

Selectboard Meeting
November 28, 2011

Meeting called to order at 7:00pm by Chair

Present: Noreen Suriner, Chair; Alan Vint, Clerk; Mitch Feldmesser

Duane Pease, Administrative Assistant

First item was the Real Estate Classification: **Gita Jozsef**, Chair of the Board of Assessors (BOA) and **Laura Lafreniere**, assessor were present to present their recommendation to the Board. The unanimous recommendation of the BOA was to continue with the single tax rate for Fiscal Year 2012. This was recommended as there is less than 10% of the total assessed property that is business, industrial and personal property and shifting the tax burden to them would do relatively little to lower the residential property tax rate. The tax rate will be \$15.78.

Noreen motioned to accept the single tax rate, Alan 2nd and the vote was 3-0 in favor.

Eric Weiss, Director, Sustainability Program, Hampshire Council of Governments (HCOG), address the Board on the Green Grant. The Dept of Energy Resources has accepted the town's plan and all items were approved. Eric said the solar installation at the Town Hall has to move forward before 12/31 as many of the Federal "percs" expire at that time. His role will be as the administrator of the grant and the fee will be between 5-10%. He hopes to keep it well under the 10% allowed by the grant.

Noreen questioned if the solar needed to go on the roof or could be installed on the ground behind the Town Hall. **Mitch** also discussed the siting of the installation. **Alan** felt there should be flexibility if it is justified. Eric explained when he puts out the Requests for Proposals (RFP) he will include both the roof and ground mounts in the RFP.

Eric also stated he is preparing a regional Solar PV bid for HCOG and that Middlefield should include all possible sites for a solar PV installation on the RFP as once this is submitted, no new sites will be allowed. There is no commitment needed at this time, just submit the sites.

Mitch questioned if the solar would be tied to the grid and what the electrical needs for each would be. Eric explained that Massachusetts allows net metering and this allows credits to be applied to other buildings. The cost of this project will depend on the bids, tax credits available, etc. there will be no cost to the Town.

Eric next spoke as Administrator of Hilltown Resource Management Cooperative (HRMC) and address the needs at the Transfer Station. He feels the Town should consider erecting a 2nd shed to allow for more storage. The lower area where the open top box is located is wet and muddy and a larger concrete pad should be poured. It should be

long enough to accommodate 2 open top boxes. The Town currently rents it boxes from Wickle's Trucking and may want to consider purchasing the boxes. The current rent is \$2-3 a day.

Kathy O'Brien, transfer station attendant, said it was best to have 2 boxes, that way metal and debris could be handled at the same time. She has sold 181 stickers for the transfer station.

Eric was questioned about fees for use of the transfer station; he said they vary by town. Some towns charge a bag fee or use a punch card system; this relieves some of the burden off the taxpayer and encourages recycling.

Eric said that with Northampton closing its landfill the hauling fees may go higher, he is going to put out a regional bid for waste disposal and additional towns may be interested in joining the effort.

Maureen Sullivan questioned Eric on the Green Community Grant regarding listing additional town buildings and if they would be tied to a specific site. Eric said they would be and can't be switched at a later date.

Mitch wanted to know if undeveloped land could be included, and Eric responded it could be put on the list and if it didn't work out it could be taken off the list.

Maureen also wanted to know if the betterment funding to promote and fund efficiency was still part of the grant, Eric said the \$10,000 was still part of the grant.

Eric will meet with Alan and Joe Kearns to go over the solar as well as other aspects of the grant.

Warrants: expenses, \$10,806.47 and payroll, \$13,078.87 were approved and signed.

Minutes of last meeting were approved with changes, 3-0.

Skip Savery, Highway Superintendent, told the Board Cone Road had been paved and that he met with FEMA representatives last week. He reviewed the Bridge report the State has sent.

Police Chief, **Tom Austin**, reported all of his officers had completed the CPR course and the State Ethics training. The First Responders course will be completed in the next few weeks.

Also, a break-in occurred in the last 2 weeks on Chipman Road and the house was ransacked. It was unknown what was taken.

Health Agent, **Jackie Duda**, is obtaining additional information from an individual that wants to be buried on his own private property.

Alan received a reply from **Caprice Shaw**, DEP, and they will not be able to attend a meeting regarding the General Store but requested the Town send a list of questions they have about the site for her to answer. The Town web-site may be a way for residents to submit their questions.

Noreen said a grant of up to \$850 from the Hampshire Public Health Preparedness Coalition is available and she has until 12/22 to submit a list of ways to utilize the grant monies. Alan and Mitch agreed to have Noreen submit her recommendations as she has been very involved in this matter.

Noreen also has compiled the responses from the individual entities involved for the Inspector General's letter and a cover letter to send along with the responses.

Alan met with the Mass Broadband person who was in the Town Hall to assess the location of the fiber optic installation. Also, he found the front door unlocked one day last week and also the Selectboard office door not locked. He also posted the Building Usage Policy at the Post Office and the Town Hall bulletin board for residents to review and make comments.

Skip Savery will prepare a list of winter road closings, post it in the paper and place signs on the affected road. He has received the boom mower but is waiting on the paperwork before he can register it. He has been in contact with Tighe & Bond regarding the testing of the well at the Town Garage; there will have to be 3 tests under the limit before DEP will sign off.

The Harry Pease Road issue was discussed, Town Counsel, **Len Kopelman**, said it was okay to meet with Attorney Lynch and that the meeting should be taped. The 90 pages of information will be submitted to Town Counsel so they can give the Board a cost estimate for this matter.

Mitch suggested that any member that speaks with counsel keep a log of the time spent discussing the issue and that perhaps the cost of defending this should be presented at a Town Meeting. A majority of the people may not want to appropriate the money need to defend this issue. Also, he said that not all who showed up at last week's meeting were registered voters and we should not respond to whoever shouts the loudest.

Noreen said last week's audience had a vested interest. She wanted to know if the Town has a position, what's best for the Town and what the consequences are.

Alan said it is a complex situation and could involve many roads in town that have been discontinued and we can't make a call on this without legal counsel. Kopelman & Paige (K&P) needs to give a more definitive conclusion than the one given 2 years ago.

Maureen Sullivan felt K&P will want to know what the Town wants and make their argument accordingly. The prior opinion was based on one side of the facts only.

Alan felt the 1984 Town Meeting vote attempted to discontinue the road with a 24-1 vote and the position of the Town is the road is discontinued

Noreen added there have been 2 efforts to discontinue the road; the first was to “shut up” and then the 1984 vote.

Sherri Venditti said the 1984 meeting warrant address in Article 26 to discontinue a specific road and that Article 27 was to accept as roads and not a vote to discontinue.

Permits and licenses were discussed next and **Mitch** felt a check should be made to make sure their property taxes are paid prior to issuing any license. Personal property tax should be assessed on their business equipment and the easiest way to do this would be to check last years license holders. The Selectboard should be allowed to put limitations on the licenses. Any holder of a used car license needs a Class 2 license and post a \$25,000 bond. To hold a Class 2 license, it has to be the main source of income. Any permit has to be affixed to the deed and is transferable if there is no caveat.

Noreen said not everyone in town is universally dealt with, the Board issues licenses to businesses and the Town Clerk issues permits to dba’s.

Maureen Sullivan felt all applicants should go through the Zoning Board officer. It was agreed that Paul Tacy was under utilized in this position while he was the building commissioner.

Alan motioned to adjourn, Noreen 2nd, vote 3-0. Meeting adjourned at 9:50

Minutes respectfully submitted by:

Duane Pease
Administrative Assistant

Minutes approved with/without changes:

Noreen Suriner, Chair

Alan Vint, Clerk

Mitch Feldmesser

