

MEETING MINUTES
Town of Heath
BOARD OF SELECTMEN
Community Hall
October 17, 2017

Call to Order at 6:33 p.m. by Sheila Litchfield, Chair with Brian DeVriese, and Kara Leistyna, Town Coordinator present. Apologies for absence: Robyn Provost-Carlson.

Community Choice Power Supply Program Public Information Session: Sheila introduced Mark Cappadona, President and Denise Allard both from Colonial Power Group (CPG). CPG is a leading aggregation consulting firm in MA serving 60 or more municipalities in MA. Aggregation allows cities and towns to pool the electrical consumption of all ratepayers in their jurisdictions and competitively procure lower cost electricity supply on behalf of the participants. Mark greeted the group and summarized the process of aggregation thus far. Heath voters passed Article 19 back in May, 1999 accepting the statute Chap. 164 of the Acts of 1997 and a resolution to seek lower electric rates in a competitive electricity market. CPG is working with local entity, Hampshire Power and received DPU approval in November, 2016. CPG is offering a 12 month fixed rate \$.10736 vs. National Grid Basic Service rate of \$.12673 with Verde Energy as supplier – an approximate 7% savings on monthly energy bills during this time. According to Colonial Power, “This program is a municipal aggregation which will enable Heath to combine the purchasing power of its residents to provide them with an alternative to National Grid Basic Service.” This program will only affect the supply portion of the monthly bill; not the delivery portion. National Grid will continue to deliver electricity. A mailing will be sent out if this program is chosen. If a consumer is already with a third party supplier, they should not receive the mailing and will not be enrolled in the program. This is an automatic opt-in program and if residents do *not* want to participate, they must opt –out. If residents wish to participate, no action is required – everyone will automatically be enrolled. Mark explained that residents may participate for six months and then choose to opt out. When asked, Mark shared that CPG receives .001/kWh in fees although he added, there is no cost to the Town for participation. If the Select Board decides to make this option available, the new rate start in December and will reflect on supply portion of NGrid bill in January. Discussed green energy and whether Verde is a supplier. Currently, the way the program is outlined, Heath can choose the standard rate of renewable at 21% or 100% -- which is a higher rate of .10876 (a .0005/kWh difference). Some attendees voiced their opposition to the higher rate stating that the purpose of the program is to offer a lower rate to residents. Mark offered that choosing renewable energy could show favorably on a Green Communities application. Other Franklin County towns in participation include Bernardston, Orange, Wendell, and soon Leverett. There is no notification needed by residents who have solar panels. The Grid pays credit for basic service while resident is charged the lower rate through CPG. Those in attendance participated in a straw poll and chose in favor of the program.

On a motion by Brian DeVriese, and seconded by Sheila Litchfield, the Board voted unanimously to join the Community Choice Power Supply program at the MA Renewable Portfolio Standards (21%), for 12 month term beginning December, 2017 at Residential rate \$0.10736/kWh.

Classification Hearing:

Called to order at 7:20 p.m. by Sheila Litchfield. Also present Brian DeVriese, Kara Leistyna, Town Coordinator, Heather Hathwell, Assessor and Alice Wozniak, Asst. Assessor.

Reviewed Agenda.

The Board of Assessors recommended a single tax rate for FY18 for the Town of Heath.

Brian moved to set a single tax rate in Heath for FY18. Sheila seconded. The vote was unanimous.

Select Board members Brian DeVriese and Sheila Litchfield signed electronically on Mass.gov website as instructed by Alice Wozniak. Town Clerk will verify hearing and record vote.

On a motion by Brian DeVriese and seconded by Sheila Litchfield, the Board voted unanimously to close hearing at 7:28 p.m.

Board of Selectmen Meeting resumed.

Reviewed agenda: Add request of easement from Betsy Zahniser, 4 East Main St.

Mail/ Email:

- Email from Robyn re: tonight's meeting
- Email from Lee Smith, KP Law regarding easement request from Betsy Zahniser
- Email response from Mark Reich re: executive session
- Email from Robyn re: meeting with Mike S.
- Email from Brian DeVriese re: BOH questions/concerns on marijuana and Betsy's response
- Email from Danielle Grenier re: ACO
- Email from Bill Ennen re: update on broadband funds
- Email response from Melinda re: WML Mutual Aid Agreement
- Email from Sheila to Mark Reich and his response re: MLP
- KP Law eUpdate – Marijuana
- Email response from Alyssa Larose re: Green Communities and grant for ASHRAE Level II audit
- KP Law Letter to Christopher Bradway re: bylaw violation
- Notice from DOR Final Certification
- Sealed Bids Surplus Items from MTRSD and email from Tim Lively
- Email from Bill Hoyerman re: Landfill sampling
- Notice of Auction, 153 Sumner-Stetson Road

Other Separate Documents for review and/or signatures:

- 10/3 minutes
- Letter from Curtiss, Carey, Gates & Goodridge, LLP re: withdrawal of 2 acres from classification – Right of First Refusal
- Invoices for compactor project from Jerry Ferguson and Tom
- Memo draft to EAC
- Revised Post Office Manager job description for approval
- Draft agenda and invite for All Boards/ Committees meeting
- Close-Out Agreement for CDBG Grant
- Cintas Rental Service Agreement (12 mos.)
- Vacation Request
- Town Coordinator Report
- Cash Book Summary, Sept. 2017
- Draft Budget Calendar FY19 (for Robyn)

Heath School Related Business:

- School Use Applications for review:
Good Neighbors Food Pantry (approved)
School Building Transition Team (approved)

Jonathan Diamond (rejected): Discussed with Tim Lively, Building Maintenance Coordinator.

- Mower – Surplus Sale (MTRSD)

After reviewing estimate of value provided by Labelle's, the Board voted unanimously to offer a bid for 2004 Ferris 60" cut mower. Kara will submit an offer to MTRSD by 10/26/17.

- Snow Blower: Tim also provided a quote for a snow blower for use at the school. The Board voted unanimously to authorize Tim Lively to purchase a snow blower from LaBelle's not to exceed \$1,999.

7:55 p.m. Tim Lively left meeting.

Other Business:

- Shared Services Meeting: Sheila offered update.
- Kara will schedule Executive Session with Mike Shattuck, 10/24 at 8 p.m.
- Fire Dept. Transition: Need to create an advertisement for position – may discuss with Charlemont on ways to share leadership.
- Easement Request: Betsy Zahniser, who owns the Mackie property and is putting it up for sale, has requested an easement for the driveway cutting across the Heath Town Common. Town Counsel reviewed request and responded, "*The grant of an access easement over Town-owned land requires the approval of Town Meeting by affirmative vote on a warrant article. The Selectmen may prepare the warrant article or registered voters in the Town may request that the Selectmen insert the article in the warrant.*" He further stated, "*I also note that there cannot be a claim of adverse possession over Town property regardless of how long the driveway may have been in existence.*" The Select Board will follow the advice of counsel.
- Energy Advisory Committee: The Board reviewed memo to send out to EAC – approved as presented but will wait for Robyn Provost-Carlson to sign.

Board of Health: Betsy Kovacs attended tonight to update the BOS on 3 Ledges Road. The septic failed. The owner has two years to rectify and come into compliance. Housing Authority has been notified. Next step after two years, is an order of condemnation if compliance is not met. Discussed Brownfield's Phase I. Glen Ayers feels this step would take existing data and put it into one accessible format to have available should condemnation occur. The Town is not obligated to proceed with further investigation according to Betsy. Kara will ask Housing Authority for a list of projects occurring in the Town of Heath.

On a motion by Brian DeVriese, and seconded by Sheila Litchfield, the Board voted unanimously to authorize FRCOG to proceed with Phase I Brownfields on 3 Ledges Road, Heath.

Other Ledges Road matters: Robyn awaiting bid for asbestos testing from contractor. Tom Danek, according to Betsy, plans to demolish dwelling or offer it for practice burn.

8:10 p.m. Betsy Kovacs left meeting.

Dog Matter: Linda Marcotte and Steve Marcotte have submitted some complaints regarding loose dogs near their property. They shared that people should be able to walk on a public way without fear. Kara will ask that Melinda Herzig follow up on complaint and provide a report to the Board of Selectmen.

8:28 p.m. Linda and Steve Marcotte left meeting.

Review Minutes: ***On a motion by Brian DeVriese, and seconded by Sheila Litchfield, the Board voted unanimously to approve the 10-3-17 minutes as amended.***

Signed documents.

On a motion by Brian DeVriese, and seconded by Sheila Litchfield, the Board voted unanimously to sign/approve the following:

- 1. Notice of Intent Not to Exercise Option Under Massachusetts General Laws, Chapter 61 (2 acres Ben Road);**
- 2. Invoice submitted by Jerry Ferguson for electrical work on compactor project at transfer station;**
- 3. Post Office Manager job description as amended;**
- 4. Close Out Agreement for FY2014 CDBG grant**

Next meeting scheduled October 24, 2017 at 7:00 p.m. at Sawyer Hall.

There being no further business to come before the Board: *On a motion by Brian DeVriese, and seconded by Sheila Litchfield, the Board voted unanimously to adjourn at 9:45 p.m.*

Respectfully presented,

Kara M. Leistyna
Town Coordinator