

Town of Sandisfield

Select Board

Minutes for Select Board meeting held on Monday, April 16, 2024 at 6:30PM at the Town Hall, 66 Sandisfield Road, Sandisfield, MA

Members present: Steve Seddon, Robert Fedell, John Field, Jonathan Sylbert

Participants: Rudy Spohnholz, Barbara Cormier, Jeff & Melissa Bye, Brenda & Keith Larson, June Wink, Willard Platt, Robert Platt, Mary Turek, Ron Pachulski, Carl Nett, Brigitte Ruthman

Remote Participants: Dominic Konstam, Mitchell Birkett, Mike Lutynski, Douglas Miner

1. Call to order: Note that the meeting is being recorded

2. Special Permit Hearing – 147 Sandisfield Rd

Special Permit applicant, Rudy Spohnholz explains that he's seeking a special permit to rebuild over an existing foundation from a 30'x20' building that came down in a storm several years ago. Since then, they've rebuilt a smaller garage on a temporary slab in that space. However, he would like to rebuild the larger garage with an upstairs storage space and loft. The new garage would measure 26ft deep, which while larger than the original footprint, would not extend further than the primary house.

Steve reviews the written letters from the Planning Board and Board of Health, as well as the RDA from the Conservation Commission. The Board of Health agreed to support the permit so long as the applicant applied for a record in the registry of deeds identifying that the house will remain a three-bedroom home and the addition will not be used as a bedroom. The letter also states they may conduct a Title 5. Rudy is agreeable to amending the deed, but questions it's need and notes he is less agreeable to a Title 5.

Brenda Larson, an abutter to the special permit applicant, expresses concern with the increase in nonconformity, especially being so close to the river, and believes the construction of the addition would be a detriment to the neighborhood. Mary Turek questions why the applicant would need to file a deed restriction. Steve explains it's to prevent future buyers from turning the space into more bedrooms. This home is especially sensitive because should the leach field become overburdened and flood, the waste could contaminate the river.

Planning Board Chair, Barbara Cormier notes the Planning Board's letter states that they would not support issuance of a Special Permit if the plans increase nonconformity, which they do by six feet. It's confirmed that should the applicant resubmit their

application without the additional six feet, they would be more likely to be approved. The Select Board closed the Hearing for deliberation.

Bob Fedell notes the RDA states the work “will not remove, fill, dredge, or alter that area.” The applicant claims the Conservation Commission approved removal of the old foundation and pouring a monolithic or alaskan slab. Steve reports these types of slabs cannot be poured without digging down at least two feet for insulation and frost protection purposes. He recommends the applicant consult with the Building Inspector to determine what can be approved at this point.

Rudy Spohnholz withdraws his Special Permit application.

3. Discuss Finance Committee FY25 Budget Recommendations

Domanic Konstam reviews the Finance Committee FY25 Budget Recommendations made at their meeting on April 9, 2024. The Committee’s first recommendation, voted 2 to 1, is to move \$100,000 from General Stabilization to Capital Stabilization, and use \$100,000 from Free Cash to lower the levy. The Finance Committee believes the \$100,000 originally planned to be used to fund Capital Stabilization would be better allocated towards preventing a 7.36% increase in the levy.

A motion was made, seconded and so voted to include the above Finance Committee recommendation on the ATM warrant.

Steve supports this recommendation. Bob notes there is some concern about artificially lowering the levy, as the Town may be unable to lower it this significantly in the future. Jonathan discourages this proposal, as it only focuses on the upcoming fiscal year, rather than how it will affect future years as well. Additionally, there is seemingly less and less one-time revenue. Should the Select Board agree to this recommendation, Jonathan confirms he will not present the budget at Town Meeting, as he will no longer be in support of it. He notes presentation of the budget is not the responsibility of the Town Manager according to his contract, job description or the Special Act. Jonathan encourages the Select Board to present a budget they support, but does not feel comfortable presenting a budget he doesn’t support as well.

Carl Nett is in support of the Finance Committee’s recommendation, as it will force the Town to make structural changes to reduce costs in the operating budget. Jonathan expresses concerns with this proposal as it will likely cause inadequate services in the future. John Field notes that there are many items in Town that need attention, including building and road maintenance, so utilizing funds to avoid an inevitable increase in taxes may be irresponsible.

Steve proposes a compromise of using \$50,000 to lower the levy, rather than the Finance Committee's recommendation of \$100,000.

A motion was made to use \$50,000 to lower the levy on the warrant. There is no second.

A motion was made, seconded and so voted to table the initial motion.

Steve Seddon	Aye
John Field	Aye
Robert Fedell	Aye

The second Finance Committee recommendation would be to reduce the amount of the Vocational School budget line from the amount of \$80,000 to \$56,200. Dominic explains that Sandisfield may have one additional vocational student, which caused the budget to double from \$40,000 to \$80,000. Tuition accounts for approximately half of this budget, while the other half is dedicated to transportation. The Finance Committee believes alternate transportation methods can be exhausted, and they determined the cost should be no more than \$16,200 for the year. There is some concern regarding finding a reliable and trustworthy driver. Additionally, there's concern that should they be unable to find a driver, they will have to go back to Town Meeting to increase this budget, as the parents will not accept a rate lower than what they were getting paid this year, which was \$100/day. The Select Board does not vote on this recommendation.

The third Finance Committee recommendation is to remove the Public Safety Officer budget line and replace it with a new Line Item: EMT/Fire/Admin with a budget of \$60,000. The Finance Committee determined the Town is currently in greater need of an EMT/Fire/Admin role, as opposed to a PSO. With this change, the EMS Admin and Fire Admin budget lines can be removed as well, as they are made redundant. Jonathan confirms he spoke with Deputy Chiefs Michael Morrison and Eric Pachulski, who are in support of this change.

A motion was made, seconded and so voted to approve the Finance Committee's third recommendation.

Steve Seddon	Aye
John Field	Aye
Robert Fedell	Aye

The fourth FC recommendation to remove the Fire Training and EMT Training budget lines entirely and allocate \$5,000 of the saved funds to the Fire Chief Stipend. The Finance Committee concluded that the Fire & EMT Training budgets should be reconsidered once a new Chief is hired. Additionally, it's determined that the Fire Chief Stipend may not be competitive enough to find a candidate to fill the role.

A motion was made, seconded and so voted to approve the Finance Committee's fourth recommendation.

Steve Seddon	Aye
John Field	Aye
Robert Fedell	Aye

Jonathan provides a brief update on the potential capital purchases for FY25. He notes that he enlisted Bulldog to conduct inspections on all the DPW equipment and the ambulance to determine if it's in the best interest of the Town to replace any of these vehicles or continue maintenance instead. The report should be received tomorrow.

4. Discuss Town Audit

Jonathan has begun investigating a few options for auditors, as the previous auditor is unresponsive to the Town's request for an audit. The other options include, Marcum LLP, Adelson & Company PC, and Roselli, Clark & Associates.

5. FRRSD Withdrawal Amendment

6. Discuss FRRSD Assessment Method

Jonathan reads aloud the draft letter to be sent to the FRRSD Administration and School Committee regarding their failure to fulfill Sandisfield's request of setting forth the terms by which Sandisfield may withdraw from the FRRSD. The letter notes that the Select Board is prepared to propose to its voters at a Special Town Meeting to withdraw from FRRSD in the event that the School Committee has not provided such beforehand. The letter goes on to reiterate that Sandisfield has made it clear that the town cannot afford to remain in the District under the current Assessment Method, and Sandisfield will remain in the District only if the Assessment Method for all three components of its costs—Adjusted Operating, Transportation, and Capital—are amended to use Equalized Valuation (EV). This is the closest approximation to the MA Department of Elementary & Secondary Education (DESE) computation of a parameter known as the Combined Effort Yield (CEY) for each MA town. The CEY is viewed by the State as the maximum any town can reasonably afford and be expected to contribute toward its education expenses.

A motion was made, seconded and so voted to approve and send the FRRSD Withdrawal Amendment letter.

Steve Seddon	Aye
John Field	Aye
Robert Fedell	Aye

7. Discuss Other Post-Employment Benefits (OPEB) & DPW Superintendent

Jonathan recommends the Select Board accept OPEB because without these benefits it may make it difficult to fill vacancies. He notes that already multiple DPW candidates rescinded their applications upon realizing Sandisfield does not offer OPEB. Steve requests data based on the ages and amounts of qualified employees to better estimate the cost OPEB may be. It's noted that every Town within 20 miles offers OPEB and current employees may leave to work for a Town OPEB.

Jonathan announces that he will be resigning as DPW Supervisor effective next week. He emphasizes the importance of filling this position as there are many projects in the works that need to be addressed.

Dominic proposes the possibility of hiring a qualified part-time DPW Superintendent who can dedicate some time between another Town and Sandisfield. Jonathan notes he does not believe there is a Superintendent in this area that would be interested in this arrangement.

8. Discuss Status of Ambulance/EMT Service

Jonathan summarizes the recent Ambulance/EMT reports indicate Sandisfield has missed about a dozen calls in March and have already missed two within the first week of April. Jonathan has spoken with Deputy Fire Chiefs Eric Pachulski and Mike Morrison and suggested creating a detailed schedule outlining when exactly the EMTs are available. Jonathan emphasizes the importance of addressing this issue, especially since the purchase of a new ambulance may be included on the ATM warrant.

Bob notes that in many surrounding Towns, their DPW crews also serve as EMTs/Fire Responders. A solution may be for Sandisfield to provide a financial incentive to our DPW crew for getting these certifications. John Field is supportive of this option.

It's noted that the majority of the calls are coming from Berkshire Rehabilitation and the Town needs to find a solution to dealing with the influx of calls. Barbara Cormier questions whether an impact fee can be charged, as the nursing home accounts for the majority of the ambulance calls.

9. Declare Snow & Ice Emergency

Jonathan explains a Snow & Ice emergency must be declared as there is a deficit adding up to around \$35,000. This deficit can be included on the warrant as a special article. Jonathan also recommends increasing the Highway Snow/Ice budget line from \$141,000.00 to \$161,000.00. The Select Board is agreeable to this increase.

10. Approve Union Bonuses

Jonathan reviews the DPW employee evaluations. Tony Suares and David McCuin both received an “Outstanding” score for their hard work and dedication to the department. They both will receive a \$1,000.00 bonus. Joe Deiterle received an “exceeds expectations” score with a \$600.00 bonus. Tim Deming received a “meets expectations” with a \$300.00 bonus.

A motion was made, seconded and so voted to approve the DPW Union bonuses

Steve Seddon	Aye
John Field	Aye
Robert Fedell	Aye

11. Discuss Roles & Responsibilities of Select Board and Town Manager

Jonathan reiterates his responsibilities include handling day-to-day operations and should he need assistance, it needs to be discussed by the whole Select Board, not just one member. Additionally, should any employee or taxpayer need to submit a complaint or question, Jonathan should be contacted directly, not the Select Board. The Select Board makes all policies, and it is the Town Manager’s duty to carry out and enforce the policy.

12. Town Manager Updates/Project List

The Treasurer is getting instructions from the legal team on how to attach the fines to a lien on Jennifer Pilbin’s property on West Hubbard Rd. The fines add up to just over \$29,000.

13. Select Board Updates

14. Future Agenda Items

- Joint Work Session Finance Comm

15. Topics Not Anticipated

16. Review and vote to approve minutes of meetings

A motion was made, seconded and so voted to approve the 3/25 Work Session minutes & 4/3 meeting minutes

Steve Seddon	Aye
John Field	Aye
Robert Fedell	Aye

17. Review and sign purchase orders, warrants, and mail

18. Adjourn Meeting