anchor the tree and it would not block the entrance to the pavilion. Foxtown Diner will be providing the electricity for the lights. Tricia expressed concern about having a cord or cable extending across the area, possibly causing a tripping hazard. Cate Chadwick explained how the cord would be placed in a manner that would make it safe. A motion was made by Tricia to approve the use of the pocket park for Moonlight Magic, as discussed, with the stipulation that the Shelburne Falls Fire Chief review the electricity plan for powering the lights. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes; Tricia – yes. Motion passed 3-0-0.

**Christopher Curtis RE: Seeking Rep for Deerfield River Watershed Association** – The Open Space Committee will be discussing this at their meeting, which is taking place this evening.

**ICS 100 (Incident Command System Training)** – Tricia reminded the Board that they had earlier discussed allowing town employees who might be involved in emergencies to take this training on town time. She said the training was for all levels and types of organizations and would teach how the emergency structure works and what everyone’s roles were. Rick said the agenda item had come late to the previous meeting, not allowing time to read about it. At first glance it seemed like a good idea but after checking it, Rick said it seemed like too much to ask volunteers to do. Perhaps the training could be suggested, not required. He felt requiring the training might cause volunteers to step away. Terry estimated the training would take three hours and she wouldn’t have time to do it on town time. Andrew agreed that the training was too much. Tricia said she felt the other two Board members had made a decision without her. Terry explained that there had been no discussion between Andrew and Rick. They had each replied to her separately, and not to each other. Terry asked if there was any mock training that could simply explain everyone’s roles. Tricia said the upcoming table top exercise would do that but it would be better if people had the training beforehand. Rick said he thought the people doing the decision-making already knew what they were doing. A motion was made by Tricia to allow town employees who wanted to take the ICS100 training to do it on town time. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes; Tricia – yes. Motion passed 3-0-0.

**MVP Process** – A letter had been received announcing that the town has been designated as an MVP community.

**New** **Business:**

**Street Use Permit RE: Moonlight Magic 11/29/24 Bridge Street Closure** – The organizers of Moonlight Magic have asked to be able to close the street from 2 pm until 9 pm on November 29. The application has been approved by the police chief and two officers will be on duty. Andrew questioned whether 9 pm might be too early to clear the street. A motion was put forth by Andrew to approve the request to close Bridge Street on November 29, from 2 pm until 9 pm. This was seconded by Tricia. Roll call vote: Rick – yes; Andrew – yes; Tricia – yes. Motion passed 3-0-0.

**Pocket Park Use RE: Distribution of Religious Materials** – Tricia saw a group of people with a display set up at the park with religious materials. She asked if the Board should be concerned. Rick thought they might be on the sidewalk, Andrew said both the sidewalk and the park are public spaces and to interfere with the group would be a violation of the First Amendment. Terry said the group had been there often over the years and had originally received permission from the owners of the lot. The sign and display are temporary and are not left in place. There is nothing in the bylaws concerning such a display.

**MVP Action Grant RE: Expression of Interest Due 11/1/202424** – The expression of interest allows the applicant to get feedback on potential projects. This year the project had been a resilience plan for Dragon Brook, but the deadline was not met. That project is still a possibility but another project would be a drainage plan for the town as a whole. After discussion, the consensus of the Board was that the plan for the town as a whole was the preferred project. Andrew recommended that Tricia speak with Highway Superintendent, Jeff Johnston to get his opinion before proceeding with the application.

**Laura Willis RE: Three Liquor License Related Requests – Shelburne Falls Brew Pub** – The three requests are to 1) be allowed to serve liquor during Sunday brunch, starting at 10 am instead of noon; 2) allow outside serving in a roped off area in the parking lot on September 29, during the Adams Fall Run, an event that benefits veterans and children with heart problems; and 3) allow serving hours to be extended to 12:30 am on New Year’s Eve, with last call being at midnight. Police Chief Greg Bardwell has approved all three of these requests. A motion was put forth by Tricia to approve all three of the stated requests from the Shelburne Falls Brew Pub. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes; Tricia – yes. Motion passed 3-0-0.

**Tom Williams, EMD RE: FY’24 EMPG Grant Application** – This is an annual grant for $2,700. It would be used for CPR/AED training, literature displays, clothing for the emergency team, a storage device for the propane tank for the generator, and for office supplies. A motion was made by Andrew to authorize Tom Williams to apply for the EMPG grant to be used as presented. This was seconded by Tricia. Roll call vote: Rick – yes; Andrew – yes; Tricia – yes. Motion passed 3-0-0.

**“Patriot” Assessing Software RE: Cost to Upgrade & Upload to New Server** – The present software will soon not be supported and it does not work well with the town’s upgraded server. The cost of new software is $2,000. The assessors have $1,000 in their budget and the rest could come from the computer budget. A motion was put forth by Tricia to upgrade the assessing software using the funds as described. This was seconded by Andrew. Roll call vote: Rick – yes; Andrew – yes; Tricia – yes. Motion passed 3-0-0.

**Any Other Business:**

**Early Voting Hours** – Town Clerk Joe Judd had presented a list of early voting days and times. A motion was made by Andrew to approve the early voting hours as presented by the Town Clerk. This was seconded by Tricia. Roll call vote: Rick – yes; Andrew – yes; Tricia – yes. Motion passed 3-0-0.

**Community Compact** – Terry announced that the Community Compact award of $10,000 has been received. It will fund the police wage and classification study.

**Next Meeting** – The next Board meeting will be on October 7, at 5:30 pm via Zoom.

**Correspondence:**

**Rachel& Steve Cooper, 77 Bridge Street RE: Village Information Center** – The Coopers planned to remove a portion of their building at 77 Bridge Street and remodel the remaining part into a retail store. It has now been found that the entire building needs to be demolished and rebuilt. This means their project is on hold for a few months. In the meantime, after demolishing the shed portion of the building the Coopers have placed a very temporary barricade between the sidewalk and a sharp drop off on to their property. They would like permission to replace the barricade with a more attractive safety fence. The Board was fine with that idea.

Also, now that the shed portion of the Cooper property has been removed, it was discovered that the foundation and a portion of the siding on the east side of the information center is in bad shape and needs repair. This work should be done right away before the Cooper’s project resumes. The town owns no property on the side of the building but the Coopers have given permission for the town to make repairs by accessing the property from 77 Bridge Street. Rick said this could be a good use of ARPA funds and both Tricia and Andrew agreed. Terry will contact the building inspector to see if a structural engineer is needed and obtain quotes for the work.

**Public Comment:**

Cynthia Boettner said that the knotweed spraying on Old Greenfield Road may be slowed by the need for additional permits. She added that some of the knotweed may have been disturbed by culvert work.

**Adjournment**: At 8:41 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