

Selectmen's minutes of meeting June 30, 2014

Members present: Patrick Barrett, Jeffrey Gray, Lisa Blackmer,  
Steve Harasyko, Dolores Harasyko

Members absent: Rosario Messina

Called to order at 7:07 p.m.

Steve presented highway dept. updates. They are continuing the grading. They are crack sealing sections of Route 57 and Route 183. The cost for crack sealing is approx. \$10,000 per day. He ended the year with his budgets in good shape. The next project will be line painting. He is meeting with Lane Construction to review work that was done on New Hartford Rd.

Discussed areas of pavement on Route 183. Steve will follow.  
Discussed the areas on Tolland Rd. that were sprayed with a chemical to kill vegetation under the utility lines. Steve was not notified that this would be happening.  
Steve introduced Phil Granin from Tolland. He has volunteered to write a Strap Grant for the town for the Tolland Road section of Route 57. He successfully wrote a grant for Tolland for \$977,000 and would like to continue the work through Sandisfield. He has been meeting with Steve to discuss this. He will not charge the town or make any commission from it. The town will need to hire a consultant after the grant is awarded. The grant application is due this August and we must be ready for spring 2015 to start the work. There are some things he needs from the town. He will need a letter of authorization from the Selectmen, Lisa will see to this. He will need letters of support from the police, fire, highway departments as well as the emergency management director and the board of selectmen. Lisa will coordinate these. Selectmen Jeff Gray will be the point person for the Selectboard. The Selectmen thanked Mr. Granin and Steve for working on this.

Steve introduced Doug Plachinski from Berkshire Regional Planning Comm. He is working with Steve to write the contract and bid to complete New Hartford Rd. the cost of the fees will be covered under Chapter 90. They have a procurement specialist that will prepare the bid specs and advertisements. They will also review the bid after they are opened and will follow through with reference checks. They will also follow thru with bid award/reject letters, bonds and insurances. All the selectmen agreed and signed the agreement. Doug will have Nat Karns sign their portion and return a copy to the town. Kathy Jacobs asked Doug where he was with the road program. Doug responded that he has been working with Dolores on a road status program and will continue the work after October. The Selectmen thanked Doug for his presentation and the support he continues to provide for the town.

The Board of Assessors in to discuss questions they were presented from the finance committee. They are frustrated because the same people continue to ask the Assessors to pursue items that they have been repeatedly answering. Bethany spoke on behalf of the Assessors. She explained that they have held public meetings on stumpage fees and the

chapter programs. They have contacted several people on the state level regarding these issues and have been told by the state reps that we cannot override the state and implement our own stumpage fees. The State did away with that program in the mid 1980's. Kathy Jacobs responded for the finance committee that the questions were directed to the Selectboard and she wants a written response from the Selectboard. The Selectmen directed the questions to the Assessors as they are the board that would have the answers and that is why we are all here tonight. The finance committee wants to know if the town could corroborate with other towns to reenact legislation to collect stumpage fees. Patrick responded that he has indeed had several discussion with Smitty Pignatelli and was told that we would be wasting our time. It is a state law. David Hubbard feels it should still be pursued. Kathy asked if the selectmen will champion this effort. Patrick responded that he will continue to discuss with Pignatelli and Downing. Lisa explained that when you ask for a change in legislation there may be exchanges involved such as bargaining with regional transportation which we need. Jeff responded that the selectmen have indeed looked into this several times in the past. Teresa suggested looking into limiting chapter programs which could generate more funds. Bethany discussed the request from David Hubbard to hire an independent appraiser regarding the pipeline. Bethany explained that they have been in contact with Kinder Morgan with no response, they will follow up again. She explained the abatement process through the appellate tax board. The assessed value of the pipeline is done in Boston. She explained the expense of the abatement process. She reviewed the results when the Town of Agawam tried to increase the assessed value of the pipeline. The town did not win and had to pay millions of dollars to Tenneco. The assessed value of the pipeline in our town is 7.5 million. The assessors unanimously agree it is not cost effective for the town to attempt a higher assessed value. David responded that he feels the town should work with surrounding towns involved with the pipeline to share in the cost of pursuing higher assessments and an assessed value of the product that flows through the pipes. Lisa explained that if we attempt to tax for the product flowing through the line then we would have to change our tax classification. We currently tax everyone at the same rate. By doing what David is suggesting anyone with a business in town will have to have a higher commercial tax rate as you cannot pick and choose who gets taxed differently. David does not agree. All the Assessors explained that they have already looked into this and it would hurt all our businesses in town including all the small independent contractors. David still does not agree. Bethany responded that they have thoroughly reviewed all options for the town. David does not agree. Bethany responded that they have done their due diligence on behalf of the town. Patrick thanked the Assessors for all their work and research. David is of the understanding that the pipeline is a utility. Patrick responded that to take it further would cause a very high expense for the town and he feels the Assessors have done a great job researching this. Patrick stated that is Sandisfield was able to assess higher then the state would be able to assess higher and then the entire county could assess higher and that just isn't reasonable. David feels it is under assessed by Boston just because Boston can under assess, he feels it is all political. Bethany reiterated that they have thoroughly researched these questions. Jeff responded that the assessors have indeed been working hard researching these questions for the past 2 months. David does not like the answers. Patrick will make another call to Smitty.

The town administrator and the selectmen will negotiate with Kinder Morgan when the time comes regarding any benefits to the town such as police, fire, road improvements and highway dept.

Rhee Kasky asked why the finance committee had to wait so long for a response. Dolores and Jeff both responded that they told them that it would take awhile for the Assessors to do their research. Also when their request came in it was also at the busiest time of the year for the town. We were working on budgets, annual town reports, the annual town meeting and election. Jeff did on several occasions speak with them to inform them that their questions would be addressed at the end of June. Bethany re addressed the Assessors requests from the finance committee. She feels there needs to be a chain of command regarding requests to boards. She feels strongly that if there are questions for the Assessors the request should go to the Assessors not the Selectmen. Kathy said they will be coming to the Selectmen on other initiatives as well.

Janet Pumphrey from Kopelman and Paige present. Lisa handed out documentation that per Chapter 30B we do not have to bid out for town council. Janet reviewed the format of Kopelman and Paige. They are a municipal law firm with over 40 attorneys available 24 hours a day. She reviewed the work their firm is doing regarding the pipeline. They have assigned three of their attorneys to the pipeline that specialize in pipeline issues. Each attorney in the firm has a specialty. If there is a question on zoning, we would have the ability to call an attorney that deals with zoning. We would not have to pay an attorney fee for research as we will call the attorney that deals with the specific item in question. The charge is 10 minute increments which is what we pay now. They do not charge for quick questions. They do not charge if a question can be answered by clerical or non-attorney personnel with the exception of a paralegal which is charged at half the attorney fee. They help with legislation. They offer free seminars such as open meeting law. They provide email blasts on updates in law changes. Jonathan Silverman would like to represent Sandisfield. Patrick asked about conflicts with other towns they represent. They would back out of both towns to avoid the conflict. David Hubbard stated that he has a deep appreciation for dealing with a large statewide municipal firm that is deeply conversed in all aspects of municipal law and supports changing council to Kopelman and Paige. Kopelman and Paige request that a contact person be appointed and that all questions be in writing and they will respond in writing. Most will be done by email. Bill Price agrees with the benefit of the larger municipal law firm. The selectmen will review and re address at a later date.

Motion by Patrick, second by Jeff to accept the letter of resignation from Paul VanSickle from the Strategic Planning Comm.

Reviewed and approved FY2014 encumbrances.

Reviewed and sign the Lee VNA contract.

The Selectmen are closing the Town Offices at noon July 3, 2014.

Patrick was contacted by a DEP representative from Pittsfield who would like to come to a Selectmen's meeting and do a presentation on Green Energy. They will need approx. 20 minutes. Patrick will contact them to set up the date. Possibly August 11.

Mail reviewed

Warrants reviewed and signed

Minutes of meetings reviewed and signed

Meeting adjourned at 9:40 p.m.

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Patrick Barrett

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Jeffrey Gray