

MEETING MINUTES
Town of Heath
SELECT BOARD
Jacobs Road Municipal Center
October 10, 2023

Called to Order at 5:00 p.m. With Robyn Provost-Carlson, Susan Lively, Elissa Viarengo and Hilma Sumner, Town Coordinator.

Others in Attendance: See attendance sheet.

The meeting was recorded.

Review Agenda: Same as posted.

Review of Minutes: *On a motion by Susan Lively and seconded by Elissa Viarengo, the Select Board unanimously voted to approve the minutes of September 19, 2023, as amended.*

Heath Historical Society, Sawyer Hall Room: The Board reviewed a letter from the President Ned Wolf regarding acceptable conditions for use of a room in Sawyer Hall. This included the suggested terms under which it was agreeable to end use of the room. It was agreed to add one more condition for ending use which would be in case the Town leased the entire building. The Board also discussed the length of a license. Robyn stated that she was not in agreement with a 10-year term and could not vote in favor of that. *On a motion by Susan Lively and seconded by Elissa Viarengo, the Select Board voted two in favor, and one opposed to a 10-year term for a license.*

11 Bellow, LLC: The Board reviewed a draft response letter that would be sent to Urban Legal Group, counsel for 11 Bellow, LLC, and True Cannabis. Robyn had drafted a general timeline of the relationship history between the Town and the company. It was noted that, effective November 9th, there will be new state regulations governing what municipalities may collect for community impact fees. A municipality may only collect what it has spent in direct costs related to a cannabis business. These changes remove much of the incentive for a municipality to welcome such a business unless there is a retail component to the company. There were a few suggested changes to the letter which will be made before it is sent to Urban Legal Group.

Public Comment: Barbara Gordon noted that Board members and others that might speak were wearing masks which muffled the voices, and the recording may not have the same level of clarity.

6:00 p.m. Appointment for Executive Session with Police Chief John McDonough: At the beginning of the appointment, Chief McDonough stated he was waiving his right to hold the appointment in an Executive Session and would talk with the Board in open session.

It was explained that the Board had received an email of concern from a property owner in Mohawk Estates. The concerns were that the Chief had yelled at the writer's daughter and reprimanded them for driving a golf cart at night without lights On September 3rd. John replied that he receives complaints by email and phone of golf cars in Mohawk Estates violating regulations for use. Most of the time he is not on duty when the complaints arrive, so he is unable to respond while the incident is occurring.

During that day he was in Mohawk Estates because there would be fireworks and there were people in the area walking, riding bikes, golf carts, and ATVs, and driving vehicles. Most people are careful operators but, on this evening, there were two golf carts that drove from one road onto another making a right hand turn and cutting off someone driving a pickup truck. There were also people walking in the immediate area. The Chief said he followed them in the cruiser with the blue lights on until they stopped. When he spoke with the people in the carts, several people started to speak at the same time. The only way he could be heard was to raise his voice. The child had a wine glass with liquid in it. He asked what the youth was drinking and received the answer that it was sparkling juice. He also had to stop two separate trucks with people riding in the back where there were no seat belts and reminded them that it was a violation.

The Board directed Hilma to write a brief response to the email writer informing her that they had spoken with the Police Chief about the incident. The email also mentioned that it appeared that John had his family riding in the cruiser. Robyn noted that the Personnel Policy stated that employees were not to use town vehicles to transport family members.

John was thanked for meeting with the Board and for his service.

Mohawk Trail Regional School District (MTRSD) Proposed Assessment Amendments: Resident Ken Rocke met with the Select Board and Finance Committee to present his view about the proposed district agreement changes and what he thought it would mean for Heath if the changes went into effect now. Ken clarified that what he was presenting was a work in progress and requires a lot of careful work on his part. Ken gave two disclaimers: 1. Some of his numbers may differ from those prepared by MTRSD. Looking at these changes can be difficult for towns but is important to remember that the towns have more in common than they have differences. 2. He is presenting as a Heath resident and is not representing DESE, nor any other official position.

Beginning his presentation, Ken reviewed the basics of how Heath had arrived at the educational position it is in now. This included closing the elementary school, the tuition arrangement with Hawlemont that ended two years prior, and the decision to select Colrain Central School as the designated elementary school.

The process of making changes in the district agreement is that all eight towns must vote to approve the proposal. Following the affirmative votes, the changes are reviewed by DESE with the Commissioner of Education who issues the final approval.

Ken explained the charts and graphs on his prepared power point slides that showed current financial assessment numbers and projected future numbers. In looking at the next several years, Ken had prepared analysis both using the current agreement and under the proposed changes. He concluded his presentation with stating that he hoped that at least one Select Board member and one Finance Committee member would do enough of an in-depth study to understand what the likely impact would be to the Town if there were changes made to the district agreement at this time.

Mail:

- HHS letter re: proposed lease update
- FYI MassDEP Recycling Dividends earned; \$4,550
- FYI Bicycle Signage
- FYI Monthly Report: Town Nurse
- S. Gruen re: paving
- Heath Fire Chief Sept. report

Next Meeting: Tuesday, October 17th, 6:00 p.m.

8:48 p.m. *On a motion by Susan Lively and seconded by Elissa Viarengo, the Select Board unanimously voted to adjourn the meeting.*

Respectfully submitted,

Hilma A. Sumner
Town Coordinator