



*TOWN OF GRANBY
COA Building
10 West State Street
Granby, MA 01033
Telephone: (413) 467-7177 Fax: (413) 467-2080
Website: www.granby-ma.gov*

August 1, 2022

Regular Board Meeting

5:30 PM

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

APPOINTMENTS:

5:35 John Edwards-Phase 2 Dufresne Tree Removal

5:45 Atty. Dacruz/Conservation Commission-Munsing Ridge

6:00 Dog Officer

CITIZEN PARTICIPATION:

TOWN ADMINISTRATOR:

*Dufresne Rental

*Correspondence

NEW BUSINESS AND INFORMATION:

1 Accept Departmental Reports

2 Approve and Sign Maintenance Warrants

3 Review Dufresne Playground Equipment Report & Cost Estimates

4 Proposed Non-profit form

5 Approve and Sign State Primary Election Warrant

6 Affirm appointment to the Police Advisory Board

OLD/ANY OTHER BUSINESS:

*Director of Senior Services-Job Description

* Planner/Conservation Agent

*Town Accountant

EXECUTIVE SESSION: 30A-21-A (2)

ADJOURNMENT:



TOWN OF GRANBY

Granby Senior Center, 2nd Floor

10-B West State Street

Granby, MA 01033

Telephone: (413) 467-7177 Fax: (413) 467-2080

Website: www.granby-ma.gov

Town Administrator: Christopher Martin

Meeting Minutes of 08-01-22

Members Present:

Richard Beaulieu, Glen Sexton and Crystal Dufresne, others present, Christopher Martin

Glen Sexton, Chair called the meeting to order at 5:30 P.M. Mr. Sexton then led the Pledge of Allegiance.

APPOINTMENTS

John Edwards-Phase 2 Dufresne Tree Removal: Moved to next meeting

Atty. Dacruz/Conservation Commission-Munsing Ridge: Atty. John Dacruz, representing his Client P.C. Development for “Munsing Ridge” project located off Carver Street in Granby. Atty. Dacruz explained to the Board that this Conservation Restriction (CR) was approved by the Executive Office of Energy and Environmental Affairs in February of 2020 and needed signatures from the Granby Conservation Commission and the Granby Selectboard, that is about the time COVID hit and everything came to a screeching halt. Since that time, he has been in contact with our Town Council Brian O’Toole 20/30 times to get this moving forward. His client has done everything required by him to get this CR approved and only thing left he believes is to get a baseline approved. Don Frydryk did a plan that was approved by the Planning Board and recorded that outlines all the wetlands, so he thinks the only thing left to do is walk the property line and take photos with Conservation Commission. The baseline report is essentially what the land looks like right now, so that once the CR goes effect, we have a place to start if we need to reference anything in the future. He just looking to have the process completed. He is just looking to have the Selectboard have the Conservation Commission act on getting the baseline report done as they are the “grantor”, though they are willing to help in any way they can.

Atty. Brian O’Toole, Town Council agreed with Atty. Dacruz assessment that the Town/Conservation Commission need to complete the baseline report in order for the CR to be approved. Atty. O’Toole did remind the Board that he did go over the CR agreement when it was presented to the Board in 2020 and picked up the item of a baseline report being done, as well as the question on whether the Town would be liable if someone hurt themselves on property, which his answer was no, because of the CR agreement itself and because of statutory protections for open space, etc., as long as no fee was charged. The reason he requested this meeting was so that

the Selectboard, Conservation Commission and could work together to get this baseline report done and get the signatures to approve this CR. He also told the Board that this whole CR came about from a hearing P.C. Development had with the Planning Board. He would advise the Board to take action as soon as possible to not have to go into legal battle which would certainly cost all parties unnecessary time and money. The baseline report needs to be done to protect the Town/Conservation Commission interests in the future, should there be any questions/problems that may occur. He also suggested that a yearly inspection should be done on this CR once approved and write something up even if nothing is wrong.

William Shaheen, and Edward Chapdelaine, Co-Chairs of the Conservation Commission spoke on behalf the Conservation Commission. They said that the Plan was only recorded in April of 2022 and that there are no monuments placed on the property so there is no way the Conservation Commission can walk the property and know that they are in the right area for the CR. They would like monuments placed in each corner, the only ones on the recorded plan are on Carver Street. Atty. Dacruz stated that technically it falls on the “grantee” which is the Conservation Commission, but they are willing to do anything within reason to help get this baseline report done. Janice Stone read to the Board and the Atty’s that in the CR it states that if there is a dispute about the boundaries that the “grantor” must pay for a surveyor and have the land marked. Atty. Dacruz stated that there is no dispute. Conservation Commission said they cannot go out to start the baseline without perimeter markers and monuments marking the CR property. The Conservation Commission wants to make sure the area is clean, and no rubbish is on the property.

Atty. Dacruz said they will get survey done, but let it be known that it is really the Town’s responsibility. They want to know exactly what they want done. They would like orange flags every 30 feet around the perimeter, plus iron pins on all corners. The Conservation Commission will then walk the property, take photos, and write the baseline report. The Commission would like at least 60 days, would prefer 90 days to get the report done after they walk the property. The Selectboard would like it done sooner than 60-days as they have been waiting for over 2-years. Atty. Dacruz will let the Conservation Commission as soon as the perimeter has been marked. The Board asked that Mr. Martin put this on Selectboard meeting for September 6 for an update and follow up.

Mr. Shaheen and Mr. Chapdelaine were also concerned on whether we can really grant the CR when the Town already has an easement with Eversource, (which they are going to be enlarging and improving) on the property. The Selectboard will have Town Council O’Toole look into that. The Selectboard appreciated everything that the “grantor” is willing to do even though it is not required by them to do so.

Dog Officer: Police Chief O’Grady introduced Kimberly Bernier-Goldsmith to the Board as his recommendation as the new Granby Animal Control Officer. Chief O’Grady told the Board that she is willing to get the preventative rabies shot that is mandatory to have, she is also attaining the mandatory training that is for 7-weeks, -2-days a week. On a motion by Crystal Dufresne and seconded by Richard Beaulieu, the Board unanimously affirmed the appointment of Kimberly Bernier-Goldsmith as the Granby Animal Control Officer for a term expiring June 30, 2023. (3-0-0-). Mr Martin also suggested that any alternate Animal Control Officers should also get the preventative rabies shot.

CITIZEN PARTICIPATION

NONE

TOWN ADMINISTRATOR

Dufresne Rental: Mr. Martin told the Board that he had an application from the Granby High School Principal and Athletic Director for use of the bathrooms and Cross-Country Course for their home meets on September 13, 27 and October 11, 2022

Building Commissioner: Mr. Martin informed the Board that he spoke with the Building Commissioner, Greg Briggs who told him that he would be retiring in the near future, he did not give him a definite date yet. Mr. Martin told the Board that we would have to start looking for a replacement soon or go to an Inspection Service Company.

Correspondence: Board received the following for correspondence:

- *07-18-22-Comcast-Programming Contract Renewal Website
- *07-20-22-Board of Health July 5, 2022, approved Minutes
- *07-25-22-DEP-RTN:1-20237-116 Aldrich Street-Permanent Solution Statement
- *07-26-22-Comcast-Programming Advisor
- *07-29-22-PVPC-July Progress Report

NEW BUSINESS

Departmental Reports: On a motion by Crystal Dufresne and seconded by Richard Beaulieu, the Board unanimously approved the departmental reports as present for August 1, 2022. (3-0-0-)

Maintenance Warrants: On a motion by Crystal Dufresne and seconded by Richard Beaulieu, the Board unanimously approved and signed the following warrants: (3-0-0)

- #22-83- Accounts Payable Warrant – (06-30-22)- \$145,168.39
- #23-06-Payroll Warrant -(07-22-22)-\$397,970.58
- #23-07- Maintenance Warrant-(07/22/22)-\$142,743.77
- #23-08- Accounts Payable Warrant – (07-15-22)- \$87,135.32

Review Dufresne Playground Equipment Report & Cost Estimates: Jeremy Carriere, Maintenance Supervisor, spoke with the Board about the report that was done concerning the Play structure at Dufresne Park. He also went over the cost estimated that he has received as of the meeting tonight (report and cost estimates are included in the back of the minutes). Part of the report stated that just getting more mulch was not going to solve most of the problems. We are going to need to do some excavation to be done to the ground area. There were also some problems with the footings with swing bases. Those issues are beyond Mr. Carrier's expertise and are going to have to be sourced out. The swing set also was a big issue, and all the swings should be removed immediately. They are too close to the barrier in the back. The barrier is also not ADA compliant. We also need signs. Glen Sexton is concerned that now that we have had this report done and are aware of the problems, what about the liability to the Town, it is dangerous to keep the play structure in use at this time. Mr. Beaulieu agreed. To bring the structure up to compliance will be

extremely costly and we need to look at all aspects of repairing vs new before we do anything. They suggested putting up a snow fence around the structure and putting signs up stating that it is closed due to unsafe conditions. Anything that can be used the Board asked Mr. Carrier to remove from the structure (swings, etc.). Mr. Sexton thought that grants might be available to groups, (not municipalities) for doing volunteer play structure. We should be looking for those. Mr. Beaulieu asked where we could put another play structure at the park, Mr. Carrier said he could not say, but would suggest having boring been done to see. Ms. Dufresne is not in favor of closing the park and thinks that putting in mulch would solve a lot of the issues. The Board will have contractors come in and give estimates on fixing the current play structure or start from scratch. Depending on the cost Mr. Martin mentioned to the Board that the project would have to go out to bid and you can't bid split by breaking up the project. They would like estimates for both repair and new so they can look at both to make an informed decision on which is best for the Town. After much discussion and with a heavy heart a motion was made by Crystal Dufresne and seconded by Richard Beaulieu to temporarily close the play structure so repairs can be made to make the structure safe for kids and their families to enjoy the playground. (3-0-0)

The Board also spoke to Mr. Carrier about buying signs for Brown-Ellison and Dufresne Park concerning you should take out any trash you generate at both parks. The maintenance department has had to spend a whole day to clean up after everyone using the park. On a motion made by Crystal Dufresne and seconded by Richard Beaulieu gave Mr. Carrier permission to buy 24 signs that say "Public Notice Trash Please carry Out What You Carry In" to be put up at Dufresne Park and Brown-Ellison Park. (3-0-0)

Proposed Non-profit form: The Board went over the proposed Permit Fee Waiver Request Application (back of the minutes) that the Board requested of Mr. Martin at their last meeting. The Board asked Mr. Martin to just add the following to the top of the form "Are you a non-profit? ___Yes___No, "otherwise it was good to go.

Approve and Sign State Primary Election Warrant: Crystal Dufresne read the following Election warrant given to the Board by the Town Clerk, Katherine Kelly-Regan sign:

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH
TOWN OF GRANBY
WARRANT FOR 2022 STATE PRIMARY
SS. HAMPSHIRE**

To the Constables of the Town of Granby In County of Hampshire

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Primaries to vote at the Granby Jr. Sr. High School at 385 East State Street in said Town for Precincts 1, 2 and 2A

1, 2 and 2A

Precinct Numbers

385 East State Street

Polling Location

On **TUESDAY, THE SIXTH DAY OF SEPTEMBER 2022**, from **7:00 A.M. to 8:00 P.M.** for the following purpose: To cast their votes in the State Primaries for the candidates of political parties for the following offices:

GOVERNOR

For this Commonwealth

LIEUTENANT GOVERNOR

For this Commonwealth

ATTORNEY GENERAL

For this Commonwealth

SECRETARY OF STATE
TREASURER
AUDITOR
REPRESENTATIVE IN CONGRESS
COUNCILLOR
SENATOR IN GENERAL COURT
REPRESENTATIVE IN GENERAL COURT
REPRESENTATIVE IN GENERAL COURT
DISTRICT ATTORNEY
SHERIFF

For this Commonwealth
For this Commonwealth
For this Commonwealth
FIRST DISTRICT
EIGHTH DISTRICT
Hampden, Hampshire & Worcester DISTRICT
NORTHWESTERN DISTRICT
HAMPSHIRE COUNTY

Hereof fail not and make return of this warrant with your doings thereon to the Town Clerk at the time and place of said voting.

Given under our hands this First day of August 2022.

On a motion by Crystal Dufresne and seconded by Richard Beaulieu, the Board unanimously approved and signed the Election Warrant for September 6, 2022, as presented. (3-00)

Affirm appointment to the Police Advisory Board: On a motion by Crystal Dufresne and seconded by Richard Beaulieu, the Board unanimously affirmed the appointment of Annette Kumiega to the Police Advisory Board on the recommendation of Mr. Martin and Chief O'Grady. Ms. Kumiega is a retired State Police Officer. Her appointment expires on June 30, 2023. (3-0-0-)

OLD BUSINESS

****Director of Senior Services-Job Description:*** On a motion by Richard Beaulieu and seconded by Crystal Dufresne the Board unanimously approved the Director of Senior Services -Job Description as presented with updated date at the bottom of the form. (3-0-0)

**** Planner/Conservation Agent:*** On a motion by Crystal Dufresne, and seconded by Richard Beaulieu, it was unanimously voted to approve the Planner/Conservation Job Description as amended under "Essential Skills/Duties-Conservation Agent-Shall" to "Have the research ability to write grants for initiatives related to the Conservation Commission and the Town's environmental management goals as well as writes grants for various department as needed". (3-0-0)

****Town Accountant:*** Mr. Sexton told the Board that after the meeting where it was mentioned that having our Town Administrator be also our Town Accountant was a conflict of interest, he did some research on the matter. He reached out to Town Counsel Brian O'Toole and proposed the question to him to make sure we were not doing anything we were not supposed to be doing. Atty. O'Toole looked in Mass General Law and it is not a conflict, because he not receiving or paying out any money, that is all done by the Treasurer. It would be if the Treasurer and Accountant were the same person.

He went on to say that in the future we will need to hire an Accountant but right now. I am very pleased with Mr. Martin as our Accountant over the years. He always puts the town's financial needs first. He also looked back at several Audit reports, and he did not find anything anywhere that Mr. Martin was in conflict. I know that Mr. Martin will be around for at least another couple of years per his contract and I would like him to stay on as our Town Accountant per his contract. He also feels that the Board should look toward the future, and we should look for what is out there when we need someone who is not able to do both jobs. Mr. Beaulieu agreed with Mr. Sexton concerning Chris Martin being both Town Accountant and Town Administrator but said it doesn't

hurt to have the job description for the Town Account ready for when we do need someone. Ms. Dufresne said that the Board should also investigate the services that Pioneer Valley Planning Commission has for Regional Services when looking to fill the accountant position. She doesn't want to put all our eggs in one basket. Mr. Sexton said that Mr. Martin still has a contract with Town for another couple of years and we should table the discussion at this time, Mr. Beaulieu agreed.

EXECUTIVE SESSION

M.G.L. 30A-21-A (2): On a motion by Crystal Dufresne, and seconded by Richard Beaulieu, it was unanimously voted to go out of the regular session meeting at 7:17 PM. and to go into Executive Session under M.G.L. 30A-21-A – (2) (contract negotiations) and to return to regular session only to adjourn. Roll call vote- Sexton, Aye, Beaulieu, Aye., Dufresne, Aye. (3-0-0)

ADJOURNMENT

On a motion by Crystal Dufresne, and seconded by Richard Beaulieu, it was unanimously voted to adjourn the regular session meeting at 8:45 PM. (3-0-0)

Respectfully submitted,
Cathy Leonard
Assistant Town Administrator