

TOWN OF EGREMONT, MASSACHUSETTS
MEETING OF THE SELECT BOARD
MINUTES

Date: July 30, 2019
Time: 6:00pm
Place: Town Hall
Egremont

Present at the table were Chairman George McGurn, Vice-Chair Lucinda Fenn-Vermeulen, Board member Mary Brazie.

Others in attendance Eileen Vining, Jeff Lazarus, Alina Hsu, Mary McGurn, Bill Tynan, Steve Cohen, A representative from Boston Culinary Group, Heidi and Ari Zorn, Fred and Donna Gordan, and an unidentified woman.

It was announced that the meeting is video and audio recorded.

MINUTES:

The minutes of the June 11, 2019 minutes were accepted with edits.

The minutes of the June 20, July 9 and July 18 meetings were accepted as presented.

SCHEDULED ISSUES:

At 7:04 the Board held a hearing on the application of Boston Culinary Group to change officers in the organization. The Board voted unanimously to approve and the hearing ended at 7:06pm.

Beginning at 7:00pm the Board interviewed the following Police Officers for the position of part-time Police Officer: Jeffrey Spratt, Malcolm McCain and Michael Renton. Following the appointments the Board voted to all three for one-year probationary periods. Mr. Renton will be at Level A and Mr. Spratt and Mr. McCain at Level B.

The Board voted unanimously to authorize Town Counsel Jeremia Pollard to negotiate with the Zorn's and Attorney Shank-Hargrove for a host agreement with the Town as per the agreement drafted by Town Counsel. Mr. and Mrs. Zorn were so notified.

No Water Commissioners attended to update the Board further on the DEP's Sanitary Survey report to the Egremont Water Department. The Town has been notified that DEP has accepted Nathan Stalkers licenses on an emergency provisional basis until December 31, 2019. What this means exactly for James Olmsted having to continue to work for the Town is not clear.

CITIZEN'S TIME:

Alina Hsu asked the Board to include on its next agenda discussion of appointing an Energy Commission. Ms. Hsu was referred to the Green Committee for discussion first.

Mary McGurn asked that the Board include on its next agenda a discussion of Fiber Connect's offer to supply free broadband service with to the Library, the School House and Wi-Fi to French Park. More details will be forthcoming at that time.

TOWN OFFICIALS:

Chairman McGurn recognized Police Chief Jason LaForest and introduced him to the meeting.

NEW BUSINESS:

The Board received a letter from the Conservation Commission who was expressing its displeasure with the Board's appointment of a new Commission member without consulting with the Commission first. Chairman Bill Tynan noted that the Commission did not take exception to the appointee, it was the process by which the Board appointed the new member. The Commission asked that the Board adopt a policy in which all appointments would be a joint and collaborative effort. The Board opted not to adopt such a policy. It was pointed out that board members had been made aware of issues including unfair enforcement, enforcement in exempt areas, chaos in the office, loss of paperwork which caused applicants undue work, etc. The Board made the appointment of a new member to replace a member who is on extended leave.

Fred Gordan asked the Board to consider adopting the optional short term rental tax that can be up to 6%. He has found 25 rentals advertised as short term rentals in Egremont. He has requested data from the Commonwealth as to how many have registered and how much revenue might be gained by the Town. The Board agreed that this was an appropriate subject to put forth to Town Meeting, but that it would be most appropriate at the May, 2020 Annual Town Meeting.

The Board voted unanimously to change the name of the Future Committee to the Bylaws Review Committee. Chairman McGurn will speak with the membership to clarify the charge and mission of the Committee.

OLD BUSINESS:

The Board agreed that, for the purposes of recognition at the Town's birthday celebration, officials will be recognized if they served at least 5 years in a position. The plans for the celebration are nearing completion.

Residents of White's Hill Road are getting together to fund the broadband build out so they can have service sooner than later. This item will then not require funding by the Town.

The draft of the September 17 Special Town Meeting Warrant includes the 3% tax on retail marijuana sales, the borrowing for the continuation of the Mount Washington Road engineering, and a bill of a prior year for the Conservation Commission who failed to submit for reimbursement in a timely manner. The Planning Board has reported that they will not have an Accessory Dwelling Unit bylaw ready, nor will they have a retail marijuana bylaw ready. The Board floated the idea of forcing the ADU onto the warrant by submitting it to the Planning Board. The Board agreed to make this decision at a short meeting next week after the Planning Board has one more meeting at which it is to be discussed.

FOLLOW UPS/UPDATES:

Jeff Lazarus updated the meeting on the status of the negotiations with Fiber Connect and the MBI Action Plan and funding.

1. MBI Action plan has been signed by all parties (i.e Selectboard, MTC and Fiber Connect).
2. The issue of how to build out on the road with underground utilities has been mostly resolved. Hickory Hill has agreed to aerial build out on poles, as has Brookvale/Hilltop. The residents on Farm Lane are paying for the build out themselves and will do poles. Residents on Miller View are paying for their build out and will be doing underground.
3. The current strategy is that Fiber Connect will apply for direct grant funding from MBI. This needs to pass two votes: one by MBI and one by MTC. Fiber Connect has to supply financial documents

to MBI by August 2. Jeff noted that MBI is much easier to work with now and discussions with them have been collaborative and fruitful. IF MBI doesn't approve the direct grant funding, Plan B is to have payments in arrears made to the Town. Some creative way to fund the build out so that Fiber Connect is not out capital will have to be worked out.

4. The Town must formulate an agreement with Fiber Connect before any build out can begin. The Board agreed to authorize Town Counsel Jeremia Pollard to work with Jeff Lazarus, Rolfe Tessem and Selectwoman Vermeulen to draft this agreement.

Work at the School is moving along and is still anticipated to be completed before School starts.

Construct has asked for a meeting with the Town to discuss the status of the Affordable Housing Project and moving forward. That will be scheduled for sometime in September.

SELECTBOARD ITEMS:

The Board will tentative meet on Tuesday, August 6 at 7pm without Selectwoman Vermeulen.

The Complete Street Committee asked the Board to request a traffic study be done on the area of Route 23/41, Sheffield Road, the Village Green and Buttonball Lane. The Board will send a request to MassDOT.

The Friends of Prospect Lake have applied for sign that will include a bar code to make a donation from ones phone to be installed at Prospect Lake where people park to go swimming. The Board is worried about the parking situation there so took no action and will consider further at its next meeting.

At 8:24pm the Board voted unanimously to go into executive session for strategy with respect to litigation as allowed by MGL Chapter 30L, Section 21, Paragraph 3. The board will not return to open session.

Meeting adjourned at 8:34pm.

Mary Brazie,
Office Administrator

minutes.20/jul30

The recording of the minutes is on record at the Town Hall for 90 days. Anyone who wishes to may obtain a copy or listen to the recording at Town Hall. Attachments are on file at Town Hall.