



## MINUTES

Tues., July 6<sup>th</sup> 2021

### Select Board Meeting – 5:00PM

In-Person - Select Board members

Virtual – public participation

Meeting called to Order at 5:00PM, by Bettina Schmidt

Select Board members present: Clelland Johnson, James Whalen

Select Board members remote participation: Bettina Schmidt

Others present: Stacy Stout (Town Admin); Brian Johnson (Highway Dept), JoAnne Higgins, Peter Frei, James LaMountain, Felicia Witt

Others remote participation: Denise Knight, Richard Haller, Dawn Kamay, Bob Kamay

#### 1. Approval of outstanding Minutes

##### a. May 18<sup>th</sup>

Motion070601: Motion made by C. Johnson to accept the minutes of 5/18/21, 2<sup>nd</sup> by B. Schmidt; Roll call vote: Ms. Schmidt – Yes, Mr. Johnson – Yes, Mr. Whalen - Abstain

##### b. May 24<sup>th</sup>

Motion070602: Motion made by C. Johnson to accept the minutes of 5/24/21, 2<sup>nd</sup> by B. Schmidt; Roll call vote: Ms. Schmidt – Yes, Mr. Johnson – Yes, Mr. Whalen - Abstain

##### c. May 28<sup>th</sup>

Motion070603: Motion made by C. Johnson to accept the minutes of 5/28/21, 2<sup>nd</sup> by B. Schmidt; Roll call vote: Ms. Schmidt – Yes, Mr. Johnson – Yes, Mr. Whalen - Abstain

##### d. June 15<sup>th</sup>

Motion070604: Motion made by C. Johnson to accept the minutes of 6/15/21, 2<sup>nd</sup> by J. Whalen; Roll call vote: Ms. Schmidt – Yes, Mr. Johnson – Yes, Mr. Whalen - Yes

#### 2. 5:05pm Highway Bid opening

5 Bids received; opened by B Johnson and C Johnson in person at meeting (copies to be available at Town Hall and Highway Department)

Motion070605: Motion made by C Johnson to take bids under advisement; 2<sup>nd</sup> by Mr. Whalen; Roll call vote: Ms. Schmidt – Yes, Mr. Johnson – Yes, Mr. Whalen – Yes

Motion070606 made by B Schmidt to take agenda out of order; 2<sup>nd</sup> by C Johnson; Roll call vote: Ms. Schmidt – Yes, Mr. Johnson – Yes, Mr. Whalen – Yes

### **3. 1 Leno Rd**

B. Johnson gave summary of work that has been done: grant from Dept of Fish & Wildlife to install two pipes below the elevation of the property to allow water to flow into lake; Town has applied for culvert replacement grant but it was not awarded; we can apply again and look for other potential grants; beavers contribute to issues and Highway maintains breaking down blockages

Ms. Knight asked about grant – Ms. Stout replied grant was denied because culvert was not in poor enough condition for that particular grant

Ms. Knight stated flooding during build was not disclosed to her; stated there was no response from Highway Dept when she reached out in Dec 2020; few days later, a pipe was cleared out that allowed water to recede – Her questions are what is the mitigation plan to ensure the property will not flood; is there a preventative maintenance plan to clean grate and check pipes

B Johnson responded that Soper Construction notified Highway Dept when property flooded during construction and Highway cleared blockages; Town has spent significant funds over years dealing with beavers and flooding in area

Ms. Knight stated Town should not have allowed house to be built, mortgage company did not trigger flood insurance based on GIS maps; claims house and value of house have been compromised due to repeated flooding; she stated the installation of the pipes is not alleviating her concerns about flooding

Mr. Whalen asked for summary of communication between property owner, building inspector, and Company; Ms. Knight stated she purchased a home that was already built and when she tried to get information there was no ownership of the flooding issues

Barton Engineering told owner the property needs an outlet pipe for the overflow

Ms. Schmidt recommended a conversation with Conservation Commission

Mr. Whalen stated he would like to speak with previous Building Commissioner

Ms. Stout stated she reached out to Soper Construction requesting any documentation they had on any variances granted; they replied they did not have documents

Ms. Knight stated order of conditions on mortgage addresses variance on septic system and to respect wetlands and not to build or dump; she stated she wants some commitment from Town that Town will help mitigate; Ms. Knight also expressed concern about trees with root systems now compromised which will be costly to remove

C Johnson asked what Soper Construction has had to say; Ms. Knight stated they will only state that they and Conservation Committee did not see eye to eye on some things, ConCom would not let him take trees down and he was required to do addition plantings; he has not been willing to help with any repairs

Mr. Whalen said he will review the available information

C. Johnson stated Town will continue to look into grants for culvert replacement and support maintenance of the area and removal of debris; he said he's not sure the Town has responsibility or liability and that owner needs to talk with builder

Ms. Knight stated she would like to see the permitting, engineering plan and mitigation plan for a house being built less than 100 feet from the wetlands

Ms. Stout and Ms. Knight affirmed they have been in communications on providing documents per Public Records request and associated fees; her first request was for ALL documentation; she has since obtained meeting minutes and GIS maps independently; Public Records request to be modified; Ms. Knight said there are people who have responsibilities to “make this right”

C. Johnson acknowledged that home owner is bearing brunt of issue; building inspector would have signed off on building according to engineering plans

Ms. Knight responded since the site is within 100 feet from wetlands, the engineering plans must include mitigation plan according to MA law; Town should have ensured mitigation plans were in place and that the building was built to prevent destruction

ACTION: Select Board will review documents and confer with Conservation and keep owner informed

#### **4. Highway topics**

- a. Highway has a goal to convert Sandy Beach Rd to a public roadway
- b. Process:
  - i. Design – have been working with SVE Associates
  - ii. Public Hearing (Planning Board)
  - iii. Vote at Town Meeting
- c. B Johnson is requesting to set a meeting with SVE and Select Board to review plan
- d. 319 Grant can be used on Private roads so can still move forward
- e. Town voted at previous ATM to appropriate \$125,000 for engineering (the SVE Associates work)
- f. Strategy – look at private roads that connect to town roads and start analysis with those
- g. Once accepted as a Town road, open for more grant opportunities
- h. We have feedback from Town Council on process

ACTION: B Johnson to provide S Stout with contact info for SVE Engineering; S Stout to reach out to coordinate meeting as noted above

B Johnson reported we were recently awarded a grant for Union Road through Pioneer Valley Planning Commission for \$34,000 for engineering; Once engineering and plans are done for roads, grants are readily available

#### **5. Relevant Energy Concepts Host Community Agreement (HCA) status**

Vote postponed: HCAs for Relevant Energy Concepts were submitted after November Special Town Meeting where the new Bylaws for cannabis operations were voted for acceptance. It was subsequently identified by Attorney General (AG) that proper posting and timeline requirements had not been met for the Bylaws. Under AG guidance. Town Clerk did required postings and after required timeline was met, AG confirmed acceptance of the ByLaw. Select Board can now consider the HCAs and therefore this is scheduled on Agenda. Town had sent documents to Town Council for review.

We received feedback from Council after close of business last week so Select Board has not had opportunity to review documents and Select Board will need to meet to discuss prior to voting.

James LaMountain reported there are some modifications - Research portion is to be removed and substituted under National Cannabis Research Program; Delivery provision to be added.

J LaMountain asked if there were any concerns about conflicts of interest; B Schmidt shared letter of concern regarding social media posting that was copied and posted from a personal exchange J Whalen had with another party; after discussion, all are in agreements the information was shared out of context and there are no concerns of conflicts of interest.

6. **Lake Weed Treatment RFQ** - Lake Oversight Committee (LOC) has reviewed proposal from Solitude; they would like to divide it into two separate agreements
  - a. This calendar year for remaining weed treatment through Dec 2021
  - b. Do RFQ for Jan – June 2022 so there is time to evaluate effectiveness of 2021 ProsellaCOR treatment

Motion070607: C Johnson made a motion to adopt plan proposed by LOC; 2<sup>nd</sup> by B Schmidt; J Whalen asked for clarification on budget and total cost associated with proposal; C Johnson confirmed proposal shows menu of options, total cost based on selections; Roll call vote: C Johnson-Yes, B Schmidt-Yes, J Whalen-Yes

ACTION: S Stout to send letter to Solitude for new contract to be signed; copy to Bob Kamay (FHRA)

## 7. **Military Dog Walk/Run request**

Requestor Andrew Nitka has contacted Town Administrator and Chief of PD requesting to hold a 5K walk & run in Holland on August 14, 2021 between 9:am and 1:00pm. They are anticipating approximately 35-45 participants, volunteers, spectators combined; no vendors. There will be a demonstration, speakers and a raffle. Requestor has been given detailed instructions from Chief Haughey regarding requirements and costs for hiring PD Officers for the event, outline of standard operations plan to be submitted and route guidance. The route will be the same as used in the past for the Holland Elementary School 5K, the Stop Abuse Today, Inc 5K, and multiple events hosted by Team Hoyt. This will require temporarily closing a portion of Sturbridge Rd in front of the school, from the intersection of E. Brimfield Rd to Blodgett Dr as the participants pass by, and E. Brimfield Rd at the intersection of Dug Hill Rd. Requestor has completed field use form with Recreation Committee and contacted school and Community Center for awareness and parking.

Motion070608: C Johnson made motion to approve request provided all PD requirements are met; 2<sup>nd</sup> by J Whalen; Roll call vote: B Schmidt-Yes, C Johnson-Yes, J Whalen-Yes

8. **PVPC Social Services Contracts** – Holland is signing because we are the Host town for this contract period: these are grant-funded; financials and administration are handled by Pioneer Valley Planning Commission
  - a. Domestic Violence Services Program
  - b. Food Pantry Program

Motion070609: J Whalen made a motion to sign the PVPC social services contracts as part of Community Development Block Grant Program; 2<sup>nd</sup> by C Johnson; Roll call vote: C Johnson-Yes, B Schmidt-Yes, J Whalen-Yes

9. **PVPC invoices** – 2 standard PVPC administrative invoices, #13, 14 for services rendered to administer FY2019 Holland Assistance Program (Regional: Holland, Wales and Brimfield) – grant-funded

Motion0706010: J Whalen made a motion to sign the PVPC administrative invoices; 2<sup>nd</sup> by C Johnson; Roll call vote: C Johnson-Yes, B Schmidt-Yes, J Whalen-Yes

#### **10. Year-end Transfer requests**

- a. Town Clerk - unanticipated Election Expenses - \$3624.58
- b. Select Board – underfunded utility budgets - \$6600.00
- c. Select Board – Town Administrator Salary – PTO payout for previous TA plus 1 week overlap - \$4510.00

Motion070611: C Johnson made a motion to sign the EOY transfers 2<sup>nd</sup> by J Whalen; Roll call vote: C Johnson-Yes, B Schmidt-Yes, J Whalen-Yes

#### **11. Board/Committee Appointments**

- a. Fire Department re-appointments (email from Chief Gagne for individual names and positions read)
- b. Police Department re-appointments (email from Chief Haughey for individual names and positions read)

Motion070612: J Whalen made a motion to make all appointments as read; 2<sup>nd</sup> by C Johnson; Roll call vote: C Johnson-Yes, B Schmidt-Yes, J Whalen-Yes

#### **12. Administrative Assistant applications – recommendation and budget reviewed**

Motion0706013: B Schmidt made a motion to appoint Rebecca Hilbig as Town Administrator Assistant; 2<sup>nd</sup> by C Johnson; Roll call vote: C Johnson-Yes, B Schmidt-Yes, J Whalen-Yes

**Motion to close meeting made by J Whalen, 2<sup>nd</sup> by C Johnson; Roll call vote: J Whalen Yes, C Johnson-Yes, B Schmidt-Yes**

**Meeting adjourned at 6:18**

Respectfully submitted,  
Stacy Stout, Town Administrator