

**SELECTBOARD MEETING  
TUESDAY, SEPTEMBER 20, 2016  
SELECTBOARD MEETING ROOM – 7 P.M.  
MINUTES**

Present were Members: Chair John R. Hine, Vice Chair Sarah Etelman and Clerk Bruce C. Forcier; Ira J. Brezinsky and Francis J. DeToma were excused; Town Administrator Michael J. Sullivan.

At 7 p.m., Chair Hine called the meeting to order, noting that SB members Brezinsky and DeToma were not in attendance.

**1. APPROVAL OF MINUTES**

**SB Member Etelman moved to approve the minutes of the Tuesday, September 6, 2016 regular meeting. SB Member Forcier seconded. The motion passed unanimously 3:0.**

**2. ANNOUNCEMENTS**

Chair Hine began by recognizing the efforts of local Boy Scouts Ethan Michael McKeever and Luke William Hoefler in achieving the rank of Eagle Scout. He presented Certificates of Recognition to Luke Hoefler, who attended the meeting accompanied by his father and scoutmaster of Troop 303, William Hoefler. (Ethan McKeever was unable to attend.) As one of the requirements to earn his badge, Luke led a group of volunteers in a project to upgrade and repair a large section of trail in the Black Stevens Conservation Area behind the high school. Among other things, Luke and his crew fixed the trail to keep water on the trail from running off and causing erosion to the path. The rank of Eagle Scout requires 21 merit badges and he has earned a total of 33, Luke disclosed. He invited members to attend a ceremony on Sunday recognizing his achievement.

SB Member Etelman reminded residents that this Saturday, September 24, 2016 from 10 a.m. to 2 p.m. the town will host a Symposium of Understanding. Further details will be discussed under Other Business but she informed anyone interested in participating that they may still contact her by noon tomorrow at [setelman@southhadley.ma.gov](mailto:setelman@southhadley.ma.gov).

Massachusetts Department of Transportation (DOT) representatives will be at the South Hadley Farmer's Market next Thursday, September 29, 2016 from 2 to 6 p.m. on the South Hadley Town Common to distribute EZ pass transponders, Ms. Etelman continued. Anyone wanting a transponder should bring registration information and either bank or credit card information to set up an account.

**3. CONSENT AGENDA**

**A. One Day Beer and Wine License Requests:**

- **Donna Koske, for Polish American Citizen's Club – October 1, 2016 – 515 Granby Road**
- **Reverend Michael Twohig, for St. Theresa of Lisieux – October 1, 2016 – Parish Center, 9 East Parkview Drive**
- **Imad Zubi, Willits-Hallowell Center – September 30, 2016 – MHC Boathouse**
- **Imad Zubi, Willits Hallowell Center – October 13, 2016 – MHC Mary Lyon Hall and Courtyard**

Chair Hine reviewed the items on the agenda. SB Member Etelman noted that members had made an exception to the rule that applications must be received two weeks before the meeting at which approval is sought to accommodate one of the requests but that it was a one-time exception. **SB Member Etelman moved to accept the consent agenda. SB Member Forcier seconded. The motion passed unanimously 3:0.**

**4. WHITE WING REQUEST TO PURCHASE TOWN PROPERTY**

Through his legal counsel, the owner of White Wing is asking to purchase a piece of town-owned land adjacent to the White Wing convenience store, Mr. Sullivan reported. The parcel is essentially the parking lot on the left side of the building. Mr. Sullivan reminded members that when the liquor license was transferred, the town leased this piece of property under the terms of a long-term lease. At this time, owners are requesting that the town consider allowing them to purchase the property as they want to put a tank to store petroleum products under the parking area. In order to sell, Town Meeting would have to deem the property surplus and the land would have to be surveyed and appraised. Normally, the sale of town property requires either issuance of a Request for Proposals (RFP) or an auction process but if the land is deemed to be of little value and adjacent to a property, it can be offered to the abutters. The request is directed to the board, so he awaits their direction, he concluded.

He would strongly suggest that any costs associated with the transaction be borne by the applicant rather than the town (for the survey, legal work, etc.) Also, if the town wanted to put reasonable restrictions on the property owner, now would be the time to do it.

SB Member Etelman commented that she lives near the property and has some concerns about the way the property is being kept. Before the town sells the property she would like to hear from the owners about their plans to better accommodate existing customers. She sees a lot of careless parking on the lot and there are students who wait there in the morning. This gives her concerns about

turning the property over to them. She also would be interested in hearing from other abutters. She would like to see the owners clean up the property a little. She doesn't know that she has any concerns about the actual sale; she has no objection to transferring the property but would like to see the owners address the concerns before considering a sale, she clarified. She asked if the subject could put on a future agenda and abutters be notified of the meeting.

Declaring the property surplus does not obligate the Selectboard to proceed with selling the property, Mr. Sullivan stressed. In other words, action by Town Meeting does not obligate the Selectboard to take further action, he explained.

The owners could be advised that they are welcome to proceed with a survey and appraisal at their own expense with the understanding that such steps do not obligate the town to consummate the sale, Chair Hine suggested.

Mr. Sullivan said he would prepare a letter informing the owners that they are authorized to proceed with a survey and other preparations for a purchase at their own expense. He will let them know that some concerns have been raised about the condition of the property and that the Selectboard intends to hold a public hearing at some point in the future to address these concerns.

The dumpster was never enclosed by a fence as agreed to in the license agreement and flowers were never planted, it was noted. Ms. Etelman said she would like to see the owners address the parking situation since customers are not parking in designated spots.

#### 5. COLUMBIA STREET TREE REMOVAL

Because the tree removal is for improving access and sidewalks, no public hearing is required, Mr. Sullivan explained. DPW Superintendent Jim Reidy and Tree Warden Chris Ryan have done a good job of reaching out to neighbors in the Columbia Street area to inform them of the proposal, he confirmed. Nine trees on Columbia Street and two on Dartmouth must be removed to accommodate new sidewalks, since otherwise the contractor would not have the 44-inch width required for handicapped access and the trip hazard would be significant. They are very mature trees, 26 to 30 inches in diameter. Owners are being encouraged to apply for replacements.

The work is scheduled to start any day. One tree has already been cut down. No action is required, so the presentation is simply for informational purposes, Mr. Sullivan confirmed. The cost is about \$14,000.

#### 6. TED BELSKY MEMORIAL – CANAL PARK PROJECT

He has discussed with Canal Park Committee members the need to upgrade the overlook to make repairs and comply with current building codes, Mr. Sullivan reminded. The structure is about 35 years old. The Canal Park Committee would like to do additional work in subsequent phases, including trail improvements and perhaps adding benches and monuments. At the May 2014 Annual Town Meeting, Town Meeting Members discussed doing something respectful to honor the diligence and dedication of Ted Belsky. Plans call for replacing the chain link fence with something more practical and aesthetic, repairing sidewalks, replacing the deck and making it handicapped accessible, making improvements to the handicapped parking area and restoring lighting fixtures. The final estimate for the work is \$97,500 with Park and DPW employees doing preparatory work valued at two or \$3,000. He voiced the opinion that the expenditure is needed. The area is used quite a bit.

Pruning is a big part of the project, Canal Park Committee Chair Mitch Resnick added. The overlook is one of the most beautiful spots in town and over the years the vista has really grown in. The Conservation Commission and state have approved relocation of the pruning vistas, and the Order of Conditions has been extended for another five years. All work will be within the scope of the existing order. The project really started when safety issues became apparent, he explained. Rebranding is also important as, with the development of other parks along the river, there is confusion about which is Bicentennial Park and which is Gatehouse Park, etc., he added. Bicentennial Park is the town's park and the town is responsible for its maintenance, he stressed. Rebranding it as the Ted Belsky Park will be helpful in distinguishing it from other parks.

In the spring, money will be added to the Canal Park budget to enable workers to maintain the pruning, Mr. Sullivan advised. Vistas were cleared before but, because they were not properly maintained, they grew back in. It has been suggested that the work be done in house but it is professional work that requires specialized equipment, he stressed.

The Capital Planning Committee is willing to accept the project for review, and he is hoping the Selectboard will authorize him to proceed, Mr. Sullivan advised. He would like to place the project on the warrant for the fall Special Town Meeting so they can get an early jump on the work in the spring.

**SB Member Etelman moved to approve the capital request and to direct the Town Administrator to present the project to capital planning. SB Member Forcier seconded.** SB Member Brezinsky wanted to make sure other members and the public know he is very supportive of the project, Mr. Sullivan shared. **The motion passed unanimously 3:0.**

#### 7. BUTTERY BROOK PARK FEE INCREASES

Selectboard members have in their packet a schedule of current and proposed fees for Buttery Brook Park, Chair Hine said. The town has not increased the fees in years and rates have fallen behind similar venues in other communities, Mr. Sullivan observed. Town officials want the park to be very affordable and attractive to residents but also have the responsibility to ensure that fees are not completely out of line. He described the proposed fees as “modest” when compared to other parks and reflective of the demand.

While he is loathe to raise prices, having been involved in the park for over 10 years, he thinks the request is reasonable, SB Member Forcier volunteered. He referred to the fact that the DPW and Friends group have completed nearly  $\frac{3}{4}$  of a million in improvements, including the addition of a spray park and other facilities, and that it has been a long time since fees were raised. Given the amenities there now and the ones planned for the future, he certainly thinks it is reasonable. Last year, both pavilions were booked solid all 16 weeks of the season, he said.

The revenue goes to a revolving account which pays for operating expenses - seasonal help, repairs, etc., Mr. Sullivan confirmed.

**SB Member Forcier moved to approve the Buttery Brook Park fee increases as outlined. SB Member Etelman seconded.** Town officials are seeking approval for the increases now because they will be beginning to book for the next season in January. This way they will not be changing rates mid-stream, Mr. Sullivan noted. **The motion passed unanimously 3:0.**

#### 8. RESIGNATION OF TOWN CONSTABLE

The Selectboard received a letter of resignation from Town Constable Robert Lynes, Chair Hine noted. The former police chief, David LaBrie, is the newest constable, Mr. Sullivan advised.

**SB Member Etelman moved to accept the resignation of Robert Lynes as Town Constable with thanks. SB Member Forcier seconded. The motion passed unanimously 3:0.**

#### 9. SYMPOSIUM OF UNDERSTANDING

Organizers have changed the name at the recommendation of facilitators so that it is now being called a Symposium towards Human Understanding, SB Member Etelman related. The event is this Saturday, September 24<sup>th</sup> from 10 a.m. to 2 p.m. here in Town Hall. Facilitators are Kate Koski and Iraida Delgado. It is promising to be a full day of really good conversation and the kick-off to a series of events that will lead to something to present to Town Meeting affirming the right of all residents to feel respected and included. Mr. Sullivan thanked Ms. Etelman for her diligence in coordinating the event; it is a great undertaking that assures a lot of enriching conversations, he commented.

People have to understand that this is a foundational meeting and that they are hoping to extract from those present where they need to go, what things they should be considering, etc., Ms. Etelman remarked.

Chair Hine expressed his understanding that the goal at the end of the process is to have something that the entire community can support.

It is being called a “document of human understanding,” Ms. Etelman confirmed. She invited fellow Selectboard members to join them for lunch around noon to see what is going on.

#### 10. LIBRARY INTEGRATION MEMORANDUM OF UNDERSTANDING (MOU)

South Hadley Public Library Trustee Chair Mitchell Resnick and Gaylord Memorial Library Trustee Chair Winston Lavallee were present. Mr. Sullivan e-mailed an updated draft of the MOU earlier today along with some comments from Gaylord Library trustees, Chair Hine noted.

The agreement and proposed integration plan is the result of a study commissioned and paid for by the Massachusetts Board of Library Commissioners, Mr. Sullivan reminded. A lot of people have weighed in on this document. He had a very productive meeting with Gaylord Memorial Library Trustee Winston Lavallee that resulted in some additional language.

The MOU tries to capture the responsibilities of the respective parties and to create an accurate picture of the parties’ roles going forward. It was never meant to exclude anybody or to correct historical wrongs or misgivings caused by historical issues, he suggested. However, authors did make an effort to accurately capture an inventory of Gaylord property so that in the event that the partnership does not go well there will be an inventory to refer to to determine who owns what. If approved by Town Meeting, the agreement would take effect in July of 2017.

The town (through the South Hadley Public Library) currently has an agreement with Gaylord Library to provide certain defined services for a cost of \$35,000. He said he expects the actual cost of the services to exceed this amount by as much as \$20,000.

Mr. Sullivan reviewed terms of the agreement that have been the source of some concerns. With regard to an inventory, the Gaylord Memorial Library Trustees are responsible to provide a document referred to as Addendum A or Attachment A listing materials to be made available as part of the joint enterprise.

The MOU clearly provides that the South Hadley Public Library (SHPL) director will be in charge of day to day operations. In addition, the agreement talks about responsibility for the building. As the trustees are retaining ownership of the building, they will be responsible for major systems within the building, he advised.

There has been a lot of conversation about ownership of the land. Currently, it is listed at the Hampshire County Registry of Deeds as owned by the Town of South Hadley. The town has been supplied with some letters that give a legal opinion that the land is owned by the trustees; however, the deed has never been perfected. Until such time as it is perfected, the town will continue to be responsible for exterior maintenance. If at some point the deed is perfected, the trustees would take on responsibility for maintenance of the land.

It has been suggested that the town seek a legal opinion as to the ownership of land, but he doesn't see why the town should take on that cost, Mr. Sullivan said.

With regard to employees, they have fine employees at the Gaylord Library but, as a municipality with policies in place, the town cannot just accept employees from a private entity. The town has to make those jobs available. Town officials are legally bound to make sure they have a process that is fair and open to all candidates.

In the event the town wants to withdraw from the integrated system, the MOU provides that this intention be expressed in a warrant article at Annual Town Meeting. Whenever such action is taken, it would become effective at the start of the next fiscal year.

He added a paragraph today to address concerns about gaining access, Mr. Sullivan continued. The building belongs to the Gaylord Memorial Trustees and, as landlords, they need to be given access, particularly in non-scheduled hours, he affirmed. If owners want to have an activity or hold a fundraiser during non-programmed hours, that should be their prerogative. He read language added to insure protection of this privilege. He also incorporated an increase from 30 to 60 days in the notification requirement for a permanent schedule change or addition or cancellation of a service in paragraph 3 line 7, he advised.

To summarize, the MOU is an attempt to try to integrate the operations of the Gaylord Library with the SHPL, Chair Hine explained. At a very high level, it outlines the responsibilities of GM trustees as having ownership and responsibility for the building and the South Hadley library department/town as managing the services and staff of the integrated system.

The intent is to integrate but the more and overarching attempt is to improve library services in the Town of South Hadley, Mr. Sullivan elaborated. He expressed the hope that the partnership will represent a vehicle for improving overall services to residents.

Mr. Lavalley shared his opinion that progress has been made and the two parties are "much, much closer." He, Mr. Resnick and other members of the integration committee have worked very hard and there is very strong motivation in both camps to make this happen. Members are trying to make this a sensible collaboration so that there *is* a better service to the people of South Hadley, he agreed. The feeling of the Gaylord trustees is that, in the words of John F. Kennedy, they don't want to have the perfect start to depress the possibility. With the long history of both libraries, some people feel that they are losing something, but he doesn't see it that way. There is a little bit of work to be done but, in talking with Mr. Sullivan, they made some very good steps forward.

Mr. Resnick pointed out that the MOU has not yet been presented to the trustees for acceptance but that it is directly in line with their previously-stated intentions. He thinks it is the perfect way to prepare for the eventual integration of services.

Chair Hine pointed out that is the first reading. Mr. Sullivan suggested that Selectboard members take a vote at the first reading to move the process along. A positive vote would just indicate to the public that this is something the Selectboard is moving forward with. After the 2<sup>nd</sup> reading and vote, the document will be referred to the trustees for acceptance.

**SB Member Etelman moved to accept the first reading draft of the revised MOU between the Gaylord Memorial Library and the Town of South Hadley. SB Member Forcier seconded. The motion passed unanimously 3:0.**

After acceptance by the Selectboard and trustees, the MOU will go to Town Meeting, Mr. Sullivan said. It could go to the fall Special Town Meeting if it is ready, he confirmed. SB Member Etelman pointed out that there will be questions about the proposal's financial impact, and Mr. Sullivan said they will be prepared to answer these, although some figures will be estimates. If the town does not hire any additional help, they would be looking at additional costs of about \$24,000, Mr. Sullivan said.

One benefit of bringing the proposal before Town Meeting in the fall would be that people would then have the expectation of the new arrangement being in place for the first of the year, Chair Hine pointed out.

**11. FY 17 TOWN ADMINISTRATOR EVALUATION**

Members have discussed the evaluation tool several times, it was noted. **SB Member Etelman moved to accept the FY 17 Town Administrator evaluation document (Major Goals of Town Administrator for FY 2017). SB Member Forcier seconded.** He will add the document to the webpage tomorrow, Mr. Sullivan said. **The motion passed unanimously 3:0.**

**12. TOWN ADMINISTRATOR REPORT**

**ENTRANCE UPDATE**

He is trying to get ahold of masons to repair the masonry at the front entrances, Mr. Sullivan related. He asked anyone who knows a mason to give him a call. He has talked to four or five who are not available until November or December. They are redoubling their efforts to get an agreement and repair schedule in place. He apologized to the public for the remaining inconvenience.

The elevator has also been out of service more than it has been in service the past week. Technicians put new safety devices in Friday, apparently causing other devices to break. It is hoped that the elevator will be back in service by noon tomorrow.

SB Member Forcier reminded the public that the next regular Selectboard meeting will be Thursday, October 6<sup>th</sup>.

**SB Member Etelman moved to adjourn. SB Member Forcier seconded. The motion passed unanimously 3:0. The meeting was adjourned at 8:05 p.m.**

**RESPECTFULLY SUBMITTED**

**LAURA KRUTZLER  
ADMINISTRATIVE SECRETARY**

**EXHIBIT A**

List of Documents Reviewed at September 20, 2016 Selectboard Meeting:

1. September 20, 2016 Agenda.
2. Minutes of the September 6, 2016 regular Selectboard meeting.
3. E-mail from Administrative Secretary Laura Krutzler to Troop 303 Scoutmaster Steven Roberts inviting Luke William Hoefler and Ethan Michael McKeever to the September 20<sup>th</sup> Selectboard meeting to accept Certificates of Recognition for attainment of Eagle Scout rank.
4. Letter from Steven P. Roberts, Boy Scout Troop 303 Troop Committee Chairman, notifying Selectboard of accomplishment of Luke William Hoefler and Ethan Michael McKeever in attaining rank of Eagle Scout and requesting congratulatory message.
5. One Day Beer and Wine License application from Donna Koske, for Polish American Citizen's Club of South Hadley for annual customer appreciation party to be held outdoors at 515 Granby Road from 11 a.m. to 1 a.m. on Saturday, October 1, 2016.
6. One Day Beer and Wine License application from Michael Twohig on behalf of the Roman Catholic Diocese of Springfield, MA (St. Theresa of Lisieux Church) for parish dinner/social from 5 to 10 p.m. on Saturday, October 1, 2016 at Parish Center, 9 East Parkview Drive.
7. Letter from Paul D. Boudreau, Esq. of Ryan & Boudreau, LLP, on behalf of the owners of the White Wing Convenience Store, to express interest in purchasing the property presently being leased from the Town of South Hadley.
8. Copy of License Agreement between Krishnakant K. Swadia, Trustees of the 568 Newton Street Realty Trust and AARYNA, Inc., a Massachusetts corporation d/b/a White Wing Convenience and Petrol, and the Inhabitants of the Town of South Hadley.
9. Letter from Town Administrator Michael J. Sullivan to the Selectboard re: South Hadley Sidewalk Improvement Initiative and requested removal of 12 public shade trees.
10. Capital Request Worksheet for Canal Park – Bicentennial Rehabilitation (Phase 1).
11. Recommended BATTERY Brook Park Fee Increases for CY 2017.
12. Letter of resignation as constable from Robert Lynes dated September 12, 2016.
13. Major Goals of the Town Administrator FY 2017.
14. Narrative regarding Major Goals for FY 2017 from Town Administrator Michael J. Sullivan.
15. Town Administrator Report dated September 15, 2016.