

Town of Brimfield
Board of Selectmen
Meeting Minutes – April 27, 2020

**Remote participation due to current State of Emergency.
Agenda sent to all Boards/Committees/Departments for participation.**

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Brimfield **[Board of Selectmen]** will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the town's website, at www.brimfieldma.org. For this meeting, members of the public who wish to virtually attend the meeting may do so in the following manner: WEBINAR allowing computer and phone participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Brimfield website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Join Microsoft Teams Meeting

+1 508-387-3549 United States, Worcester (Toll)
Conference ID: 230-252-145#

Members Present: Chair; Paul McCarthy, Vice Chair; Michele-Lee Shea, Member; Mike Doyle, Member; Carolyn Haley, Recording; Admin; Carol Camerota, Member; Ryan Olszta. Others: Attached list of call in participants.

Call to order (McCarthy) @ 6:37p.m.

Payroll & Warrants:

Board members will review ahead of meeting.

After approval will sign in office individually.

Signed by (Shea)

Discussion of why the town is paying for 2 cell phones from the same carrier for the Veteran's Agent. More information will be gathered.

Minutes:

Review & approve minutes for April 13, 2020

Motion by: (Doyle) move to accept minutes as written for April 13, 2020, seconded by (Shea), all in favor. (Olszta) abstain

Review & Action:

Special legislation update to postpone 2020 Town Election:

(McCarthy) had communications with Mr Smola earlier in the day and he appreciated our patience. The letter from our town counsel was specific to Brimfield and that would not likely get through special legislation. Legal counsel at the Elections Commission is putting together something that will address the needs of the several Towns that are affected. They will contact us and keep us posted. Town Clerk, Bob Sullivan requested an official notification to be posted in 5 of the usual posting areas explaining things. This was logical and he was tasked to write something up to post and to get onto the website.

As long as the Warrant is not set, the Annual Town Meeting can be scheduled and rescheduled as needed. J. Silverstein supported our intent to take no action with regard to the ATM until more is known later in MAY. Moderator, Michael Miller was attending the meeting and appreciative of the decision.

Marijuana Dispensary Host Community Agreement review:

J. Silverstein ran through a redline draft of the Host Community Agreement for Webber Road, LLC. The proposal for the retail facility suggests opening by appointment only in the beginning and not open to the general public. Financial terms for the town would adopt 3% of sales for excise tax, paid to DOR and then back to the town. An additional 3% to help with impacts to the town. The "Community Impact Fee" payment of \$20,000 to address any impacts the dispensary may have on the town or any proper public purpose. As well as a voluntary contribution of \$25,000 to be used to fund public safety initiatives such as a DARE officer. Police Chief was concerned about the access around entire building and whether it would be paved or not.

Daniel Glissman, Esq. proposed having a soft opening and a time line. (McCarthy) advised that with a small police force the Chief of Police would need to make that decision. Silverstein agreed that it should be left up to the Chief.

Glissman asked to push the decision out closer to opening day which could be a year from now.

Motion: by (Doyle) move to accept most recent revision of the Host Community Agreement as written and recommended by K.P. Law, seconded by (Olszta), all in favor. Roll Call as follows:

(McCarthy)-Yes (Shea)-Yes (Doyle)-Yes (Olszta)-Yes (Haley)-Yes

Glissman wanted clarification on whether the board was comfortable with the unpaved access around the back of the building. (Olszta) felt that if unpaved it shouldn't make a difference as long as the ground was stable enough for emergency vehicles. (McCarthy) agreed that an unpaved road was acceptable.

7:00 p.m. Public Access

None

COVID-19 update:

(McCarthy) as of today there are no active cases of COVID-19. Updates are being put on the website daily. Fire and police are still in good shape and comfortable with PPE's. Sr. Center has been active with food runs coordinating with Greater Spfld Sr Services.

Inquiries have been coming in about the July flea market. As of now it is considered cancelled until the ban has been lifted. Board agreed that discussions will continue as time goes on but will most likely make a decision the end of May or early June.

Farmers Market:

(McCarthy) got feedback from the BOH about the first Farmers Market held this past weekend. Everything went well and was on site. Vendors and tables were all 6' apart. Money was exchanged via jars and envelopes. Food was prepacked, hand sanitizers were available at the tables and masks were worn. Concern over how cars were parked and will be revisited by BOH for the next time.

A food truck in place for takeout at Brimfield Winery was also following protocols. Cindy Skowyra, Director of the Hitchcock Academy was on the call and added that washing stations at the farmers market were provided by the Hitchcock. Everyone cooperated and it turned out well.

Annual Plant sale date- use of common:

Hitchcock Academy is requesting use of the common for the annual plant sale on May 23rd. Unless there is a change with the Governments ban on essential businesses this request will be denied. Horticulture is not on the list of essentials unless edible. Use of the common would only be possible with vegetable plants. Clarification should come from the BOH about what can be sold. BOS only approve use of common

Motion: (Olszta) reminded everyone that town property is currently closed. Motion failed. Plans will be made for an alternate site.

Meeting postings and remote access:

Remote video meetings present better viewing for cable audiences.

Revisit: Consider combining clerk for Building and ZBA:

If one or the other department wants to hire they should be able to. D. Fagerstrom asked what the procedure was for hiring. Whether it's the inspector or the BOS that makes the decision. Discussion on a joint clerk if one department is not happy with the clerk. (McCarthy) replied that the clerk positions were not *combined* but departments *could* share. Decision should be up to the Building Commissioner and then bring his recommendation to the Selectmen.

Building inspection for First Congregational Church:

Congregational Church wanted fee waived for their annual inspection. They Church is in the landlord position with the Sr. Center being the renter. Several

Board members agreed the Church should pay the inspection fee. Hitchcock pays for their. (Haley) added that historically an exception was made in return for reasonable rent, not because they were nonprofit. (Doyle) disagreed that a new contract was just signed and the old language does not pertain anymore. No action and the fee should be paid.

Reappointment: J. Fagerstrom to ZBA until 6/30/2023:

(Doyle)-Hold. Last year appointments were made too soon. Appointments and reappointments should be approved the last meeting in June giving others on boards the chance to ask for reappointment.

Annual Common Victualler Licenses:

Motion: by (Doyle) move to approve Harold LeBouf, Shane's Hot Dogs, Gardner, MA, Thomas Apgar, Request a Chef, Tolland, CT, Karen Gumienny, K & G Concession, Douglas, MA, Diane Baker, To the Queen's Taste, Newton, MA, Thomas Carnahan, Carnahan Concessions, Stormville, NY, David Goulding, Goody's Kettle Corn, Bolton, MA, GR Powell, Crystal Caves Family, Auburn, MA, Jim Bragden, All Things Maple, Shelburne, MA, Nathan Jacques, Old Tea Horse Road, Holyoke, MA, Mary Beth Shirzadi, Sassy's Catering, Thorndike, MA, Scott Surles, Scotties Good Food, Poughkeepsie, NY, Scott Balderelli, Diane's Villa Nova, Holland, MA, Suzanne Rohrbacher, Brimfield Acres North, Brimfield, MA, James Leblanc, Kettle Corn Hut, Lake Worth, FL, seconded by (Haley), all in favor.

Roll Call as follows:

(McCarthy)-Yes (Shea)-Yes (Doyle)-Yes (Olszta)-Yes (Haley)-Yes

Old Business:

Departments should account and watch for COVID related expenditures. (Olszta) thought board should be aware that if fire fighters or police had to be quarantined for 14 days at full pay it could be costly. Health agent has been taking over a lot of hours for the nurse. Hours that agent is putting in will be accounted for by BOH. Will follow up with Fincom. Exceptions can be made due to State of Emergency and overspending at this time would be allowed.

(Haley) Assessors have been posting on the old website.

Personnel Policy update:

(Doyle) is ready to send the policy off to Town Counsel for review. He will cc BOS when he does.

Revisit: PVPC Alternate Commissioner:

(Olszta) has been serving as alternate and not opposed to continuing, but would certainly welcome anyone else take it. (Olszta) will continue as Alternate Commissioner for PVPC.

Revisit: Accountant and Assistant Treasurer-Collector additional hours/pay:

(Doyle) had numbers he wanted to run by everyone. Important to get the correct pay for employees. Don't need to look at a new assistant this meeting.

He suggested giving the current Assistant Treasurer-Collector, D. Waterman a \$4.16 hr stipend in addition to her regular salary. Bringing her up to \$23 hr. retroactive to the resignation date of Treasurer-Collector A. Beaudry.

Motion: (Haley) move to approve an additional \$4.16 per hour stipend added on to regular salary for the Assistant Treasurer-Collector, until Treasurer-Collector can be back full time, seconded by (Doyle), all in favor.

Roll call as follows:

(McCarthy)-Yes (Shea)-Yes (Doyle)-Yes (Olszta)-Yes (Haley)-Yes

(Doyle) also added that it does look like we have been under paying the Treasurer-Collector position. Suggested a new hourly rate for the interim from \$27.01 to \$32 hr, for 15 hours. (McCarthy) would like time for consideration. (Doyle) responded that if the new assistant is at \$23 hr, then the Accountant should also have a stipend for additional hours that are working. (McCarthy) Felt this was a good start and changes should be discussed with Fincom.

B. Corry & M. Conners: Gazebo update:

Hold

New Business:

Roof leak in Annex:

Was temporarily fixed upstairs. (Doyle) Town should get the building survey done.

Accountant; M. Arsenault appreciated being included for compensation. She has been in weekly helping S. Ashleigh and is requesting compensation for 5 weeks of additional hours being put in. (Doyle) asked if she could overspend the budget. She confirmed it was possible.

Motion: by (Doyle) move to allow Accountant to be paid additional hours for work as needed to the end of the fiscal year, seconded by (Haley), all in favor.

Roll call as follows:

(McCarthy)-Yes (Shea)-Yes (Doyle)-Yes (Olszta)-Yes (Haley)-Yes

Gazebo:

Mark Conners and Bob Corry reported that the Gazebo and brickwork are ready to be installed and Tantasqua will be doing the electrical. Sources of funds consist of \$5,000 approved from the Norcross account, \$11,000 from a Cumberland Farms donation and private donations, along with additional funding sources.

With COVID-19 going on they are not sure when this will all happen. Concerns about having access to the \$11,000 in the gift account. Arsenault confirmed there are 2 accounts for the Gazebo and asked if they should they be combined. With direction of Selectmen she could authorize use.

M. Conners just wanted to make sure there was no underlining issues with that money being used. (Doyle) asked if the Building Commissioner had reviewed plans. (Olszta) asked if it would be used as a Bandstand. Conners verifying it would be a Gazebo/bandstand with a wider opening for better visibility.

Conners also wanted to know if the \$5,000 from Norcross needed additional approval. Arsenault said there were no restrictions.

(Shea) asked if plans would be submitted to the Building Comm and Planning Board prior to setting up. A site plan needs to come before the Planning Board along with meeting with the Building Comm to make sure there are no issues, site prep and inspection.

(McCarthy) echoed they need to speak with Building Comm and Planning Board.

B. Corry responded that they have to pay an amount in order to get engineered drawings for snow load and are still waiting to see where the Cumberland gas pumps will go in order to place the gazebo properly for light mitigation. They are taking into consideration light plans and landscaping to best fit all concerns.

Conners asked if all the funds could be moved into the gazebo account while visiting the Building and Planning. Arsenault replied that they could with Selectmen approval. BOS wanted to make sure all board requirements were taken into consideration first.

Motion: by (Haley) to combine 2 accounts for gazebo use.

(Doyle) if this goes before Planning and they don't agree can funds be moved back?

(McCarthy) reminding that the \$11,000 would still have to go to light mitigation.

Is there a second to the motion? (McCarthy) take no action leaving plenty of time for everyone working on this project.

(Conners) still needed assurance that the \$11,000 was secure in order to make commitments. Board agreed that they had already committed those funds.

(McCarthy) asked if anyone didn't agree that the money was going to gazebo/planning/light, to please speak up.

(Conners) wanted to lock in and not have the money even from families just go away after years of work on this.

(Doyle) assured him that these accounts were set aside for the gazebo and light mitigation. After approval is received from the Building Comm and planning, if necessary a special meeting could be held.

(Doyle) thanked Corry and Conners for all their work, the will be a beautiful asset to the town.

Public access, Bob Datz:

New castus system is set up and will give us live streaming.

(McCarthy) informed Datz that COA Director might want a public service announcement up. They will connect.

Office Matters:

Mail

Adjourn

Motion: by (Olszta) to adjourn at 8:34 p.m., seconded by (Doyle), all in favor.

Roll call as follows:

(McCarthy)-Yes (Shea)-Yes (Doyle)-Yes (Olszta)-Yes (Haley)-Yes

Upcoming Meetings:

May 11, 2020

Respectfully Submitted:

Carol Camerota

Transcribed by: Carol Camerota

ACCEPTED: *Paul McCarthy* DATE: 5-11-20

Documents Utilized for this meeting

MATERIALS FOR BACKGROUND AND REFERENCE

1. Minutes of April 13, 2020
2. Webber Road, LLC Host Community Agreement
3. COVID-19 protocol for Farmers Market
4. Request use of common
5. Reappointment: J. Fagerstrom
6. Fee waive request from Congregational Church

[4/22 2:18 PM] Select Board added Assistant Treasurer-Collector and 9 others to the meeting.

[4/22 2:18 PM] Select Board renamed the meeting to Board of Selectmen.

[Yesterday 6:19 PM] Deb Fagerstrom joined the meeting.

[Yesterday 6:21 PM] Select Board
can u hear me? say something to me

[Yesterday 6:24 PM] Deb Fagerstrom
Hi. No . didn't hear anything

[Yesterday 6:28 PM] 492 319 508# joined the meeting.

[Yesterday 6:30 PM] apple03 joined the meeting.

[Yesterday 6:30 PM] Jonathan silverstein joined the meeting.

[Yesterday 6:31 PM] Ryan Olszta joined the meeting.

[Yesterday 6:31 PM] Planning Board joined the meeting.

[Yesterday 6:32 PM] McCarthy joined the meeting.

[Yesterday 6:33 PM] Dionne Waterman joined the meeting.

[Yesterday 6:33 PM] Mike Doyle joined the meeting.

[Yesterday 6:34 PM] Josh Silver joined the meeting.

[Yesterday 6:38 PM] michael miller joined the meeting.

[Yesterday 6:38 PM] michael miller left the conversation.

[Yesterday 6:40 PM] Chris Kenny (Pioneer) joined the meeting.

[Yesterday 6:51 PM] Josh Ferranto joined the meeting.

[Yesterday 7:04 PM] Jonathan silverstein left the conversation.

[Yesterday 7:04 PM] Chris Kenny (Pioneer) left the conversation.

[Yesterday 7:04 PM] Josh Silver left the conversation.

[Yesterday 7:04 PM] 492 319 508# left the conversation.

[Yesterday 7:06 PM] Josh Ferranto left the conversation.