

Select Board meeting minutes from Monday January 22, 2018, 7pm at Town Hall

In attendance: Select Board Chair Sarah Reynolds, members Beth Bandy and Marguerite Willis.

1. Meeting called to order at 7:04pm, present was Interim Fire Chief Dennis Annear
2. **Action:** On a motion from Ms. S. Reynolds, 2ndd by Ms. Bandy, the Select Board voted to approve the Assistance to Firefighters grant application requesting \$30,000, requiring a 5% match of \$1,500 for equipment and training to fund a \$24,000 vehicle extrication tool and \$6,000 for eight firefighters to attend EVOC and HazMat Training, and two firefighters to attend Officer I and Officer II training, proceeding with both the vehicle and equipment and training applications, and for the Town to pursue a letter of support from Buckland Fire District, subject to town meeting approval for the matching funds, Ms. S. Reynolds – yes, Ms. Bandy – yes, Ms. Willis – yes, voted unanimously.
3. The Select Board discussed the Silver Jacket’s Final Floodplain Action Plan. It was recommended in previous discussions to include reference to permanent markers at brooks and streams for the Town to reference for potential flooding. Marguerite Willis will bring this suggestion to the upcoming Municipal Vulnerability Preparedness workshops to take place this Spring. **Action:** On a motion from Ms. Bandy, 2ndd by Ms. S. Reynolds, the Select Ms. S. Reynolds, the Select Board approved the Silver Jacket’s Final Floodplain Action Plan, Ms. S. Reynolds – yes, Ms. Bandy – yes, Ms. Willis – yes, voted unanimously. The Select Board would like to see the Town adopt as many recommendations from the plan as it can.
4. The Select Board acknowledged their 7:15 appointment with the Interim Fire Chief Dennis Annear at 7:18. Also present was the Ambulance Director Dana Johnson. The Chief outlined the prescribed law for a forest warden, notifying the Town they are to appoint the position annually, for the Clerk to notify the State of the appointment annually (Dennis will forward the language to Kathy Reynolds), and that this is often a role taken on by the Fire Chief. Asked whether it costs more money to the Town, no. **Action:** Ms. Bandy moved that the Town adopt MGL Chapter 48 Section 43 for the purpose of creating a forest warden, 2ndd by Ms. Willis, Ms. S. Reynolds – yes, Ms. Bandy – yes, Ms. Willis – yes, voted unanimously. **Action:** Ms. Willis made a motion to appoint Dennis Annear as the Forest Warden, 2ndd by Ms. Bandy, voted unanimously. There was discussion about how the Forest Warden’s role interfaces with the State and other agencies, how due to changes in available resources the coverage at the State level to monitor, patrol, and enforce has fluctuated over the years.
5. The Interim Fire Chief Dennis Annear is asking if the Town Administrator and he can work together to pursue the Assistance to Firefighters Staffing for Adequate Fire and Emergency Response (SAFER) grant to hire a full-time position, description to be determined, possibly a Firefighter/EMT. The Town will need to come up with what hours would best serve the Town. The Select Board suggests referring to the Zoar intermunicipal agreement provided by the previous Fire Chief for a thorough calculation of benefits. The Town will present the grant opportunity at the Town Meeting for the Town to determine its priorities, and whether they are interested in funding the required 25% match year one and two and the 65% match year three. **Action:** On a motion from Ms. S. Reynolds, 2ndd by Ms. Bandy, the Select Board voted for the Town to apply for the Assistance to Firefighters Staffing for Adequate Fire and Emergency Response (SAFER) grant contingent on Town Meeting Approval. Ms. S. Reynolds – yes, Ms. Bandy – yes, Ms. Willis – yes, voted unanimously.

6. The Interim Fire Chief Dennis Annear notified the Town of an upcoming Vigilant National Guard exercise. The Town has available to it the opportunity for an evaluator to test an aspect from Charlemont's Emergency Management during the exercise, such as notification, evacuation, and EOC capabilities. During the exercise, the Mohawk Area Health Coalition and Health and Medical Coordinating Coalitions will get involved. They will open up the Multi Agency Coordination center. The Select Board would want a recommendation about what should be evaluated. In the previous experiences the Town struggled to get Massachusetts Emergency Management Agency support and National Guard assets. The Select Board will decide what they would like to do and get back to The Interim Fire Chief. A related question from the Interim Fire Chief was whether the Town accepted the law allowing it to spend money outside of its budget in an emergency when an Emergency is declared, which he recommends doing in advance of an emergency rather than at the time of. Also discussed was how an emergency is declared. The EMD would recommend to the Select Board and they would vote to declare.
7. The Interim Fire Chief Dennis Annear will report to the Town for now first alarm and going forward may change it to second alarm fires. He will also report to the Town anything that involves more than the Police Department and EMS. He will begin providing monthly reports showing fire activity for the Town's reference once their Fire Program is set up to easily generate them.
8. There was discussion about whether the Interim Fire Chief Dennis Annear should come in for the next Select Board meeting for updates. The Board said unless he has specific requests he doesn't need to if he'll be providing monthly reports. He mentioned he will likely be at the next few meetings either way.
9. The Select Board acknowledged Ambulance Director Dana Johnson for his appointment to discuss the Highland Ambulance EMS Inc's e new Intercept Agreement which Highland Ambulance EMS Inc's is requesting Charlemont sign by January 31, 2018. Their proposed rates would be a significant loss for the Town according to the Ambulance Director. See the last page showing the amount the Town was charging out, it was able to collect 94%. From the time period they're showing 158 requests, 79 were billable. Dana looked into the validity of comments made that people don't like the ambulance going all the way to Charlemont. Dana was able to verify this through the minutes and speaking to residents. The normal transportation route has always been Route 2 or continue on to 91S. Highland Ambulance EMS Inc's is offering to go 112 to Route 9 to Cooley Dickenson. From Charlemont it is quicker to go Route 2. In the case that transport to Cooley Dickenson was requested, it is likely because of the patient's relationship to the hospital, but it happened only 5 times in the last 3.5 years. Dana's opinion is for the Town to not sign the new Intercept Agreement from Highland Ambulance EMS Inc. The Select Board ask what the impact will be. It was commented from the Select Board that most of the calls have been for Advanced Life Support. The Select Board will have a letter drafted for signature outside of a regularly scheduled meeting stating, "We've spoken to your citizens, we understand what the issues are on your end, we've discussed it here, and due to our own financial constraints, the Town is unable to agree to the agreement. We thank you for your past service, we understand the constraints you're under. We wish you well in your future endeavors. We respectfully decline Highland Ambulance EMS Inc's new Intercept agreement."
10. Marguerite asked if the Select Board saw the note with the \$500 donation to the Ambulance.

11. The appointment with the Ambulance Director ended and the Select Board went back to the agenda.
Action: On a motion from Ms. S. Reynolds, 2ndd by Ms. Bandy, the Select Board voted to approve and sign the 1-5-18 meeting minutes, accounts payable warrants 1827 for \$33,175.71 and 1828 for \$7,164, the already committed ADA grant contract through the Massachusetts Office of Disability for \$5,400 to complete a transition plan and self-evaluation before June 30. Ms. S. Reynolds – yes, Ms. Bandy – yes, Ms. Willis – yes, voted unanimously.
12. Appointing an Animal Control Officer (ACO) and Capital Improvement/ Planning Committee (CIC) member remain on the agenda. Regarding the Sarah mentioned that one of the Town’s Police Officers suggested contacting someone in Buckland about the ACO position who might be interested. Sarah will get their contact info for Beth. Regarding the CIC member, the Chair mentioned though they haven’t found someone yet that the Select Board needs to, that it is their appointment. The Town Administrator asked if there are any Engineers in Town, but the Select Board mentioned that they are already to other volunteer positions.
13. Looking at the agenda under acknowledge, it was clarified that the radio the Emergency Management Director received by the Fire Department he wanted documented as inventory is not the MEMA radio.
14. The Select Board discussed the letter from Toby Gould to the Select Board, Finance Committee, and Broadband Committee urging Boards to think long-term about the direction it chooses for its Broadband investment, and how the 1-10-18 minutes didn’t reflect that there was a discussion about fixed wireless. There was a request to revise the 1-10-18 minutes to reflect that Vaughn Tower brought up discussion of fixed wireless, that there would be no cost to the Town for installation, discussion ensued, and it was agreed to stick with the current plan.
15. The Select Board discussed KP Law’s correspondence letting clients know the firm has joined other law firms locally and nationally to pursue opioid litigation on behalf of Massachusetts municipalities. Per Marguerite there is no charge for this, the only ones who will benefit will be lawyers, it doesn’t address Chinese fentanyl, and it doesn’t address people who are dealing with terminal cancer and dealing with the issue of meds right now. They are going after the pharmaceutical companies; it’s going to generate a lot of money, that’s not going to come to us, not going to come to the State, and she’s disappointed that they’re doing it, but there is no cost to Charlemont. **Action:** Ms. Bandy made a motion to acknowledge the KP Law correspondence, 2ndd by Ms. S. Reynolds. Ms. S. Reynolds – yes, Ms. Bandy – yes, Ms. Willis – yes, voted unanimously.
16. The Select Board discussed items related accounting. Marguerite reported that Russell is not using the forms that were provided to him for turnover, but he is up-to-date on his turnovers. He’s corrected it which is good. Beth will stop at the Transfer Station and discuss why he’s not using the triplicate forms provided to him which he initially agreed would be a good solution. The Select Board need an inventory of the trash bags as part of the budget process which beth will also discuss with him.
17. Regarding the joint meeting on Saturday, Amy Wales can’t make it, and Vaughn Tower won’t be here. Marguerite suggested that all decision-makers need to be in the room. Peg read an email sent by Rich Filoramo saying they chose the date because it is when Justin could attend. Beth expressed concern that Amy has been out of the loop on the last few meetings, likely having to do with not receiving email from the Finance Committee’s Secretary. The Select Board will check with the Auditor and Accountant about when they are available to reschedule and will send a Doodle to the Select Board and Finance Committee.

18. Marguerite reported back about the All Boards Meeting. She didn't get a strong sense about recreational marijuana. February 6 is a public hearing at the Franklin Regional Council of Governments. Gisela Walker and Marguerite plan to attend. Marguerite doesn't think there is enough time to put a moratorium in place which she thinks is unfortunate because there is a question what they are going to come up with and are we prepared for it. Beth mentioned that the Guidelines just came out and that the deadline is right around the corner so it is not really possible to do anything. Marguerite listed all attendees: Jerry Dupree, Bill Harker, Cheryl Handsaker, Dennis Annear, Dana Johnson, Lynn Hathaway, Carlene Hayden, Gisela and Tony Walker, Karen LeClair, and Robert Malone. There was no quorum for any boards/committees/ commissions present. The space suited the crowd well. The Special Events Application (SEA) was discussed. Jim Sinclair showed for conversation, highlighting his positive experience using it, how it took 20 minutes when he sat down with the Town Administrator to fill it in, that it ensured he addressed all aspects of the planning process for an event. Some of the boards/ committees/ commissions would like to see a short form used to initially determine whether the longer SEA is needed. There were concerns about accounting, about how a special event is defined and a request for better clarification on word 'impact' to be clear what activates requirement for a permit. The Town Administrator will work with Emergency Services to revisit the definition.
19. The Select Board discussed the Select Board's Fiscal Year 2019 budget. Discussing the suggestion from the Town Administrator to break the Secretary to the Boards' salary out to reflect her two roles as Secretary to the Boards and Assessors' Clerk, which is currently only listed as Secretary to the Boards, Sarah mentioned that this was previously showing as two salaries and that it was requested during a Town Meeting that it show as one. Discussing the fuel, Sarah mentioned that she spoke with the Accountant about this as the Highway liaison, that the Town should do what many other towns do, and combine they fuel lines into one account. Town fuel line will fund all diesel and gas with subaccounts for Highway, Police, Fire, and Ambulance, with the fuel monitoring reports going to the departments regularly. It was suggested that there not be the additional \$1,000 the Town Administrator recommends to account for bills from one fiscal year to the next. The fuel monitoring system can then provide back up, as an in-house report to document each department's usage. There will need to be a footnote on the budget referencing the change.
20. The Select Board discussed whether they are eligible for enough Community Development Block Grant (CDBG) projects to justify raising \$7,500 on the budget for a grant writer to prepare an application. It's not clear to the Select Board at this time that there are any worthwhile projects they can pursue, however they discussed why the Town Administrator's role can't cover this. Bob Dean at the Franklin Regional Council of Governments outlined to the Town how the CDBG applications are much more demanding than what a typical application that isn't usually handled by the Town Administrator. Marguerite mentioned that she thinks the ADA grant is going to end up obligating the Town to an elevator. Beth outlined some of the history with Franklin County Housing and Redevelopment Authority (HRA) and suggested maybe giving HRA a call. Ask if the criteria have changed, or if other projects have become available through the CDBG. The Select Board approve contacting HRA and another grant administrator. The Select Board will follow up on certain budget items and will bring back to the next meeting.
21. The Select Board requested that the email asking for Annual Reports be sent. The Town is late getting this out. Someone needs to take over this process. This was previously completed by Kathy but was removed as one of her tasks when her hours were reduced. Beth will provide the spreadsheet outlining the process, and asks that the email requesting annual reports come back by the end of February.

22. The Town Administrator asked if she could contact Dan Nietsche at the FRCOG to get statistics for an Emergency Services needs assessment.
23. The Select Board reviewed the list of Franklin Regional Council of Governments (FRCOG) Direct Local Technical Assistance eligible projects. They included any requests received to date in their choices. Voted were: Planning projects: 1) Recreational Marijuana Assistance, 2) Zoning bylaws and/or Town Ordinance Development for recreational marijuana retail and cultivation, and 3) Downtown or Village Center Economic Development Projects, to develop a mixed use, economic development and housing plan for a downtown or village center and action steps for implementation, and to develop master plan chapters for housing and economic development. Regional projects: 1) Explore feasibility or continue work to establish new shared services for an Animal Control Officer, and 2) Succession planning. Community Compact Projects: 1) Regionalization/ Shared Services, 2) Financial Management, and 3) Human Resources.
24. Marguerite mentioned that she is involved in the flags for the Veteran's and putting together a central file to live in Town Hall. She is recruiting volunteers to get the flags out.
25. The Select Board discussed the repeated fuel shortages and acknowledged the Memo from Ambulance. Sarah outlined that according to the automatic delivery schedule that has been in place, the vendor has a 48 hour window, and that the Town will be done with the current FY17 contract for diesel with Burke after a few more deliveries, at which time it will go to its FY18 contract with F.L. Roberts. When asked why we are changing vendors mid-stream, it was explained that the Town bids on a fixed amount and uses them until the contracted amount is used up, that the Town went with the lowest bidder. Sarah will let the FRCOG know the Town had a negative experience with Dennis K. Burke and she would recommend not using them again.
26. The Select Board signed the 8A bridges contract amendment to extend completion date to June 30. The Chair will need to complete the Contractor Authorized Signatory Listing page with the Town Clerk.
27. The Select Board will bring back information to vote at the next meeting on whether to pursue a cost estimate for the long bridge through Gill Engineering. It would be great if the Town could have the Tower Road bridge moved up on the TIP schedule.
28. Discussing Broadband, Beth will follow up with Kathy Reynolds for proof of insurance.
29. The Select Board reviewed Recreation Tax related documents from Senator Hinds' Office. The Select Board addressed unanswered questions from H2623 Charlemont Redraft v2.docx. One question was related to whether the Assessors would can look back at a business's reports, which they would do by putting an application through the court which the Select Board agreed the Town could do. There was also a question about assessing a late charge with a fixed or flat rate to which they agreed should be a fixed rate. It was verified that the Treasurer is the Commissioner of Revenue in Town. There was a discussion about the language replacing abatement which states needed a owner can go to the Appellate Tax Board. Beth reported that the Town does not need to go back to Town Meeting for a re-vote.
30. Sarah reported that they haven't come up with a meeting date yet for shared service of Police. Sarah asked Beth to provide her edits to the Police agreement between the towns of Charlemont and Heath establishing the West County Police Cooperative to Dan Nietsche, FRCOG.

31. The Select Board approved inviting all boards to attend their meeting with Jim Barry, Department of Energy Resources, and the Franklin Regional Council of Governments re Green Communities regarding next steps for Green Communities energy audit and designation.
32. The Select Board tabled the following three agenda items to next meeting, 1) “Selling off of defunct vehicles – suggestion to use auction international,” 2) Review unregistered vehicle bylaw – Charlemont adopted Chapter 40 Section 21D on 12-14-2010; next steps – consider enforcement,” and 3) “Bylaw prohibiting snow being pushed from a property onto a town road and Town’s complaint policy.”
33. The Select Board adjourned their open meeting at 9:45pm to enter into Executive Session for reason #1 to discuss a complaint or charges brought against an employee.

Respectfully submitted by Peg Dean

Draft minutes until approved by the Select Board

Documents viewed:

Highland Ambulance EMS Inc re new Intercept Agreement
Assistance to Firefighters grant application for equipment and training project description language
Silver Jacket’s Final Floodplain Action Plan pp. 13-17
Select Board meeting minutes for 1-5-18, 1-10-18
Vendor warrant(s) - Accounts payable warrants 1827 for \$33,175.71 and 1828 for \$7,164
ADA grant contract through the Massachusetts Office of Disability for \$5,400
Letter from Toby Gould to the Select Board, Finance Committee, and Broadband Committee urging Boards to think long-term about the direction it chooses for its Broadband investment
KP Law correspondence letting clients know the firm has joined other law firms locally and nationally to pursue opioid litigation on behalf of Massachusetts municipalities
Select Board’s Fiscal Year 2019 budget
Town Administrator’s budget recommendations provided during meeting
List of Franklin Regional Council of Governments Direct Local Technical Assistance eligible projects.
Mass Works contract amendment to extend completion date to June 30
H2623 Charlemont Redraft v2 - REDLINE.DOCX
H2623 Charlemont Redraft v2.docx
H2623 Charlemont Redraft v1 redline.docx