

Select Board Meeting Minutes

9/16/2020 7pm Virtual via ZOOM

Present: Select board members Robert Agoglia, Tara Loomis, and David Shanabrook, Police Chief Gary Thomann, Fire Chief Raymond Murphy, Stacy McCullough, Barbara Cooper, Matthew Wolaver, Robert Rowell, Abigail Jenks, Judy Eiseman, and Susannah Carey.

Open: Select Board Chair Agoglia opened the meeting at 7:01pm. Remote meeting script read aloud by Susannah Carey. All Select Board members confirmed presence. All attendees identified.

Fire Chief Succession-Fire Chief Raymond Murphy

Chief Murphy will be retiring as of July 1, 2021. Question was raised about whether it is financially feasible for the town to continue with the chief's role as it currently is. The town may want to consider options for their next Fire Chief; volunteer, part-time with raise, full-time position, consolidating the Fire Chief's role with another surrounding town. Also discussed was having a Public Safety Director who oversees both the Fire and Police departments. A Public Safety Director would handle all administrative parts of Fire (and Police) Chief's current position while the Deputy Fire Chief would handle the fires/emergencies part. Currently Chief Murphy works on average 100 hours per month. Select Board member Tara Loomis and Chief Murphy will report back at a later date with more information for the succession planning.

Act to Eliminate Qualified Immunity-Police Chief Gary Thomann

Currently a bill in the House and Senate to eliminate Qualified Immunity. Document sent to SB members from Chief Thomann was from MIIA Attorney Lenny Kestren. The Massachusetts Municipal Association (MMA) supports studying Qualified Immunity. Representatives Domb and Comerford have submitted language that limits qualified immunity. The House and Senate are now working to agree on a final bill.

Policy for Metal Detecting

Permission requested from resident on South Valley Road to do metal detecting on town owned property. Both the Pelham Historical Society and Historical Commission have offered information related and opinions that surround state mandated laws, protection of archeological sites and registered historic sites, as well as Native American burial grounds. Coastal beaches sometimes allow metal detector use, and state parks only allow metal detecting with the permission of the site supervisor. Permission must be granted before metal detecting on private or public property.

Matthew Wolaver, South Valley Road resident, would like to support his son's educational interests.

Matthew's son has metal detected in Pelham with permission from a few residents. Suggestion from Stacy McCullough to reach out to the towns Historical Commission and see if this type of activity could be allowed for the benefit of Pelham.

Review Warrant Articles Received for the October 24, 2020 Fall Town Meeting

Finance Committee submitted three articles. State funding was not available in June in time for the annual town meeting which caused the three articles being reviewed to be cut from the warrant. Now that State funding is back, the three articles for FTM will bring the numbers back to where they should have been in June.

Motion to include the three finance committee articles on the fall town meeting warrant, aye Robert Agoglia, aye David Shanabrook, aye Tara Loomis, roll call unanimous.

Planning Board submitted three articles updating the current solar bylaw. The old language allows large ground mounted solar installations in all areas whereas the emphasis of the proposed solar bylaw is to limit where solar is allowed and to regulate its design and construction. Small scale solar on roofs is allowed by right and solar arrays no larger than 15 acres will be allowed with restrictions. The solar bylaw is modeled after the Town of Shutesbury which was passed by the Attorney General. PVPC is lending support to the Planning Board for these articles. There are about five areas in Pelham which could support large solar arrays if the bylaw passes. Motion to include three solar by law articles on the fall town meeting warrant, aye Robert Agoglia, aye David Shanabrook, aye Tara Loomis, roll call unanimous.

CPC submitted one non-binding resolution for Pelham's commitment to the affordable housing project on Amherst Road. The resolution was removed from the annual town meeting warrant in June due to the immediate threat of COVID-19 virus and time constraints. The Housing Committee will be sending out a mailer prior to fall town meeting with information about the warrant article for residents. Comment from resident about including such a large article on the Fall Town Meeting warrant when less residents usually attend. The Select Board noted that this Fall Town Meeting will be held on a Saturday morning rather than a weekday evening in the past and that all town meetings should be treated with the same importance. Motion to include the CPC article on the fall town meeting warrant, aye Robert Agoglia, aye David Shanabrook, aye Tara Loomis, roll call unanimous.

The Energy Committee submitted one article for additional funding for the HVAC project at the Community building. Motion to include the energy committee article on the fall town meeting warrant, aye Robert Agoglia, aye David Shanabrook, aye Tara Loomis, roll call unanimous.

Select Board will contemplate the need for town counsel at Fall Town Meeting.

Vote 2.5% Increase in Capital Stabilization for FY2021

Annual vote to increase funding for additional capital needs Language from State, figures submitted from town accountant. Move to assess an additional \$237,737.00 plus 2.5% for a total assessment of \$243,680.00 in real estate and personal property taxes for the purpose of funding the Capital Equipment and Expenditures Stabilization Fund, to be expended for the purpose of purchasing capital equipment for the Town and to fund other necessary capital expenditures as needed for the fiscal year beginning July 1, 2020,, aye Robert Agoglia, aye David Shanabrook, aye Tara Loomis, roll call unanimous.

Town Officials-no comments.

Public Comment-none.

Liaison Reports

Fire Department; Select Board member Tara Loomis; succession discussion earlier in meeting.

Highway Department; Select Board member Robert Agoglia; Lanes have been narrowed with new lines painted and signs have been installed to help mitigate speed on Amherst Road. Town has a portable LED speed sign that Police Chief Thomann has posted in multiple places in town to reduce speed.

Police Department; Select Board member David Shanabrook; Residents at ATM voted in favor to fund a permanent solar speed sign which Select Board member David Shanabrook will check with the Police Chief.

Town Offices; Select Board member Robert Agoglia; Fall Town Meeting arrangements are being made, Town Clerk working on November 3rd Presidential Election, Administrative Assistant working on acquiring EPA id number for Old Town Hall painting and completing reports for COVID-19 reimbursements for the federal government.

Old Business-none.

Time Reserved for Topics the Chair did not Reasonably Anticipate-nothing to report.

Minutes-9/2/2020 minutes tabled until 10/7/2020.

Adjournment

Motion to adjourn at 8:36pm, aye Robert Agoglia, aye Tara Loomis, aye David Shanabrook, roll call unanimous.

Documents Examined

2.5% Capital Stabilization vote, Qualified Immunity information from Attorney Kestren, Planning Board, CPC, Energy Committee, and Finance Committee articles for Fall Town Meeting.

Respectfully submitted, Susannah Carey