

Meeting Minutes
Town of Heath
SELECT BOARD
Virtual Meeting
June 7, 2022

Called to Order at 6:01p.m., with Robyn Provost-Carlson, Susan Lively, Brian De Vriese, and Nancy Thane, Office Assistant, in attendance.

This meeting was being recorded as-of 6:01.

Others in Attendance: See attached attendance sheet.

Review of Agenda: no changes.

Review of Minutes: *On a motion by Susan Lively and seconded by Brian De Vriese, the Select Board unanimously voted to approve the minutes of May 24, 2022, as amended.*

Public Comment: Bob Gruen asked the Board if the Library Trustees' Public Information Meeting would include a time of questions and answers. Robyn said that yes, the Library Trustees would make a statement first, then open the floor for questions.

Jesse Weigand asked the Board if they had considered the health effects of the placement of the AT&T cell tower when reaching a settlement with AT&T. Robyn said that the Select Board has no answers to give at this point and that this is a time for Public Comment, only. Kristen Weigand read a statement asking the same questions and was given the same response.

Boards Clerk position: Robyn stated that the Board would like this position filled by end of month. The Board reviewed the current version of the job description and discussed the concern expressed by the Board of Health regarding number of hours per week available to the BOH with this new position. Robyn explained that the new job format with the number of hours set at eight per week would maintain the BOH current five hours per week, and might increase this amount at times, depending on how much work is required by the Conservation Commission, Planning Board and Zoning Board of Appeals on any given week.

The Board reviewed the *Essential Duties and Responsibilities*: The Board considered and felt comfortable with including the ability to prioritize activities to the description. A discussion about whether the Boards Clerk would take minutes at BOH meetings ensued. Sue Lively asked if, should there be a conflict, the minutes could be taken from a recording. Susan Gruen and Gloria Fisher explained that the clerk answers questions and offers information during meetings, as well as taking notes of the meeting. Brian said that the job description would need to specify that minutes would be taken for BOH meetings, but not others. The Board considered how to determine how well this addition is working, and Sheila Litchfield noted that the job classification for this position has a 3-month review system built in. The Board felt comfortable with this time frame.

On a motion by Susan Lively, seconded by Brian De Vriese, the Select Board unanimously voted to approve the amended draft version, to include, “Must be flexible, be willing to perform a variety of office tasks, and be able to prioritize activities, as needed.” and, “Will attend and take minutes at monthly Board of Health meetings.”

Susan Gruen thanked the Board for listening to the BOH's concerns.

MLP Backhaul Cost Sharing Agreement for the Broadband Redundancy, Reliability, Resiliency Project: David Gordon offered an overview; this project will eliminate single points of failure in the circuits that connect Heath's network to the internet. This design will provide multiple independent paths to connect to the internet through multiple providers and reduce the monthly cost of the circuits. The MLPs of Rowe, Heath, Charlemont, Colrain, and Leyden have created this agreement and an Appendix, both of which will be signed by the MLP manager and Select Board of each town. A state grant was received for \$400,000 to be shared equally among the five towns; given to pay for the project. There is a one-year period to use it or lose it.

The Appendix with Crown Castle is a five-year agreement shared with Rowe. There could be another in the future. Recurring costs will come out of revenue. In the Appendix, percentage is based on an individual town's usage. It is designed for over-under gigabits should there be a specific high usage moment.

These five towns will all sign on and Colrain has agreed to handle the costs and organize the project. Rowe, Charlemont, Colrain have voted yes, with Leyden voting next week (the week of June 13).

Sue thanked the MLB for all the great work they did on this project.

Sheila said that the state was impressed that five towns could cooperate on a project like this. She also thanked David for the fabulous job he did coordinating this whole project.

- 1. On a motion by Susan Lively, seconded by Brian De Vriese, the Select Board unanimously voted to approve the Backhaul Sharing Agreement for the Broadband Redundancy, Reliability, and Resiliency Project.*
- 2. On a motion by Susan Lively, seconded by Brian De Vriese the Select Board voted unanimously to approve the five-year Backhaul Connection Appendix for Crown Castle Fiber, LLC Connection in Rowe.*
- 3. On a motion by Susan Lively, seconded by Brian De Vriese the Select Board voted unanimously to approve the proposal as presented by Westfield Gas and Electric to build the network, with permission for Robyn to docusign the document.*

The agreement will be docusigned by Robyn. Sheila indicated that she would locate this document and get it to Robyn as soon as possible. David will collect the other signatures if necessary.

Robyn asked David if he would please include the Select Board in a letter of thanks to the Colrain Select Board for taking on the actual project work.

Community Development Block Grant Program: *On a motion by Susan Lively, seconded by Brian De Vriese, the Select Board unanimously voted that the Board accept the request for a Program Extension to September 30, 2022, of the CDF I-G-2020-Heath-00891, and to allow Robyn to sign this document.*

Highway Department:

FRCOG Fuel Bid:

On a motion by Susan Lively, seconded by Brian De Vriese, the Select Board unanimously voted to accept the fixed fuel prices for FY23 as presented, and authorize Jeff Johnson to give the Board's response to FRCOG.

WRAP Agreement:

On a motion by Susan Lively, seconded by Brian De Vriese, the Select Board unanimously voted to approve the Winter Recovery Assistance Program

Mechanic job description. The Mechanic job description from 2018 was distributed to the Board via email. Robyn asked each member to send comments to the BOS. Robyn will ask Jeff about specific licensing needs for this position.

At 7:11, the Joint Meeting with the Library Board of Trustees was Called to Order by Deb Porter, Chair, with Don Freeman present, and Emily Cross absent.

It was noted that this is a public information meeting. Information is to be presented, with an opportunity for questions afterward.

Under discussion is the report from the MA Office of Disabilities with information regarding accessibility of the entrance to, the hall in front of, and the library in Sawyer Hall, as delineated in the Americans with Disabilities Act. The full Office of Disabilities report is available on the Town website. There was no cost associated with this report. The Office of Disabilities does not conduct formal inspections. Many Boards reach out to them with information requests. Under the ADA, if there is a formal complaint, the department conducts a compliance review and requires any intervention deemed necessary. To date, there has been no formal complaint. The Select Board plans to seek the same information on all town buildings. Sawyer Hall receives the most foot traffic, so it was chosen as the first building to be evaluated.

It was noted that many of these same issues were identified in the facilities review report done two years ago. To date, no money has been raised to deal with the issues presented in that or the current report. A cost analysis for repairs to all town buildings will be completed over the next year, at which point, decisions will be made as to how to move forward.

18 Jacobs Road was designed and built when ADA code was in full force, so the building is compliant, with possible small issues to address. The Fire Chief has recommended a second egress for the library, but this is not a requirement under current Fire Code due to occupancy requirements. Robyn will ask the Fire Chief for his final ruling. Changing a window for a door with an appropriate sidewalk to the parking lot would be the alternative, should it be necessary.

In addition to ADA compliance requirements, Fire Code at Sawyer Hall needs to be addressed. One issue is that in this building, there needs to be two accessible means of egress. Currently, there is no way to get from the exterior door to a public way out the back of the building. In addition, the landing of the front ramp goes directly into the roadway. There needs to be a 5-foot sq. level area at end of the ramp.

Deb Porter, Chair of the Library Board of Trustees, indicated that a timeline for information gathering and the actual move is being formed. Updates will be on the library web page. The Trustees don't want to interrupt library services. There is a list of things needing to happen (select books to move, move shelves...). The Trustees have three recommendations: that all buildings be assessed; to learn how to solve issues at Sawyer Hall; to operate out of a different location until issues are resolved.

Robyn reiterated the fact that the Select Board approved the recommendation of the Library Board of Trustees that the library function out of the library at the Jacobs Road Municipal Building while reviewing their program needs.

Concerns were also expressed regarding the viability of the Post Office in Sawyer Hall given the Office of Disabilities report. Robyn is seeking advice from Town Council.

On a motion by Don Freeman, seconded by Deb Porter, the Library Board of Trustees unanimously voted to Adjourn their meeting at approximately 8:15 p.m.

See addendum, attached, for full coverage of this meeting.

MTRSD FY 22 error: The Board received detailed information for consideration regarding the error. Robyn thanked Ned Wolf for researching the error number and offering information on where it came from.

Devon Clark asked if this information will be available for the public to review. Robyn said that she will put this information on the Town web site after a finance committee review.

Barbara Rode asked if the Board has any idea when the Finance Committee and Select Board will reach a conclusion and response. This will be discussed at the June 21 Select Board meeting.

Other Business:

Town Buildings and Offices: An ADA evaluation will take place by the MA Office of Disabilities for the Community Hall and the building at 18 Jacobs Rd. Brian will make the contact and do the photography.

Robyn will get the information regarding the question of a second egress for the library in the building at Jacobs Road, which was possibly being required by the Fire Chief. Brian said that building code would require a second egress if there was to be an occupancy of 50 or more people.

There were no updates on the Salt Shed or Green Communities Committee work.

Mail:

The suggestions in Claire Rabbitt's report will be on the June 21 agenda.

Elissa Viarengo, for the BOH, reported that there have been no takers on employee options for COVID tests and asked if they can be made available to the rest of the community? Robyn said yes, and that they should also talk to the Council on Aging about when they might want them (possibly for the foot clinic?).

Building Use Committee: Pam Porter (Chair) suggests that there be a single liaison with Jonathan Diamond, of the Hilltown Youth Recovery Center. Brian suggests that the Town Coordinator be the one to handle activities and long-term rentals. Pam asked if we have a policy that municipal needs take precedence. There is consensus that this is true, but Pam feels that there needs to be a communication process.

Agenda for June 21, 2022:

Possible Dangerous Dog Hearing

End of year transfers

Positions- appointments and possibly the Boards Clerk position

Building Use Committee: processes, size of committee

Select Board Chair and Secretary to be chosen

Council on Aging request

Jesse Weigand asked if he will receive an answer to questions that he sends to the Board. He was asked to send them in writing.

At 9:04 p.m., on a motion by Susan Lively, seconded by Brian De Vriese, the Select Board unanimously voted to Adjourn the meeting.

Respectfully submitted,

Nancy Thane
Office Assistant