

**BOARD OF SELECTMEN
MINUTES OF SEPTEMBER 22, 2015
SHEPARD MUNICIPAL BUILDING**

PRESENT: Robert E. Lavash Sr., Chairman, Dario F. Nardi Vice-Chairman, James A. Gagner Jr., Clerk
ATTENDEES: See list (attached)

Chairman Lavash called the meeting to order from recess at 7:00 p.m. and led the Pledge of Allegiance in the Selectmen's Meeting Room in the Shepard Municipal Building.

Chairman Lavash announced that tonight's meeting was being both video and audio taped and requested anyone in the audience to disclose if they are recording tonight's meeting. Ms. Colleen Montague acknowledged.

MINUTES

Motion to accept the meeting minutes of September 15, 2015 as so written made by Mr. Gagner; second: Mr. Lavash – 1 - abstention.

OLD BUSINESS

Gen. letter of non-opposition by Town for MMTTC's application(s) –Mr. Gagner read the letter out loud, following which a motion to approve and sign a letter of non-opposition to Debilitating Medical Condition Treatment Centers, Inc. made by Mr. Gagner; second: Mr. Nardi – unanimous.

Highway – Chapter 90 Envi. Punch list & Project request \$25,000. – Kay Hill Road (Pleasant St. Improvement Project) – approve & sign

Motion to approve and sign Chapter 90 project request for Highway, made by Mr. Gagner; second; Mr. Nardi – unanimous.

CORRESPONDENCE

The Board reviewed the following:

- The Board received a letter from an abutting resident of the Shepard Municipal Building. Ms. Donna Pina has requested that the town remove the trees so the squirrels are not able to gain access to her attic as they did last winter. *Mr. Lavash requested the matter be forwarded to Mr. Lacey, Tree Warden.*
- An invitation from the Association of Town Finance Committees for their annual meeting to be held on Saturday, October 17th at the Host *Hotel* in Sturbridge from 9 a.m. to 3 p.m. The workshop is designed for finance officials but the topics and substance of the workshops are ideal for selectmen. (the office provided a copy to FinCom to gauge their interest) *Mr. Lavash noted he would attend, Mr. Nardi cannot attend, Mr. Gagner will check his schedule.*
- Memo from Gerald Paist, Superintendent of Pathfinder with an update on the roof project He is pleased to report that it was substantially completed before the students returned at the end of August. He enclosed a copy of an article from last week's Journal Register as to the status of the project. *Mr. Lavash made note of the Article, if anyone is interested in a copy, contact the office.*

Mr. Nardi requested to make a comment; as he was not available last week for Old Business: Mr. Nardi remarked that the Shepard Farm had recently celebrated 300 years in service.- has large cookout – 11th He requested that a congratulatory note be sent on this accomplishment.

Mr. Nardi also remarked that the street light audit has been completed. Copies sent to the Tree Warden and Electrical Inspector. Things are moving forward to bring the project before the Town at the STM, next phase is determine costs from National Grid on the project.

Mr. Lavash noted that a resident concern last week, regarding a street light on Richardson has been resolved.

4TH QTR. – AMBULANCE ABATEMENTS – *vote to approve*

Abatement amounts were announced, following which a motion to approve made by Mr. Nardi; second: Mr. Lavash – 1 abstention.

PVPC – TOWN OWNED AGREEMENT – FY14 CDF HOUSING REHAB. – *approve & Chair sign*

Motion to approve and have Chairman sign, made by Mr. Gagner; second: Mr. Nardi – unanimous

RATIFY: VICE CHAIR SIGN TEMP. LICENSE AGREEMENT

- between Renewables Land Holdings II, LLC and Town – for fire suppression

Motion to Ratify Vice Chairman signature, made by Mr. Gagner; second: Mr. Lavash – unanimous

7:15 – JOSEPH LUSARDI, MASS. ORGANIC THERAPY INC. (MM CULTIVATION) – *discussion*

Mr. Lusardi, addressed the Board. He is a consultant representing both Mass. Organic Therapy, Inc. and Debilitating Medical Condition Treatment Center (who presented last week) in seeking a location for a medical marijuana cultivation facility in the Hardwick Knitted Fabrics building located on South Street, in West Warren. He has toured the facility and would consider the site for his client Mass Organic Therapy for a cultivation/processing center, with a dispensary center in Bridgewater. He remarked that he is working with Maine Organics, who presently has a cultivation center in Amesbury. Therefore, a similar host agreement could be entered into as that in Amesbury. There was a question and answer period between Mr. Lusardi and Mr. Gagner as to the status of his client's stage in the application process. Mr. Nardi inquired as to the suitability for this venture. Mr. Lusardi feels it is very attractive, provided all goes well, he could see a build out in Town in December or 1st quarter of 2016. There was some a brief discussion about fire-suppression; as Chief Lavoie was in the audience, however further conversation is needed. With no further discussion, a motion to approve and provide Mass. Organic Therapy, Inc. a letter of non-opposition was made by Mr. Gagner; second: Mr. Nardi – unanimous.

Mr. Lavash addressed audience member Michael Baril and asked if he was recording. Mr. Baril acknowledge he was recording and would be taping from his phone.

Mr. Brian Lees of Debilitating Medical Condition Treatment Center Inc., addressed the Board and introduced their Security Chief, Rick Marquis, former Police Chief in Longmeadow. Mr. Marquis has made contact with Chief Spiewakowski to begin necessary discussions. The Board thanked both Mr. Lusardi and Mr. Lees for participating in tonight's meeting.

DAVE THOMAS – SEABOARD SOLAR – NET METERING - *discussion*

Mr. Thomas came before the Board this evening to discussion his company's offer of net metering for the Town. He provided a NM Credit agreement price proposal based on 500,000 kWhs with two (2) pricing options 1- discount w/singing bonus 2 – discount. They currently have a local site (West Brookfield under construction) where NM credits could come from as early as May 2016. Mr. Nardi remarked that the Town has met with other vendors regarding Net Metering, furthermore, there is a consensus of the Board to bring forth a PPA/NM agreement Article to the Town at the upcoming STM. He is would like confirmation in writing that Seaboard Solar is able to provide NM and qualifies under the "cap". Mr. Thomas provided

assurances that his company is in the “cap” and can provide what the Town needs and then some, should the Town wish to host. Mr. Nardi confirmed the Board is considering one other vendor before formalizing its decision on which company to bring before the Town at the STM. Mr. Thomas cautioned the Board to confirm that any other vendor considered, be confirmed as “under the cap”. Mr. Thomas mentioned they have a number of projects in the “cap” so he can confidently say, NM could be delivered. Mr. Nardi spoke to the 500,000 kWhs based on the potential reduction of usage due to the street light conversion, this would be adequate for the Town. Mr. Thomas will provide requested information.

~~**KIRT MAYLAND – NET METERING – DISCUSSION**~~ Tabled

JAMES MCKEON & MEMA REP– EMERGENCY MANAGEMENT – *discussion*

Mr. McKeon as a follow up to last week’s meeting and some concerns raised by the Board, introduced Ms. Kristen Jerome of MEMA to give some insight into the functions of Emergency Management and CERT. Mr. Gagner restated Mr. McKeon came before the Board seeking a stipend, does that constitute a new position, if so would need Town vote. Secondly, there was discussion on whether the team [CERT] was self-activated or dispatched. Mr. Gagner is concerned that defined guidelines need to be in place, therefore a coordinated discussion between the parties should be had; to act in the best interest of the Town.

Ms. Jerome spoke as to CERT and their function(s) in other communities. These volunteer teams go through a series of trainings to qualify them to assist in a variety of functions. CERT’s role is tailored based on the needs of the community it serves officials can decide the level of involvement. Mr. Nardi inquired as to what she has seen in other communities involved with CERT. Ms. Jerome commented mostly with fire rehab and planned events, where they may assist with traffic; or they set up informational sessions to keep community informed about their services – some communities regionalized, so CERT has a presence. There are benefits to regionalized CERT teams and competitive grants available to assist in acquiring equipment and supplies used by the team, in fact, Warren was recently awarded a competitive grant. She made mention that the next round of available CCP; EMPG reimbursable grants have an application deadline of October 16th. There was brief discussion on the various course levels offered for trainings. The Board is in agreement that a joint meeting between Mr. McKeon, Police Chief, Fire Chief and the Board should be had. CERT is not mandated.

Insofar as Emergency Management, Ms. Jerome made mention that Gen Laws state there needs to be an EM director appointed to each community, it can be the Police or Fire Chief or as in Warren, a volunteer, in the event there is no one, it defaults to the Chairman of the Board. This person acts as the community liaison with outside local/state and federal agencies for state assets and resources. In some communities it is a mostly a volunteer position, in others there are small stipends which could be funded through grants. The role is primarily in building relationships with agencies that can provide assistance in emergency events. As an example, during the last winter storms, EM could have coordinated efforts in securing snow plows or National Guard. Emergency Management’s role in the community is planning for emergencies; setting up shelters for both people and animals. Planning for the continuity of operations; works with Central Mass Planner for critical infrastructure. There is a financial aspect also, in seeking an obtaining a variety of grants that may be available for communities. She commented that she has worked with Mr. McKeon on various matters to date. The Board thanked Ms. Jerome and Mr. McKeon for attending the meeting.

Scot Mansfield, Electrical Inspec. – *fee discussion*

Mr. Mansfield has come before the Board to discuss fees for electrical permits as they relate to photovoltaic (solar farms). Back in 2013 he came before the Board with a proposal to change/upgrade the fees, when the first solar farm came in. With continued projects coming to town and surrounding towns charging higher fees, he is asking the Board to consider a .50 cent increase in the commercial fee of projects over 10KW from \$2.00 to \$2.50. There is no change with respect to residential projects. Following brief discussion, a motion to increase the commercial fee rate for photovoltaic systems from \$2.00 to \$2.50, made by Mr. Gagner; second: Mr. Nardi – unanimous.

SPECIAL TOWN MEETING – ARTICLE INTENTIONS - *discussion*

Mr. Lavash outlined the various Article intentions submitted for consideration on the Fall STM warrant. As each intention was read, there were brief discussions that followed.

Fire Chief Lavoie, present in the audience spoke to the Article intentions for his department.

- Seeking to add on-call Chaplin to the roster of on-call personnel. This individual is vital not only to the department but to the community. Chief has been asking for this allocation for some time. He reiterated, it does not seek to create a new position, nor is he seeking additional appropriation. He is reclassify an open on-call FF position, which unfortunately he has not been able to fill in the last couple of years. The Chief provided the Board with an updated On-Call breakdown, denoting the change/reclassification.
- Chief is seeking replace the department radio repeater. There are funds available in the old generator for Station B article, which can fund this request.

The Board will continue to review the intentions and seek information from departments prior to finalizing Articles for the Warrant.

TREASURY WARRANT(S) AND INVOICES

Motion to accept warrant # 25, # 29 and # 33 (payroll) dated August 31, 2015, September 7, 2015 and September 14, 2015 in the amounts of \$210.97; \$210.97 and \$210.97 respectively, made by Mr. Nardi; Second: Mr. Gagner – 1 abstention

Motion to accept warrant # 27, and # 31 (ambulance payroll) dated August 31, 2015 and September 14, 2015 in the amounts of \$1,070.00 and \$1,670.00 respectively, made by Mr. Nardi; Second: Mr. Lavash – 1 abstention

Motion to accept warrant # 35 (payroll) and #37 (vendor) dated September 21, 2015 in the amounts of \$38,773.43 and \$42,155.48 respectively was made by Mr. Gagner; Second: Mr. Nardi– unanimous

Motion to accept warrant #36 (payroll) dated September 21, 2015 in the amount of \$235.79 made by Mr. Nardi; Second: Mr. Gagner – 1 abstention

Motion to accept warrant #38 (ambulance payroll) dated September 21, 2015 in the amount of \$600.00 made by Mr. Nardi; Second: Mr. Lavash – 1 abstention

Motion to accept FY14 Invoice #9 for Community Assist. Programs, to PVPC for \$11,119.26, made by Mr. Gagner; second: Mr. Nardi – unanimous.

NEW BUSINESS

Mr. Gagner stated that a 3rd vendor interested in a possible marijuana cultivation center would be presenting at the next meeting, there may be a fourth company interested as well. Additionally, the metal plating company he spoke of last week, is moving forward and formalizing agreements with Mr. Marcott. He is excited about the prospects of new businesses operating at the former Wrights complex.

Mr. Nardi made opening remarks about the Board’s prior meeting (Sept. 15th) which he did not attend. On his behalf, he apologized to members of the audience that did not have an opportunity to be heard. He acknowledges it is the Chairman’s discretion to set Comment/Concerns on the Agenda, however he is bothered that residents cannot be heard in this forum. He further remarked on his concerns over the canceling of a Selectboard meeting due to lack of a full Board, only to have a meeting held the following week – without the full Board. His last concern is the discussion had regarding Highway. He was the Board member that initiated it, he did not violate open meeting laws; Mr. Lavash was not available, he reached out to Mr. Gagner to act on a matter considered to be an emergency. Following calls he received from residents, regarding failed highway vehicle inspections and still operating on the road, contact was made with Mr. Gagner, the Police Chief to contact the State Police & DOT to schedule a fleet inspection. An emergency meeting can be had; when the emergency relates to the safety of vehicles operating in Town. The Highway Surveyor was on board with the decision. Mr. Nardi voiced his frustration and concern over the lack of response to act on matters that are important, he respects Chair sets Agenda, however feels the Board is in place to facilitate change and make things happen.

Mr. Gagner motioned to re-align the Board; second: Mr. Nardi
Mr. Gagner motioned to set Mr. Nardi as Chairman; second: Mr. Nardi
Mr. Nardi motioned to set Mr. Lavash as Vice-Chairman; second: Mr. Gagner

Mr. Nardi announced Mr. Gagner would remain as Clerk; Comment/Concerns would be on the next agenda and asked everyone to follow the rules/regulations and keeping with things relevant - regarding Comm/Concerns. He will schedule a brief meeting with Becky and Lorena on the direction of the office.

NEXT MEETING DATE:

Next scheduled meeting: September 29, 2015 @ 7:00 PM.

Motion to Adjourn made by Mr. Gagner; second: Mr. Nardi – unanimous at 8:31 PM.

Respectfully submitted,

Lorena Prokop
Administrative Secretary

James A. Gagner Jr., Clerk