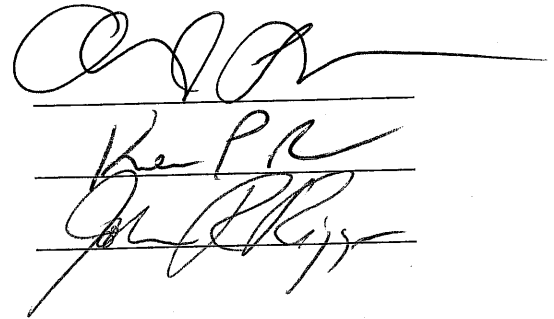


BUCKLAND BOARD OF SELECTMEN
MEETING MINUTES
January 28, 2015
Buckland Town Hall

Cheryl L. Dukes

Kevin P. Fox

John R. Riggan



Attendees: Kevin Fox, Rob Riggan, Diane Broncaccio (*The Recorder*), Pat Culleny, John Gould, James Hicks, Cindy Johnson, Andrea Llamas, Linda Overing, John Ryan, Otis Wheeler (Falls Cable)

The meeting was scheduled for Tuesday, January 27, 2015, but postponed to Wednesday, January 28, 2015, due to a snow storm.

Kevin opened the meeting at 6:30 p.m..

2. Documents to Sign

a. **Selectmen Meeting Minutes – November 25, 2014, December 15, 2014, December 30, 2014** – Rob moved to approve the Selectmen Meeting Minutes for November 25, 2014 and December 30, 2014; Kevin seconded. **VOTED** unanimously in favor.

3. Agenda Items

a. **2016 Budget** - Andrea informed the Selectmen that they would be receiving the new budget spreadsheets containing the most recent figures each week on Friday.

b. **Special Town Meeting** - Andrea gives draft warrant to the Selectboard for review.

c. **Extend Probationary Period for Highway Department Employee** - Steve recommends extending Probationary Period for David Hodges for another 90 days as we are waiting for the state to set the date of the next test and so he is not in control of the time line at this time. Rob moved to extend the Probationary Period for 90 days for David Hodges; Kevin seconded. **VOTED** unanimously in favor.

Cheryl entered the meeting at 6:35 p.m.. Rob moved to approve the Selectmen Meeting Minutes for December 15, 2014; Cheryl seconded. Cheryl and Rob **VOTED** in favor; Kevin abstained.

d. **Discussion on Review of Personnel Evaluation Criteria** - Cheryl wanted to discuss consideration of reviewing evaluations over time and looking at current and new criteria. For example, does all criteria make sense for the position. Cheryl commented that some positions might benefit from a “broader base of feedback” like the Police Chief or the Town Administrator. Andrea commented that she did ask those being evaluated to give feedback on their evaluation so that we could make sure they are being evaluated on things they actually do. Cheryl was also interested in a “360 review” – for example having the Town Administrator evaluated by more than the Selectmen, such as the general public as well.

Appointments

6:45 p.m., Chief Hicks – Western Massachusetts Law Enforcement Mutual Aid Agreement - Kevin stated that he had emailed Jim a few questions which Jim had answered, but that he wanted some clarification on liability issues. Jim stated that the Western Mass Agreement was like the Franklin County Agreement; that it had been approved by the Western Mass District Attorney’s to

go out to towns for signature. The difference was that the Self Activation provisions were added so there was less doubt about being on duty and having authority. Kevin expressed concern about increasing the Town's liability.

Rob stated he had concerns over a different potential issue. He stated that the difference between the two agreements was that the Franklin County one allows Self Activation only with permission of the Chief. There is no such restriction in the Western Mass agreement. Kevin stated that he was not sure what this would mean in terms of liability for the Town.

Cheryl said she read it more like a Mutual Aid agreement in case of disaster – questioned whether Jim was saying it was really more for court cases? Jim answered that no, the Agreement was being requested for instances in two separate areas: (1) for general emergencies, and (2) for self activation. Cheryl asked if the Town can send officers for an emergency request now, why do we need this new agreement. Rob stated that he had done some research in the history of this. It came out of one officer following someone into another jurisdiction. The Supreme Judicial Court in Massachusetts defined three levels of aid. This Western Mass Agreement came out of one level of that aid. This was started by the Western Mass Chiefs Association.

Kevin asked if other areas in Massachusetts were doing this. Jim responded that they were not following other areas in this. Cheryl stated that she could understand the reasoning for the court uses, but aren't we already covered for emergencies? Rob stated that the Franklin County agreement is much more restrictive, but that the Western Mass one allows for much more than just traffic violations. Cheryl asked why we needed more if we already had the one.

Rob read a quote by the Agawam Police Chief stating that this Agreement would create something like a "Regional Task Force" and rely less on the State Police for those specific services. Rob questioned whether this wouldn't place more financial burden on the local communities and less on the traditional state police functions? Rob stated that his primary concern remains oversight.

Kevin asked if there were any more questions. Cheryl stated that she feels this is based on more than is being presented here (considering the information Rob had researched). She asked what are the costs and what are the ramifications? She stated that she wasn't hearing a compelling case as to why the Town should do this. Cheryl also asked that if passed, would the Western Mass Agreement make the Franklin County one moot? Rob responded that that was a good question and that he knew Greenfield had some concerns and had not signed on yet. Kevin stated that he is not ready to sign this tonight – he felt he needed more information. Kevin pointed out to Jim that as the Selectmen have not passed this yet he could bring it to Town Meeting.

7:00 p.m. John Ryan and Linda Overing - Joint Public Hearing for Fiscal Year 2015 CDBG Projects - Kevin opened the Public Hearing at 7:00 p.m.. Linda Overing said this is a follow-up to the January 13, 2015 Public Meeting in which we discussed four projects with the Towns of Colrain and Shelburne. They are recommending five housing rehabilitation projects – two in Shelburne, two in Buckland, and one in Colrain, to be done in conjunction with the Franklin County Housing and Redevelopment Authority. The Food Pantry was the sole respondent to the Request for Proposals for food services, and the Shelburne Selectmen awarded them the bid for the application. There was a walk through held on Wednesday, January 21, 2015, at 1:00 p.m., on North Street, with Weston & Sampson, the Town's Project Engineer. Following the walk through and consideration of all the comments, etc., the budget numbers in the attached handout are what is being recommended.

Kevin asked Linda to give a quick layman's explanation of the plan for North Street. Linda stated that North Street is very long and would have to be split up into at least four possible phases. The first phase being presented is from the overpass down to the retaining walls. To look at that phase, the Town has contracted with Weston & Sampson Engineers for the whole project. They are

looking at a full reconstruction to include sewer, water, drainage, sidewalks and paving. Kevin asked if the foot print of the road was to expand in any way. John Ryan replied, no.

Cheryl asked about the existing sidewalks. John replied that new sidewalks would be at least 3½ feet wide and contain all necessary handicap transitions. Kevin asked how long the road would be impacted. Linda answered that it is a one season project. They would start with water then move onto sewer and do the sidewalks and roadwork last. This project, if funded, would start in Spring 2016.

Kevin asked if there were any questions from the public. Cindy Johnson, a North Street resident, asked if this section were done in 2016 when might the later phases start. Kevin responded that the Town recognized the need for the whole street to be done, and that is why they were looking at the whole street from an engineering perspective, but will continue to move forward as possible. Cindy Johnson expressed that, considering how much the street is used now (by the neighbors walking), she would personally love to see the sidewalk go all the way to Route 112 so that walkers and runners could get out of the road, but she doesn't want to see the road itself widened. Rob responded that there is no consideration of widening the road, with this phase or in the future.

Linda explained that they go with the direction of the Board of Selectmen, who are following input from the residents. The idea is to increase the health and safety of the area. For example, increased water pressure for fire infrastructure and correction of infiltration in the sewer system. This is *not* a downtown improvements type grant. Cindy commented that she was happy to hear about the safety concerns, just didn't want to see the street widened. Kevin assured her that with this grant, under discussion tonight, there was no plan to widen the street. Kevin stated that he shared her concerns and that if and when they continued improvements to North Street, there would be ample time for public input and comment.

Pat Culleney, North Street resident, was glad to hear that they were going to be fixing the sidewalks without widening the street. Cheryl stated that as a runner on North Street she felt the same way.

John Gould, resident of North Street, said he wouldn't object to any work being done on North Street as he can watch the water flowing through his basement. The drainage and storm drains need to be addressed.

Kevin stated that we are fortunate to have been successful with CDBG projects in the past because it is so important to the residents and the Town as evidenced by the attendance of the residents tonight. At 7:42 p.m., Kevin closed the Public Hearing.

Back to:

b. **Special Town Meeting** - Discussion of the draft Special Town Meeting Warrant. Rob stated that he would prefer to use the excess CDBG balances to fund Article 2 and not Article 1. He would rather we left the funding of the engineering in Chapter 90 – now especially as the Governor has released the additional funds. Kevin proposed setting the date for the February 24, 2015, and that they could break from their Selectmen's meeting to attend and then reconvene the meeting. That would allow them to sign at their meeting on February 10, 2015. Andrea would redraft the warrant for signature on February 10, 2015.

4. Town Administrator Updates

a. **MMA Trade Show** Update - Andrea stated that she had attended the Massachusetts Municipal Association Annual Meeting and that the Governor had spoken and stated that there would be no cuts made to balance the budget from the unrestricted government aid for FY15 through 9C cuts.

5. Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting - Discussion on the supply of sand and salt for resident's use. Rob stated that he would like to see the shed refilled as it is already empty. Kevin agreed that if there is no observed abuse they should leave it to Steve to fill as need. Consensus that Steve and Andrea will manage it.

At 8:02 p.m., Rob moved to adjourn; Cheryl seconded. VOTED unanimously in favor. Meeting adjourned at 8:02 p.m..