

APPROVED

BOARD OF SELECTMEN / SEWER COMMISSIONERS MEETING

Wednesday October 10, 2018 – 6:00 PM – Richmond Town Hall, 1529 State Road

PRESENT: Mr. Neal Pilson, Chair; Mr. Alan Hanson, Selectman; Mr. Roger Manzolini, Selectman; Mr. Mark Pruhenski, Town Administrator

ABSENT:

GUESTS: Mr. Tom Grizey, Wiring Inspector, Ms. Patty Spector, Josh Billings RunAground, Mr. Peter Beckwith, Highway Superintendent

Mr. Pilson called the meeting to order at 6:04 PM and invited Ms. Spector to address the Board. Ms. Spector came before the Board in person to thank them for the success of the Josh Billings RunAground. She noted that everyone involved was delighted with the event, how smoothly it ran, how beautiful the surroundings were and even the perfect weather. She specifically thanked the Board of Selectmen and the Highway Department for their extraordinary efforts. Mr. Manzolini responded that the Town of Richmond was more than pleased to have hosted this event and was able to report that he has heard nothing but positive feedback about the entire event. He told Ms. Spector that the Josh Billings would be welcome back to Richmond at any time. Mr. Pilson reported that the owners of Bartlett's Orchard were very pleased with the amount of business that weekend generated for them, and that they did not experience any parking issues.

Lenox Road/Swamp Road/Lenox Branch Intersections: Mr. Peter Beckwith, Highway Superintendent, led the discussion which centered on the Engineering Survey report, copies of which were distributed to the Board. Mr. Beckwith reviewed the recommendations included in the report: better posting of speed limits to slow traffic and an all-way stop at both intersections. Mr. Beckwith felt that an all-way stop was not a good idea given the amount of traffic on Swamp Road – Mr. Pilson noted his agreement with Mr. Beckwith's conclusion. He recommended that there be a discussion at this time, but no definitive recommendation reached until all members of the Board have had an opportunity to study the report and Mr. Beckwith has had an opportunity to speak to the Engineers.

A discussion ensued of various methods to slow traffic at those intersections. Mr. Pilson said that he found the report confusing in that it often dealt with both intersections in the same paragraph, which left him unable to determine exactly what recommendation was being made for which intersection. He felt that the information contained in the report was valuable and should be studied, but he also noted the success in slowing traffic in front of the Richmond School with the use of flashing lights on the speed sign. The principal problem on Swamp Road is speed, so slowing down the North and South-bound drivers is the most important thing, plus a really good clean up of the foliage at those intersections. Mr. Beckwith said that a lot of the trees in that area are on private property. It would be possible to send a letter to the property

owners, advising them of the problem with the sight-lines. Mr. Beckwith suggested that the Town purchase another solar speed sign such as the one working well at the school. If it were on a trailer, it could be moved to whichever location was experiencing the worst speeding issues to make people more aware.

Mr. Pilson suggested that the Board study the Engineers' Report carefully and put discussion of it on the agenda for the next meeting, at which time some decisions should be made.

Summit Road Culvert: Mr. Beckwith reminded the Board of the issue on Summit Road recently. He brought in an Engineer to look at the situation and presented to the Board the estimate to do all the work involved: analysis, wetland delineation, the survey and all the reports and the engineering, etc. It all comes to \$39,500. Mr. Beckwith proposed that the Town only contract for items 1 through 6 for the time being, which will complete all the pre-planning and the engineering. Once that is accomplished, the Town can apply for grants before it pays for the permitting and the bid phasing part. With that much done and on paper, it will appear that the project is "shovel ready," which enhances any application for a grant. Mr. Beckwith also noted that the \$28,400 required to do items 1 through 6 is budgeted in his department.

There was a discussion of the history of the problem, including a comment from Mr. Ron Veillette of Summit Road who noted that his field was flooded with the last overflow and the culvert in question has overflowed a couple of times in the last few years. When it does, it floods his field before going over the road: the culvert does not appear to be able to handle the water from a major storm. Mr. Beckwith discussed various options to repair the situation. He proposed obtaining the cost of various solutions and their projected life-spans, which will provide an informed basis for a decision as to how the Town wants to proceed. Once all the engineering studies have been done and all that remains is the final permitting, that will greatly enhance the Town's application for a grant, of which there are many available.

Mr. Pruhenski asked that the Board move to authorize him to sign a modified version of the contract, funding for which fits within the Highway Department's budget. Mr. Manzolini made that motion, which was seconded by Mr. Pilson and carried by unanimous vote.

Complete Streets Policy: Mr. Pruhenski suggested that this item be tabled till the next meeting so that printed copies of the Policy could be ready for distribution and to provide Mr. Pruhenski time to read it carefully. Mr. Pruhenski offered some background on the issue – he met with a representative of Berkshire Regional Planning to review the policy. If the Town decided to sign on to the Complete Streets Project, it would then identify about 15 projects for which funding would be requested. Most of the projects he sees as important to Richmond and for which the Town would be eligible would include traffic control such as solar speed signs, trailers, etc. The Board agreed to defer this item to the next meeting.

Halloween – Trick-or-Treat Hours for 2018: The Town's policy has always been to have Trick-or-Treat coincide with Pittsfield's schedule, which will be Wednesday October 31st - from 5:30 to 7:00 PM. The Board agreed to begin at 5:00 PM instead of 5:30 and to end at 7:00 PM. Mr.

Pruhenski will get the word out to Richmond residents via the e-newsletter and the Facebook page.

Special Town Meeting Warrant – October 30, 2018: Mr. Pruhenski distributed 2 copies of the Warrant as revised according to decisions made at the Budget Advisory Committee meeting. These required the Board's signatures to be posted. The warrant was duly signed.

Mr. Pilson proposed having a meeting of the Board of Selectmen a half-hour before the Special Town Meeting to discuss whether arrangements should be made for specific members of the Board to be prepared to speak to questions from the floor that may arise about the articles in the warrant. Mr. Pruhenski said he had assumed that Zoning articles would be deferred to the Planning Board.

Mr. Manzolini felt it would be best to have a selectman speak to the reasons, rationales and scope of the article and only use members of the Planning Board to respond to specific questions. He suggested that Mr. Pilson, as Chair of the Board of Selectmen, provide an overview of the articles, particularly of the Marijuana ruling. Mr. Pruhenski said he could have the Moderator recognize Mr. Pilson prior to the introduction of each article. Mr. Pilson suggested that, rather than take over the role from the Planning Board, that the proposed overview be held until after the discussion but before the vote was called. Mr. Manzolini felt that the purpose of his suggestion would be satisfied by that.

Mr. Hanson raised an issue not on the agenda since Mr. Peter Beckwith was still present and available to answer his question about the blacktopping of the area behind Town Hall. He wondered if raising the level of the blacktop to the level of the culverts would cause a problem for water infiltration. He was assured that there was no reason that should happen. Mr. Pruhenski also noted that the paving had not been done yet as Mr. Beckwith was waiting for the ground to settle, and to make sure that there would be no reason to dig it up again to correct any leaking. There have not been any leaks at all in the meantime so the time to do that paving is approaching. Mr. Beckwith will follow up.

Unanticipated Topic: Mr. Pruhenski read an email received by the Board from a resident who is an abutter of a local event venue who advised the Board that she is planning to sue. Mr. Pruhenski will consult with the Town's Council on the issue as communication around it has been very unclear. There was a discussion of the various aspects of the issue, including whether once a new bylaw is put into effect, the venue in question will automatically be "grandfathered in to exclusion" or if it will have to abide by the new ordinance.

Noise Ordinance – Discussion: Mr. Pilson reported that he had attended a meeting of the Planning Board where there were generalized complaints about noise issues relating to Hilltop Orchards and the Horse Farm. Now there is a topic on this agenda about whether we have or should have an ordinance limiting noise. Mr. Manzolini noted that it was his impression that the Board was going to appoint a committee to address this issue. Mr. Pruhenski cautioned that his experience in other towns that have noise ordinance bylaws is that they do not work very well,

and enforcement of the ordinance was done by the local Police Department, something Richmond does not have. With those two realities in mind, Mr. Pruhenski wanted the Board to be cautious moving forward.

There was a discussion of ways to use the State Police for enforcement of a noise ordinance that specifies the time of day cited noises may not occur. Mr. Hanson was concerned with complicating the way of life in Richmond, which is and should remain a rural area. Adding layers of ordinances complicates things. Mr. Pilson asked for copies of noise ordinances that have been adopted by adjoining towns and then try to determine how successful they have been. Mr. Pruhenski will make that request through the Town Managers e-mail Listserv. The Board members agreed that when they are approached for a Special Permit for a venue to hold a wedding or other such event, they will limit the time of day that music can be broadcast, etc. and resolve the problem that way.

2019 Boating Access Permit Applications for Richmond Pond: Mr. Pruhenski had twenty permit requests for 2019 Special Use Permit Applications for the boat ramp. Some of them were fishing permits, some were from Canyon Ranch special events exactly as they occurred last year. The only problem that arose last year was complaints received against the Bass Club members who were being extremely noisy. That same organization has requested a permit this year for July 14th. Mr. Manzolini suggested having a conversation with that organization. Mr. Pilson suggested that they be told about the complaints that were lodged against them last year and that, if it happens again this year, they will not be issued a permit next year. Mr. Pruhenski will complete the permitting process on line and, if there is no place in which to add a condition, he will advise the State of the need for such a space and he will email the event organizer to advise him of the conditional nature of the permit.

Mail / Sign Warrants – Approval of Minutes from the September 12th, 2018 and September 14th, 2018 meetings of the Board of Selectmen:

Mr. Manzolini and Mr. Hanson had revisions needing to be made to the September 14th minutes so those were tabled to the next meeting for approval. Minutes of the September 26, 2018 meeting were not available and were tabled to the next meeting.

Mr. Pilson moved that the minutes of the September 12, 2018 meeting of the Board of Selectmen be approved. The motion was seconded and approved by unanimous vote.

Sewer Matters: Mr. Tom Grizey advised the Board of some maintenance work he plans to do on the pumps. He also brought the Board up to date about obtaining an extra pump as a back-up in case of a problem. He has spoken to the vendor and is expecting the detailed information shortly. He will incorporate that charge in the new budget package when he receives it.

Town Administrator Updates: Mr. Pruhenski reported that all but one Performance Evaluation has been completed for the employees. He will distribute copies of them to the Board at the next meeting for review.

Mr. Manzolini suggested that Mr. Beckwith have a meeting with Mr. Brian Hoskeer, the new Highway Department employee, in six months to welcome him aboard and advise him of his progress. Mr. Beckwith noted that, with Brian on board, a job being done in cooperation with West Stockbridge, that was anticipated to only be able to be done half-way was, in fact, able to be completed due to the smooth operation of the two teams working together.

Mass. Municipal Website Contest: Mr. Pruhenski reported that a significant amount of updating was done on the website prior to its submission to the contest, Ms. Laura Brennan made all the forms on the website fillable PDF's so that people can type their applications if they wish and submit them electronically. The website was submitted before the deadline, so Richmond is in the running.

The Town Administrator's Contract Renewal: Mr. Pruhenski noted that he has made some suggestions for change in his contract and requested that the Board set a time for him to meet with them to discuss it in time for budget season. Mr. Manzolini advised Mr. Pruhenski to set a date. The date of Wednesday, October 17th at 10:00 AM was agreed. Mr. Pruhenski will send the Board members a red-lined version of his contract for their review prior to that meeting.

Mr. Pilson asked Mr. Pruhenski to provide the Board with information on the compensation offered to Town Administrators in the surrounding towns whose duties are similar to Richmond.

Selectmen's Matters: Mr. Manzolini noted that Mr. Pruhenski had distributed some emails concerning contracting with a local TV station to televise the board meetings and town meetings when the current contract with Spector TV comes due for renewal.

Mr. Manzolini and Mr. Hanson were both unenthusiastic about the prospect. Mr. Pilson explained that televising these meetings is the wave of the future and that almost all the local towns are already televising such meetings. It could also provide an opportunity for the Richmond schoolchildren to produce television programs as an educational experience. There was a discussion on the subject that resulted in the agreement of the Board members to withhold any final decision and to entertain a conversation on the subject in the future. Mr. Pruhenski reminded the Board that with three years remaining on our current contract and the next contract having a ten-year life, it would be wise to make any decision with the thought that it will be a very long-standing one. Mr. Pruhenski noted that he will try again for the Cable Advisory Committee to have a meeting.

Approval of the Minutes of the September 14, 2018 meeting of the Board of Selectmen: Mr. Manzolini having completed his review of the minutes, moved to approve them as amended. His motion was seconded and carried by unanimous consent.

Next Meeting Dates: Mr. Pilson noted that there was a meeting scheduled for the next morning (Thursday, October 11, 2018) at 10:30 AM to continue discussion of the dangerous dog issues.

There were conflicts for Mr. Pilson with the regularly scheduled meeting dates and with the anticipated court hearing on the dangerous dog issue on October 24th at 2:00 PM that resulted in the following rescheduling:

Next Meeting – Thursday, October 25th – 9:00 AM and Wednesday, November 7th at 6:00 PM and Wednesday, November 28th at 6:00 PM

Topics Not Anticipated: Mr. Pruhenski distributed copies of the Land Conservation Fund Policy to the Board members. He reminded them that the Town has appropriated \$9,500.00 every year towards the Conservation Fund since 1967 and has not expended any of those monies. Mr. Pruhenski was approached by Mr. John Mason who asked Mr. Pruhenski to work with him on creating a Land Conservation Fund Policy. When the time comes for any portion of those funds to be used, there will be a policy in place for guidance through that process. They consulted with the Conservation Commission leadership and Mr. John Keenum from the Land Trust. The Policy will ultimately be adopted by the Conservation Commission. The Town's Attorney has reviewed the Policy and Mr. Pruhenski wanted the Board to see it and make any comments.

Mr. Pilson asked whether the Policy required a simple majority vote at a town meeting or approval from the Board to spend the money. Mr. Pruhenski explained that it depends on the land purchase. If the land purchased will remain within the ownership of the Town, there is no need for further approval from a Town Meeting as the money has already been appropriated by a legislative body. If the land purchased is handed over to the Land Trust or the BNRC or some other conservation group, that would require a Special Town Meeting.

Mr. Pilson noted that a handwritten note from Jan Stover had been circulated. He asked whether that was any relation to the Stovers who are residents of Richmond. Mr. Pruhenski did not know as he had not met the lady. Mr. Pilson said she is advocating a No vote on Question 1. She is asking that the Board educate the community on the negative impact that ballot question 1 will have on our hospitals, patients and community. Mr. Pruhenski and the Board members were all in agreement that it would be inappropriate for them to weigh in on a ballot issue. The Board will remain non-committal on that or any ballot issue.

Mr. Pruhenski asked whether the Board members were interested in attending the Massachusetts Municipal Conference this year. Mr. Manzolini voiced his desire to attend, Mr. Pilson regretfully will be unavailable, and Mr. Hanson was undecided. Mr. Pruhenski will arrange for reservations and room assignment for Mr. Manzolini.

Mr. Peter Beckwith advised the Board that he has worked out an arrangement with Fire Chief Steve Traver to transfer ownership of the Hummer from the Highway Department to the Fire Department.

Mr. Beckwith notified the Board of the group grant obtained through the Housatonic Valley Association for several towns to do a cooperative Roads and Stream Crossings Evaluation and Management Plan for the Williams River Water Shed. The grant was for \$80,000.00 to do an

assessment on all the stream crossings. Once that is complete it will go into a Management Plan that can become part of the Hazard Mitigation Plan that Chief Traver is working on. There will not be any funds to the Town, but there will be a lot of valuable information we can use, and it opens the door for the Town to apply for other grants in the future.

Mr. Pruhenski advised the Board that the Conservation Commission is reviewing the grant submission that evening, and it has been reviewed by Town Council, but if the Board has any comments they are welcome to pass them on.

There being no further business before the Board, Mr. Manzolini moved that the meeting be adjourned. The motion was seconded by Mr. Pilson and passed by unanimous approval.

The meeting was adjourned at 7:53 PM.

Signed:



A handwritten signature in black ink, appearing to read 'NP', is written over a horizontal line.

Mr. Neal Pilson, Chair

Board of Selectmen