

**Select Board Meeting Minutes
August 15, 2022**

Members Present: G. Adams, S. Collins, M. Kelly, A. Soto

Public Present: Chief Kuss, Eva Pittsinger, John Freeman, Chet Jambora

6:30 PM: **M. Kelly, Chair**, opened the meeting and notified attendees that the meeting will be recorded. He asked all to stand for the Pledge of Allegiance.

Minutes: 08/08/2022

MOTION: G. Adams made a motion to accept the August 08, 2022, minutes as written.

SECOND: S. Collins

VOTE: All in favor

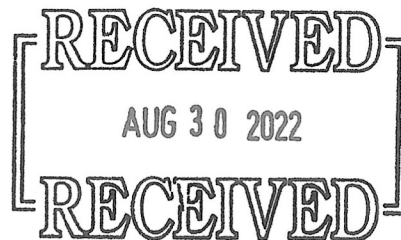
Appointment(s)/Resignation(s):

Conservation Commission, Gary Watts – Resignation

MOTION: S. Collins made a motion to accept Gary Watts resignation.

SECOND: A. Soto

VOTE: All in favor



Debra Fagerstrom

Clark & Green Architecture, Steve McCallister, and Pioneer Valley Planning Commission, John O'Leary – Senior Center Feasibility Study

M. Kelly introduced Steve McCallister and John O'Leary. Mr. McCallister gave a summary of the study. He stated the first section of the study is the Executive Summary. The presentation appeared on the movie screen in the hall. He discussed the study was for a new Senior Center on two different sites. One was the Old Town Hall and the other on New Holland Road. He stated they investigated zoning, utilities, access, environmental constraints, and other items. He said they developed a conceptual plan for each site along with the cost estimates. He decided to have a professional review the plans, so he consulted Talevi & Haesche, LLC. He stated the conclusion was that the Old Town Hall offered more uses, and a bonus office could be located downstairs, whereas the New Holland Road site is only large enough for a Senior Center. Mr. McCallister provided the names of the Project Team who worked on the study. He explained the Demographic Analysis, Programming and Operations study and survey done by Ballard King Associates Ltd and gave a summary of the results. He said most participants preferred the New Holland Road site but was not sure why. He went on to describe the recommendations made by Ballard King. He went on to describe the other items reviewed such as access to the site, site is easy to find, is the driveway and parking easily accessed, can they pull out of driveway easily, are there enough restrooms and are they easily accessible. He listed more which are in the document provided. He said the aim for square footage for the facility is in the range of six-thousand feet. He talked about the zoning and needing variances for both sites. He said one concern he had was if the lots were not conforming. He said the town had a series of non-conforming lots, including the library, the Town Hall lot etc. He said that would be something that they should be concerned about. He reviewed the Old Town Hall Site plans which included the water supply and where the septic would be located under the parking lot. This site would need a sprinkler system, but it is a solvable problem. He showed the expansion of parking and spoke about the basement and showed the conceptual ground floor plan, the Senior Center first floor plan and the second-floor plan. He presented the drawing of the outside of how the building would look.

The spoke of the New Holland Road site. He stated even though there are twenty-four acres only about three acres are usable. He showed that a boardwalk would go over Wetlands to get to the building from the parking lot. George Adams asked how the survey was conducted. Mr. McCallister stated he believed it was advertised in one of the local shoppers guide type papers and visitors to the Senior Center were encouraged to fill it out. He said he could get more information on how it was done. George asked if the survey was based on the population of 54,000. He said it was within the catchment area and some people would use other facilities. He said it would include Sturbridge and they were in the process of building a new Senior Center. Eva Pittsinger said the survey was posted on the Town website and the people who were using the Senior Center were encouraged to fill it out. George Adams said the most people who answered the questions were one-hundred six and the least was sixty-three. He thought it was too bad more people did not fill out the surveys in a

town of 3,600. Mr. McCallister said Eva and Ballard King worked hard to get as many people as possible to fill them out. G. Adams asked about the revenue generation of eighty thousand a year and is that renting out the facility. Mr. McCallister said that Ballard King stated the revenue would come from renting out the space if it operated as something else. The eighty-four thousand would be renting it out at approximately 5 hours a day. M. Kelly said he was not able to drill down into the plans and revisit it. Mr. McCallister presented the Comparative Construction Costs which were only 2.5 percent apart at 8.3 million for the Town Hall and 8.5 for the new site. He reviewed the advantages of the Town Hall plans, and the New Holland Road site. The Selectboard thanked Mr. McCallister and Mr. O'Leary for presenting the plans.

Directives for Building Committee

G. Adams said he thought it was important to form another building committee to investigate another location for the Senior Center and Town Offices at 297 Brookfield Road that the Board talked about a couple of meetings back. He asked the Boards input to ask the Building Committee to suspend any funding on any further projects until we can look at this other project and another one that came up. M. Kelly stated that makes sense because there have been new suggestions and possibilities. He said he would support that.

MOTION: G. Adams made a motion for the Building Committee to suspend spending on any projects until further notice.
SECOND: A. Soto

Discussion:

Anthony Soto asked if anyone from the Building Committee was in attendance since he had a question. Chief Kuss volunteered to speak since he is the Co-Chair of the Committee. Mr. Miller asked if he could speak. M. Kelly stated the meeting posting indicated all who wished to speak needed to attend in person, but M. Kelly asked him to make his point. Chief Kuss stated he understands the directive and there is nothing on the table that they would be billed for, and nothing was required to be paid. He said he did not think they needed a second Building Committee, and they could do the work of investigating the new suggestions. G. Adams stated the current Building Committee should continue to do the excellent job they have been doing and concentrate on what they ongoing now. He stated that thinking out of the box and looking at other projects and thinks it would be beneficial to the town to have new sets of eyes and a smaller committee on what renovation would look like at a new location. He said the Senior Center has a home and do not need one, but it would be a nice to have. Chief Kuss disagreed and said the participants on the Building Committee did not know about any new locations and now that they do, he believes they are very capable of working on these projects. The Chief asked if a bill came in to be paid, should they come to the Board to have it paid. M. Kelly said that if it predated today's date, yes.

VOTE: All in favor

Police Chief – Ethics Complaint Resolution

Chief Kuss stated he was the subject of an Ethics Commission complaint a couple of months ago. He said the crux of the complaint was that in his capacity as Chief of Police and his work at the Flea Market, the three times a year Antique Show. He said and was assigning himself to those hours and was paid for those details. He went on to say, the basis of the ethics is that individuals under municipal employments are not supposed to be in control of their own finances. There was a nexus between the number of hours he worked and what he received as salary. He said, in his authority as Chief, you could argue he was assigning himself. The Ethics Committee reviewed the complaint and assigned, and an investigator was assigned. The Committee decided no further investigation is warranted, there is no reprimand or other paperwork issued upon him. He said the complaint was vacated but the investigator did not indicate there would not be adjustments made, so part of what he brought to this meeting is the request for that adjustment. He stated under the Ethics Commission Chapter 268A Section 19 there is an exemption which is a recognition by the Municipal authority, which is the Select Board, of his circumstance, as a Municipal employee that working the Antique Show and scheduling himself for working that show represents a possible conflict of interest. It is up to the Select Board to determine whether that is significant to alter his performance in that effort. His request is for the Board to sign the exemption. He said for the last fifty-three shows before last July he had performed his duty as Police Chief and was compensated separately for those hours. S. Collins asked for the documents from the Ethics Commission to review. Chief Kuss will send that to the Select Board. M. Kelly asked if the Chief

was given any acknowledgement regarding the show. Chief Kuss stated when he was hired as Chief of Police, the Select Board stated he was responsible for the function of the Police Department and for the shows. He said the Show details were separate from the Town. M. Kelly said it is not exactly like working a detail for National Grid, but his understanding was that when he worked those details, the Town bills National Grid and it goes into a detail account and the Police detail gets paid from that account. M. Kelly said when the Chief was hired this account did not exist. He said he believed there was always an account for Flea Market Expenditures, and he cannot speak to it, and would have to ask Marie (Town Accountant). There was a discussion about how the new account was set up as a revolving account and how the Detail Assignments are paid. M. Kelly asked Chief Kuss to forward any documents or information from the Ethics Commission regarding the complaint and thanked the Chief. The Chief asked if this would be resolved by the September Show. M. Kelly stated he thought it would be resolved by then.

One-Day Liquor License – Hardwick Winery

MOTION: S. Collins made a motion to accept the one-day liquor license for Hardwick Winery for 09/26/2022 from 10 a.m. to 10 p.m. at Hertans.

SECOND: A. Soto

M. Kelly asked if all paperwork was signed by those that were required to. Theresa Cofske stated she spoke with Chief Kuss, and the others have signed. G. Adams and A. Soto reviewed the paperwork.

VOTE: G. Adams – Aye; S. Collins – Abstain; M. Kelly – Aye; A. Soto – Aye

3-0-1

Motion Carried

Postage Meter for All Municipal Offices

T. Cofske stated the Town Clerk recommended this due to the volume of mailings. T. Cofske stated it would be beneficial to all departments. A. Soto stated he thought it was a great idea as it made for less errors. He said if the departments have postage in their budgets the Town can take it back and add it to the budget for the postage meter. Eva Pittsinger has an account with the Post Office, and she will continue to use this system. The Select Board liked this system and will have the Town Clerk investigate doing this for the other offices. They decided to table this for now.

FY2023 Payroll Authorizations

M. Kelly stated these were voted on at the Town Meeting. He stated they can sign these later after the meeting.

MOTION: S. Collins made a motion to sign the payroll authorizations for fiscal year 2023.

SECOND: G. Adams

VOTE: All in favor

Event on the Common, August 27, 2022 - Sponsorship Clarification

M. Kelly stated there was some confusion about the event. He said this is not a Select Board or a Town Function and there were some members that produced the idea that they would like to acknowledge and say thank you to the people who have helped make the Town what it is. A. Soto said the Town is not paying a dime for this and he fully funded it. He said there were some donations, but he fully funded the event from nuts to bolts. He said he made a campaign promise that he would do his best where people can come to meet their neighbors. He worked with G. Adams and got a consensus of what the town would like.

Trails Committee – Challenge Partnership Agreement Between the U.S. Army Corps of Engineers

MOTION: S. Collins made a motion to accept the Challenge Partnership Agreement between the U.S. Army Corps of Engineers.

SECOND: A. Soto

VOTE: All in favor

Sign Primary Warrant

M. Kelly asked if this was for the State. T. Cofske stated it was and needed all signatures.

MOTION: A. Soto made a motion to sign the Primary Warrant for the State Election.

SECOND: G. Adams

VOTE: All in favor

Amendment to the Caucus Warrant

T. Cofske stated the amendment to correct the date to Selectboard member to read June 22, 2024.

MOTION: A. Soto made a motion to correct the date to June 22, 2024.

Discussion: S. Collins stated that June 22 is a Sunday. The election is the third Tuesday in June. The date needs correction to read June 2024.

MOTION AMENDED: A. Soto amended the date to read June 2022.

SECOND: G. Adams

VOTE: All in favor

Old Business:

Police Chief Search

M. Kelly stated this will be rescheduled to the August 29th meeting since the Select Board Members are still working on this.

Law Firm Search

A. Soto reached out to two law firms and interviewed them. He stated he would like one more and M. Kelly said he met with a law firm as well. He said they should ask them to send letters of interest and billing information, so they have something tangible to review. A. Soto stated that the firms would be open to public interviews. M. Kelly said the Select Board would revisit this and the Police Chief search at the next meeting.

MOTION: S. Collins made a motion to adjourn.

SECOND: G. Adams

VOTE: All in favor

Documents

- 08/01/2022 Draft Minutes
- Gary Watts resignation email
- Clark & Green Architecture, Steve McCallister, and Pioneer Valley Planning Commission, John O'Leary – Senior Center Feasibility Study
- One-Day Liquor License application – Hardwick Winery
- Payroll Authorizations
- Trails Committee – Challenge Partnership Agreement Between the U.S. Army Corps of Engineers
- Primary Warrant for State Election
- Caucus Warrant

Respectfully Submitted by Patricia A. Plasse

