

**SELECTBOARD MEETING  
THURSDAY, OCTOBER 6, 2016  
SELECTBOARD MEETING ROOM – 7 P.M.  
MINUTES**

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

At 7:04 p.m., Chair Hine called the meeting to order, noting that all members were present.

**1. APPROVAL OF MINUTES**

**SB Member Etelman moved to approve the minutes of the September 20, 2016 regular Selectboard meeting. SB Member Forcier seconded. The motion passed 4:0 with one abstention (SB Member DeToma).**

**1. ANNOUNCEMENTS**

SB Member Etelman reminded residents planning on having a tag sale over the Columbus Day weekend that they need a tag sale permit. Permits can be obtained either on line or in the Clerk's office of Town Hall.

In election-related announcements, the Town Clerk wanted to let everyone know that absentee ballots are in and are being mailed out to those who have requested them. Absentee ballots can be requested up until noon on the day before the election (November 7, 2016) but must be returned by the close of polls on November 8th. The deadline for registering to vote or changing one's party designation is Wednesday, October 19<sup>th</sup>.

SB Member Forcier informed business owners and managers in South Hadley that Know Your Town (KYT) and the South Hadley/Granby Chamber of Commerce are partnering to hold a free program featuring local businesses called "Spotlight on South Hadley Businesses" on Thursday, November 9<sup>th</sup> from 7 to 9 p.m. at the South Hadley High School cafeteria. It is an excellent opportunity to advertise a business and promote South Hadley, he suggested. More information is available at [www.shgchamber.com](http://www.shgchamber.com).

The first annual South Hadley jazz festival is going to take place a week from Sunday – October 16, 2016 - SB Member Brezinsky reminded. It is an all-day, completely free event starting at 10 a.m. There will be a series of seminars having to do with music and jazz starting with Tom Bergeron, principal trumpet player for the Springfield symphony. At 10:30 a.m., Nancy Janus will host a seminar on listening to Jazz. Beginning at 11 a.m., there will be a series of master classes geared toward musicians. All activities will take place at the Pioneer Valley Performing Arts (PVPA) School in its new performing arts space. Evening performances will include Valley Divas, samba, bossa nova and big band and culminate with a set by Tom Bergeron and his quintet at 6:15 p.m. The event is free of charge and food vendors will be on site. The substance-free event is sponsored by Music and Arts South Hadley (MASH) in conjunction with the PVPA and the South Hadley Public Schools music departments, he related.

In conjunction with the DPW, the South Hadley Falls Neighborhood Association (SHFNA) is co-sponsoring an annual cleanup of South Hadley Falls on Saturday, October 22<sup>nd</sup>, from 9 a.m. to 12 p.m., SB Member DeToma announced. Admission is free. He encouraged friends of the falls to come down and spend a few hours on this worthwhile project. And, Sunday, October 30, 2016 at 1:30 p.m., the 2<sup>nd</sup> annual Rag Shag Parade will start at 1:30 p.m. at the South Hadley Public Library (SHPL) and proceed down the street to the park. There will be prizes for the kids, activities, etc. Participants are asked to assemble in the parking lot by the library.

Chair Hine asked if anyone present wished to address the Selectboard under open forum. No one responded.

The Pioneer Valley Transit Authority held a public hearing today on proposed changes to the route for the Tiger Trolley; specifically, having the Tiger Trolley come over the Route 116 (Veterans Memorial) bridge instead of the 202 bridge, Mr. Sullivan related. The Tiger Trolley has a "Passengers per Revenue Hour" (PPRH) rating of only 3.5 while the threshold for minimum ridership is 5. In another proposed change, Lathrop Village and the library will continue to be served, but as Transit Access Points rather than as fixed stops. For the last run of the day, the shuttle will go to both locations automatically, but for other runs, PVTA asks riders to call ahead to arrange pick up.

Mr. Sullivan drew attention to the new wall-mounted, flat screen monitor in the Selectboard Meeting Room to be used primarily for presentations. The monitor is one of two purchased for Town Meetings in the auditorium, Chair Hine noted.

**2. PUBLIC HEARING ON LAYOUT OF LAWRENCE AVENUE**

At 7:15 p.m., Chair Hine opened a public hearing on the layout of Lawrence Avenue. He read a description of the roadway as follows:

**Unaccepted portion of Lawrence Avenue** - the subject property is approximately a 50 foot wide right of way and known as that portion of Lawrence Avenue located 600 feet or more south of Granby Road abutting parcels 133, 142 and 185 as depicted on Assessor's Map #16 and as generally depicted by an annotation by the Town on a Survey of Land for Armand Choiniere by M. Stevens and T. Jackson dated June 10, 1955.

This portion of the road was never formally accepted by the town, Chair Hine explained. After the Selectboard acts to lay out the road, Town Meeting must vote to accept it, he clarified.

It is a fairly common problem in most towns that, over the course of time, some streets are accepted, but their full length or width is not included in the acceptance, Mr. Sullivan elaborated. He referred to River Lodge Road, which the town does not own and which is not an accepted way. The town owns the first 350 feet. Beyond that, the responsibility lies with the developer that developed Riverboat apartments. Developers are responsible at some point to improve newly-created roads to town standards so that the town can consider acceptance. Numerous streets have never been accepted such as the Meadows. In this case, homeowners got together and paved their own street.

He referred to a paper street on the posted plan (Handy Street) that was never developed and never accepted by the town. Town counsel advised him that abutting property owners technically own to the center line of the road. Despite that assertion, he strongly advised anyone intending to use this land to consult an attorney and perfect their deed.

The need to accept the unaccepted portion of Lawrence Avenue came to light because the town auctioned off a buildable lot, Mr. Sullivan continued. (Acceptance of the road does not affect the buildable status of the lot, he stressed.) If it doesn't accept the whole road, the town legally is not authorized to pave or make improvements to this small section or to plow it except to make it passable for emergency vehicles. It seemed reasonable to remedy the situation once it was brought to light, he advised.

Town Planner Richard Harris disclosed that he is an owner in Hillcrest Park, a condominium complex located on Lawrence Avenue. The segment in question is a small section, he confirmed. When Lawrence Avenue was accepted by Town Meeting, the warrant said "600 feet, plus or minus," but the motion to accept the road left off the plus or minus. If laid out, he would file a plan with the town clerk and it would be presented to Town Meeting for acceptance. There are a lot of streets in town that people assume are town roads but that have never formally been accepted. He, the Town Administrator and DPW Superintendent have discussed how to address this situation but recognize that acceptance of dozens of roads would take hours and hours of public hearings. The segment is about 50 feet in length on the left side and 75 feet on the right. The town has for decades assumed it was a town road.

Chair Hine asked if anyone wished to speak for or against.

**Sharon Buckley of 14 Lawrence Avenue** asked exactly where the section of road is, and Mr. Harris informed her that the unaccepted portion runs along the last 25 feet of her lot line. She asked about the paper street (Handy), and Mr. Sullivan assured her that the town does not own it and seeks no rights to it. When asked about such paper streets, town officials usually recommend that residents adjacent to these rights of way take action to perfect their deeds to ensure continued ownership to the center line of the roadway, he reiterated.

**Ken Hall of Unit 51 Hillcrest Park** said he questioned the veracity of the map. It shows Central Avenue going right into Hillcrest Park and Central Avenue does not come into the condominium complex, he said.

It's a right-of-way, Mr. Harris said. Central Avenue's right-of-way stops north of Hillcrest Park, he clarified.

The next step is for the Selectboard to accept the layout as presented in the hearing, Mr. Sullivan advised.

Chair Hine closed the public hearing and entertained a motion to accept the laying out of Lawrence Avenue. **SB Member Etelman so moved. SB Member Brezinsky seconded. The motion passed unanimously 5:0.**

An article requesting acceptance of the road will go to the next Special Town Meeting, members noted.

**Linda L. Young of 15 Westbrook Road** asked if the Selectboard would be bringing up other street acceptances at the Special Town Meeting.

We would love to but we are not prepared, Mr. Sullivan responded. Town officials have been given an edict to find a responsible party, if one exists, and hold it responsible for the cost of improving the road to Department of Transportation (DOT) standards in order to qualify for Chapter 90 money. A lot of research has to go into a number of the streets to see who is responsible. They are hoping a more universal map will be available for a subsequent Town Meeting, perhaps the annual one. It is a time-consuming process

that takes a great deal of work and research. There are over a hundred unaccepted streets. They were fortunate in this instance to find a survey attached to an old deed, Mr. Harris noted. In a lot of the cases, a survey doesn't exist, so the town itself might have to survey the property.

Mrs. Young said she didn't understand why the Selectboard was bringing this forward at this time.

It's ready, so why not go ahead, Chair Hine responded. Mr. Sullivan said he would respectfully argue that this is what has been happening; action has been put aside and put aside, and [consequently] no action has been taken. When we have them ready and are able to, we bring them forward, he stated.

A couple of subdivisions have been completed, and they are looking to accept those streets as well, Mr. Harris said.

### 3. CONSENT AGENDA

#### A. One Day Beer and Wine License Request:

- Imad Zubi, Willits-Hallowell Center - October 28, 2016 – Mary Wooley Hall, Mount Holyoke College

**SB Member Forcier moved to accept the consent agenda. SB Member Etelman seconded. The motion passed unanimously 5:0.**

### 4. FALL SPECIAL TOWN MEETING

Members discussed the possible scheduling of a Fall Special Town Meeting (STM). Discussion has been that there is nothing of urgency driving the need for it to happen in the next month or two, Mr. Sullivan confirmed. Possible articles include a request to accept a state law to allow finger-printing of ice cream truck vendors and creation of something similar to an OPEB trust account to offset the liability created by sick time accruals, etc. He has about 13 articles, Mr. Sullivan said.

The question to the board is whether members want to schedule an STM at this time for mid or late November or hold off until there is something that requires action.

SB Member Brezinsky expressed his understanding that the Redevelopment Authority (RDA) is not ready to go forward with presentation and acceptance of the redevelopment plan at any STM held in the remainder of this year.

SB Member DeToma confirmed that RDA members expect to be ready before the next Annual Town Meeting. There is a question of whether it should be discussed at a stand-alone Town Meeting, he noted.

SB Member Brezinsky pointed out that if they defer fall Town Meeting but then get backed up with articles in January and February, they would end up with one very long Special Town Meeting or two separate specials happening in relatively close proximity. Even though there is nothing compelling that must get done he does not want them to find themselves in a situation where they have such a back up that they get into a jam.

Mr. Sullivan noted that another stand-alone meeting may be needed to accept changes to the General Bylaw proposed by General Code. He believes this would be a long Town Meeting in and of itself. He declared Mr. Brezinsky's point well-taken. Possible dates for an STM are November 16<sup>th</sup> or 30<sup>th</sup> or December 7, 2016, he added. He voiced his expectation that General Code changes will be ready by late March. The Bylaw Review Committee has already met on initial bylaw changes, he said.

Since there are some significant Town Meeting matters that could require meetings of their own, he'd be inclined to look at mid-January as a timeframe for an STM, Chair Hine opined. SB Member Etelman agreed with holding off. November 30<sup>th</sup> and December 7<sup>th</sup> are getting precariously close to interfering with the town's ability to set the tax rate, it was noted. Members reached a consensus to announce that they are contemplating a January timeframe.

He will be meeting with the chair of the Capital Planning Committee and will let members know if he hears of anything compelling, Mr. Sullivan assured.

### 5. FY 18/17 BUDGET DISCUSSION

He doesn't yet have anything definitive to present, Mr. Sullivan related. The town did well in revenue last year - especially in permits and licensing - but not well enough to change revenue projections for next year. On the expense side, town officials have an anticipated increase in health insurance. Medicare rates are going up for retirees. On an annual basis, South Hadley sees about \$800,000 worth of new growth. If they were to get \$820,000, half of that would be gone with just the health increase, he presented. It seems unfair to call upon departments to have a percentage cut. He doesn't have a solid approach but thought it important to have a

preliminary discussion to let the Selectboard know that there may be requests to some departments with more money to absorb cuts. The reality is that this is going to be an incredibly lean year, he concluded.

In past years, the message that has been that it's lean, but that we're okay and we've got ways to make it work, SB Member Brezinsky recalled. What he's getting from Mr. Sullivan's message tonight is that those days are over and that there is no other place at least within the municipal budget to look.

There are better days ahead, but FY 2018 is going to be a very difficult year to deal with, Chair Hine agreed.

SB Member Brezinsky asked if he had any news from the state. The state has not met their budget projections, Mr. Sullivan said. If things get worse, towns certainly could see a 9C cut. The bright spot is that, with South Hadley's conservative projections, the town received more money from the state in 2017 than projected. Town officials can't lose sight of the fact that they have to maintain a commitment to infrastructure, he cautioned. The tendency is to cut back on projects, but "we can't lose sight that we need to make investments." The towns that do best in incredibly difficult times are those that don't lose sight of that fact, Mr. Sullivan proposed.

With regard to looking at larger budgets, the Town Administrator mentioned that these include the DPW, Police and Schools, Mr. Brezinsky noted. There was some talk about getting together, maybe resurrecting the tri-board to have a budget conversation. He would just suggest that they try to do that. It couldn't hurt and could be very helpful.

School Superintendent Nick Young sent an invitation to Town Meeting members to a breakfast, Mrs. Young said. She wondered aloud if a budget presentation before that date might affect his presentation to Town Meeting members.

Mr. Sullivan reminded members that the Acts of 2012 shifted responsibility for budget development to him. He said he thought in the beginning [a Tri-board meeting] might be more of a hindrance than a help.

Chair Hine said he sees it as an opportunity for Mr. Sullivan to paint the picture of the constraints and challenges so that they are understood by all parties.

He will try to do that to the extent possible in the information he sends out to department heads at the start of the budget process, Mr. Sullivan responded. He understands that Tri-board is a tool and if the Selectboard directs him to call a meeting of the Tri-board he will, he said.

SB Member Brezinsky said he heard his message loud and clear and they all agreed that it was not management by committee anymore. However, [Tri-board] might be a good way to communicate that message, he pointed out.

#### 6. **APPROVE WARRANT FOR NOVEMBER 8, 2016 ELECTION**

Chair Hine discussed the need to approve the election warrant for the November 8, 2016 state election. **SB Etelman so moved. SB Member Forcier seconded. The motion passed unanimously 5:0.**

Mr. Sullivan mentioned the resignation of Maxine Cechvala from the Library Board of Trustees. He discussed with Trustee Chair Mitch Resnick that the Selectboard office could advertise for candidates for joint appointment and that the appointment would then stand until the next annual election. Members agreed to direct staff to advertise effective immediately and to proceed with the usual joint appointment process.

#### 7. **SYMPOSIUM TOWARD HUMAN UNDERSTANDING**

The kick-off event was a "really powerful, thought-provoking and interesting day," SB Etelman reported. A total of 18 people attended.

He received several thank-you's from some participants who were very pleased to be involved, Mr. Sullivan agreed. They will be sending out notes to participants. "This was an incredibly productive exercise, and I'm proud to be part of it," he commented. He congratulated SB Etelman, terming it a "really, really formative and moving day." They will be discussing next steps.

SB Member DeToma said his impression was that they had a lot of diversity. He discovered there is more diversity in South Hadley than he had realized.

Mrs. Young asked if there was anything they could tell the listening audience about what they discussed.

Participants were led through a series of exercises to discuss how they related to each other. They also talked about the difference between the municipality and the town and its residents, Ms. Etelman said.

It wasn't about government; it was about the town, Mr. Sullivan stressed. One participant had lived his whole life in South Hadley. There were people who had been in town for 35 years, and others who had been there for two years.

**8. TOWN ADMINISTRATOR REPORT**

The idea of having a subscription service to his report was discussed at the symposium, Mr. Sullivan noted.

**SB Member Etelman moved to adjourn. SB Member DeToma seconded. The motion passed unanimously 5:0. The meeting was adjourned at 8:20 p.m.**

**RESPECTFULLY SUBMITTED,**

**LAURA KRUTZLER  
ADMINISTRATIVE SECRETARY**

**EXHIBIT A**

List of Documents Reviewed at October 6, 2016 Selectboard Meeting:

1. October 6, 2016 Agenda.
2. Minutes of September 20, 2016 regular Selectboard meeting.
3. One Day Beer and Wine License application from Imad Zubi for the Willits-Hallowell Center for a reception to be held in Mary Wooley Hall from 3 to 6 p.m. on Friday, October 28, 2016.
4. Notice of Public Meeting on Thursday, October 6, 2016 at 7:15 p.m. for Laying Out of Private Way for Proposed Roadway Acceptance of Lawrence Avenue.
5. Town Administrator Report dated September 30, 2016.