

MINUTES OF THE BOARD OF SELECTMEN'S MEETING
Town of Charlemont
Goodnow Town Hall

July 27, 2015
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The meeting was convened at 7:03 P.M. by Chairman Beth Bandy. David Cunningham and Sarah Reynolds also attended the meeting.

1. The Board held a liquor license hearing upon the application of Berkshire Pizzeria, LLC that requests to alter the license premises to include a deck located on the south side of the building.
2. Frank and Cathy Buntin, abutters to Berkshire Pizzeria, stated they have concern regarding the stated licensed hours and questioned the Board if the license allows an open container anywhere on the property. The Board stated that the license allows service and consumption of alcohol only in the areas specified on the license. The Buntin's voiced their concern that the businesses hours of operation are not the same as the stated hours on the license. The Buntin's were informed that the hearing was not to address the licensed hours but to address the alteration of premises. The hearing was closed at 7:17 P.M.
3. The Board unanimously voted, Ms Bandy s- yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, to approve the application of Berkshire Pizzeria, LLC as submitted.
4. The Executive Secretary was request to contact the Town's ABCC Officer to clarify the hours of operation verses the hours stated on alcohol licenses.
5. Highway Superintendent Gordon Hathaway attended the meeting to report that the 99 Freightliner highway truck has broken down and the repair will be approximately \$10,000. Superintendent Hathaway stated that the FY16 summer equipment repair budget is \$8,000 and he is unsure how to pay for the repairs. Superintendent Hathaway stated that the budget can possibly pay for ½ the cost of the repairs (\$4,000) but he is unsure of where the remaining cost of the repairs will come from. Mr. Hathaway suggested permission to use the Machine Earnings funds which will cover most of the repair bill. The Board unanimously voted, Ms Bandy - yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, to approve use of the Machine Earnings fund by the Highway Superintendent to pay for most of the repair bill for the 99 International highway truck.
6. Highway Superintendent Hathaway requested the Board sign Pot Hole reimbursement forms which are due back to MassDOT by July 31st. Superintendent Hathaway stated that an extra ordinary amount of “juggling” had to be done in order to complete the Pot Hole projects within the allowed time frame.
7. Highway Superintendent Hathaway reported that while the department was on the Oxbow Road it was noticed that a resident is using heavy machinery, possibly a bulldozer, within and along the Town road. Ms S Reynolds stated that as the Highway liaison, she was notified of this observation and directed the Highway Superintendent to cease working on the Oxbow Road. Pictures were taken and submitted to the Board for review. It was noted that the same thing was observed in 2014.
8. Superintendent Hathaway reported that the equipment was used to dig rocks out of the road and to take stone from Town headwalls, etc. Signs along the Oxbow Road and a police watch was suggested. The Board unanimously voted, Ms Bandy - yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, that Mr. Cunningham will contact the person who might possibly be the one using the equipment to see if they can come to a resolve.
9. Superintendent Hathaway questioned the Board on what is the procedure for

suggestions/complaints submitted to the Town as he seems to be missing out regarding the ones that are submitted about the Highway Department. Ms Bandy stated that the Selectmen need to determine who needs to be included when a suggestion or complaint is received.

Superintendent Hathaway feels that if a citizen submits comments/complaints that have questions he should be consulted so at least the questions can have an adequate response. The Board stated that the Administrator will be including the Highway Superintendent when sending comments and questions regarding the Highway Department to the Selectmen. The Board agreed that the Selectmen should be standing behind Town employees.

10. The Board unanimously voted, Ms Bandy s- yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, to recognize Ras Jon Bullock. Mr. Bullock reported that his computer has crashed and all Reggae Fest documents are in his computer, thus he is unable to submit to the Town a list of vendors and insurance certificates for the Reggae Fest. Mr. Bullock stated that his computer should be repaired by tomorrow (July 28th) and he will send them via e-mail to the Selectmen's office. Mr. Bullock stated that vendors usually send insurance certificates to him last minute and that even though he started the process in May, people are slow to comply. Selectman S Reynolds abstained from the conversation but did state that the Parks and Recreation Commission will not allow any vendor on the Fairgrounds that has not submitted an acceptable insurance certificate. Mr. Bullock stated that there are 9 vendors in total for the event, some have their own insurance and 5 vendors are under the events insurance. Mr. Cunningham volunteered to meet with Ras John at the Fairgrounds on Friday, July 31st to review and receive insurance certificates.
11. Mr. Bullock stated that one crew member is concerned about the heat on August 1st and has asked if she can bring a small pool to allow her to cool off. Ms S Reynolds stated that she will bring this request to the Park and Recreation Commission.
12. The Board unanimously voted, Ms Bandy s- yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, to approve and sign the: Massachusetts Municipal Association FY 2016 membership dues invoice, payment of a Verizon bill, payroll warrants, Mass. Dept. of Transportation Title VI/ Nondiscrimination Assurance Requirement, 7/20/15 Selectmen's minutes, a letter thanking Gordon Hathaway for his service on the Traffic Calming Committee, acknowledged a thank you card from Maureen and Dick Flaherty, Northampton Cycling Club and the Hawlemont Regional School District and the Elder Affairs Grant submitted by the Council on Aging.
13. The Board unanimously voted, Ms Bandy - yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, to approve and sign a letter responding to the letter from the Town of Hawley regarding their research and request for funding to supplement small Towns for the Broadband Initiative costs. Although the Board has reviewed the letter it was not available to sign during the meeting. Board members will come to the Town Hall individually to sign the letter.
14. The Board discussed where to display and store the Rice Family Bible that has been donated by Wanda Robinson. The Librarian will be asked if she would house this bible until the Town finds another appropriate place for it. The Board unanimously voted, Ms Bandy s- yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, to accept the Rice Family bible.
15. The Board discussed a request to approve for payment an FY 2015 bill from Smith Vocational School. The cover sheet to pay this bill was dated July 27, 2015 and the Board noted that the last day to submit prior year bills is July 15th. Former Town Accountant and Town Assessor Jackie Cashin was next door. Ms Cashin was invited to the meeting to give her opinion regarding approving this bill for payment. Ms Cashin stated that in her opinion the FY 2015 bill has not been submitted for payment in a timely manner. Ms Cashin was thanked for her

- time and opinion. The Board unanimously voted, Ms Bandy - yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, not to approve for payment the FY 2015 Smith Vocational bill as it was not submitted in a timely fashion.
16. The Board submitted to the Executive Secretary for safe keeping the cell phone petitions gathered during Yankee Doodle Days. The Board will place additional petitions at Avery's, Zoar Outdoor and Berkshire Pizzeria which will be picked up on August 9th, before the August 10th Selectmen's meeting. It was decided that the petitions will need a cover letter which will be drafted by the Executive Secretary and ready for signature during the August 10th meeting. Administrator Dean will inform Representative Paul Mark of this petition.
 17. Ms S Reynolds will speak with the Highway Superintendent to see if he is willing to participate with the Traffic Calming Committee as a consultant. Ms S Reynolds stated that the Police Chief is willing to serve on the Committee as well.
 18. A list of 4 grant opportunities were presented to the Board by Administrator Dean. Mr. Cunningham asked if any of the grants will require Town funding. Administrator Dean replied that none of the grants will require funding from the Town. After review the Board unanimously voted, Ms Bandy - yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, approve applying for the Hazard Mitigation Grant, Mass Works and Peer to Peer Technical Assistance Grants. Due to the deadline for applying, the Hazard Mitigation Grant will be priority. The Community Compact Cabinet Grant will be forwarded to the Finance Committee for review and their opinion.
 19. The Board unanimously voted, Ms Bandy - yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, to receive at least 3 telephone quotes for mowing of the Zoar, Hawks, Village and Old Cemeteries. The Executive Secretary will solicit the quotes and the Board will review the quotes during their meeting on August 10th.
 20. The Board unanimously voted, Ms Bandy - yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, to grant permission to the Assessor's to contact Town Counsel per their request.
 21. The Board discussed a change in the Accountant's warrant schedule. The Accountant will process a warrant on July 31st but will not process another warrant until the end of August, according to the Administrator. The Board requested that Administrator Dean speak with the Accountant regarding his flexibility with the warrant schedule and that 3 weeks between warrants seems unreasonable.
 22. Mr. Cunningham reported that on August 20, 2015 at 2:00 P.M. a meeting has been scheduled with Representative Kate Hogan in Worcester regarding the ambulance special legislation.
 23. The Board agreed that the format of the Administrator's weekly report to the Selectmen seems to work. Ms S Reynolds will conduct the Administrator's weekly meeting on August 3rd and Mr. Cunningham will conduct the weekly meeting on August 10th while Chairman Bandy is away.
 24. The Board agreed that a 6 month job review for the Administrator should be scheduled, possibly in executive session.
 25. The Board discusses new projects for the Administrator, possibly creating a process as to who and what to do when starting or changing a business in Town, to be created after working on the grants.
 26. The Board unanimously voted, Ms Bandy - yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, to instruct the Administrator to move forward and order a copy machine.
 27. It was reported that a volunteer has stepped forward to serve on the Earth Removal Committee. The Earth Removal Committee will discuss sending to the Board a recommendation for

- appointment.
28. It was reported that a volunteer has stepped forward to fill a vacancy on the Agricultural and Forestry Commission. Mr. Cunningham will inform the Commission of this volunteer.
 29. Administrator Dean was requested to research repair of the handicapped mechanism that opens the back door to the Town Hall.
 30. The Board discussed the difference between Historical Commissions and Society's. Ms Bandy stated that it may not be appropriate for the Town to take over the museum collection housed on the second floor of the Town Hall. Ms Bandy will search for volunteers to revive the Historical Society.
 31. Review of a draft Auto Amusement Device application was deferred until the August 24th meeting.
 32. The Board unanimously voted, , Ms Bandy - yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, to approve for payment a bill from the new Accountant. Administrator Dean was requested to contact the Accountant to see if he is willing to bill the Town on a quarterly basis instead of monthly.
 33. Administrator Dean was requested to schedule a meeting with MassDOT at Shun Pike on August 24th at 6:00 P.M. to review and discuss the condition of the rest area.
 34. At 9:50 P.M. the Board unanimously voted, , Ms Bandy - yes, Mr. Cunningham –yes, Ms S. Reynolds – yes, to enter into executive session and not to return to regular meeting under the Open Meeting Law Exemption #7: to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirement, specifically to comply with the HIPAA Privacy Act.

Respectfully submitted:

Approved by:
Charlemont Board of Selectmen

Kathy A. Reynolds
Executive Secretary

This document is to be considered a draft until approved and signed by the Board of Selectmen.

Documents reviewed by the Board.

Agenda with Administrator's notes
Berkshire Pizzeria, LLC application to alter the license premises
Pot Hole reimbursement forms
Pictures from the Oxbow Road
Massachusetts Municipal Association FY 2016 membership dues invoice
Verizon bill
Payroll warrants

Mass. Dept. of Transportation Title VI/Nondiscrimination Assurance forms
7/20/15 Selectmen's minutes
Thank you letter to Gordon Hathaway
Thank you card from Maureen and Dick Flaherty
Thank you letter from the Northampton Cycling Club
Thank you letter from the Hawlemont Regional School District
Elder Affairs Grant application
Letter regarding supplemental funding for the broadband initiative costs
Rice Family bible
FY 2015 Smith Vocational School invoice
Cell phone petitions
4 Grant Opportunities
Request to contact Town Counsel from the Board of Assessors
Draft Auto Amusement Device application
2 invoices from the Town Accountant