

APPROVED

## BOARD OF SELECTMEN MEETING

Wednesday March 13, 2019 – 6:00 PM – Richmond Town Hall, 1529 State Road

**PRESENT:** Mr. Neal Pilson, Chair; Mr. Alan Hanson, Selectman; Mr. Roger Manzolini, Selectman; Mr. Mark Pruhenski, Town Administrator

**ABSENT:**

**GUESTS:** Mr. Tom Grizey, Wiring Inspector; Mr. David Smith, Investment Cte. Applicant; Mr. Sean Wilson, Investment Cte. Applicant; Mr. Peter Sheffer, Resident; Mr. Ken Kelly, Pres., Richmond Pond. Assn; Mr. James Shoemaker, Mr. Jeff Dalzell via conference call

Mr. Pilson called the meeting to order at 6:00 PM

**Center Cemetery Burial Request by Conference Call:** Mr. Jeff Dalzell called in and was placed on speaker phone. Mr. Dalzell noted that his wife had passed away in January and he would like to have her buried in the family's burial plot in Center Cemetery. Mr. Pruhenski explained to Mr. Dalzell that he is required to obtain permission to purchase a plot from a Richmond cemetery because he is not a current resident. Town regulations also require that the purchaser has been a resident for at least ten years.

Mr. Dalzell said that his grandparents lived in Richmond on a farm on Dublin Road for 40-some years, which he used to visit in the summer. Richmond is a part of his family's history and it was his understanding that the family owns some plots in the cemetery, which should be available. Mr. Pruhenski offered to have the Cemetery Superintendent research the records to determine if that is the case. If there are available gravesites within lots owned by the family and Mr. Dalzell can show agreement from his other family members for him to use one of those sites, there would be no objection. Given that the burial was a cremation, the urn can be buried on top of an existing gravesite. Mr. Pruhenski suggested that the issue be tabled until the next meeting, during which time the necessary research can be completed. Mr. Dalzell thanked the Board for their help.

**Road Salt Discussion:** Mr. Peter Sheffer brought an issue about the amount of road salt being used on Osceola Notch Road and the impact that has on his well. He is asking if there is anything that can be done about the amount of salt that is being used, which he considered to be excessive. He has, on occasion, cleared buckets full of excess salt off the road. He has spoken to Mr. Beckwith, the Highway Superintendent, about this issue and was told that they are using the minimal amount of salt that they can in order to assure the melting of the snow.

Mr. Hanson asked Mr. Beckwith if there is a way to amend the problem by grading or changing the flow of surface water. Mr. Beckwith replied that it would require blacktopping the road. Mr. Beckwith reiterated that it is his practice to put down the minimum amount of salt that is needed per storm. All the equipment he uses is calibrated and the rate of salt deposited is

linked to the speed of the truck – if the truck slows down, the amount of salt deposited slows down and the spinner dispersing the salt also slows down, which means that the salt is not dispersed as widely. The average amount of salt used is 350 pounds of salt per mile. That road is not a mile long, so he uses less than a wheelbarrow worth of salt for the whole road. Mr. Beckwith noted that his first responsibility is public safety.

Mr. Pilson asked whether there was a berm or something that might reduce the amount of flow on to the property. There was a discussion of some possible steps that might be taken to resolve the problem. Mr. Pilson offered to go to the site and see if there is anything he can suggest that might be of help.

**Investment Committee Applicants:** Mr. David Smith and Mr. Sean Wilson came before the Board as applicants for the Investment Committee. Mr. Pruhenski read the description of the work that the Investment Committee will do. In order to get the process started, it was decided to look at the two applicants available and reserve the right to add a third member in the future.

Mr. Pruhenski turned the floor over to Mr. David Smith, a retired Chief of Commerce for the Democrats in the House of Representatives. He was responsible for responding to the financial crisis and has had a lot of experience with economics and economic policy. In response to Mr. Manzolini's question about his availability, Mr. Smith noted that he felt he could be available on a regular basis.

Mr. Sean Wilson retired from a career in finance at General Electric doing financial analysis and capital markets. He is currently doing financial consulting for a company in Boston. Mr. Wilson is currently also a member of the Cable Advisory Committee but did not feel that that responsibility would impact his ability to serve on the Investment Committee.

Mr. Manzolini moved that the Board appoint Mr. David Smith and Mr. Sean Wilson to the Investment Committee. The motion was seconded by Mr. Neal Pilson and was passed by unanimous vote.

Mr. Pruhenski will send the two gentlemen email confirming their appointments to the Committee. He asked that they make an appointment with him or the Town Clerk to be sworn in.

**Goose Management Plan for Richmond Pond Assoc.:** Mr. Ken Kelly distributed copies of the Plan. Mr. Kelly asked the Town to chip in one-tenth of the \$12,243. cost for the contract with Wild Goose Chase to have their trained border collies chase the geese three times a week. That amount would be \$1,250. He also asked for approval to submit an Egg Addling permit to the State and for the Town to make up three signs saying, "Please don't feed the ducks and the geese" to be placed at the Boat Launch Ramp, the Town Beach and on Town Beach Road.

The Pond Association is paying fifty percent and each of the five primarily impacted property owners are being asked to chip in one-tenth of the contract cost. That includes the Town

because of the Town Beach and the boat launch ramp, which have been impacted. In addition, Camp Russell, the Lakeside Christian Camp, the South Pond Farm Condominiums and the largest community on the Pond, Richmond Shores, will be dividing the remainder of the cost.

If nothing is done to resolve the goose problem, there will be another 125 geese on the lake in addition to the 200 we saw this year. It is very likely if that is the case that the Board of Health will have to shut down Camp Russell, the Town Beach, etc. in response to a health issue. In response to a question from Mr. Manzolini as to whether all parties have committed to supporting this Plan, Mr. Kelly said all but a few of the Richmond Shores homeowners have agreed. The Lakeside Christian Camp will be managing the contract with Wild Goose Chase for their services.

Mr. Manzolini noted that coordination among the property owners around the Pond is critical and asked how that coordination will be assured. He was told that there is a core group of the Richmond Pond Association, chaired by John Mead, from Lakeside Christian Camp, that has been working on that. The Association is asking the Town to approve the Goose Addling Permit for the properties that the Town owns. Each property owner will be asked to submit an application to the State for a Goose Addling Permit so that when a nest is found, the border collies will keep the parent geese at bay, while a member of Wild Goose Chase coats each of the eggs with Wesson Oil and puts them back in the nest. The oil closes the pores of the eggshell so that oxygen cannot flow in and the development of the embryo is arrested. The geese will continue to incubate the eggs, which will never hatch. There was a discussion of how effective this Plan will be.

Mr. Manzolini raised the issue of the need to obtain approval from the Conservation Commission since the Plan includes "grass treatment." Mr. Kelly said that the paragraph on goose repellent treatments for lawns should be deleted. The Plan is not encouraging that action which must be permitted by the State and is not very effective.

Mr. Pilson moved that the Board approve a warrant for the Town Meeting for the appropriation of \$1,250 to pay one-tenth of the cost of the Goose Management Plan as proposed; that the Board approve submitting an Egg Addling permit to the State and that the Board will produce and install four signs requesting that the public do not feed the ducks and geese, which will be funded through the Board of Health. Mr. Manzolini seconded the motion, which was adopted by unanimous consent.

**Approval of Minutes of the Meeting of February 13, 2019:** Copies of the reviewed and edited minutes were distributed for review. Mr. Pilson moved that the minutes of February 13, 2019 be approved as read, Mr. Hanson seconded the motion and it was passed by unanimous consent.

**Excella Contract (Financial Software) for FY'20:** Mr. Pruhenski explained that the contract was for all of the Town's financial software. The contract is for \$21,791.00, funds for which are in the current budget. Mr. Pruhenski asked for the Board's approval and signature. Mr. Manzolini

moved that the Excella 2020 Contract be approved. Mr. Pilson seconded the motion and it was carried by unanimous vote.

**Underground Storage Tank Contract for FY'20:** This storage tank is located at the Highway Department. The contract is for insurance in case one of the tanks leaks as required for DEP compliance. Mr. Pruhenski noted that, because the deadline for this contract occurred a few weeks ago, and as the cost had been budgeted, he signed on behalf of the Board and was now asking formally for the Board's approval. Mr. Manzolini moved that the signing of the contract by the Town Administrator be approved. Mr. Pilson seconded the motion, which was passed by unanimous vote.

**Library Lease Renewal:** The lease expires in June. Mr. Pruhenski has contacted Marge Baldwin to discuss renewal of that lease. Some changes were made, which Mr. Pruhenski outlined before asking for approval. Rent remains at \$1,000 per month. The changes that were made were at the Town's request: It is now a three-year lease but would allow for termination with notice six months in advance. At the request of the Library Trustees, parking for 10 to 15 vehicles was included, which had not previously appeared in the lease. The indemnification section was deleted on advice of counsel. The revised lease has been reviewed by legal counsel, the funds are in place in the budget and Mr. Pruhenski asked the Board to sign the lease from July 1, 2019 through May 31, 2022. Mr. Hanson moved to accept the Library Lease as revised. Mr. Manzolini seconded the motion, which was passed by unanimous vote.

**East Road Drainage Letters – Update:** Mr. Pruhenski distributed copies of the letters that were sent to three property owners on East Road from the Town's Attorney as discussed at an earlier meeting. At least one of them has been in touch with our Attorney. Mr. Peter Beckwith, Town Highway Superintendent, talked to the owner at 851 East Road who claims to have done the work. Mr. Beckwith also consulted their contractor who is going to advise them that the work they contracted for was completed but more maintenance needs to be done. Mr. Beckwith has advised the homeowner that the Town will wait until spring before pursuing further legal action so that a further assessment of their driveway can be done.

Mr. Pruhenski noted that the Town has not heard from the remaining two property owners and the issue is now in the hands of our Attorney. Mr. Pilson and Mr. Beckwith reviewed the action (or lack thereof) that has been taken to remedy the situation by the remaining two homeowners even though it has been over a year that they have been aware that this problem existed.

Mr. Pilson advised Mr. Beckwith about the road heaves that have occurred on the paved portion of East Road. Mr. Beckwith replied that he has spoken with Mr. Shep Evans, the Conservation Commission Agent, about replacing the culverts on East Road to return drainage to what it should be.

**Nomination of Inspector of Animals Through April 30, 2020:** Mr. Pruhenski advised the Board that they are obligated to nominate an Inspector of Animals for the Town of Richmond and

return it by April 1<sup>st</sup> to the Massachusetts Department of Agricultural Resources. He recommended that they appoint our current Animal Control Officer, Mr. Brian Hoskeer, as Inspector of Animals. With the Board's approval, Mr. Pruhenski will have the necessary paperwork filled out and notarized and sent back to the State before the April 1<sup>st</sup> deadline. Mr. Pilson moved to approve the nomination of Mr. Brian Hoskeer as Inspector of Animals. Mr. Manzolini seconded the motion, which was passed by unanimous vote.

**Cemetery Burial Plot Discussion:** Mr. James Shoemaker came before the Board to update them on the status of his request to use the family burial plot. Mr. Shoemaker reported that he had reached out to his uncles who have not responded to his request. He offered the Board some additional paperwork that grants Mr. Shoemaker everything that his grandmother had. Mr. Manzolini noted that, in his opinion, non-response is consent. He suggested that Mr. Shoemaker formally document the steps he has taken to obtain permission from the family for the use of the burial plot and the fact that there has been no response. Mr. Pruhenski advised Mr. Shoemaker that if he can get that documentation to the Board before the March 27<sup>th</sup> meeting, it will be read into the record and the Board will vote to approve Mr. Shoemaker's use of the burial plot.

**Office of Fishing and Boating Access – Special Use Permit Application for 9-29-19:** The application is for the Mass. Bass Alliance to allow 18 vehicles and 18 boats to use the Pond from 7:00 AM – 3:30 PM. Mr. Pilson suggested that Mr. Pruhenski advise the Mass. Bass Alliance that another permit has been approved for that date. Mr. Manzolini moved that the application be approved with the condition that the ban on early arrivals and the caution to respect the peace of the property owners along the shore be emphasized. The move was seconded by Mr. Pilson and adopted by unanimous vote.

**Town Annual Report Photo Contest:** Mr. Pruhenski reminded the Board that in the last two years he had picked the photo to appear on the cover of the Town's Annual Report. This year, he requested that town residents submit photos for consideration. Mr. Pruhenski numbered the prints and asked the Board members to let him know the numbers of the ones they liked and to keep in mind that the Annual Report is published and released in the Spring.

The Board members each chose several photos for further review. After reviewing the short list of photos once again and after considerable discussion, photo #29 was agreed upon as the best choice for the cover and #37 received an honorable mention and will appear on the back cover. Some other photos that the Selectmen liked will be included within the pages of the Town Report.

**Mail/Sign Warrants:** Warrants were duly signed.

**Sewer Matters:** Mr. Pruhenski reminded the Board that two years ago, they approved the Town's involvement in the STEP program which looked at possible sources of contamination. Two buildings needed to be inspected that were missed in the first inspection. The inspectors came out to do that and have not identified any violations and the Town is expecting to have

the DEP sign off any day now. When Mr. Pruhenski receives that report, he will bring copies to the next meeting.

**Town Administrator Updates:** Mr. Pruhenski had no updates at that time, but he did have three unanticipated matters:

**The Playground Project Contract:** The low-bidder for the Playground Improvement Project was a company called P & J Lawn and Landscape, Inc. from Harwinton, CT. A background check and references were done, which resulted in glowing references for the company. The bid came in at \$33,992.82. This particular contract, which is a standard one used by the Town and simply revised for this project, has not been reviewed by Town Counsel, but it does not differ in any important aspect from others the Town has signed. Mr. Pruhenski asked that the Board approve the contract and that the Chair sign it. Mr. Hanson moved that the contract for the Playground Improvement Project be awarded to P & J Lawn and Landscape, Inc. The motion was second by Mr. Manzolini and approved by unanimous vote.

**The Richmond Brochure:** Ten thousand copies of the new, updated brochure will be arriving shortly. That amount of copies should last for two years. Mr. Pruhenski advised the Board that he had been able to contract for ten thousand copies of the brochure for the same amount that last year the Town paid for one thousand copies. The Board was asked to approve up to \$1,000 for brochure distribution this spring and summer out of the Marketing Fund. Mr. Manzolini moved that the Board approve use of the Marketing Budget for brochure distribution up to \$1,000. Mr. Pilson seconded the motion, which passed by unanimous vote.

Mr. Pruhenski had asked for the Board's approval of a capital expense item of \$9,500 to replace the Town Hall phone system. The Town has received another quote from a different company for about \$4,600, but Verizon has agreed to replace the phone system for us for about \$1,200 and Mr. Pruhenski is asking for approval of the Verizon offer so that he can remove the \$9,500 request from the budget, and it can be funded this year from our current I.T. budget. Mr. Manzolini moved that the Board accept the Verizon proposal for replacement of the Town's phone system. He was seconded by Mr. Pilson and the motion carried by unanimous consent.

**Selectmen's Matters:** Mr. Manzolini went to the Conservation Commission meeting in support of Mr. John Scorpa's project and registered his concerns with the process. In particular, he took exception to the DEP's use of Google Maps to inspect the property instead of a site visit. Mr. Pruhenski explained what the various issues were and how they were being handled.

Mr. Alan Hanson said there will be an Agricultural Commission meeting at St. Helene's Chapel in Lenox. With Mr. Hanson's indication that he plans to attend that meeting, Mr. Pruhenski will send the announcement to the two other members of the Agricultural Board; Ms. Mary Jane Piazza and Mr. Andy Mick.

**Next Meeting Dates:** Board of Selectmen's Meeting - March 27, 2019 and April 10, 2019.  
Budget Advisory Board Meetings – March 20<sup>th</sup> – 6:00 PM. Mr. Pilson will not be at that meeting.

April 3<sup>rd</sup> – 6:00 PM. April 10<sup>th</sup> at 10:30 AM will be kept as a back-up meeting if business is not concluded on April 3<sup>rd</sup>.

The Town Caucus is at 7:00 PM on March 25<sup>th</sup>.

There being no further business to come before the Board, Mr. Pilson moved that the meeting be adjourned. He was seconded by Mr. Alan Hanson and the motion was approved by unanimous vote.

The meeting was adjourned at 7:56 PM

Signed:



---

Mr. Neal Pilson, Chair