

**SELECTBOARD MEETING
TUESDAY, JANUARY 3, 2017
SELECTBOARD MEETING ROOM – 7 P.M.
MINUTES**

Present were Members: Chair John R. Hine, Vice Chair Sarah Etelman, Clerk Bruce C. Forcier and Ira J. Brezinsky; Town Administrator Michael J. Sullivan. Francis J. DeToma was absent.

At 7:02 p.m., Chair Hine called the meeting to order, noting that SB Member DeToma was absent.

Chair Hine recognized Walter Morse for generously providing the town with watercolor paintings to adorn the walls of the Selectboard Meeting Room for the next six months. Mr. Morse is a long-time contributor to the South Hadley community, having taught in the schools for generations and continuing to show up where needed, he remarked. He took up painting when he retired, Mr. Hine volunteered.

1. APPROVAL OF MINUTES

SB Member Forcier moved to approve the minutes of December 6, 2016. SB Member Etelman seconded. The motion passed unanimously 4:0.

2. ANNOUNCEMENTS

He has been asked by the South Hadley Bike/Walk Committee to let folks know about a guided trek at the Ledges Golf Course with or without snow on January 15, 2017 at 1 p.m., SB Member Forcier related. Plan A involves snow shoeing if there is snow on the ground while Plan B, if there is no snow, will be a guided tour of walking paths. The trek is approximately a mile to a mile and a half in length and will travel to and from the trails of the Newton/Jones/Carver Conservation Area. Participants are asked to meet at 12:45 p.m. in the Ledges parking lot. The group usually has light refreshments afterwards. Club facilities are closed, including restrooms, he noted.

On another subject, as he learned the hard way, dog owners need to get dog licenses, Mr. Forcier reminded. Licenses are available at the Town Clerk's office, he advised.

And, the annual "Bag the Community" fundraising event will take place this weekend, Mr. Forcier continued. The plan is to distribute empty bags on Saturday the 14th and pick them up on Monday the 16th, Martin Luther King Day. Representatives of Mount Holyoke College, the high school and middle school are expected to participate. The fundraiser supplies donations for the 'Neighbors Helping Neighbors' food pantry for quite some time.

Starting today, nomination papers are available for any registered voter who would like to be on the ballot for the April 11, 2017 Annual Town Election, SB Member Etelman announced. She listed positions up for election, including Town Moderator, Selectboard (two positions) School Committee (two positions), Assessors, Board of Health, Municipal Light Board, Planning Board and Trustees for a Free Public Library (three positions for three years and one position for two years). In each of the five precincts, eight Town Meeting member positions are up for election each year. In addition to these recurrent openings, Precinct B and Precinct E each have an opening for a Town Meeting member with a one-year term. The deadline to return nomination papers is Tuesday, February 21st.

As some may be aware, the Bike/Walk Committee and folks from Holyoke have been working to hold an open streets festival, and the key has been to get the Massachusetts Department of Transportation (Mass DOT) to close the Veterans Bridge for a few hours, SB Member Brezinsky reported. MassDOT has given approval to shut down the bridge on May 7th from 11 a.m. to 3 p.m., he said.

Chair Hine asked if anyone wished to address the Selectboard under open forum. No one responded.

3. COLLEGE BY-PASS PARKING REGULATIONS

This is a request from residents living in the Village Commons, the mixed-use commercial/residential development on College Street, Mr. Sullivan explained. Tenants have asked town officials to allow overnight parking on the small road between the stores and the town common. He discussed the request with Police Chief Steve Parentela and DPW Superintendent Jim Reidy. What they recommend and he would support is having the bypass open from April 15th to November 15th between 9 p.m. and 8 a.m. It was suggested that overnight parking be allowed in winter but this complicates snow removal operations, he observed. The parking rule could be rescinded by the Selectboard or Police Chief for special events such as the Farmer's Market with 24 hours notice, he added.

Chief Parentela confirmed that the Police Department has no problem with overnight parking from a public safety standpoint; the concern is mostly on the part of the DPW from a snow removal standpoint. "This is a common sense approach; I think it is something we should try," he agreed.

Chair Hine recommended that there be signage to remind people of the restriction on parking during the winter months, since he could see people who had been parking there overnight not being aware of this seasonal prohibition.

SB Member Etelman moved to allow overnight parking on the College Street bypass on the town common between April 15th and November 15th between 9 p.m. and 8 a.m. unless otherwise posted and ordered by the Selectboard or South Hadley Police Chief. Signs indicating this parking allowance should be posted along the bypass by the DPW. In the event this allowance is rescinded temporarily by the Selectboard or the Police Department or permanently by the Selectboard such rescission should be posted at least 24 hours in advance if possible. SB Member Brezinsky seconded. The motion carried unanimously 4:0.

4. YOUTH COMMISSION DISSOLUTION

Recreation Director Andy Rogers and Assistant Recreation Director Danielle Stelma have approached him about disbanding this commission, Mr. Sullivan shared. He asked Ms. Stelma to redouble her efforts at the beginning of last year to see if there was any interest among students in participating. She reports that although she has made multiple visits to the high school and Michael E. Smith Middle School (MESMS) and has contact with all the guidance counselors, she is not making any progress. It is the same with the adult task force; there were five members when she started and only two are left. There just seems to be competition for membership from other activities. Ms. Stelma is seeking Selectboard support to have Town Meeting consider disbandment of the committee at the April Town Meeting.

Chair Hine expressed his understanding that this would require a bylaw change, and Mr. Sullivan confirmed this is the case.

There are presently three student members and two adult members, Mr. Sullivan clarified.

SB Member Brezinsky commented that, based on the information presented, the request sounds reasonable. He would just like to make sure that those individuals currently on the committee are engaged in the discussion.

He will ask Ms. Stelma to solicit input, Mr. Sullivan assured.

Chair Hine agreed it would be important to get the perspective of committee members whether they write in or meet as a committee.

5. YARDE HOUSE – ENTERTAINMENT LICENSE RENEWAL

SB Member Forcier moved to approve a Sunday Entertainment license for 2017 for Colonel Woodbridge's Tavern, d/b/a the Yarde House. SB Member Brezinsky seconded. The motion passed unanimously 4:0.

6. GENERAL CODE UPDATE

Although it's been discussed several times, members collectively decided to put this on the agenda again as it has generated a lot of discussion, Chair Hine recounted. An effort began two or three years ago to address the issue that there is presently no single place a person can go to see all of the bylaws adopted over the years, he explained. The "General Bylaws of the Town of South Hadley, MA" is dated 2005 but for bylaws adopted since that time, residents have to go to other sources and departments. There was also concern that the bylaws may not be internally consistent and consistent with Massachusetts General Laws. Three years ago, town officials brought in a vendor that specializes in this type of work. The project is ongoing and there is still further work to do, but, at this point, members felt it was worthwhile to bring to town meeting the work that has been accomplished so far. The project is an attempt to make it easier for the public to look up various bylaws and to provide an open and transparent vehicle to display them, he concluded.

In addition to updating the existing code, General Code will be contracted to properly maintain the town's bylaws in the future, Mr. Sullivan said. Once approved, there will be a tool on the website that allows people to access particular bylaws using key words, he confirmed. Town officials want the public to be able to find things on their own and, in fact, as the town cuts staff, encourage residents to help themselves.

General Code was engaged in 2013 and began the arduous process of poring over the town's bylaws, making comparisons with other bylaws and Mass. General Laws and sending corrections to the Town Clerk, Selectboard office, etc. The product is a living document and not perfect, but administrators feel that what is being offered to Town Meeting is far better than what is on the website now and is a great improvement. The Bylaw Review Committee met with General Code in the spring to discuss its progress and recently recommended that the bylaws be accepted as presented. Once accepted, the bylaws will go to the Attorney General for final approval.

As far as the General Bylaws go, there has not been any substantial controversy, Mr. Sullivan related. Some changes proposed are as simple as changing "Building Inspector" to "Building Commissioner," "weekday" to "day," and "jointly" to "joint." There has been a lot of discussion around changes to the zoning bylaws, and the Planning Board has voted to accept the changes as presented. As an example of a change that caused concern, he cited a zoning bylaw that requires property owners seeking to convert a single family home to a two-family to get permission from a majority of abutters. Town counsel and others have suggested that this probably would

not hold up in court and may in fact be in conflict with state law. Those thinking carefully would probably agree that giving neighbors the power to deny a special permit rather than a duly-constituted authority might be taking away some property rights, he suggested.

He has been asked for a red-line version, and one does not exist, he stressed. The explanation from General Code is that because they are moving and reordering sections of the bylaw, it would not make any sense.

Chair Hine pointed out that the bylaws themselves are not in one place so their present arrangement does not lend itself to a strict side-by-side comparison. A summary of changes was compiled and distributed to all Town Meeting members and is posted to the website, he pointed out. He strongly encouraged folks to read it.

Some mistakes were made, Mr. Sullivan acknowledged. Town officials attempted to have the Acts of 2012 included. They could argue about who is at fault; the town submitted the requested changes and General Code has committed to working with them between now and the Annual Town Meeting (ATM) to incorporate them. Some have suggested waiting until the ATM to do anything, but his response is that what is being presented is so much better than what presently exists that it would be a disservice to the community not to proceed.

7. PRESENTATION ON WARRANT ARTICLES

Mr. Sullivan gave a Powerpoint presentation on the warrant articles for the January 11, 2017 Special Town Meeting (STM) to be delivered to Town Meeting members January 4th as part of a public forum. He reviewed each article in detail, offering explanatory comments as necessary.

With regard to the article requesting \$8,000 for pro shop items prior to the start of the next season, there has been some improvement in the Ledges' general financial performance under the new management model, Mr. Sullivan reported. The Town Accountant feels that the operating deficit at the end of this fiscal year will be about the same as last year, namely about \$46,000, he stated.

SB Member Brezinsky pointed out that the disconnect between the golf season and the fiscal year is nothing new. Several years ago there was discussion about creating a revolving account for pro shop inventory rather than having an annual budget request, but the word came back from the state that it is not permissible to have a revolving account within an enterprise fund. It might be worthwhile revisiting that, he suggested.

He asked for further explanation of why the golf course is asking for money to replenish goods at a Special Town Meeting. He does not believe this has happened in the past, he said.

Generally speaking, last year they tried to tighten up the budget, Mr. Sullivan responded. His recollection is that Mr. Rogers said he had enough stock and didn't need to purchase any more items and so wasn't going to allocate money for that purpose. He has worked through a lot of that stock and so is asking for money now to order so product will be available at the beginning of the season. He also had some skepticism about the request but agreed to support and put forward a request for \$8,000. He said he was sure Mr. Brezinsky would agree that not having done something in the past was not necessarily a reason not to do it now.

Discussion continued, with SB Member Brezinsky asking if the FY 2017 pro shop budget had been reduced. SB Member Etelman said she understood Mr. Sullivan to say that Mr. Rogers didn't spend as much on stock since he already had some on hand. He didn't buy as much stock but he spent the money in other areas, Mr. Sullivan clarified.

SB Member Forcier shared his observation that the pro shop did very good business at the beginning of the year but that, come June, it was running out of golf balls, etc. He thinks Andy does not want to be in the position of having golfers coming to the course and not having any inventory.

He doesn't want to make a big deal about it, but \$8,000 is 20% of the full deficit being projected, SB Member Brezinsky pointed out.

It is a fair question, Mr. Sullivan agreed. The hope is that the \$8,000 brings a return in revenue of \$11,000, thereby cutting the deficit.

With respect to Article 4 (the request to add \$38,000 to Public Building Repair/Maintenance), it is important to continue to invest in the upkeep and maintenance of Town Hall since no decision has yet been made on its long-term future, Mr. Sullivan asserted. The question of the building's future is almost certain to be raised, Chair Hine indicated.

Administrators have retained an architect to review all of the town's buildings, including Town Hall, and expect a report sometime in the spring, Mr. Sullivan reminded. He has tried to identify as many defects and deficiencies as possible and to put a rough cost estimate to their correction. Once the cost of repair/renovation is calculated, town officials can compare it to the cost of leasing, public/private partnerships or other replacement options.

With respect to Article 10, Mr. Sullivan said a 2016 Informational Guidelines Release (IGR) from the Department of Revenue (DOR) is the driving force behind acceptance of the general law governing the handling of PEG access funds.

Article 12, which calls for acceptance of M.G.L. Chapter 40, Section 57, will allow the town to withhold permits if tax payments are delinquent without being required to wait until taxes are 12 months past due, Mr. Sullivan explained.

Article 13 is being withdrawn, Mr. Sullivan clarified. M.G.L. Chapter 40, Section 58 is already part of the town's bylaws having previously been accepted, so he is asking permission to withdraw it.

Members discussed Article 22, which asks Town Meeting to endorse the Gaylord Memorial Library Memorandum of Understanding (MOU) and authorize the moderator to sign it on behalf of the town. Acceptance of the MOU will add three part-time Gaylord Library employees to the town's payroll: a part-time branch librarian, part-time youth librarian and part-time circulation assistant

SB Member Brezinsky stressed that the MOU is not a permanent contract but creates a trial period of integration, a fact that is spelled out in the agreement itself. This is the logical next step but not the final step, he noted.

Calling it a logical next step and a trial period is a good way to describe it, Mr. Sullivan agreed. Also, there has to be an understanding that anytime you enter into an agreement, it is dependent on available funds. If in any given year the town does not have the where-withal to increase or maintain its support, that will be taken into consideration. Early on, he estimated the cost at between \$50,000 and \$60,000, but this has since been adjusted to include other costs. The estimated cost does not include health insurance so, if one of the employees qualifies for this benefit, it will cost another \$9,000 to \$14,000, he said. Under the agreement, the town will incur \$44,000 more in expenses than the \$35,000 it presently contributes, Mr. Sullivan confirmed.

Chair Hine asked if the \$44,000 represents new costs or expenses the Gaylord Library presently assumes.

Both, Mr. Sullivan responded. "This would be a savings for Gaylord Library," he observed. However, the town is adding the position of circulation assistant at the recommendation of the library director, he clarified. In the past, there were times the Gaylord Memorial Library (GML) would operate with only volunteers. Once the town is involved, a paid employee must be present. \$11,193 for the circulation assistant and \$5,000 in technology upgrades are new expenses.

There is no change in hours, he confirmed.

In response to a question from **Jon E. Camp of 202 Lathrop Street**, Mr. Sullivan said the town will not pick up past liability for retirement benefits for GML employees. Under the agreement, paid positions at GML will be union jobs, and all former employees will have to apply, he elaborated. First the jobs will be presented to union members and then they will be publicly advertised. While town officials encourage existing GML employees to apply, they cannot guarantee any of them employment, he stressed.

Mr. Sullivan reviewed the assignment of articles to individual Selectboard members. He said he would have packets with the motions by the end of the week.

8. BOARD OF APPEALS ACCEPTANCE OF RESIGNATION

SB Member Forcier moved to accept the resignation of James Bright from the Zoning Board of Appeals with thanks for his service. SB Member Etelman seconded. The motion passed unanimously 4:0.

SB Member Brezinsky commended Mr. Sullivan on a great job in getting ready for Town Meeting.

SB Member Forcier moved to adjourn. SB Member Etelman seconded. The motion passed unanimously 4:0. The meeting was adjourned at 8:25 p.m.

RESPECTFULLY SUBMITTED,

**LAURA KRUTZLER
ADMINISTRATIVE SECRETARY**

EXHIBIT A

List of Documents Reviewed at January 3, 2017 Selectboard Meeting:

1. January 3, 2017 Agenda.
2. Minutes of December 6, 2016 Selectboard meeting.
3. Memo from Laura Krutzler to Selectboard dated December 30, 2016 re: Additional Miscellaneous License Renewal – Sunday Entertainment License for the Yarde House.
4. List of 2017 Miscellaneous License Holders.
5. Town Administrator Report dated December 30, 2016.