

Leyden Select Board Meeting Minutes
Leyden Town Office Building
Regular Session
September 25, 2023
9:00 am

Select Board Members Present: Glenn Caffery, Erica Jensen

Others Present: Michele Giarusso, Liz Kidder, John Higgins, Karin Parks, Beth Kuzdeba, Bob DePalma, at around 11am Attorney Donna MacNicol, Attorney John McLaughlin, Robert Penfield, Mark Penfield and Jason Penfield joined.

Glenn called the meeting to order at 9:21 am.

Discussion

Tractor Pull Discussion

John Higgins read a written statement on the history of the tractor pull and his viewpoint on the event. Erica asked if the event is private or public and how is the Recreation Committee involved. John responded that the tractor pull is a private event, and the recreation committee is not involved. Glenn shared that last year this event came to the Select Board at the last minute and the elephant in the room that is still an issue is public officials using town owned equipment and using the equipment at a private event. John replied, the town's steam roller will not be involved. Glenn stated he will ask Donna her opinion on having the event when Donna joins the meeting today.

Community Compact Best Practices Grant

Motion: Erica moved to approve having us apply for a Community Compact Grant for Financial Management policies and procedures and working with the Collins Center to produce these. Glenn seconded the vote. Unanimous vote.

Public Safety Efficiency and Regionalization (E&F) Budget Adjustments

Liz Kidder shared there is \$47,000 left in the E&F grant. She had sent a spreadsheet to the Select Board previous to this meeting itemizing her recommendations for this meeting. Chief Palmeri did not order a speed sign that collects data that Liz had budgeted for \$11,000. Liz thinks it should still be ordered.

Motion: Erica moved to approve to inform Chief Palmeri the Select Board would like him to purchase the speed sign to be used in Leyden. Glenn seconded the motion. Unanimous vote.

Liz also shared what will be needed for office accessories including a desktop computer quote for the new Administrative Assistant position.

Motion: Erica moved to use the E&F grant to purchase office equipment and accessories including technology for the new Administrative Assistant position. Glenn seconded the motion. Unanimous vote.

Motion: Erica moved to approve the purchase and communicate to Chief Palmeri to order and install cell phone boosters for 5 police cruisers. Glenn seconded the motion. Unanimous vote.

Liz shared that in talking with Chief Palmeri she learned of a tablet in the one of the cruisers that no longer works and cannot be fixed. There is enough money to purchase two tablets in the grant so there will be a backup in the future.

Motion: Erica moved the purchase of two tablets to be purchased for the police cruisers. Glenn seconded the motion. Unanimous vote.

Comp Time policy

Glenn sent a draft of a policy to Erica and Katherine to review. This will be reviewed and discussed at a future meeting.

Municipal Assistant Update

Michele gave an update on the stove her in the town office building-it has been checked out and is in good working order. The technician stated this will fit the needs of the COA and others who do not want to light the large stove in the town hall. Again, this technician who is different from the previous one stated the gas cook stove in the town hall is overkill, it is meant to be always on, have gas running through it and used for short order cooking in restaurants. Micele has contacted Gillette Restaurant Equipment in Holyoke about the town hall stove. They sell used equipment to restaurants. They have said they will probably purchase it but at around 50% of what it is worth.

Motion: Erica moved to sell the gas stove in the town hall to Gillette Restaurant Equipment and to move the electric stove from the town office building to the town hall. Glenn seconded the motion. Unanimous vote.

Electric work-electrician replaced the LED baluster in Town Clerk's office and cannot come back to install emergency lighting as recommended by the building inspector until October 5th. At that time, he will take care of the rest of the "punch" list from the annual building inspector findings. Crocker Communication has been contacted about installing more fiber drops in the old police station just waiting for a call back when they can do. Michele will be attending a webinar from the MA Office of the Inspector General requiring mandatory training for the management of ARPA funds.

Michele has arranged for the current town clerk to do some training of the new town clerk next Wednesday evening.

Electric Vehicle station at town hall first phase is complete. Waiting for Eversource to connect wiring to the new electric vehicle generator then Michele can have the charging station installed.

Audit-Michele spoke with Tom Scanlon on doing a focused audit for on agreed upon procedures which could be as an example the Tax Collector and Treasurer. The cost will be \$7500, and he will probably be able to do between Thanksgiving and Christmas.

Motion: Erica moved to schedule Tom Scanlon conduct a focused agreed upon audit procedures for Tax Collector and Treasurer. Glenn seconded the motion. Unanimous. vote.

Motion: Erica moved to approve version2 of the RAVE policy. Glenn seconded the motion. Unanimous vote.

Agenda Planning

Erica would like Jim Brodeur, Chair of the planning board to be invited to hear about the curb cut policy.

Glenn will gather information on what will be needed for a new office space for the Administrative Assistant.

Hunt Hill Discussion with Penfields

Attorney McLaughlin representing the Penfield's shared his accounting of what he understands the Penfield's family position is so far as it pertains to Hunt Hill Road. The Penfield's agree to the town upgrading work on Hunt Hill Road. If the town completes the work the town will deal with the Conservation Commission. The Penfield's are ok with the Conservation commission's order of conditions., they understand these orders have a life of so many years. The Penfield's also understand a private individual cannot improve the road without approval of exemptions from the Conservation Commission, only the town can. Jason asked if in the future they could fill in a pothole should it develop I the future after the road has been upgraded. Donan replied they would still have to get approval from the Conservation Commission. Glenn added, we want to create a stable roadbed because of all the rain we have had, we do not want the road to wash out. We would like to put in water bars just like we did on Esat Hill Road. Mark asked does this mean there will be a mound in the road? Glenn replied, it is a large swale with no fill required. There was much discussion about what could and could not be done to the road by the Penfield's in the future. Donna reiterated having a CR on Penfield's land the town could move to discontinue and not maintain the road. The Penfield's could not build a structure larger than 200 square feet on their property. Attorney McLaughlin asked the timing of the town working on the road. Glenn replied we hope to do rather quickly right after the agreement is signed and hopefully get most of it done this fall. The road Superintendent likes to see how his works holds in the winter. If more work needs to be done in the spring, he could do that also. Donna thinks the CR and agreement can be turned around rather quickly. If the town takes the property, the Penfield's have 3 years to withdraw. Glenn will speak to Bill Brooks soon to see what his timeline is. Donna is not sure we need to have a Special Town Meeting if an agreement is signed. Mark asked if a private CR could expire. Donna stated she is not sure if a Conservation CR is in perpetuity she will have to investigate. State CRs are in perpetuity, and they are taking 2-3 years to complete. Jason asked about the taxes on the property and chapter land once the CR is complete. Donna stated they will have to go and discuss with the Leyden Assessors. Glenn stated the property is listed as "potentially developable" currently.

Motion: Erica moved to enter into an agreement, according to the email written on August 23, 2023, from Donna MacNicol to John McLaughlin as spelled out in the email to create a CR on the Penfield's land, road work will be done by the town highway crew on Hunt Hill Road and Hunt Hill Road will be discontinued and a statutory private way will be established at a future town meeting. The CR and agreement will have contingency language. Glenn seconded the motion. Unanimous vote.

Questions for Donna

Glenn explained to Donna the answer from MIIA insurance on having the tractor pull on town property. Donna answered we need to listen to the insurance company's recommendations seriously as insurance companies across the US are pulling out due to the many claims from disasters. Glenn asked if there was any way the private party who is running the tractor pull could get private insurance to cover. Donna replied she would ask MIIA if the private entity could obtain private insurance and release the town from any liability. She would also recommend all participants in the tractor pull sign a release of liability towards the town.

Glenn explained we have an EMD who will be working on an MVP grant. He has contacted State Ethics and they suggested he fill out paperwork to become a “special employee”-Donna recommends that both Co-EMDs fill out paper work to become “special employees” and have both Select Boards vote on this.

Motion: Erica moved to adjourn at 12:42 pm. Glenn seconded the motion. Unanimous vote.

Respectively submitted,
Michele Giarusso
Municipal Assistant