

**TOWN OF SHEFFIELD
BOARD OF SELECTMEN
JUNE 30, 2014
TOWN HALL
7:00 PM**

Board Members Present: David A. Smith, Jr., Chairman
Nadine A. Hawver, Clerk
Rene C. Wood

Others Present: Rhonda LaBombard, Town Administrator
Alicia Dulin, Assistant to Town Administrator
Brendan Amy, TEC Associates
Bruce Person, Town Moderator
Vito Valentini, SBRSD School Committee

Members of the public

Chairman Smith called the meeting to order at 7:00 PM

APPROVAL OF MINUTES:

No minutes for approval.

**TEC ASSOCIATES – HOUSATONIC RAILROAD COMPANY LIMITED
APPLICATION WAIVER:**

Brendan Amy from TEC Associates was present to request a letter from the Board stating that the Board understands and agree that there is a need for the Housatonic Railroad Company to maintain safe Rights-of-Way through the Town of Sheffield and that they may proceed with the one-time application of herbicide to manage the Rights-of Way through Sheffield for the year of 2014. Selectman Wood stated that there have been some residents of Ashley Falls who have expressed their concerns regarding their wells. She stated that she read the Massachusetts regulation on this and it states that spraying should not occur within so many feet of a private well. Mr. Amy stated that there is a 150ft no spray zone from private wells and they have done the research using MassGIS, the registry and contacted the Board of Health in each town. He stated that there are six private wells that are protected in Ashley Falls. Priscilla Cote Chairman of the Board of Health stated that their Board has not been contacted regarding this project. Mr. Amy stated that a certified letter was sent and that they do have a signed return receipt card. Selectman Wood moved to have the Board of Health review the project regarding the protected wells in Ashley Falls and authorize the Town Administrator to sign a letter agreeing to a one time application of herbicide to manage the Rights-of Way through Sheffield no later than July 15, 2014, seconded by Selectman Hawver. The motion carried unanimously.

NEAL CHAMBERLAIN – CANOE ACCESS TO THE HOUSATONIC RIVER:

Neal Chamberlain was present to discuss an access point to the Housatonic River that he has been researching. He discussed the need to build a bridge over the poison ivy. He stated that Dennis Regan, Berkshire County Director, Housatonic Valley Association proposed having engineering, permitting and design done for the access to the river. Selectman Wood moved to support this project and urge Dennis Regan to bring a proposal to the Board of Selectmen, seconded by Selectman Hawver. The motion carried unanimously.

APPLICATION FOR FARMER WINERY TO SELL AT FARMER’S MARKET:

Administrator LaBombard explained that Graham Farmhouse, LLC has applied for a license to do tasting and sell wine at the Sheffield Farmer's Market. She stated that a winery license is different from a brewery and therefore they are allowed to do tastings and sell their product and they can be charged no more than \$50.00 per farmer's market season. Selectman Wood moved to sell Graham Farmhouse, LLC a Winery license in the amount of \$50.00 for the year, seconded by Selectman Hawver. The motion carried unanimously.

ONE DAY ALCOHOLIC BEVERAGES LICENSE – LINDA AND JACK MCKELVEY:

Linda and Jack McKelvey submitted an application for a one day Alcohol license for an event to be held on September 27, 2014 at the Town Park. Administrator LaBombard stated that payment and an insurance certificate had been received. Selectman Wood moved to approve the one day alcohol license application as presented, seconded by Selectman Hawver. The motion carried unanimously.

APPOINTMENT OF REPRESENTATIVE TO THE BRTA ADVISORY BOARD:

Selectman Wood requested to put this appointment off until the other appointments are done. She stated that she may be able to be the representative for this but it will depend on other appointments. It was the consensus of the Board to wait until the other appointments are done to appoint a representative to the BRTA Advisory Board.

APPOINTMENT OF FIRE CHIEF:

Chairman Smith stated that the Fire Department has taken a vote and they recommend appointing Brent Getchell as the new Fire Chief. Selectman Wood moved to appoint Brent Getchell as Fire Chief for a one-year term, to expire June 30, 2015, seconded by Selectman Hawver. The motion carried unanimously. Chairman Smith thanked Richard Boardman for his years as Fire Chief and stated that he thought Brent Getchell would do a great job as Fire Chief. Brent Getchell thanked the Board and stated that he was excited to serve the Town as Fire Chief.

APPOINTMENT OF PROBATIONARY FIREFIGHTERS:

Chairman Smith read a letter from Fire Chief Richard A. Boardman Jr. requesting appointment of Nicholas Currier and Taylor Getchell to the Fire Department. Selectman Wood moved to appointment Nicholas Currier and Taylor Getchell each to one-year probationary terms on the Fire Department pending a CORI check, seconded by Selectman Hawver. The motion carried unanimously.

APPOINTMENTS FOR FY2015:

Selectman Wood moved to appoint the following:
Kathy Orlando to a three year term to the Agricultural Commission
Martin Clark to a one year term as Animal Control Officer and Animal Inspector
seconded by Selectman Hawver. The motion carried unanimously.

Selectman Wood recused herself from the appointment of BRPC Delegate Alternate. Selectman Hawver moved to appoint Rene C. Wood to a one-year term as BRPC Delegate Alternate, seconded by Chairman Smith, The motion carried unanimously.

Selectman Wood moved to appoint Fred Panitz and David A. Smith, Jr. to a three year term on the Board of Health, seconded by Chairman Smith. Priscilla Cote, Chairman of the Board of Health expressed her support for Fred Panitz because he is a Physician and a Lawyer and he has been very active on the Board. She stated that she feels the Board needs the medical experience that he has. Chairman Smith stated that he has strong interest in being appointed to the Board of Health and he has applied 3 or 4 times previously. Selectman Wood stated that she does not remember Chairman Smith previously stating his strong interest on being appointed to the Board of Health, though he has applied last year, and that she would be concerned if all three Selectmen were on the Board of Health that the Board of Selectmen could control the Board of Health. Selectman Hawver stated that it would be

appropriate for her to be on the Board of Health because she has State Sanitary Code Apartment Inspections certification. She stated that she has noticed while reading the Board of Health minutes that there has been an increase in complaints and she feels she could be an asset to the Board. Ms. Cote stated that Mr. Panitz also has public health experience. Selectman Wood offered to amend her motion from David A. Smith, Jr. to Nadine A. Hawver, with the Chairman's approval. Selectman Hawver withdrew her name and stated that she would wait until next year. Trudy Weaver-Miller stated that Selectman Hawver has articulated why she would be a good fit on the Board of Health but Chairman Smith has not. With the Chairman's consent, Selectman Wood amended her motion and moved to appoint Fred Panitz and Nadine A. Hawver to a three year term on the Board of Health, seconded by Chairman Smith. Selectman Hawver put her name back into the running for the Board of Health appointment. The motion carried unanimously.

Selectman Wood moved to appoint the following:

Patricia Sadera and Elizabeth Smith to a three year term on the Board of Registrars

Thomas Carmody to a three year term as Building Inspector

Don Ward to a three year term on the Conservation Commission

Bruce Person and James McGarry to a one year term as Constable

seconded by Selectman Hawver. The motion carried unanimously.

Selectman Hawver moved to appoint the following:

Helen Johnston, Patricia Hardisty, Michelle Harwood and David Steindler to a three year term on the Council on Aging

Sally Cook to a three year term on the Cultural Council

David Wells to a three year term on the Commission on Disabilities

Richard Cappadona to a one year term as Electrical Inspector

Butch Ray to a one year term as Assistant Electrical Inspector

Edward McCormick to a one year term as Emergency Management Coordinator

Robert Krupski to a one year term as Gas and Piping Inspector

Robert Gennari to a one year term as Assistant Gas and Piping Inspector

Michael King and Gay Tucker to a three year term on the Historical Commission

John Londoner to a three year term on the Parks and Recreation Committee

Robert Krupski to a one year term as Plumbing Inspector

Robert Gennari to a one year term as Assistant Plumbing Inspector

David Steindler to a one year term as Recycling Coordinator

Scott Smith to a one year term as Sanitation Inspector

seconded by Selectman Wood. The motion carried unanimously.

Selectman Wood stated that she would like to make sure that all inspectors have the proper qualifications by appointment time next year.

Appointment of the Alternate Sanitation Inspector is on hold per Board of Health request.

Selectman Wood moved to appoint James McCormack to a three year term as Town Accountant, seconded by Selectman Hawver. The motion carried unanimously.

Selectman Wood stated that she is happy with Kopelman and Paige as Town Counsel except when it comes to the Primax Properties litigation. Selectman Hawver moved to appoint Kopelman and Paige to a one year term as Town Counsel, seconded by Chairman Smith. The motion carried unanimously.

Selectman Wood moved to appoint D.M. Moschos to a one year term as Special Town Counsel and Brackett and Lucas to a one year term as Special Town Counsel for the Hanlon Case, seconded by Selectman Hawver. The motion carried unanimously.

Selectman Hawver moved to appoint Michael Ovitt to a three year term as Treasurer/Collector, seconded by Selectman Wood. The motion carried unanimously.

Selectman Hawver moved to appoint Barbara Roraback to a three year term as Assistant Treasurer/Collector, seconded by Selectman Wood. The motion carried unanimously.

Selectman Wood moved to appoint Edward Lord to a one year term as Tree Warden, seconded by Selectman Hawver. The motion carried unanimously.

Selectman Hawver moved to appoint Laurie Hils to a one year term as Veteran's Agent, seconded by Selectman Wood. The motion carried unanimously. George Oleen from the American Legion asked if the Board could please talk with Ms. Hils because she never returns his phone calls, does not attend meetings and has not supplied the Veteran's Handbooks that he requested. Selectman Hawver stated that she uses Ms. Hils services on a bi-weekly basis and has never had a problem getting a response from her. Chairman Smith asked Michael Ovitt if he had any thoughts on this since he also uses Ms. Hils services on a regular basis. Mr. Ovitt stated that he has had no issues contacting her. Chairman Smith stated that the issue would be addressed.

Administrator LaBombard stated that Bart Elsbach has submitted a letter stating his interest in reappointment to the Zoning Board of Appeals. She stated that the letter was received three weeks after the deadline. The Board noted that it had not allowed action on a previously late application so the same applied here.

Selectman Wood moved to appoint Allison Lasso and Mark Bachetti to a three year term on the Zoning Board of Appeals, seconded by Selectman Hawver. The motion carried unanimously.

Selectman Wood moved to appoint Greig Sedor to a one year term as Zoning Board of Appeals Alternate, seconded by Selectman Hawver. The motion carried unanimously.

Selectman Wood stated that there are many vacancies on other Committees and Boards and encouraged Bart Elsbach to apply where there are other vacancies.

APPOINTMENT ANNOUNCEMENTS FOR FY2015:

Administrator LaBombard read the following list of applicants and vacant positions for FY2015:

Planning Board – Rene C. Wood, Anthony Gulotta
Parks and Recreation Committee – Tom Sullivan
Economic Development Committee – Thaddeus Kubis, Alice Naylor
Cultural Council – Thaddeus Kubis
Zoning Board of Appeals – Bart Elsbach
Housing Commission – Claudia Martin
Food Inspector – Sally Munson
Ashley Falls Historic District Commission – Priscilla Rueger

Administrator LaBombard stated that Moderator Bruce Person submitted a letter to reappoint David Steindler to a three year term on the Finance Committee.

APPOINTMENT OF REPRESENTATIVE TO THE BRTA ADVISORY BOARD:

Selectman Wood stated that she would be happy to serve as Sheffield's Representative to the BRTA Advisory Board for a one year term. Selectman Hawver moved to appoint Rene C. Wood to a one year term as the Representative to the BRTA Advisory Board, Seconded by Chairman Smith. Selectman Wood recused herself. The motion carried unanimously.

Moderator Bruce Person asked why the Board is not acting on his Finance Committee recommendation and read his letter recommending the reappointment of David Steindler to the Finance Committee. Selectman Wood explained that she has worked with David Steindler on the Chapter 70 formula and thinks that he is very dedicated, but was disappointed with the outcome of the School budget and that the Finance Committee had commented on areas not in its purview, including personnel matters. She stated that she will not be able to support him. Selectman Hawver moved to ratify the Moderator's appointment of David Steindler for a three year term to the Finance Committee, seconded by Chairman Smith. Selectman Wood explained that she has worked with David Steindler on the Chapter 70 formula and thinks that he is very dedicated, but was disappointed with the outcome of the School budget. She stated that she will not be able to vote for this. The motion carried 2-1. Selectman Wood was opposed.

SELECTION OF SEASONAL MOWING FOR SUMMER:

Administrator LaBombard stated that 4 applications had been received for the seasonal mowing position and Highway Superintendent Edward Lord has recommended Anthony Gasperini. Selectman Wood moved to appoint Anthony Gasperini as a seasonal mower at a rate of \$15.00 per hour, seconded by Selectman Hawver. The motion carried unanimously.

SBRSD VOTE TO BORROW:

Chairman Smith stated that Vito Valentini was present to discuss the School Committee's vote to borrow \$150,000 to install AC on the second floor of the School. Vito Valentini presented the proposal and asked the Board for their approval to Borrow the \$150,000 to install AC on the second floor of the School. Discussion ensued regarding reasons this was not brought up during budget season, the need for AC on the second floor of the School and the possibility of using Chapter 70 money to pay for the project. Selectman Wood stated that she would recommend letting the voters decide. It was the consensus of the Board to ask the Town Administrator to see if there is enough time to have a Special Town Meeting and discuss it at their next meeting.

REEST OF RIVER UPDATE:

Selectman Wood stated that the EPA has released their plan and there are copies available at the Library, Town Administrator's Office and Town Clerk's Office. She stated that she is asking the Board to authorize sending a letter to the EPA requesting to extend the comment period to October 27, 2014 from its current 60 days and to authorize Berkshire Regional Planning Commission to write a letter supporting the extension for the ROR Municipalities. Selectman Hawver moved to approve both letters, seconded by Chairman Smith. The motion carried unanimously.

SCHEDULE MEETING WITH COA:

Discussion ensued regarding what the best day would be to meet with the Council on Aging. It was the consensus of the Board to meet with the Council on Aging on Tuesday July 22, 2014 at 7:00 PM. Administrator LaBombard will check with the Council on Aging to see if this date and time works for them.

RESIGNATIONS – PLANNING BOARD, SHEFFIELD DELEGATE TO BERKSHIRE COUNTY'S MPO:

Chairman Smith stated that a letter of resignation has been received from Planning Board members Peter Cherneff and Maria Nation. He stated Rene C. Wood has also submitted a letter resigning as the Sheffield Delegate to Berkshire County MPO. Chairman Smith stated that the resignations from the Planning Board are unfortunate and thanked Peter Cherneff and Maria Nation for their service. Selectman Wood moved to accept the letter of resignation from Planning Board members Peter Cherneff and Maria Nation and to send a thank you letter to them and to all people who did not reapply for appointment, seconded by Selectman Hawver. The motion carried unanimously.

Selectman Hawver moved to accept Rene C. Wood's letter of resignation as the Sheffield Delegate to Berkshire County's MPO, seconded by Chairman Smith. The motion carried unanimously.

Trudy Weaver-Miller asked Chairman Smith to read the Planning Board members resignation letter into the record. Chairman Smith read the resignation letter.

TOWN ADMINISTRATOR ITEMS:

Administrator LaBombard stated that that the Transfer Station letters will go out sometime this week along with a broadband survey. She stated that the Transfer Station sticker prices have gone down from last year. The price for stickers is as follows:

Regular sticker - \$165

Qualified senior – age 70 and up \$115

2nd sticker - \$10

Recycling sticker - \$30

Administrator LaBombard gave an overview of the working meeting that was held on June 23, 2014.

PUBLIC COMMENT:

George Oleen stated that the American Legion submitted a letter requesting to be appointed as Veteran’s Grave Officer and wanted to know the status of that request and the request to put service flags on all of the Village Green lamp poles. Administrator LaBombard stated that it was on the agenda for the next Board of Selectmen meeting.

Dennis Sears stated that the Historical Commission will be initiating a work study program in which college students from Berkshire Community College and Massachusetts College of Liberal Arts would help update the Town of Sheffield’s historic property records. He stated that it is a great opportunity for kids to earn money. Any student can go to the financial aid office for more information.

Selectman Hawver moved to adjourn the meeting, seconded by Selectman Wood. The motion carried unanimously.

Chairman Smith adjourned the meeting at 8:50 PM.

Respectfully submitted:

Alicia Dulin
Assistant to Town Administrator

Documents reviewed at this meeting:

Letter from TEC Associates

Application for Farmer Winery License to Sell at Farmer’s Market – Graham Farmhouse, LLC

Application for One Day Alcoholic Beverages License – Jack and Linda McKelvey

Firefighter Applications – Nicholas Currier, Taylor Getchell

List of Vacancy Applicants

List of Appointment Announcements

Seasonal Mowing Applications

School Committee Vote to Borrow Letter

Draft Letter to EPA

Resignation Letters – Planning Board, Sheffield Delegate to Berkshire County’s MPO