



TOWN OF GRANBY

COA Building
10 West State Street
Granby, MA 01033
Telephone: (413) 467-7177 Fax: (413) 467-2080
Website: www.granby-ma.gov

Town Administrator: Christopher Martin

Granby Select Board: Mark L. Bail, Chair
Mary A. McDowell
Louis Barry

Board Meeting: September 19, 2011 @ 7:00 P.M.

AGENDA:

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

CITIZEN PARTICIPATION:

OLD BUSINESS AND INFORMATION:

APPROVE MINUTES: August 15, & September 6, 2011

TOWN ADMINISTRATOR:

Fire District # 2 Residents Meeting: Update

APPOINTMENTS:

- 7:05 Auxiliary/Reserve Police-Affirm Appointment
- 7:15 Geoff Rogers-HCOG-Electricity

NEW BUSINESS AND INFORMATION:

- 1 Accept Departmental Reports
- 2 Approve and Sign Maintenance Warrants
- 3 Police Grievance
- 4 Award HCOG Winter Salt Bid
- 5 Approve and Sign STM Warrant for October 24, 2011
- 6 Waste Management Request
- 7 Approve Sewer Connection-Amherst St
- 8 Sewer Abatements
- 9 Proclamation Constitution Week Sept 17-23, 2011
- 10 Proclamation United Nations Day 2011

EXECUTIVE SESSION:

ADJOURNMENT:



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Meeting Minutes of September 19, 2011

Members Present:

Mark Bail, Louis Barry, Mary McDowell, and Town Administrator, Christopher Martin

Mr. Bail, chair called the meeting to order at 7:00 P.M. and led the meeting with the "Pledge of Allegiance".

CITIZEN PARTICIPATION

NONE

MINUTES

On a motion by Mary McDowell and seconded by Louis Barry, it was unanimously voted to accept the August 15, 2011 and September 6, 2011 minutes as recorded.

APPOINTMENTS

On a motion by Mary McDowell and seconded Louis Barry by the Board unanimously affirmed the following appointment to the Auxiliary/Reserve Police unit as brought forward from Police Department and Town Administrator:

Kenneth Baer

Palmer, MA

Expiring: June 30, 2012

Mr. Geoff Rogers- of the Hampshire Council of Governments (HCOG) – Told the Board that the electricity plan (Profit-Sharing) that we are currently contracted with the HCOG will be phased out in the next few months. He then explained the new plan Real-Time which they would like the town to sign on to. The school already belongs to the plan. Real-Time -price for the electricity changes every day. He explained that had the town been on this plan instead of the Profit-Sharing Plan they could have saved an additional \$9,000 from FY2008-FY11. Mr. Rogers showed the Board some charts and explained the plan in more depth. The Board asked Mr. Martin what he thought of the plan. Mr. Martin thought it was good plan for the town to get involved in. Mr. Martin asked Mr. Rogers a few questions concerning the contract. After more discussion a motion by Louis Barry and seconded by Mary McDowell, it was unanimously voted to enter into a contact with a zero-year renewal clause with the Hampshire Council of Governments for

their Real-Time Electricity Plan starting October 1, 2011 with a 60-day review before renewing. Board authorized Mr. Bail to sign the contract.

NEW BUSINESS

On a motion by Mary McDowell and seconded by Louis Barry, it was unanimously voted to accept the departmental reports as written.

On a motion by Mary McDowell and seconded by Louis Barry, it was unanimously voted to approve and sign the maintenance warrants.

Police Grievance: Mark Bail said he spoke with the current Chief of Police and the current President of the Police Union both sighting more than enough past practices where leave of absence was granted, though not all for the same reason of trying out a new job. There is nothing personal against this officer, but the Board has concern that they believe that the leave will be granted automatically. Chief Wishart made it clear that there was no monetary benefit being given and that a person who was granted leave would come back and be placed at the bottom of the seniority list for the same amount of time that the leave was granted. Louis Barry made a motion to approve the leave with the notation that this not be considered a past practice and that guidelines will be developed with the Chief of Police and the Union. Chief Wishart agrees that the town has to retain some management rights. Louis Barry revised the motion as follows: to allow the leave request to settle the grievance under the condition that guidelines be established between the town and the union, motion seconded by Mary McDowell. Mark Bail and Louis Barry voting in favor and Mary McDowell opposed. The motion passes 2-1.

On a motion by Mary McDowell and seconded by Louis Barry, the Board unanimously voted to award the Rock Salt Delivered bid received from FRCOG/HCOG for FY-2012 to Eastern Minerals of 134 Middle St., Lowell, MA @ \$57.54 a ton.

On a motion by Mary McDowell and seconded by Louis Barry, the Board unanimously voted to award the Sodium Chlorine Crushed Rock Salt Treated bid received from FRCOG/HCOG for FY-2012 to Cargill Deicing Technology of 24950 County Club Blv., Suite 45, North Olmsted, OH @ \$78.26 a ton.

On a motion by Mary McDowell and seconded by Louis Barry, the Board unanimously voted to approve and sign the Special Town Meeting warrant for October 24, 2011 as presented with one article: *“To see if the Town will vote to raise and appropriate, borrow or bond, transfer from available funds or transfer from the Stabilization Fund the sum of \$861,000, or a greater or lesser amount, for the purpose of constructing a new Granby public library, or take any other action in regard thereto.”* The school talked about putting an article on the warrant and Chris had not received anything as of this meeting. The Board will hold off on posting the warrant till the next meeting. Chris will inform the school of the timeline for adding an article to the warrant.

Waste Management Request: The Board received a letter from Waste Management on behalf of the Holyoke Sanitary Landfill, Inc., (HSLI) a subsidiary of theirs, asking the Board’s permission to close Morgan Street from East Street to New Ludlow Road and detour traffic around a construction site during the hours of construction for the project that they are working on to install a water line. The project has been coordinated with the Granby Board of Health and other departments from its inception. The hours of construction will generally be 7:00 AM - 4:00 PM Monday through Friday. They hope to

start the project on September 26th and be substantially complete by December 1st. The Board has some questions concerning the school bus schedule. Chief Wishart said a meeting was being held on Wednesday and he would be glad to ask that question for the Board. Mr. Martin asked him to ask them about the school buses and the pick-up and drop-off of the children. Mr. Martin will send an email to the school Superintendent for a heads up on the situation and the school bus company. The Board will vote to close the road at their September 24th office hours if they have any new information.

On a motion by Mary McDowell and seconded by Louis Barry, the Board unanimously voted to approve the application # 11-188 for MASS West Construction Inc., to hook-up to the 5-corners septic system at 26 Amherst Street on behalf of the Granby Housing Authority.

On a motion by Mary McDowell and seconded by Louis Barry, the Board unanimously voted to abate the sewer bill # 2170-496-, Commitment # 11-2 for \$215.63 that was billed at \$388.13 and adjusted to \$172.50 for Eugene F Marion. (Certificate No. 12-01)

On a motion by Mary McDowell and seconded by Louis Barry, the Board unanimously voted to abate the following sewer bills: # 2108-156-, Commitment # 11-1 for \$1,725.00 that was billed at \$2415.00 and adjusted to \$690.00 and # 2108-434-, Commitment # 11-2 for \$1,725.00 that was billed at \$2415.00 and adjusted to \$690.00 for Pleasant Valley Inc. (Certificate No. 12-02 & 12-03)

Mary McDowell, clerk read the email to the Board from Cynthia Watson, member of Mary Mattoon Chapter, NSDAR (*National Society Daughters of the American Revolution*) asking that the Board proclaim Saturday, September 17 - Friday, September 23, 2011 as **Constitution Week**. She also requested that someone ring the bell in the town hall at 4 PM on Friday, September 17. The other churches and town halls in the area, with bells, are being asked to do the same. All members signed the proclamation Mr. Turcotte rang the bells for the town on Friday.

Mary McDowell, clerk of the Board read the proclamation officially proclaiming October 24, 2011 as United Nations Day. All members signed the proclamation.

TOWN ADMINISTRATOR

South Hadley Fire District # 2 Residents Meeting: Update: Chris told the Board that a meeting was all set for Saturday October 1st @ 10:00 a.m. at 10 West State Street, COA Building. He has been in contact with Representative Ellen Story, Representative John Scibak and Senator Gale Candaras and either they or a representative from their office will be in attendance. The purpose of this meeting will be to discuss the "double fire tax" issue and how the residents in that area wish to proceed. The Selectboard will proceed with addressing the issue based on the decision made by the majority of the residents in attendance at the meeting. He will send out letters this week to each of the residents in that district. He also asked the Board to give him dates that they are available to have a working session to prepare for the meeting with Chief Anderson. He also gave the Board a draft copy of the *Emergency Response to Route 116/Amherst North of the Store/Gas Station District No. 2 Area in Granby* that Chief Anderson has been working on with Fire Chief Keefe of District No. 2 Fire Department. He also included the 1954 description of the boundaries. Mary McDowell suggested that Mr. Martin give a copy of the information to the Representatives and Senator so that they could start their own file on this issue.

On a motion by Louis Barry and seconded by Mary McDowell, the Board unanimously voted to Close North Street between Lyman Street and Easton Street starting October 3, 2011 thru the end of construction for milling operations per request of the Highway Superintendent. The project should last about 2-weeks. Mr. Desrosiers has talked to the Police Department about having a detail out there as it is a busy intersection.

Mr. Martin spoke about the letter from FMJ Realty that he brought forward to the Board at their last meeting regarding if the town was interested in buying 147 acres of land around Forge Pond. In the Board's packets he gave them a copy of the Assessor's map 14 Lot B- land abuts Forge Pond. He has forward this to the Conservation Commission and it is on the next agenda for comment if they feel it would be good purchase on the part of the town.

Chris contacted Bob Magnusson regarding the property on Morgan Street that Waste Management owns due to the deterioration of the property. Bob told him they have no plans of raising it at this time but did say they are planning on going out and cleaning up the property.

Chris received an accident report from the Police Department pertaining to one of the offices backing into a light pole while trying to avoid the dumpsters. The accident did not happen with a town vehicle.

Chris did some quick calculations concerning the price of what a permit fee would cost based on other revenue sources. The current fiscal year enterprise fund is budgeted for \$292,800; add the cost of the bags at 28.1 cents per bag (state website –most expense bag) at 240,000 bags it is another \$52,000 to be raised. Put them together we will have to raise a total of \$345,120. The fees for the disposal of white goods he estimated at \$1000 a month with a total of \$12,000 a year. Material Recycling Facility (MRF) rebate is about \$10,000 a year, fees from bags at a \$1.00 per bag would be \$240,000, so we would have to raise \$83,120 by permits. Currently we have 2016 active primary permits and 543 secondary permits totaling 2559 permits. If every permit is renewed it would come to \$32.48 per cost of permit based on those numbers. This estimated price works well with our current price of \$35.00 if we were to implement the pay as you throw program. The only problem that Chris has is that it is based on assuming that everything that went into the landfill was being deposited only in the bags. It is not taking in account anything that is being deposited after going over the scale. The Board thanked Chris for doing the quick calculations and had no questions on those calculations.

Mr. Barry had a question on how the town would handle the truck loads of trash. Chris told him you would have them go over the scale and they would be charged at the \$65.23 per ton rate/or going rate at the time. A bill would be issued from the Select Board office and they would have 30- days to pay the bill and then it would be turned over to the court officer. This is still a work in process.

Mary McDowell asked where we go from here if we are talking about implementing this pay as you throw program and being ready for January 1, 2012. Mark Bail said we need to find out where the bags are going to be sold, we need a system for collecting that money, and we need to have a system in place to get all the information out to the residents. The information can be done at the landfill and with general mailer to all residents of the town. The landfill monitors will have to make sure that everyone has a current permit and that they are only throwing trash that is in the "Town of Granby" bags.

Trash outside of the bags will either be billed or the monies will be collected at the landfill after they have been weighed in at the scale (Chris will have to talk to Waste Management to see if the scale house can be open on Saturday). The continuation of the landfill discussions will be placed on the October 4th agenda. Chris will email Arlene Miller of DEP to see if she has a step by step process for setting up a pay as you throw program.

Chris spoke with Jim Barry, DOER concerning the town's Green Communities Grant application. He had a couple of questions one was on the solar hot water heater request which Chris was able to answer. The other was that the expected savings calculations needed to be updated. Mr. Barry said that they usually give some monies to smaller communities so that they can hire an engineer to update the information. Chris also told Mr. Barry that our projects would not add up to the required \$144,000 and asked if we could modify the grant and add the photovoltaics for the proposed new library project to the application. Mr. Barry said we could and that Chris needed permission from the Board. On a motion by Mary McDowell and seconded by Louis Barry it was unanimously voted to authorize Chris Martin to modify the grant application for the items we submitted as a result of his conversation with Jim Barry.

Chris told the Board he looked into how much the Constable was paid last year to serve dog notices. He told the Board it was \$215.00, which meant he delivered 43 notices. The Board would like Chris to check to see if the notices have to be delivered by a Constable.

INFORMATION

Mary McDowell updated the Board on her meeting with Isabella, Superintendent of Schools. She talked with her about some of the discussions the Board had had. The Board members received an email from Isabella stating what she got from the meeting with Mary. Mary read some of the bullets from that email.

In summary, I believe we closed our meeting with the following clarifications:

- The School Committee is NOT under the impression that the Municipal Capital funds have been earmarked for the schools.
- I believe all of the School Committee members are in support of building the new public library.
- I believe that there may be a benefit in the School Dept using the old library if the town were to add the cost of renovation to the warrant.
- I and my staff are currently working on acquiring the necessary information to present to the School Committee at their next meeting of October 3rd, regarding the possible uses of the old library and expected needed renovations. Along with this information, and the knowledge the warrant would include additional funds to assist in the related costs of renovations, I would be very comfortable in recommending to the School committee to support the use of Municipal Capital Funds for the library project.
- If the warrant were to be amended to reflect an override, I am concerned School Committee members would have difficulty supporting the expenditure of Municipal Capital funds for the library in lieu of the schools.
- You do not believe an additional amount of money should be added to the warrant to address any renovation needs for the older library. You are concerned doing this will cause confusion and run the risk of a failed vote for the new library.
- My preliminary investigation of the library reveals some serious renovation needs. As Superintendent, I could not, nor would not, recommend to the School Committee, consideration of the use of the building without the support of the town for these renovations. The School Department currently has three older school buildings with significant facility issues, taking on a fourth older building which requires a lot of work, would not be the wisest decision.

Mary was not aware that the School Committee was going to tack on another article to the special town warrant going into that meeting. Mary did speak on her own that she would not commit for the Board but she was not in favor of tacking on any monies or linking any monies to the renovations of the old library to the present warrant. Mark Bail agreed. Mary wondered if the Board felt that way, maybe they should send a letter to the School Committee. Mr. Bail felt it was better to speak to each of the School Committee members individually. Lou Barry thought that it has not been brought up to the School Committee yet. A vote has not been taken was Mary's opinion after talking to one School Committee member. Lou said it was brought to the Superintendent's attention in July and there has not been any progress since. He told her if the school supported the library coming out of the municipal fund that he would support the library renovations coming out of the same fund and not having to go for an override vote. It does not look like it is going to be done in time for this Special Town Meeting. , maybe a future meeting and he will standby what he said and support it coming out of the municipal fund, providing it is a reasonable expense. He believes there is some confusion on what that fund is for: it is for municipal buildings and should be spent, it is not a savings account for something later on. He personally will not make any commitment of any other municipal stabilization funds past the library. It was decided to just to speak individually to all the School Committee members.

Mary McDowell also spoke to the Board concerning the email they all received from John Libera, Finance Committee. She has requested that he sit and talk to her as well regarding his correspondence. She has not heard back from him yet, she assumes she will hear back and that the meeting will take place just to get some calcification.

The next Select Board meeting will be held on Tuesday October 4th instead of Monday October 3.

Information was given to the Board that GCAM would be moving the INET connection from Kellogg Hall (no heat) to a storage closet at the Public Safety Complex. ComCast would also be putting a live feed line in at the complex in case a live broadcast was needed sometime in the future. Larry Pietras told the Board that the wiring would still be left at Kellogg Hall in case the building was ever used again.

The Select Board received correspondence from the Hampshire Council of Governments (HCOG) concerning the grant application to the Massachusetts Department of Public Health (MDPH) for funding under the Public Health District Incentive Grant Program and wanted to know if it was forwarded to the Board of Health. Mr. Martin said it was.

The Board asked that the request by the Massachusetts Emergency Management Agency to have the town adopt the Statewide Public Safety Mutual Aid Law (GL C. 40 Section 4J), be forwarded and reviewed by Town Council to see who would be responsible for any injuries that took place during an event if the town did adopt the law.

Fire Chiefs Contract: Mr. Martin and Chief Anderson have discussed getting together on it, but have yet been able to set a time where both were available.

Renting Annex Building: Continue to rent for one more year-Oct 31, 2013 and extend an invitation to Mary Jo Mugnier to attend the next Select Board meeting on October 4th for discussion.

Mary McDowell asked if Chris had heard anything back from Waste Management. He told them he had not. He will send another email to Tom Murray and c/c our council. He did an update on the spreadsheet and there was a column called sequence and we thought it was how the route was picked up. After looking at and plugging in the numbers it still goes all around town and doesn't make sense. There are still some big questions concerning the spreadsheet information. He will forward the updated spreadsheet to the Board.

Board approved a request from Edward Szczur to get a landfill sticker for his vehicle that is registered to his liquor store in Chicopee but the registration says that it is garaged in Granby. Chris will send him a letter and tell him it is approved at the commercial rate and that he only allowed to dump his household trash at the landfill.

Board discussed the complaint concerning both Mr. Gagne and Mr. Dyson with not placing their permits in the right place. Mr. Martin will send a letter to both stating that the permits must be placed in the appropriate spot or they will not be allowed to dump their trash. Mr. Dyson's letter will also include that any future verbal abuse to our landfill monitors will not be tolerated. Ms. McDowell asked that a copy of all the letters be included in their meeting correspondence.

Ms. McDowell asked about the letters from Kathy Kelly-Regan; Mr. Martin told her that he had set-up meeting between Kathy Kelly-Regan and Steven Nally for Wednesday.

Ms. McDowell was still concerned that the ITT person and the Treasurer is the same person. She has always felt that there was a conflict of interest. Mr. Bail said he contacted the Ethics Commission and the complaint is without merit. If a formal complaint is made the Ethics Commission will contact the individual directly about the complaint that was filed against them. Ms. McDowell still believes that the person should ask for special employee status like everyone else.

ADJOURNMENT

Mark Bail made a motion to go into Executive Session for the purpose of discussing a complaint or charge brought against a public officer, employee, staff member or individual and to only return to regular session to adjourn the meeting. Roll Call: McDowell-Aye, Barry-Aye and Bail-Aye (9:08 pm).

On a motion by Mary McDowell and seconded by Louis Barry it was unanimously voted to adjourn the regular session meeting @ 9: 40 PM

Respectfully submitted,
Cathy Leonard
Town Administrator's Secretary