

**TOWN OF SHEFFIELD
BOARD OF SELECTMEN
OCTOBER 28, 2013
TOWN HALL
7:00 PM**

Board Members Present: Julie M. Hannum, Chairman
Rene C. Wood
Edwin J. Dobson

Others Present: Rhonda LaBombard, Town Administrator
Alicia Dulin, Assistant to Town Administrator

Members of the public

Chairman Hannum called the meeting to order at 7:00 pm.

APPROVAL OF MEETING MINUTES:

Selectman Wood moved to approve the minutes from the September 30, 2013 and October 7, 2013 meetings, seconded by Selectman Dobson. The motion carried unanimously.

BRPC – PASSENGER RAIL:

Will be rescheduled for a future meeting

JOHN ARTHUR MILLER – NOVEMBER 12TH MEETING 5:30 PM:

Chairman Hannum stated that John Arthur could not make it to the meeting. Chairman Hannum read a letter from Annie Ryder regarding a transportation forum to discuss transportation options for young, elderly, disabled and economically challenged residents. The forum is being hosted by Sheffield's faith community, and will take place at the Senior Center on November 12, 2013 from 5:30 PM – 7:00 PM. The public is invited to attend.

ONE DAY BEER AND WINE LICENSE – SARAH EUSTIS:

Sarah Eustis has submitted an application for a one day beer and wine license for an event to be held at Dewey Hall on November 16, 2013. Selectman Wood moved to grant the one day beer and wine license to Sarah Eustis for an event to be held at Dewey Hall on November 16, 2013, pending payment, seconded by Selectman Dobson. The motion carried unanimously.

CONSERVATION RESTRICTION – LEGEYT ROAD:

Kathy Orlando was present to answer any questions that the Board had regarding the conservation restriction on Legeyt Road. She stated that the conservation restriction is for 28 acres owned by the Nature Conservancy and was sold as private property. The restriction was put on so that the land was conserved as originally intended. Selectman Wood moved to approve the Conservation Restriction as presented in the document dated 10/23, seconded by Selectman Dobson. The motion carried unanimously.

NATURE CONSERVANCY REQUEST:

Administrator LaBombard stated that the Nature Conservancy has submitted a letter requesting permission for two people to cross the Sheffield Plain Cemetery on foot or by snowshoe after each snowfall to track mammals, and to place cameras along roadsides or wildlife trails that cross the property. Discussion ensued. Selectman Wood stated that she was concerned about the liability.

Administrator LaBombard stated all Nature Conservancy employees are covered by their liability insurance and all volunteers and contractors fill out a liability release form. Selectman Wood moved to approve the Nature Conservancy's request as presented and authorizes the Town Administrator to sign the release, seconded by Selectman Dobson. The motion carried unanimously.

BORESTONE/FOUR CORNERS AGREEMENT:

Administrator LaBombard explained that Borestone has agreed to the proposal of sharing the profits from the Sheffield Business Park property minus any improvement costs. She stated that Town Counsel has reviewed the agreement and they are satisfied with it. Selectman Wood moved to approve the agreement as presented and recommended by Town Counsel, seconded by Selectman Dobson. The motion carried unanimously. Selectman Wood asked if the items had been moved from the property as requested. Administrator LaBombard stated that she would follow up on the items being removed from the property.

TEMPORARY ROADSIDE EVENT SIGN – BUSHNELL SAGE LIBRARY:

The Board reviewed an application for a Temporary Roadside Event sign from Karen Lindquist, Library Director, for a sign that was erected at the Bushnell Sage Library on October 25th. The application was received on October 10th however, the Board's regular meeting schedule did not allow for the application to be discussed before the event. Selectman Wood moved to approve the application as presented, seconded by Selectman Dobson. The motion carried unanimously.

APPOINTMENT ANNOUNCEMENT – COMMISSION ON DISABILITIES:

Chairman Hannum stated that Lakhan Verma has submitted a letter of interest for the Commission on Disabilities. She stated that this appointment would be made at the next Board of Selectmen meeting.

RESIGNATION – BOARD OF HEALTH:

Chairman Hannum stated that Richard Kirchner has submitted a letter of resignation for the Board of Health and Sanitation Inspector. She thanked Mr. Kirchner for his many years on various Boards. Selectman Wood moved to accept Richard Kirchner's resignation letter and to send a letter expressing the Boards gratitude for his many years of service to the Town, seconded by Selectman Dobson. The motion carried unanimously.

CATHERINE MILLER – PETITION SUBMISSION:

Catherine Miller was present to discuss the petition that she submitted regarding the transfer of funds including certified free cash up to \$30,000 to the legal services account under control of the Board of Selectmen to cover potential future legal defense expenses in the Primax suit. Catherine stated that Town boards need to be supported and asked the Board of Selectmen to support this as a warrant article for the Special Town Meeting. Selectman Wood stated that she signed the petition and does support it. Selectman Dobson stated that he supported it. Chairman Hannum stated that she supports having this as a Special Town Meeting Warrant article so the voters can decide.

Chairman Hannum stated that she would like to take a moment to talk about the division and incivility in Town. She stated that the Board of Selectmen struggles with this and that she worries about the possibility of damages being sought in the Primax case.

Selectman Wood expressed her concerns regarding the divisive effects that the Primax case is having on the Town. She stated that she finds it unsettling that the Board of Selectmen is not supported and can't make decisions regarding this issue. She also stated that people need to be aware of all of the facts and not just a partial picture.

Selectman Dobson stated that Chairman Hannum and Selectman Wood's points were very well articulated and that residents should be thinking about what they want for the Town in the future.

SELECTMEN’S ITEMS:

Chairman Hannum stated that there will be a public information session held before the Special Town Meeting so that residents will be able to make the most informed decisions possible. She also congratulated the Commission on Disabilities for bringing Kathy Gips here for an excellent training on the American’s with Disabilities Act.

Selectman Wood stated that the second Community Development Strategy Committee meeting will be held on October 30th at 4:00 PM and encouraged residents to attend. She also stated that there was an error on the Time Warner Cable contract and stated that after the correction is made one of the Selectmen will need to sign. Selectman Wood moved to make the correction and authorize Selectman Wood to sign the corrected contract, seconded by Selectman Dobson. The motion carried unanimously.

TOWN ADMINISTRATOR ITEMS:

Administrator LaBombard stated that there will be a bid opening on October 31st at 2:00 PM for snowplowing and Transfer Station Paving.

PUBLIC COMMENT:

Nadine Hawver thanked the Selectmen for having an informational session before Special Town Meeting so that residents can make informed decisions.

Lynne Posner asked the Selectmen what the informational session would entail. Chairman Hannum and Selectman Wood explained that the informational session will explain the Primax project, the process that has gotten us to this point, discuss the warrant articles and answer questions.

Dawn Massini asked if the residents will find out what Town Counsel’s recommendations are and what the chances of winning are. Chairman Hannum stated that the Selectmen cannot give this information at this time because it would be getting into litigation strategy.

Susan Butler stated that there are supposed to be monthly updates on the Hanlon case but she has not received any. She would like to know when she will receive an update. She stated that she would also like to know when a meeting between the Board of Selectmen and the Building Inspector will take place. Chairman Hannum stated that Administrator LaBombard would look into the updates on the Hanlon case and that as of right now she does not know when the meeting with the Board and the Building Inspector will take place.

OTHER BUSINESS:

Chairman Hannum stated that Butch Ray has submitted a letter of interest to be appointed as the Assistant Wiring Inspector. She stated that appointment would be at a later meeting.

The Sheffield Historical Society has submitted an application for a Temporary Roadside Event Sign to erect a sign on the Village Green for the Festival of Holidays event to be held at the Stone Store from November 15th – December 22nd. The sign will be erected on November 11th and the sign will be removed on December 23rd. Selectman Wood moved to approve the Temporary Roadside Event Sign permit to the Sheffield Historical Society for the Festival of Holidays to be held from November 15th – December 22nd at the Stone Store, seconded by Selectman Dobson. The motion carried unanimously.

The Kiwanis Club of Sheffield has submitted an application for a Temporary Roadside Event Sign to erect a sign on the Village Green for the Kiwanis Harvest Brunch to be held on November 3rd at the Sheffield American Legion. The sign will be erected on October 29th and will be removed on November 3rd.

Selectman Wood moved to approve the Temporary Roadside Event Sign permit to the Kiwanis Club of Sheffield for the Kiwanis Harvest Brunch to be held on November 3rd at the American Legion, seconded by Selectman Dobson. The motion carried unanimously.

Administrator LaBombard stated Great Barrington and Sheffield again solicited bids together for winter sand. Great Barrington handled the bid process this year and Joe Wilkinson and Sons Excavating was the low bidder at \$10 per ton. Administrator LaBombard recommended awarding the contract to Joe Wilkinson and Sons Excavating. Selectman Wood moved to accept the bid of \$10 per ton from Joe Wilkinson and Sons Excavating and authorize the Town Administrator to sign the contract, seconded by Selectman Dobson. The motion carried unanimously.

Administrator LaBombard read the draft warrant for the Special Town Meeting. Selectman Wood moved to approve the draft warrant for the Special Town Meeting to be held on November 18th as presented by the Town Administrator, seconded by Selectman Dobson. The motion carried unanimously.

Administrator LaBombard stated that Stantec has submitted a proposal for Weatogue Road. Chairman Hannum stated that she would like to disclose that Jeff Collingwood from Stantec is her cousin and that she has no financial interest. She also stated that all of the proper paperwork has been filed with the Town Clerk. Selectman Wood moved to approve the contract as presented and authorize the Town Administrator to sign, seconded by Selectman Dobson. The motion carried unanimously.

Selectman Wood moved to enter Executive Session for the purpose of discussing litigation strategy concerning Primax Properties and not return to Open Session, seconded by Chairman Hannum. The motion carried as follows:
Chairman Hannum-Aye
Selectman Wood-Aye
Selectman Dobson-Aye

Selectman Wood moved to adjourn the meeting, seconded by Selectman Dobson. The motion carried unanimously.

Chairman Hannum adjourned the meeting at 8:55 PM.

Respectfully submitted:

Alicia Dulin
Assistant to Town Administrator

Documents reviewed at this meeting:
Letter from Annie Ryder Regarding Transportation Forum
One Day Beer and Wine License – Sarah Eustis
Conservation Restriction
Nature Conservancy Request Letter
Lakhan Verma Commission on Disabilities Letter of Interest
Richard Kirchner Resignation Letter
Temporary Roadside Event Sign Application – Bushnell Sage Library
Butch Ray Assistant Wiring Inspector Letter of Interest
Temporary Roadside Event Sign Application – Sheffield Historical Society
Temporary Roadside Event Sign Application – Kiwanis Club of Sheffield
Winter Sand Contract
Time Warner Cable Contract Correction