

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

April 30, 2018

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The meeting was convened at 7:00 P.M. by Chair Sarah Reynolds. Select Board member Marguerite Willis, along with Administrator Peg Dean, also attended the meeting. Beth Bandy was absent.

1. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to approve the request from Josh and Jenna Smith to receive reimbursement from the Berkshire East Gift account for 3 properties along Main Street.
2. Administrator Dean explained that she did not foresee a need to hire a locksmith when researching the installation of the key fob system at the Town Hall. There will be an additional cost to hire a locksmith to complete the access control system. Ms Willis stated that she will not agree to this additional cost and suggested the Administrator consult with MIIA Insurance to see if they will increase the grant funding to included hiring a locksmith. The Board will address this request during the May 14th meeting.
3. It was noted that an exemption request to be appointed a Special Town Employee was written on Select Board letterhead. Administrator Dean reprinted the request. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to appointed Dennis Annear the Interim Emergency Manager with Special Town Employee status.
4. Ms Willis stated that she is not prepared to vote on the Administrator's proposed work schedule change. Administrator Dean explained that the proposed change is, so she can reach the Deerfield Post Office by 4:00 P.M. to send out the Accountant packages according to the Accountant's "schedule B" document. Upon reviewing the schedule B document, it was found that the Accountant packages are to be mailed by 2:00 P.M. and can be submitted to the Charlemont Post Office. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, no changes to the Administrator's schedule.
5. The Board reviewed two reverse robo- call requests. One to notify residents of the Planning Board's Zoning Bylaws and Green Community presentation scheduled for May 3, 2018. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to approve this call. The second call is to inform residents of the Pre-Town Meeting scheduled for May 16, 2018. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to approve this call to be sent out on Sunday, May 13th.
6. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to approve and sign: payroll warrant #1843 for \$8,855.82, #1842 for \$11,358.94, #1840 for \$7,873.66, # 1838 for \$8,668.01 #1839 for \$8,353.46; vendor warrant #1844 for \$117,448.68, #1843 for \$39,362.82, #1842 for \$206,37.25; April fuel invoices; The DEP sustainability Grant Requirements form with item #1B checked off.
7. The one-day alcohol license for Berkshire East was deferred to the next meeting.
8. The Special Event Application for the Bone Frog event was deferred to the next meeting.
9. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to approve and sign the Tour of the Hill Towns Special Event Application contingent upon the approval of the departments.
10. Frank Mooney attended the meeting to be appointed to the Capital Planning Committee, filling a vacant seat that is appointed by the Select Board. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to appoint Frank Mooney to the Capital Planning Committee.

Mr. Mooney was qualified for the position.

11. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to acknowledge: a letter from Vaughn Tower regarding use of the police cruiser; a notification from Pan Am Railways regarding their post emergent herbicide application program (a copy will be send to the Superintendent of Schools); request from National Grid asking the Town to advise them of any sensitive areas along the right of way to record and implement appropriate field protective actions regarding their herbicide treatment program; a thank you letter to the Fire Department.
12. The Board reviewed a list of special funds to be closed to the General Fund. The Administrator was requested to contact the Accountant to ask if there are other options to close accounts with a deficit balance rather than placing them on the tax recap. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to close the funds.
13. The Board was requested to authorize a transfer from the River Patrol Gift account into the Police River Patrol expense account. This request was due to posting expenses from the wrong account. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to transfer as requested.
14. The Board reviewed the draft articles for the Annual Town Meeting Warrant. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to remove an article regarding a BSE Capital expense and to send the remaining articles to Town Counsel for review.
15. The Board next discussed a letter sent to the Federal Energy Commission from the Police Deputy Chief Clayton Herbert regarding the FERC relicensing process for Brookfield Power. Ms S Reynolds stated that the file relating to the relicensing process is a study to be done on low water levels and release time. No where in the file does it state that there will be changes to the levels or releases. Nothing is changing. Deputy Herbert stated that he was responding to concerns of safe flow levels that he thought were safe. Ms S Reynolds stated that she is not opposed to public safety concerns, but Deputy Herbert’s letter did not go through the Chief of Police nor the Select Board before it was sent. A conversation regarding the letter before it was sent would have been preferred. The letter sent recommends what should not be recommended by the Police Department and may set the Town up for legal repercussions. Ms Willis stated that procedures need to be followed. Ms S Reynolds stated the letter went out without review. Deputy Herbert apologized for witting the letter. Ms S Reynolds realizes Deputy Herbert’s intentions were of public safety, but the content of the letter is the problem. Frank Mooney, Crabapple Whitewater explained that the relicensing process is lengthy and in year 3 of the process no group has been asked for opinions for comments. The process is only in the study phase. In the future the Town and others will be asked for their opinions and comments. The letter written by Deputy Herbert could have repercussions to his business along with others that use the river. Deputy Herbert apologized for not being totally informed and is willing to retract the letter. The Executive Secretary will work with Chair S Reynolds to draft a retraction that will be sent to the Federal Energy Commission. Ms Willis questioned Deputy Herbert’s judgement regarding his letter. Deputy Herbert stated that he has been part of Charlemont for 15 years and feels the Town is now questioning his judgement. Deputy Herbert would like to create and submit a retraction that will be reviewed by the Select Board.
16. The Board signed the construction contract for the Maxwell Road Bridges.
17. The Board read a Broadband update report from Ms Bandy. The report stated that a conference call was held with Peter Larkin regarding a new funding proposal for Charlemont and Comcast. Another conference call with Comcast and Peter Larkin is being scheduled.
18. The Board read an Ambulance update report from Ms Bandy. The report stated that 2 members

of the Hawley Select Board have met with Richard Filoramo and Ms Bandy to discuss the draft ambulance RFPs. The 2 Hawley members informed Charlemont that they no longer can make a commitment and are currently exploring other ambulance coverage to supplement Charlemont's ambulance services. Ms Bandy will revise the draft RFPs to indicate Hawley may be interested in being covered. Timing for issuing the revised RFPs was also discussed. Ms Bandy would like to have this item on the next Joint meeting agenda for discussion and vote.

19. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to accept a letter from the Town of Heath that states they are foregoing the opportunity to explore a shared Fire Chief at this time but remain interested in exploring a form of fire services with Charlemont in the future.
20. The Board read an update from Ms Bandy regarding and Animal Control Officer for Charlemont. Ms Bandy shared that the Franklin Regional Council of Governments will hold an exploratory shared Animal Control Officer meeting at 3:00 P.M. on May 14th in Buckland. Ms Bandy is intending to attend this meeting for at least the first hour.
21. The agreement between the Town of Charlemont and the Town of Hawley to share equipment was discussed. Ms Willis asked which Town would be liable should a piece of equipment be harmed while being used by the other Town. Ms S Reynolds stated that each Town is responsible for any mishaps to equipment, even if it is owned by another. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to approve and sign the Memorandum of Understand between the Town of Charlemont and the Town of Hawley for shared highway equipment.
22. Town Administrator announced that the April 19th minutes are not available for this meeting.
23. Ms Willis stated that the heading on the February 12th meeting minutes are not clear and would like it to be edited, to be approved and signed at the May 14th meeting.
24. The Board reviewed the April 2nd meeting minutes. Edits were suggested. These minutes will be edited and will be resubmitted for approval and signature during the May 14th meeting.
25. The Board agreed and instructed the Administrator not to send out any e-mails after 4:00 P.M. on a day when there is a Select Board meeting.
26. Ms Willis stated that she is to be copied all communication with the Accountant. The Administrator stated that she sends the Accountant text messages.
27. Ms Willis stated that she is recommending the Town does not renew the contract with Baystate Municipal Accounting Group, this subject to be discussed during the next joint Finance Committee-Select Board meeting.
28. The Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to insure the 99 East Hawley Road property that has been acquired by the Town through tax taking. Ms S Reynolds will consult with the Highway Department about securing the building.
29. Ms Willis stated that the Town needs to check to ensure the Green Community statement regarding updating/replacing boilers is true before the Board signs a variance application to the Commonwealth of Mass regarding the boiler issues at the Highway Department.
30. After reviewing a draft letter to residents regarding the unregistered vehicle bylaw, Ms Willis stated that the letter needs to state consequences. The Board would also like to know what would generate a letter to a resident. This subject will be discussed again during the May 14th meeting.
31. The Board explained that only the Select Board accepts donations and creates the special funds. The Administrator will inform the Commission that her direction was ill advised, and the Board will provide the Commission information regarding donations.

32. At 9:05 P.M., the Board unanimously voted, Ms S Reynolds – yes, Ms Willis – yes, to adjourn the meeting and enter Executive Session for reason #7 to comply with the health insurance portability and accountability act, and to approve Executive Session minutes.

Respectfully submitted

Approved by:
Charlemont Select Board

Kathy A. Reynolds
Executive Secretary

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

Documents reviewed by the Board

Request to receive reimbursement from the Berkshire East Gift account
Request to hire a lock smith
Exemption request to be appointed a Special Town Employee
Administrator's proposed work schedule
Schedule B document
Two reverse robo-call requests
Payroll and vendor warrants
April fuel invoices
DEP sustainability Grant Requirements form
One-day alcohol license for Berkshire East
Special Event Application for the Bone Frog
Tour of the Hill Towns Special Event Application
Letter from Vaughn Tower
Notification from Pan Am Railways regarding their post emergent herbicide application
National Grid letter herbicide treatment areas
Thank you letter to the Fire Department
List of special funds
Draft articles for the Annual Town Meeting Warrant
Letter from Police Deputy Chief Clayton Herbert to the Federal Energy Commission
Construction contract for the Maxwell Road Bridges
Broadband update report
Ambulance update report
Letter from the Town of Heath
Animal Control Officer update report
Sharee highway equipment MOU with Hawley
2-12-18 and 4-2-18 minutes
Commonwealth of Mass boiler variance application

