

Town of Sandisfield

Select Board
March 28, 2022

Minutes for Select Board meeting held on Monday, March 28, 2022 at 7:00p.m. at the Town Hall Annex, 66 Sandisfield Road, Sandisfield, MA

Members present: George Riley, Alex Bowman, Steve Seddon

Called to order at 7:00PM

- 1. Call to order: Note that the meeting is being recorded**
- 2. Review and sign minutes of meetings. Points to minutes**
- 3. Review and sign purchase orders**
- 4. Discuss and vote to appoint Jonathan Sylbert as Chief Procurement Officer**

George motions to appoint Jonathan Sylbert as Chief Procurement Officer. Alex seconds. Motion passes unanimously.

5. Mass Audubon in to discuss conservation project with the Dept. of Conservation and Recreation

Bob Wilber, Director of Land Conservation for Mass Audubon is in to speak. Mass Audubon is the owner of the Colebrook Wildlife sanctuary on Cold Spring Road, which is in Otis and Sandisfield. Currently, the sanctuary is between 900 and 1,000 acres. Mass Audubon would like to expand the sanctuary by purchasing the 180 acres owned by Robert Minery. The organization has been working with the executor of the estate to purchase the land. They have negotiated with MassDEP who suggested the best plan would be to clear the property of any surface metal, lay down soil and seed to stabilize the bank, and then be managed as conservation. It's noted that the property has tax liens. Groundwater testing has generated normal results.

This project is estimated to cost around \$400,000. The completion of this project would not only provide both Otis and Sandisfield with back-taxes, but connect the sanctuary with the Otis State Forest. This land would be used as wildlife preservation and hiking.

George reports that the Select Board has agreed to sign an abatement or forgiveness of some of the back-taxes on the property in exchange for part of that money from Mass Audubon. Currently, the Board is in discussion with the Department of Local Services, who is trying to make sure Sandisfield is still getting as much money as possible. It's noted that Sandisfield would likely never see any of the back-taxes paid on this property, so the \$30,000 Mass Audubon would be willing to give the town in exchange for the land appears like the most reasonable option.

6. Discuss Board/Committee schedule policy for stipend payments

This item stems from a committee member requesting their annual stipend early. The current policy allows for stipends to be paid at the end of the fiscal year. The Treasurer was hesitant to do so, for a committee member could receive their annual stipend and quit the next day. George suggests paying the stipends in two installments, one on Dec. 31 and the other on June 30.

George motions that all stipends paid annually would now be paid bi-annually. Steve seconds. Motion passes unanimously.

Barbara Cormier suggests reviewing all the boards and committees and consider raising or awarding stipends to them. She examples the Planning Board who dedicates a lot of time to Sandisfield, but does not receive a stipend.

7. Discuss employee evaluations procedure

The Highway Superintendent conducts the DPW evaluations. The Town Manager traditionally does the rest of the full-time employee evaluations, which include the DPW Super, Assistant to the Select Board and Town Manager, Treasurer, and Principal Assessor. However, since Jonathan is new it's questioned whether he conducts these evaluations independently.

Jonathan reports he would have no problem conducting these evaluations. He intends to look at the previous evaluations to see how they were managed, review them with the evaluatee, see what has changed, and create goals for the employee.

It's noted that all employees should have a Job Description, which is the starting point for conducting the evaluations. It's suggested these be posted on the Town website. George reminds the Highway Super that he has a deadline to complete his employee evaluations.

8. Brad Curry in for DPW Updates

Brad updates his new employee, Tony Soares has acquired his Massachusetts Class A CDL. Tony has also completed his ethics testing; the other DPW employees have completed their ethics as well.

The DPW has been working on patching the potholes that have developed over winter from frost heaves and plowing. Stone has also been brought in to aid with the mud on some of the dirt roads.

Brad notes the DPW has been unable to complete some of the projects that have been promised to residents, including the installation of a culvert on the Segrin property. The ground has thawed enough to install the culvert, but Brad is waiting on delivery of the culvert pipe. He reports these projects will be completed as soon as possible.

Project plans are in the works for culvert relining. Just as well, there are some drainage project plans for Town Hill Road. Brad has applied for a culvert grant, as well. He also sent the Select Board members and the Interim Town Manager an application for a bridge grant, which is completed and is waiting to be sent out.

Other upcoming projects include equipment repair, changing the teeth on some machines, grading dirt roads, and filling potholes. The speed signs should be installed within the next few weeks.

There is no definite date from MassDOT for paving to begin on Route 57 and Route 183. As soon as he hears, Brad will post the dates in the Sandisfield Times and on the website to inform residents of any detours or delays.

Brad requests a meeting with the Fire and Police Departments, and the Select Board to go over the upcoming bridge grant to replace the culvert on Route 57 near 90 Sandisfield Road. It needs to be discussed whether there will be a detour or a bypass will be created. Brad reports a bypass will most likely cost more money.

Brad hopes to keep up on the mowing more efficiently this summer. He notes that Keith Larson now has a mowing license, and he intends to hire another on-call employee with a mowing license as well.

Lisa Leavensworth expresses frustration with the way plowing and treating the roads has been handled this winter. She questions the protocols Brad takes when asking his employees to go out and maintain the roads in inclement weather. Brad notes he has drafted up a snow policy. This was submitted to the previous Town Manager, Brad will send it to Jonathan. However, it is noted that all storms are different, and all areas of the town may need to be treated differently. Alex requests all residents submit a written complaint to Brad before bringing issues up at Select Board meetings.

Brad will be in for DPW updates at the first Select Board meeting of every month, the next being May 2, 2022.

9. Discuss and vote to join the Southern Berkshire Chamber of Commerce

Steve Seddon recommends the town join the Southern Berkshire Chamber of Commerce, which will cost \$260 annually. Joining this organization will assist in promoting town boards/committees and their events, as well as create accessible networking. This is a less expensive option than advertising in the Berkshire Eagle. Sandisfield is the only municipality in Berkshire County that is not a member. Once an account is established all boards/committees can interact with the organization.

Steve motions to join the Southern Berkshire Chamber of Commerce. George seconds. Alex abstains, for he would like to gather more information. Motion passes.

10. Discuss and vote to accept or amend the Planning Board's proposed bylaws for the Annual Town Meeting Warrant

- **Accessory Dwelling Unit**

The only amendment made on this bylaw is on 4C. The proposed bylaw allows for 900 to 1,200 gross square feet. However, George found an amendment in the great Barrington zoning bylaw where they referred to this amount as "net usable floor area." Net usable floor area is defined as "the sum total living areas as distinguished from other areas of an accessory building, such as utility or garage areas." The Building Inspector would determine what is considered usable floor area.

4C now reads "An accessory dwelling unit may not in any place be greater than 900 square feet of net usable floor area..." This has been passed onto the Planning Board for their Public Hearing.

George motions to put the Planning Board Accessory Dwelling Unit bylaw on the Annual Town Meeting warrant as written. Steve seconds. Motion passes unanimously.

- **Shared Driveway**

George summarizes this bylaw will allow a single driveway to serve multiple parcels, reduce habitat fragmentation, and share costs between cooperating land owners. This would amend the current driveway bylaw, therefore changing any mention of a single building to one or more buildings.

Restrictions within this bylaw include any driveway owned by multiple people shall have a turnout every 500 square feet that will allow safe passage of two vehicles and shall have adequate sight lines to reasonably avoid collisions. All shared driveways shall be recorded on the deed and filed with the Building Inspector and the DPW Superintendent.

An amendment on number 14 is proposed by Steve which notes that all driveways shall be approved and inspected by the Sandisfield Building Inspector. Steve clarifies this is the responsibility of the DPW Superintendent, not the Building Inspector.

George motions to accept the Shared Driveway bylaw amendment onto the Annual Town Meeting warrant as submitted by the Planning Board with the addition of changing "approved and inspected by the Sandisfield Building Inspector" to Highway Superintendent. Alex seconds. Motion passes unanimously.

- **Cannabis**

The original Cannabis bylaw was defeated at the previous Annual Town Meeting. The Planning Board has since made some changes, which have now been submitted to the Select Board for consideration.

The Planning Board originally suggested changing the marijuana overlay district for retail only to include all of Route 8. The overlay district in the current version includes Route 8 up to Route 57, and Route 57 up to Silverbrook Road. Cannabis cultivators can operate anywhere in Sandisfield upon being granted a Special Permit.

Under 4B, indoor cannabis cultivation minimum lot size and setbacks should be set by the Special Permit granting Authority with respect to property configuration and adjacent uses. Outdoor cultivation setbacks shall be no less than 150 feet from the shortest distance of the establishment building to the property line.

All other provisions have remained the same as the original bylaw, including ventilation, odor mitigation, lighting, security, visual impact, screening, and inspections.

The two large changes between the original bylaw and the current version include an increase in total canopy to 500,000 square feet and setbacks would be dealt with according to the situation.

George motions to accept the revised Cannabis bylaw as currently written to be put on the Annual Town Meeting warrant. Alex seconds. Motion passes unanimously.

There is a limit of two cannabis retailers in Sandisfield, which have to be in the overlay district. There shall be no consumption facilities.

Leslie Garwood notes it was proposed to create a citizen sub-committee for cannabis applications. George reads Section 5, which notes that the Select Board can create a committee of three to five full and part-time resident members that advise the Special Permit Granting Authority.

Should the Cannabis bylaw be defeated again, it will be presented with additional amendments at the next Annual Town Meeting. Special Permits can still be granted without the bylaws, as demonstrated by Berkshire Mountain Cannabis.

George reports there is a Dark Sky bylaw in the works, and in his absence he hopes the remaining Select Board members will be able to approve this bylaw.

11. Discuss amendment to Chapter II Town Meeting, Section 4 of Town Bylaws

Alex explains this bylaw refers to mailing out a copy of the Annual Town Report to every registered voter household, and non-voter households upon request. It's noted that failure to comply with this bylaw will not invalidate the proceedings of Town Meeting. Alex proposes the bylaw be changed not to require mailing of the Annual Town Report because it can be easily accessed online. Any resident who requests a Report can be sent one or pick one up at Town Hall. It's noted that according to the current bylaws, the Warrant does not need to be mailed out, but posted in three official locations in Sandisfield.

Jonathan notes that the Annual Town Report refers to the previous fiscal year, whereas the warrant is for the upcoming FY. He recommends not including the warrant with the Town Report, but rather gather all the reports by December or January, therefore making the Annual Town Report available to residents much sooner. The warrant will be presented to residents at least two weeks before Town Meeting in May. Mary Kronholm suggests providing all Town Meeting attendees with a budget comparison for all committees/departments from the previous FY to the upcoming.

12. Select Board Updates

George updates he is no longer serving as Interim Town Manager; Jonathan Sylbert will now take over that position.

The Select Board hopes to ratify the DPW Union contract at a meeting tomorrow. Significant changes have been proposed to the pay structure for the DPW employees, and the Select Board is confident they will come to an agreement tomorrow.

It is clarified that Sandisfield residents can take their hazardous waste to Lee Wastewater Treatment Plant, Saturday, May 14 from 9:00am - 1:00pm for disposal.

George will be absent from March 30 to April 20. He recommends Steve serve as Chair in his absence.

There is a request to review the bonding policy for Town employees. George explains there is a "blanket" bond for all employees. However, there are a few positions that need to be independently bonded. This will be addressed at an upcoming next Select Board meeting.

13. Future agenda items

14. Review mail

15. Review and sign warrants

16. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting

Barbara Cormier expresses the importance of making the Town Hall look nice and welcoming to residents and visitors. She notes that the driveway needs to be paved, there is minimal lighting, no guard rails along the steep edge, and the gardens are unkempt. She suggests putting Town Hall maintenance on the Town Meeting warrant. George notes there are some things to consider with this renovation, one being how far to extend the parking lot, and the other the possibility of using permeable pavement.

17. Vote to adjourn. Vote to enter executive session to conduct strategy sessions in preparation for negotiations with nonunion personnel.

This item is tabled.

Meeting is adjourned at 9:01pm.

George Riley

Alex Bowman

Steve Seddon