

TOWN OF EGREMONT, MASSACHUSETTS
MEETING OF THE SELECT BOARD
MINUTES

Date: October 2, 2019
Time: 10:00am
Place: Town Hall
Egremont

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

Others in attendance: Sylvia & John Ogilvie, Eileen Vining, Chuck Ogden, Barbara Kalish, Steve Cohen, Marj Wexler, Laura and Richard Allen, Carla Turner, Jim Noe, and Mary McGurn.

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

The sole purpose of the meeting is to discuss issues and accountability with members of the Conservation Commission.

It was noted that there were no members of the Conservation Commission present.

Chairman McGurn said there were 3 primary areas of concern:

1. Appointment process of commission members
2. Internal management of and record keeping
3. Modus Operandi of the Commission particularly as it interacts with citizens and other town departments.

Chairman McGurn continued to clarify the areas of concern.

1. The Selectboard, in its normal business of annual appointments, filled a vacancy on the Commission that was left by a member who was on leave of absence and hadn't asked to be re-appointed or have leave of absence extended. The Commission took exception to this appointment without their knowledge. The Board has no constraints in its duties to make appointments to any Commission. Vice-Chairman Vermeulen noted that the Conservation Commission was aware that appointments were being made and it was publicly posted. She expressed her disappointment that no members were present at this meeting and felt it sent a message of a negative dynamic.

2. Chairman McGurn noted that he has attended some meetings of the Commission, and though he left prior to adjournment, he left with strong impressions of mismanagement and disorganization that needed addressing. And noted that he had offered resources to help with these deficiencies, although no follow up, despite budget resources.

3. The concern is the way that Commissioners are carrying out their duties and the applicability fo some of their actions. Selectmen Brazie said a theme and culture of heavy handed enforcement and unfriendly treatment is reported by several residents. It also seems that single members of the Commission are taking enforcement into their own hands. It was, however, noted that the Commission does good work in many instances.

Barbara Kalish noted that on top of the issue of the loss of her paperwork by the Commission, when she attended her hearing she was challenged by a member about her driveway which was unrelated to her application and was well beyond the mandate of the Commission in terms of her application.

Carla Turner reported that her farm had been urged by the Nature Conservancy and Fisheries & Wildlife to put livestock in resource areas to control overgrowth as it is beneficial to the wildlife species living there. The Conservation Commission seemingly goes against these recommendations.

John Ogilvie, who has presented documentation to the Selectboard regarding his recent issues with the Commission, reinforced the control of vegetation in wetland resource areas to maintain wildlife habitat, in particular a very important species of turtle that lives in the Jug End Road area where the Ogilvies property is. It is not of interest to the town or its wildlife to allow wet lands resources to overgrow.

Vice-Chairman Vermeulen said the Commission seems to be focused on the Wetlands Protection Act and is not looking broadly and is not cognizant of the complexity and interconnectedness of the issues involved.

Jim Noe reported that one of the Commission members entered a dangerous work zone without letting the workers know and without any protective gear to take action on what was perceived as a violation but in fact was not.

A pattern has developed and the Board must decide what to do.

Vice-chairman Vermeulen moved to invite the Conservation Commission membership to come up with a time for a meeting at which dialogue can be started towards a collaboration and future meeting operandi protocols, Chairman McGurn said in addition the Board will urge the Commission to seek expert advice, which they have a budget for, to perhaps give them a clearer path forward. Vice-Chairman Vermeulen noted that we shouldn't paint all Commissioners with the same brush and that there are talented members on the Commission but things seem to have gone array. Motion was passed unanimously.

The attendees were thanked and Chairman McGurn noted again his regret that no Conservation Commission members were present and that Board looks forward to straightening these issues out.

Meeting adjourned at 10:32am.

Mary Brazie,
Office Administrator

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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.