

BOARD OF SELECTMEN/SEWER COMMISSIONERS MEETING**Wednesday January 22, 2020 – 6:00 PM – Richmond Town Hall, 1529 State Rd.**

PRESENT: Mr. Roger Manzolini, Chair; Mr. Neal Pilson, Selectman; Mr. Alan Hanson, Selectman; Ms. Danielle Fillio, Town Administrator

ABSENT:

GUEST: Mr. Peter Beckwith, Highway Superintendent; Mr. Tom Grizey; Mr. Dick Stover; Mr. Brian Grebeldinger; Ms. Grace Daley

Mr. Manzolini opened the meeting at 6:00 PM.

Cemetery Request: Ms. Daley approached the Board to request permission to bury her sister-in-law in one of the four cemetery plots she owns and to request permission in advance for burial in that plot for her family and descendants (i.e. a brother living in Pittsfield). The family has lived in Richmond for fifty years.

Mr. Manzolini moved that the Board approve Ms. Daley's request for permission to bury her sister-in-law in the Richmond cemetery and grant approval for similar burial for her family and descendants. The motion was seconded by Mr. Pilson and adopted by unanimous vote.

Ms. Fillio said she will advise Mr. Parsons, the Cemetery Superintendent, that approval has been given by the Board for this burial and the names of the family members who have been approved for burial in Richmond in the future.

Discussion of Town Hall Bldg. & Roadway/Driveway: Mr. Dick Stover reminded the board that the Church had asked that the Town take over the maintenance of Church Road, which is looking very bad. He asked whether any decision had been made on the matter. Ms. Fillio reminded the group that at the last discussion of this issue the decision was made to wait and see what would happen with either renovating this building or incorporating it into the new building being planned.

Mr. Pilson asked if the Town took over the road, what would be its obligations to make that road conform to State requirements. Does the request to "take over" imply material changes or simple maintenance? Mr. Stover replied that simple maintenance was all the Church was seeking, but he noted that the road is in very poor condition and needs to be resurfaced. That kind of major project would require that the Town own the road in order to use Chapter 90 funds, which might entail considerable investment in bringing the road up to state code. It was decided to wait until a determination could be made concerning the legal responsibilities involved in agreeing to maintain the road before undertaking any further work than what the Town has been doing. Mr. Stover suggested that entering into a similar agreement as the one

the Town has with Richmond Shores might eliminate any legal problems. Mr. Beckwith will look into the question.

Mr. Stover then advised the Board that the attorney for the Church has said that because the Church owns the land under the Town Hall building, it also owns the building. He suggested that the Board check with the Town's attorney for her opinion on ownership. Ms. Fillio remarked that some research has been done on that question and she had planned to research further deed records in case the Town decides it wants to renovate the building. She asked if the Board wants her to continue to research the ownership of the land and building. The Board asked Ms. Fillio to move forward with that research in cooperation with the Town Attorney.

Review and Approval of Minutes of December 4, and December 18, 2020: Mr. Manzolini moved that the minutes of December 4, 2020 and December 18, 2020 be approved as submitted. Mr. Pilson seconded the motion, which passed by unanimous consent.

Approve the MOU re Shared Services of Council on Aging Director with West Stockbridge: The West Stockbridge Board of Selectmen has signed the MOU. Ms. Fillio noted that the only change to the MOU was an indemnification clause that says West Stockbridge also must carry insurance on the Council on Aging Director.

Mr. Pilson moved that the Board approve the MOU between West Stockbridge and Richmond for shared services of the COA Director. The motion was seconded by Mr. Manzolini and adopted by unanimous vote.

Approval of Personnel Policy: Ms. Fillio reported that all the changes that were requested have been made. Mr. Manzolini noted that the Board can modify the policy at any time. Mr. Manzolini moved that the Board approve the policy. Mr. Hanson raised a question about the permitted use of Municipal vehicles, which was resolved. Mr. Pilson then seconded the motion, which passed with unanimous consent.

Cemetery Discussion & Update: Mr. Manzolini wanted to be sure that the discussion of Green Burials and the requests that Ms. Eileen Martin made did not fail to be acknowledged. Ms. Fillio noted that she has all the information that Mr. Pilson had sent her and she plans to research whether other towns in Berkshire County accommodate green burial to help determine where Richmond wants to go with that issue. Ms. Fillio will report to the Board at the next meeting.

Mailbox Damage Claim: Mr. Beckwith reported that he perceived the damage as being the result of snow discharge rather than being hit by the plow. Town Policy states that if there is evidence that the damage was caused by the plow hitting the mailbox, the Town will reimburse the homeowner up to \$200.00. As no such evidence was shown, Mr. Manzolini moved to deny the request for reimbursement, based on Town Policy. The motion was seconded by Mr. Pilson and adopted by unanimous vote.

Sign Street Scan Contract: Mr. Beckwith reminded the Board that the Contract was discussed at a previous meeting and the Town Council was asked to review it. The contract represents no

cost to the Town and Mr. Beckwith noted that he has received a letter from Mass. D.O.T. advising that they found an additional \$16,000.00 or \$17,000.00 in State Aid, which means that signing the contract will not affect the Town's normal State Aid.

Mr. Pilson asked what benefit the Town will gain from signing the contract. Mr. Beckwith said it will map out and assess all our blacktop roads, including every imaginable detail concerning those roads. That will give the Town a mapping tool that is computer-designed for repairing roads most efficiently. Mr. Beckwith will use the program initially for paved roads as gravel roads are too changeable. Once progress has been made using the system, he will reassess to determine whether to add gravel roads.

Mr. Pilson moved that the Town accept the offer from the State and sign the Street Scan Contract. The motion was seconded by Mr. Hanson and passed by unanimous vote. The contract was signed.

Discussion of Roads: Mr. Pilson had asked previously why Richmond was not listed on the TIPS program. Richmond is not contemplating any project that is big enough to qualify for TIPS funding. In order to qualify, the Town would have to incur extensive up-front engineering costs, to find a project, and then start to fund it in order to be even close to being able to be on the list. Once the Town is on the list, there is a five to ten year or longer wait. TIPS-eligible projects tend to be multi-million-dollar projects.

Mr. Pilson acknowledged his question about the TIPS program had been answered but noted that a general discussion of roads needs to be pursued. The Town has been experiencing some very unusual freeze and thaw weather conditions, which will likely become more common with time. He felt that the Town must be ready this Spring to develop a strategy to deal with the resulting road conditions.

In particular, Mr. Pilson wondered whether the repairs that were done on Osceola and East Roads last March enabled those roads to stand up better to the weather conditions this winter than those not so treated. Mr. Beckwith replied that the work on Osceola Road remained intact. East Road was not as successful, with potholes appearing everywhere along the road and some muddiness, though overall it remained passable. Other roads, where a lot of effort was put into stabilizing them last year, stayed passable. There is not a single rut on West Road in the section where they did the work and there are plans to do more of that, but it cost \$10,000.00 to complete 900 feet.

Ms. Fillio noted that she has sent an email to the Road Advisory Committee to determine if a meeting could be called within the next couple of weeks. She and Mr. Beckwith have been discussing the roads that need the most urgent attention and what the possible options are so that they can plan when developing the budget.

Mr. Pilson raised the issue of a water diversion on Lenox Road he was advised of by a resident. Mr. Beckwith explained that the diversion was the result of an ice jam, which he resolved and monitored for a while to eliminate any possibility of damage to the driveways in the area.

Mr. Hanson voiced his concern that Berkshire County Hazard Mitigation has listed the Lenox upper and lower road reservoir dams as high risk. They also acknowledged that the dams are in very good condition. He still felt that that finding raises concerns that should be addressed. Ms. Fillio noted that the Town applied for and received a Hazard Mitigation Grant to update the Hazard Mitigation Plan. A letter of approval has been received, which allows the Town to obtain quotes for a company to work with the Town that will assess all the hazardous situations such as culverts, roads, dams, etc. and what emergency actions need to be taken.

There was a discussion as to the obligation of a potential buyer of property to be fully informed, through lawyers, engineers, the realtor, etc. of all aspects of the property under consideration to determine if there are any unusual obligations that owning that property would entail.

Chapter 90 Reimbursement Forms: Mr. Beckwith provided the reimbursement forms for the Dublin Road Chip Sealant that was done this year and the Swamp Road paving, which require signatures. The forms were duly signed.

Mr. Beckwith also asked the Board to sign the Project Request Form for Street Scan (discussed above). That form was signed.

Appointment of New Library Trustee: Appointment of New Recreation Committee Member: Ms. Fillio asked that both of those be postponed to the next meeting.

Sewer Matters: Mr. Tom Grizey had no matters to bring before the Board at this time.

Town Administrator Report: The Municipal Building Committee will be holding a meeting on January 30, 2020. They are nearing the end of the programming phase and should have a rough draft of a plan to present to the Board at its next meeting.

The Fire Department is applying for a grant to update the defibrillators, which are close to being outdated. They cost \$2,500 each and we need 12 of them. Ms. Fillio is hoping to get a grant through FEMA that will pay for the Fire Department and the ambulance defibrillators. It will not pay for the one that needs to go into the COA van, the school or Town Hall. Ms. Fillio was able to locate another grant through ADD Company that she will be applying for to cover the cost of those last three.

Engine 2 Tank has been replaced. The cost was covered by insurance. The truck will be delivered to the Town in the next couple of weeks.

Budget Requests and Memos have been sent to all Department Heads for submission by February 1st.

Annual Town Meeting Warrant is now open, and Ms. Fillio is also working with Department Heads to create a Five-Year Capital Plan, which will be presented this year.

The position in the Highway Department has been filled. Mr. Jason Joyner, a Richmond resident, will be starting on February 3, 2020. Mr. Beckwith provided some background on Mr. Joyner for the Board.

Ms. Fillio spoke about the difficulties experienced with road conditions and subsequent trash pickup problems recently. Alert notices were sent out to the Town through Face Book, Code Red and the Website. It became apparent that many residents are not signed up for Code Red and reminders and instructions how to sign up were posted in the e-newsletter and elsewhere. Ms. Fillio is working with the company who created Code Red so that we can get a text-to-enroll option. A text would be sent to a cell phone that would start an automatic enrollment process.

Mr. Pilson suggested that the most reliable way to reach the greatest number of residents would be to include a notice in the tax mailing. There was a discussion of the wisdom of that move and other ways that can be and are being used to get the notices to the people.

Selectmen's Matters: Mr. Hanson has been asked why the Town does not send out quarterly tax bills, which are easier to understand. There was a discussion of how the new system works. It was noted that the bills are still quarterly, but they are only sent out twice a year. There was a discussion of the possibility of sending out postcard reminders every quarter that tax bills are due to be paid.

Mr. Pilson said that, given the amount of attention that the Balderdash events garnered last summer, he asked Ms. Fillio to contact Mr. Christian Hanson, the owner of Balderdash, and advise him that the Board wants thirty-days-notice of his intention to bring Special Permit Requests that do not fall under the general Farm Function provision before the Board and to include as many requests as possible at one time. In that way, residents can be advised that a number of those Special Permit Requests will be submitted for consideration at a public hearing. Mr. Pilson anticipated that a large number of people will want to attend such a meeting and he does not want the situation to feel rushed or last-minute.

Mr. Pilson also noted that Mr. Fran Malnati has asked that the Town re-visit his request to be on the call list for accidents and emergencies. Mr. Pilson explained to Mr. Malnati that he thought it would not be possible for the Town to cover him under the Town insurance as he is no longer a member of the Fire Department. If that is the case, then Mr. Pilson believes the Town has to prohibit him from any such calls unless he is specifically requested to go. If cannot insure him, given that he is a constable and a flagger and there are situations where we may need his services, he is asking to be re-considered. Ms. Fillio said that she believes that, given his age (mid-80's) he will not be covered under the Town's insurance policy and if the Town requests his presence and he causes an accident, the Town is liable. Ms. Fillio will look into the age question to be sure what the policy says.

Mail/Sign Warrants: Warrants were duly signed and executed as needed.

Next Board of Selectmen's Meetings – Discuss Dates for Budget Advisory: February 12th and February 26th, 2020 for Selectmen's Meetings. Mr. Pilson will attend the Feb. 26th meeting via conference call.

Budget Advisory Meetings – 5:00 PM before scheduled BOS meetings. February 12th, February 26th, March 11, 2020 and March 25, 2020.

Town Administrator Six-Month Review: Mr. Manzolini said that each of the Selectmen have gone through the evaluation individually. All of them scored Ms. Fillio at the highest level in all categories with one exception where the score was 4 instead of 5 under "communication to all members of the selectboard simultaneously." The request to Ms. Fillio was that all communications between herself and the Board that pertain to the workings of the Town (such as road closings, directing the Highway Dept. to act on a complaint, etc.) be to all board members at the same time. A discussion resulted in Ms. Fillio advising the Board that she has been communicating with the board members in such a way as to comply with the Open Meeting Laws. Mr. Manzolini found that satisfactory but noted that he would always like to be sure that he knows what is going on so that he can respond intelligently to a call from a resident. Ms. Fillio said that she has noticed that residents tend to contact one of the selectmen individually even before they come to her. In future, when that happens Mr. Manzolini and Mr. Hanson will follow Mr. Pilson's example and forward the information to Ms. Fillio and copy the other two members of the Board. In conclusion, Mr. Manzolini assured Ms. Fillio that the entire Board was well pleased with the excellent job she is doing for the Town and thanked her for the seamless transition between the interim Administrator and herself. The Board could not have made a better choice.

There being no further business before the Board, Mr. Pilson moved that the meeting be adjourned. The motion was second by Mr. Manzolini and adopted by unanimous consent.

The meeting was adjourned at 7:51 PM.

Signed:

A handwritten signature in blue ink, appearing to read "R. Manzolini", is written over a horizontal line.

Mr. Roger Manzolini, Chair