

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

March 5, 2018  
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The meeting was convened at 7:02 P.M. by Chair Sarah Reynolds. Select Board members Beth Bandy and Marguerite Willis, along with Administrator Peg Dean, also attended the meeting. No one was absent.

1. The Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to designate space in the basement of the Town Hall for the Broadband hut location; purchase a second filter for the furnace at the Town Hall during the next furnace service; donate obsolete fire equipment that was to be donated for Junior Program to instead go to Syrian refugees.
2. Ms Willis asked if Town Counsel services for Broadband issues should be absorbed by the Town. Ms S Reynolds stated yes because Broadband is a part of the Town. The Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to approve for payment an invoice from KP Law.
3. The Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to approve and sign: Select Board meeting minutes for 1-8-18, 2-5-18, and 2-19-18; payroll warrants #1832 for \$20,528.73 and #1831 for \$8,400.25; vendor warrants #1835 for \$26,374.55 and #1836 for \$38,693.71; a thank you letter for a \$500 donation to the Ambulance Service.
4. Ms Bandy reported that no one has been found that is willing to fill the Animal Control position. Melinda Herzig is willing to assist Charlemont with kennel inspections only. The Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to appoint Melinda Herzig Charlemont's ACO for kennel inspections. Compensation for this service will be addressed at a later date. The Executive Secretary will enter this information on the Department of Agriculture Animal Control nomination forms. Chair S Reynolds will sign the forms once they have been completed if it is necessary.
5. Ms Willis reported that a student has applied to the Franklin County Technical School who lives in Charlemont 50% of the time and lives in another Town the other 50%.
6. The Board reviewed special funds that are in question. Administrator Dean reported that an account for the Police Cruiser was created erroneously and left on the books. As for the accounts for special event details, the Treasurer did not have account numbers to indicate which account the incoming funds were to be placed. Ms Willis stated that the Board will be discussing the special fund accounts with the Finance Committee during their joint meeting scheduled for March 14<sup>th</sup>. Ms Willis also stated that if the Accountant and/or Auditor is unable to attend the meeting on March 14<sup>th</sup>, she will start discussions regarding the Town accounts and Town Audit.
7. Planning Board members Gisela Walker, William Harker and Carlene Hayden attended the meeting to discuss Class II and III licenses and to present proposed amendments to the zoning bylaws.
8. Ms Walker explained that the Planning Board has been discussing Class II and III license due to noticeable expansion of some license holders. The definition of expansion is an increase in the size of land area being used or size in the number of autos. Frank Taylor is expanding across Route 2 and Stage Coach Auto assumes they have a Class III Special Permit, but the Planning Board does not have a record of a Class III. Documents were submitted to the Board regarding Stage Coach Auto's Class II special permit along with copies of letters from the building inspector at that time urging Stage Coach to obtain a Class III permit through the Planning

Board.

9. The Select Board notified the Planning Board that Stage Coach Auto has indicated the intention to apply for a Class III license through the Select Board. It was stated that Select Board approval of a license does not mean other Boards approve. It was also stated that the Conservation Commission is considering an Order of Conditions for Stage Coach Auto. The Planning Board suggests sending notification of all licenses issued by the Select Board to all other Boards before approving renewals.
10. The Planning Board submitted a summary of Zoning Amendments to the Board. The list included a new Temporary Moratorium on Recreational Marijuana Establishments until June 19, 2018; a new temporary Occupancy: Corrections/changes to the Table of Uses; Dimensional requirements; Definitions; and a new Green Communities related zoning amendment. Ms Willis suggested an exception for residents living in trailers while their homes are being built. Discussed was the square foot limitation for manufacturers, taking into consideration that size limits should not be such that it deters manufacturers from choosing Charlemont. The Green Communities designation has a zoning requirement that will only apply to one municipally owned property.
11. The Select Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to approve the proposed revisions to the zoning bylaw and to submit them to the Planning Board for their review/recommendation.
12. Resident Tom Campbell attended the meeting to offer to wind the clock in the bell tower of the Town Hall. Mr. Campbell explained that the Town stopped the clock and ringing of the bell due to it making too much noise for residents that live close to the Town Hall. Mr. Campbell wants to wind the clock and have the bell ring at each hour. He feels the clock and bell are a charm for the Town and if they are not working, he recommends the Town sell both the clock and the bell. The Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to allow Tom Campbell to wind the clock but to disconnect the bell, to commence after a volunteer form has been executed.
13. Mr. Campbell stated he would like to donate a speed radar sign to the Town. Mr. Campbell withdrew his offer after the estimated cost for a radar sign was revealed.
14. Christina and Brian DuPree attended the meeting to discuss applying for a Class III license with the Board. It was noted that Stage Coach Auto does not hold a Class III special permit through the Planning Board. Ms DuPree stated that she thought the Planning Board was going to contact them in 1994 regarding the need for a Class III Special Permit after their Class II Special Permit was issued. Ms Willis stated that the Conservation Commission is considering the need for a determination for Stage Coach Auto and suggested the DuPree's contact the Conservation Commission. Definitions for Class II and Class III were discussed. Ms S Reynolds stated that a hearing must be held before the Select Board is able to approve a Class III license. It was explained that if a Special Permit is required for Stage Coach Auto, the Planning Board and Select Board are able and willing to hold one hearing jointly. It was explained that DEP issues are handled by the Conservation Commission and it was suggested any Conservation Commission/DEP issues be resolved before coming to the Select Board. The Executive Secretary will obtain minutes from the Planning Board regarding Class II and Class III Stage Coach permits and forward them to the DuPree's.
15. Broadband Chair Robert Handsaker attended the meeting to find out if the Select Board voted to allow the Broadband hut to be located out of the Town Hall basement. The Board informed Mr. Handsaker that yes, the Board did vote to allow the hut to be located in the basement. Mr.

Handsaker next asked to whom will he need to contact regarding construction. Mr. Handsaker was advised that building and electrical permits will be required. Quotes and bids should be presented to the Select Board for approval.

16. The Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to send their FY 19 budget requests to the Finance Committee.
17. The Board discussed how to budget for Town wide fuels. It was agreed that monthly fuel reports are to be sent to departments. \$400 for fuel software plus \$33 per month will need to be budgeted for the technology associated with the fuel monitoring system. It was suggested that these costs be billed out of the Town wide fuel account. Ms Willis will consult with the Accountant regarding how to expend for these additional costs.
18. The Board reviewed and unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to approve the Select Board’s annual report. This year’s report is dedicated to Norman Hicks and Theodore Willard. It was noted that long time Board member Alan Booth has also passed away. Ms Bandy will contact Board of Health member Douglas Telling to see if he is willing to assist in writing a dedication for Mr. Booth.
19. The Executive Secretary was notified that during the February 19<sup>th</sup> Select Board meeting, the Board designated her to process the Annual Town Report. The Executive Secretary explained that since Ms Bandy stated during the February 5<sup>th</sup> meeting that the duties regarding the Town Report was removed from her job description, the Executive Secretary had asked Chair S Reynolds to vote to remove this duty from her job description just for clarity. The Secretary stated that she has not been fully involved in the creation of the Town Report booklet since her hours were reduced in 2015. Although willing to proceed with this task, it was stated that other duties will need to be put aside for a while as the Town Report is a large project. Ms Bandy stated that she will process the Town Report this year, but someone else will need to take on this task next year.
20. Ms Willis stated that she feels there is some overlap happening regarding what the Franklin Regional Council of Governments workshops offered for free and the services provided via the Municipal Vulnerabilities Preparedness grant. Ms Willis will follow up with the Emergency Management Director.
21. The Board decided that 2 separate Municipal Vulnerability Preparedness workshops, one for the Town and one for the Community would be best. The workshop for the Town will be scheduled for March 26<sup>th</sup> during the morning and the one for the Community will be scheduled for March 27<sup>th</sup> in the evening at the Hawlemont School.
22. The Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to hire the Franklin Regional Council of Governments to conduct the Town ADA self-evaluation and transition plan.
23. Ms Bandy will contact Douglas Telling to discuss the next steps for abandoned properties.
24. The Board agreed that they have already voted to move forward with the Opportunity Zone designation during their meeting that was held on February 28<sup>th</sup>. Unsure if an opt in process must be taken, Administrator Dean will contact Linda Dunlavy at the Franklin Regional Council of Governments to obtain the process needed to be designated as an Opportunity Zone.
25. The Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to approve the Town’s participation in the Vigilant Guard exercise.
26. The Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to move forward with the Maxwell Road bridges bid schedule.
27. The Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to

- instruct Gill Engineering to complete their cost estimate for the long bridge repair at their earliest convenience and to provide the Board with a time frame for receiving the estimate.
28. Ms Bandy reported that certified copies of the Board minutes approving the new draft of the Recreation Tax bill and the 2016 Annual Town Meeting minutes of the Town vote approving of the Recreation Tax were sent to Senator Hind's office today, via express mail, next day delivery.
  29. The Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to remove the subject, “Ambulance-review next steps for soliciting Requests for Proposal” from their agenda until after the Annual Town Meeting.
  30. The Board noted the opening date of the SAFER grant and a “Stop the Bleed” training.
  31. Ms S Reynolds reported that there is not an update regarding Police shared services.
  32. Ms Bandy reported that she has not been able to schedule a conversation with the Town of Heath Select Board regarding shared Fire Chief services. Charlemont would love to have this conversation but due to the busy season, the Towns may need to wait until after Town Meetings and Elections. It was realized that Charlemont will need to take action regarding finding a Fire Chief soon. Each Board member will send their thoughts regarding what they feel are needed qualifications of a Fire Chief to Administrator Dean. The Executive Secretary will draft a letter to the Heath Select Board informing them that Charlemont will be moving forward to find a Fire Chief.
  33. The Board agreed not to pursue a Community Compact Cabinet application for shared services at this time.
  34. The Board deferred discussion regarding employee job descriptions until the meeting that will be held on March 19<sup>th</sup>. No outside appointments will be schedule. Job Descriptions will be the only scheduled appointment for the March 19<sup>th</sup> meeting.
  35. The Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, not to use Auctions International, but to hold an Town auction to sell off defunct vehicles.
  36. Discussion of the Town unregistered vehicle bylaw was deferred until the next meeting.
  37. It was noted that the Police Department enforces the bylaw prohibiting snow being pushed from a property onto a town road.
  38. It was noted that the Town has a complaint policy which is that all complaints are to be submitted in writing.
  39. Discussion with the Town Clerk regarding the distribution of the Summary of the Conflict of Interest Law was deferred until the next meeting.
  40. The Board will continue to keep the subject of a Verizon group complaint on their agenda.
  41. Business being concluded at 10:15 P.M., the Board unanimously voted, Ms S Reynolds – yes, Ms Bandy – yes, Ms Willis – yes, to adjourn the open meeting and to enter in to executive session to sign executive session meeting minutes and for reason #3: to discuss strategy with respect to litigation of Town v. Shea if an open meeting may have a detrimental effect on the litigating position of the public body and the Chair so declares, and not to reconvene in open session.

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

Broadband hut location approval request  
Request to purchase a second filter for the furnace at the Town Hall  
Request to donate obsolete fire equipment to be donated to Syrian refugees  
KP Law invoice  
1-8-18, 2-5-18, and 2-19-18 Select Board meeting minutes  
Payroll and vendor warrants  
Donation thank you letter  
Department of Agriculture Animal Control nomination forms  
Special funds reports  
Stage Coach Auto's Class II special permit and letters from the building inspector  
Summary of Zoning Amendments  
FY 19 budget requests  
Select Board's annual report  
Memo regarding a Vigilant Guard exercise  
Maxwell Road bridges bid schedule  
Opening date of the SAFER grant and a "Stop the Bleed" training notice