# Meeting Minutes May 17, 2022 5:30 p.m. Buckland Town Hall

## <u>Agenda</u>

## Appointments - n/a

## Agenda Items -

- > Select Board Reorganization
- > Mosquito Spray Program Annual opt out plan review
- > North Street, Transportation Improvement Plan Engineering costs

## **Documents to Sign**

## Contract & Grant Documents

- > FY20 CDBG Contract Amendments
  - > Community Action Food Pantry
  - > Breezeway Farm Contract
- > Codification License Agreement, Town Clerk
- > Long Island Sound Futures Fund 2022, Clesson Brook remediation and conservation project permitting funding opportunity.

## Permits and Licenses

- > Curb Cut Permit, Conway Road
- > Memorial Day Parade Permit

### Minutes April 26, 2022

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting

**Select Board Member Concerns** 

**Town Administrator's Report** 

**Public Comment** 

**Volunteer Recognition** 

**Announcements & Upcoming Meetings** 

#### **Attendees**

Barry Del Castilho - Select Board Chair Clint Phillips - Select Board Vice-Chair Larry Wells - Select Board Member Heather Butler - Town Administrator Mary Bolduc - Boards Clerk Peggy Hart - Board of Health Dana McNay - Falls Cable

## <u>Meeting</u>

Meeting was opened at 5:30 p.m. by Barry Del Castilho, Chair.

#### Agenda

<u>Select Board reorganization</u> - Mr. Phillips moved to name Barry Del Castiho as Select Board Chair, seconded by Mr. Wells. Vote in favor of the motion was unanimous. Mr. Del Castilho moved to name Clint Phillips as Select Board Vice Chair, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Mosquito Spray Program, annual opt out plan review - Peggy Hart, Buckland Board of Health Chair gave an overview of the process and the fact that now in the second year the Board of Health is more comfortable and aware of the opt out procedure. Following a brief discussion including the fact that this year Buckland is part of the Mosquito Control District, Mr. Phillips moved that the Select Board vote to accept the 2022 Mosquito Spray Program opt out plan as prepared by the Board of Health without amendment. Further, that upon final review by the Board of Health, the plan be submitted to the Commonwealth for approval on or before May 27, 2022. Mr. Wells seconded. Vote in favor of the motion was unanimous.

North Street Transportation Improvement Plan - engineering costs - Ms. Butler explained that DOT met on May 12 and formally accepted the upper portion of North Street into the state TIP program. Thus far she has used repurposed funds from the Charlemont Road project (STRAP grant money) but may need to allocate Chapter 90 funds as well. Ms. Butler recommended that the Select Board allow her to use Chapter 90 funds for North Street engineering costs. Following further discussion, Mr. Wells moved to apply Chapter 90 monies to cover the cost of engineering for improvements related to the North Street TIP project. Mr. Phillips seconded the motion which was approved unanimously.

## **Documents to Sign**

### Contract & Grant Documents

- > FY20 CDBG Contract Amendments
- > <u>Community Action Food Pantry</u> Approve amendment to extend service to Sept 30, 2022 and increase budget allocation by \$6,250. Mr. Phillips moved to approve an amendment to the FY20 Community Development Block Grant contract with Community Action, increasing the available funding by \$6,250 and extending services to September 30, 2022. Mr. Wells Seconded the motion; vote in favor of the motion was unanimous.
- > <u>Breezeway Farm Contract</u> Approve the transfer of \$3,000 from CDBG audit expense in FY20 grant scope to administer the Depot Street Engineering Design Project and the extended Food Pantry project. Following brief discussion Mr. Phillips

moved to approve the transfer of \$3,000 from CDBG audit expense in FY30 grant scope to administer the Depot Street Engineering Design Project and the extended Food Pantry project. Mr. Wells Seconded the motion; vote in favor of the motion was unanimous.

- > Codification License Agreement. Town Clerk This project was approved at Annual Town Meeting, and although funds will not be available until July 1, this vote will enable the town clerk to begin work preparing the documents for coding. Mr. Phillips moved to approve the contract agreement with General Code in the amount of \$9,495 for codification services to include the Town's General and Zoning Bylaws as well as the Board of Health regulations. He further moved that this expenditure be held until July1, 2022 when funds appropriated at the May 7, 2022 Annual Town Meeting are available. Mr. Wells seconded the motion. Brief discussion followed. Vote in favor of motion was unanimous.
- > Long Island Futures Fund 2022. Clesson Brook remediation and conservation project permitting funding opportunity Ms. Butler explained the purpose and scope of this project which had been introduced to the Board by Kimberly McPhee of FRCOG at the April 12 Select Board meeting. It is a pilot program for climate resiliency related projects and this request is to use existing MVP grant funds. Mr.Phillips moved that the Board vote to authorize the Chair to sign a letter of support for the Long Island Sound Futures Fund 2022 grant program and further authorize the Franklin Regional Council of Governments to act on the Town's behalf relevant to this grant application. Mr. Wells seconded; vote in favor of the motion was unanimous.

#### Permits and Licenses

- > <u>Curb Cut, Conway Road</u> Ms. Butler explained that Bill Green is putting in a driveway on Conway Road, and plans to do so while the road is open and under construction. He is working with Baltazar, state engineers and the Buckland Highway Department. Formal approval of the Select Board is required. She also stated that there is no additional cost to the town and that the owner is paying the cost of the extra culvert. Mr. Phillips moved to approve a curb cut application on Conway Road for Bill Green, contingent that the applicant work with Mass DOT to coordinate the cut to be in line with current design standards relevant to the ongoing Mass DOT project on that road. Mr. Wells seconded. Vote in favor of the motion was unanimous.
- > Memorial Day Parade Parade Permit submitted by Raymond Godfrey for the Shelburne Falls VFW Post 8503. Mr. Phillips moved that the Board vote to approve the VFW Post 8503 application to organize a Memorial Day Parade from McCusker's Market across the Iron Bridge. Mr. Wells seconded. Vote in favor of the motion was unanimous.

<u>Minutes April 26, 2022 - Mr. Phillips moved to approve April 26, 2022 Select Board minutes, seconded by Mr. Del Castilho. Both Mr. Phillips and Mr. Del Castilho voted in favor of the motion. Mr. Wells could not vote because he was not yet a member of the Board at the April 26 meeting.</u>

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting - Ms. Butler stated that she had received a request from Carmela Lanza-Weil for use of upstairs in Town Hall on May 21 & 22 and June 25 & 26. She explained Carmela's intended use, that she had indeed done this before, and that Town Hall had worked out perfectly. Mr. Phillips moved to allow Ms.Lanza-Weil the use of Town Hall on her requested dates, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Select Board Member Concerns - Mr. Del Castilho inquired about Select Board assignments/liaisons. Ms. Butler replied that of primary concern would be the delegate to FRCOG, both virtual and in person, but since June 30 is when liaisons are appointed it is not of pressing need. However, prior to June 30, and before the next task force meeting, Mr. Del Castilho moved to appoint Mr. Wells to the Shelburne Falls Task Force, seconded by Mr. Phillips. Vote in favor of the motion was unanimous. Mr. Del Castilho also asked when the contract for the Rec pool would be signed. Brief discussion followed.

## **Town Administrators Report -**

- > 2022 Annual Town Meeting was a success. Ms. Butler thanked all who participated and supported the FY23 budget and other articles. It was her first indoor Buckland Annual Town Meeting!
- > Final inspection of Nilman Road being done on day of this meeting. Seeding of project did not work well, so is being re-seeded. Guard rail that was hit by plow is being replaced. Nilman Road project is being recognized via a Mass DOT Innovation Conference presentation and a VHB presentation, focusing on the efficiency of a three day build.
- > No Ashfield Lake parking passes will be sold this year to non-Ashfield residents, per the Town of Ashfield.
- > CPHS is looking to bring a PCR COVID testing site to the area by partnering with Curative, a private testing vendor. Currently Curative has a test site in Deerfield, open three days a week and hosted by the Deerfield Health Department. Greenfield hopes to offer a similar option also run by Curative. Greenfield Cooperative Bank and branch manager Casey Cusson have offered the use of their community room which has a separate entrance and exit as a testing site location in West County. We are currently negotiating with Curative to make this happen.
- > The spring clean up at the Buckland Rec is complete and was a big success thanks to the hard work of our crew and the community service workers from the Franklin County Sheriff's Department.

Public Comment - There was no public comment.

**Volunteer Recognition -** 2022 Annual Election Workers and 2022 Annual Town Meeting Workers were recognized. Also given a big shout out were the flag pole painting volunteers and speakers who participated at Cricket Field.

## Announcements & Upcoming Meetings -

> 50 Conway Street Community Meeting - May 25 at 6:30 p.m. via Zoom > Shelburne Falls Task Force - June 8th at 5:30 p.m. via Zoom See Website or Town Hall bulletin for details and registration.

With no further announcements or business, Mr. Phillips moved to adjourn, seconded by Mr. Wells. Vote in favor of the motion was unanimous. Meeting adjourned at 6:20 p.m.

Respectfully Submitted by Mary Bolduc, Boards Clerk, June 21, 2022

Signed:
Barry Del Castilho Bay Sel Catal
Clint Phillips
Larry Wells Jawrence A. Skells

## BUCKLAND SELECT BOARD NOTICE OF MEETING

Buckland Town Hall 17 State Street Shelburne Falls, MA 01370

Tuesday, May 17, 2022 5:30 p.m.

### **AGENDA**

## **Listing of Topics**

1. **Appointments** 

n/a

2. Agenda Items -

Select Board reorganization Mosquito Spray Program, annual opt out plan review North Street, Transportation Improvement Plan – engineering costs

## 3. **Documents to Sign**

- a. Contract & Grant Documents
  - i. FY20 CDBG Contract Amendments
    - 1. Community Action Food Pantry
    - 2. Breezeway Farm Contract.
  - ii. Codification License Agreement, Town Clerk
  - iii. Long Island Sound Futures Fund 2022, Clesson Brook remediation and conservation project permitting funding opportunity
- b. Permits & Licenses
  - i. Curb Cut Permit, Conway Road
  - ii. Memorial Day Parade Permit
- c. Minutes April 26, 2022
- 4. Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting
- 5. Select Board Member Concerns:
- 6. Town Administrator's Report:
- 7. Public Comment:
  - Volunteer Recognition: 2022 Annual Election Workers, 2022 Annual Town Meeting Workers
  - Cricket Field Flag Pole painting volunteers and speakers
- 8. Announcements & Upcoming Meetings:

50 Conway Street Community Meeting – May 25<sup>th</sup> at 6:30 p.m. via Zoom Shelburne Falls Task Force – June 8<sup>th</sup> at 5:30 p.m. via Zoom.

See website or town hall bulletin for details and registration.

## **EDUCATION AND OUTREACH PLAN**

Provide a 1-2 paragraph narrative of the proposed outreach plan, that includes listing of at least three education/outreach activities you plan to execute for the upcoming mosquito season:

Buckland is a rural community with woods, streams, farms and ponds. Our Town Select Board, BOH, Conservation Commission, and Highway Department work together to formulate and implement an actionable plan to protect our residents against mosquito borne diseases, without posing risk to human health or the environment. Buckland is a member of the Pioneer Valley Mosquito Control District.

Our approach is
1) prevention - distribution of information and educational materials at public recreation areas and to membership of Buckland Trails
2) intervention - identify problem areas and remediate, eg The BOH will provide outreach to target auto repair shops and farms
3) information - in the event of heightened risk, alert the public using town website
Check off all education/outreach methods that you intend to employ:
Development/distribution of brochures, handouts, etc.
☑ Door-to-door canvassing (door hangers, speaking to property owners, etc.)
Social media accounts (Facebook, Twitter, or other social media:
Mailings (Describe target audience(s):
☐ Media outreach (interviews for print or online media sources, press releases, etc.)
Presentations (in-person or virtual)
School-based programs, science fairs, etc.
Tabling at events (local events, annual meetings, etc.)
☐ Website (URL: www.town.Buckland.ma.us)
Other (please describe):
Select the audience types you intend to target from the list below:
Residents (homeowners, apartment dwellers, etc.)
☐ Landlords (for large apartment or condominium complexes)
K-12 (teachers, students, camps, etc.)
Municipal staff (highway dept., parks and recreation, board of health, conservation commission, etc.)
State/Federal land managers (state parks, national wildlife refuges, etc.)
☐ Transportation industry (Busing companies, commuter rail, truck/rest stops, etc.)
Recreational venues (fairgrounds, sports complexes, ballfields, etc.)

# Alternative Mosquito Management Plan Required for a Municipality to Apply to Opt Out of Spraying Conducted by the State Reclamation and Mosquito Control Board

☐ Other land owners/managers (please describe):
☐ Other (please describe): Business owners

Additional Comments:

## **CONTACT INFORMATION for 2022 Municipal Opt-Out Process**

Please provide contact information for your municipality:

Town/City: BucklandCounty: FranklinPoint of contact:

Name: Heather ButlerTitle: Town Administrator

o Email: twnadmin@town.buckland.ma.us

o Phone: 413 625-6330 ext 5

## **CHECKLIST for 2022 Municipal Opt-Out Process**

Please utilize the following checklist to confirm completion of all components of the municipal opt-out application. Components must be submitted to <a href="mailto:EEAopt-out@mass.gov">EEAopt-out@mass.gov</a> by May 27, 2022.

The municipality has reviewed the historical regional arbovirus risk level classification, which

serves as EEA's evaluation criteria for the 2022 municipal opt-out application process

Alternative mosquito management plan that includes listing of three education and outreach activities

Copy of certified vote, which includes:

□ Date and time of the public meeting

☐ Confirmation that the Board of Health was consulted

igstyle Confirmation that public comment was allowed

Indication that municipality is opting out of all spraying, or just certain spray activities such as aerial spraying. If a vote does not include that it is for a specific type of spraying, the vote will cover all spray activities conducted by the SRMCB under M.G.L. c. 252, Section 2A

Acknowledgement that the vote to opt out will only be honored if all application components are submitted to EEA on time and if the application is approved by EEA

1

## **ACKNOWLEDGEMENT for 2022 Municipal Opt-Out Process**

Please mark each check box indicating your acknowledgement of the items below, and sign and date the application before submitting it.
The municipality acknowledges that any work performed will be subject to applicable local, state, and federal regulations, ordinances, and statutes and all necessary permits, licenses, approvals, or other permission must be obtained prior to the commencement of any work. The approval of this Plan does not constitute work under M.G.L. c. 252 or authorize any exemption provided for work conducted under said chapter, unless otherwise expressly provided for by law.
The municipality acknowledges that approval of a Plan allows it to opt out of spraying conducted by the SRMCB under M.G.L. c. 252, Section 2A. It does not extend to any spraying conducting by a mosquito control project or district ("MCD") of which a municipality may be a member.
The municipality acknowledges that it has conducted the required public meeting, that a vote is included with this Plan, and that any vote to opt out of spraying performed under M.G.L. c. 252 is subject to the approval of a Plan. No such opt out will be honored without an approved Plan.
Signature and Title (Signed or Typed)

2

## CONTRACT FOR FY20 CDBG FOOD PANTRY SERVICES

## **TOWN OF BUCKLAND**

<u>AMENDMENT NO. 1</u> to the <u>Contract between the Town of Buckland and Community Action Pioneer Valley, Inc.</u> for the period from January 1, 2021 to June 30, 2022 for FY20 CDBG – West County Emergency Food Pantry.

- 1. The contract performance period will be extended to September 30, 2022.
- 2. The total contract amount will be increase to \$31,250.00 and the budget amended as follows:

EXPENSES	Original	Amended
Personnel		
CSR Coordinator	3,944.00	\$ 5,201.00
Pantry Asst./Drivers	8,272.00	\$ 10,124.00
Sub Total Personnel	12,216.00	\$ 15,325.00
Tax and Fringe	5,384.00	\$ 6,279.00
Food	3,658.00	\$ 5,178.00
Travel/Vehicle	500.00	\$ 700.00
Site/OP Expenses	871.00	\$ 871.00
Indirect	2,371.00	\$ 2,897.00
Total Expenses	25,000.00	\$ 31,250.00

**Approvals and Signatures** 

By: TOWN OF BUCKLAND		By: COMMUNITY ACTION PIONEER VALLE	
Barry L. DelCastilho Select Board Chair	Date	Mary Clare Higgins Executive Director	Date

## **CONTRACT FOR FY20 CDBG ADMINISTRATION SERVICES**

## **TOWN OF BUCKLAND**

<u>AMENDMENT NO. 1</u> to the <u>Contract between the Town of Buckland and Breezeway Farm Consulting, Inc.</u>, for the period from April 1, 2021 to June 30, 2022.

- **1. Additional Services** The consultant will oversee an additional project funded by this grant, Depot Street Engineering Design, as well as the Food Pantry project for an additional three months.
- **2.** Additional Fee The fee for these additional services will be set at \$3,000.00.
- **3. Time Extension** The contract performance period will be extended to October 31, 2022 to allow for completion of the additional project and grant closeout.

Approvals and Signatures	
By: TOWN OF BUCKLAND	By: BREEZEWAY FARM CONSULTING, INC
Barry L. DelCastilho, Chair Buckland Select Board	Linda J. Overing President
Date	Date









# **Proposal for Codification Services**

PREPARED FOR:

Town of Buckland, Massachusetts

PREPARED BY:
ZACHARY DUMONT
CODIFICATION ACCOUNT MANAGER
zdumont@generalcode.com
800.836.8834

DATE: April 25, 2022 (Valid for six months)

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## **Executive Summary**

A thorough review of your request has given us a better understanding of your unique needs and helped us determine ways that we can partner with you to make the Town of Buckland's Code a more useful and effective resource for your community. The executive summary below serves as an overview for building a collaborative codification solution that can help the Town achieve its goals.

## **Situation Analysis**

The compilation of the Town of Buckland's General Bylaws, Zoning Bylaws, and other legislation was last updated in 2021. However, the Code may contain inconsistencies, errors and outdated information that could potentially affect the Code's enforceability and alignment with relevant state statutes.

It is our understanding that the Town would like a complete recodification, including a comprehensive review and update of the compilation, to include all legislation of a general and permanent nature to October 23, 2021. This process would ensure that legislation is up-to-date and is in line with state statutes and the current needs of your constituents, in addition to making the overall Code consistent in organization, format, style, and content.

The Town would also like to provide access to the Code and make it easier for constituents and staff to find information by implementing a fully searchable online version of its Code, housed on our unparalleled eCode360 platform.

## **Our Solution**

Our comprehensive codification solution for Buckland includes:

- An Editorial and Legal Analysis and recodification of existing materials
   This process will identify conflicts, redundancies and inconsistencies in the Code and
   enable you to incorporate the necessary revisions to ensure that your Code is enforceable
   and fully complies with state statutes.
- An online Code housed on our innovative eCode360 platform Created for a variety of users, eCode360 makes the complete current text of your Code available online in a format that is easy for your community to use and is fully searchable.
- 5 custom printed Code books, with an option for additional printed volumes
  We will provide you with 5 fully customized print copies of your new Code, with additional copies as requested.

### **Solution Benefits**

A comprehensive codification solution from General Code® will:

- 1. Deliver a Code that is always accessible to the public and up-to-date
- 2. Help you keep Buckland's Code enforceable
- 3. Improve transparency with constituents
- 4. Save Buckland's staff time and resources by empowering constituents to find Code information independently

## Who Benefits?

- Constituents—Citizens will be able to find and use laws in a comprehensive, up-to-date
  and understandable format
- 2. **Staff**—All staff members will be able to gather the information they need to answer questions from both citizens and other municipal officials
- Planners/Developers—Your new Code will provide a clear view of existing regulations
  and make it easier to determine the impact of proposed changes and amendments on
  development and growth initiatives
- 4. Attorneys—Legal staff can draft and amend legislation more efficiently by using eCode360 to research similar laws that other communities have passed

## American Rescue Plan

On March 11, 2021, President Biden signed into law the American Rescue Plan Act of 2021. This \$1.9 trillion stimulus package includes \$360 billion in direct financial relief for state and local governments, including \$65 billion for America's cities, villages, and towns, as well as \$65 billion for counties. According to the U.S. Treasury, this funding can be used for municipal and building code department hardware and software investments. For more details, please see page 16.

## **Buckland's Investment**

The price of General Code's recommended solution will be \$9,495.

A detailed breakdown of the investment and available options can be found in the Investment Details and Options section on page 12.

## General Code, America's Next Generation Codifier

When local governments and constituents work well together, shared ideas and diverse talents can be focused where they need to be – on the community's common interests and vision for the future. At *General Code*, we focus on simplifying the ways that local governments and their constituents find, access, and share information by innovating forward-thinking technologies and processes. By intelligently connecting vital code information in a digital environment, communities can work better together to more effectively overcome challenges and create opportunities for growth. From online municipal codes to interactive zoning maps, it is our goal to empower everyone in our client communities to rise, transform, and thrive.

We would be proud to partner with your community, too.

## Our Experience

For 60 years, General Code has worked with more than 3,800 communities to build, maintain, and publish Codes that are clear, accessible, and easy-to-use. We have assembled a staff of highly trained project managers, editorial assistants, attorneys, legal editors, production staff, account managers, training specialists, service representatives, and software engineers that have unique expertise in codification. With backgrounds in municipal law and local government and an average of 17 years of hands-on experience working with municipalities, every segment of our team is uniquely qualified to partner with your community.

## A Member of the ICC Family of Solutions

With a worldwide membership of 64,000, International Code Council (ICC) is the global leader in developing model codes and standards used in the design, build and compliance process to construct safe, sustainable, affordable, and resilient structures and communities. Most U.S. communities and many global markets choose the International Codes.

General Code's partnership with ICC strategically aligns our companies' like-minded missions, values and long-standing commitment to building strong partnerships with local governments. It also gives General Code even greater capacity to build on our portfolio of municipality-focused solutions by tapping into the expanded resources and global reach of ICC.

### **Our Technical Focus**

Technology has changed your community's expectations about accessing and interacting with complex Code information. Therefore, we handle Code information differently. With *General Code*, your Code is more than just static text; using our proprietary publishing system, we store your Code as dynamic data, making it easy to update and present in multiple ways that meet your staff and community's needs. Using the data from your Code as a basis, *General Code* provides an ever-expanding suite of seamless solutions that save time and simplify how you serve your community.

### **Our Process**

General Code's process workflow is highly collaborative, allowing you to engage with a Code consultant at every key stage of the codification process. We guide you through each phase of the process to keep you informed and help the project stay on track. Our Code consultants are invested in working with local governments and strive to ensure that your Code improves transparency within your community while accurately reflecting your laws.

## The General Code Recommended Solution and Process

## General Code's Approach to Codification



Codification Powered by Code Review brings your code project to life during the milestones of your project. Code Review is a revolutionary legal review platform, shared interactively between the General Code project team and your review committee, that guides you through the stages of your Codification project.

Code Review, a secure, searchable platform, gives your codification stakeholders the ability to manage milestones, share and assign questions, and expedite the decision-making process. With digital access to all your relevant project documentation throughout the project, including the analysis, drafts and reference documents, our technology eliminates the need for paper reports, printed legal memorandums or Legal Workbooks.

Codification Powered by Code Review is a collaborative process that will guide you through each project stage. We will prepare your Organizational Analysis, evaluate your legislation, prepare the Editorial and Legal Analysis, and create your Digital Manuscript, so that you can easily access the project documents and make decisions.

This streamlined process allows users to collaborate, annotate, print and share comments among all committee members, while staying connected with your *General Code* Legal Editor.

#### So how does it work?

When the Digital Manuscript and Editorial and Legal Analysis are ready for review, General Code will activate your Code Review site and provide your review committee with a secure link to the online version of your in-process Code. We will facilitate a dedicated e-Learning workshop for your municipal officials, led by our General Code training specialist, to guide you through the features

and functionality of the platform. Codification Powered by Code Review will include these supporting documents as the project progresses through the codification stages:

- Code Project Contract
- > Code Project Guidelines
- Organizational Analysis
- Digital Manuscript
- > Editorial and Legal Analysis
- Code Adoption Ordinance
- Disposition List
- Digital Drafts of your Code

Upon completion of the codification project and publication of your new Code, the Code will seamlessly transition from the private *Code Review* platform to your public *eCode360* site and will house the adopted version of your Code, which is available to the public.

# Below is an outline of the process for completing your recodification project.

## **Project Launch**

General Code will consult with Buckland's designated contact person to review the project generally and to clarify any initial questions for both General Code and the Town. To begin the project, the Town and General Code shall confirm the source materials for the project. For more detail, see the source materials listed on page 11.

# Organizational Analysis with Reorganization and Renumbering of the Code

We will prepare an Organizational Analysis of your legislation for the Town to review, which will include a proposed Table of Contents of the reorganized and renumbered Code for the Town to approve as well a listing of legislation reviewed, along with questions about any missing material and adoption dates as well as any other questions pertaining to the completeness of materials being reviewed. The Town will review the Organizational Analysis and make whatever changes it feels are necessary. An editor will incorporate the feedback received into the project and move forward to prepare the Manuscript and the Editorial and Legal Analysis.

## **Editorial and Legal Analysis with Manuscript**

As needed, we will prepare a Manuscript using the materials provided by the Town. The Manuscript organizes your legislation into a logical system of chapters arranged alphabetically by subject matter. At this step we will incorporate amendments into the Manuscript, noting repealed or superseded material. The resulting Manuscript will show exactly the legislation that is currently in effect.

To accompany your Manuscript, we will prepare an Editorial and Legal Analysis for your review. Your project team will do a thorough review and analysis of your legislation and provide specific recommendations and input for improvement. The Analysis will be presented in a progressive

format with option sets to guide the user in the decision-making process. Town officials, including the Town Attorney, will have the final decision-making authority for the resolution of any and all issues.

The Editorial and Legal Analysis will include the following:

- Identification of duplications, conflicts and inconsistencies between or within various sections of the Code
- Identification of duplications, conflicts and inconsistencies with Massachusetts statutes
- Any practical recommendations to make your legislation more enforceable
- Suggestions regarding fines, fees and penalties
- Suggestions on ways to modernize your legislation

### Your Responsibilities

The Town will review the Editorial and Legal Analysis and make the final decisions on any changes that are deemed necessary. All final decisions regarding the sufficiency of the legislation which is to be codified, and any changes to be made to said legislation, shall be the province of the Town officials and the Town Attorney.

A review period is set by the performance schedule. We stress the importance of staying within the allotted time period to avoid disruptions in the production process and delays in the delivery of the Code.

#### **Code Review**

Code Review is a searchable online repository that houses your Code Manuscript and Editorial and Legal Analysis during the review stages of the codification process. When the Manuscript and Editorial and Legal Analysis are ready for review, General Code will activate your Code Review site and provide your review committee with a link to a secure online version of your in-process Code and the supporting documents, which could include the Code Project Contract, Organizational Analysis, Code Adoption Information, and Disposition List. Code Review allows users to reference and search relevant Code sections online as you answer questions and work through conflicts, duplications and inconsistencies within your Code. As the project continues, additional secure drafts will be available on your Code Review site, making the review process easy and clear. Upon completion of the project, your Code Review site will be replaced by your eCode360 site and will house the adopted version of your Code, which will be made available to the public. The posting of Code Review is considered the first posting of eCode360.

## Final Editing of the Manuscript and Submission of the Draft

Once the Editorial and Legal Analysis is returned, an editor will begin the final editing process. During this time, we will:

- Edit the text to incorporate any revisions and additions previously approved in the Editorial and Legal Analysis phase
- Update the Table of Contents listing all chapters and articles included in the Code, as applicable
- Include cross-references and Editor's Notes, as required, and add historical notations indicating the source and date of adoption of each enactment

Proofread all copy to correct typographical and spelling errors

Using Code Review, General Code will submit a Preliminary Draft of the Code for review by the Town. At this time, the editorial work on your project is be completed; therefore, if the Town requires any additional changes, further charges will apply. A Final Draft incorporating the Town's changes will be submitted to the Town for adoption and subsequent review by the Attorney General.

## **Prepare Final Deliverables**

Upon approval to proceed with the publication of your Code, we will prepare the following final deliverables:

## > A Comprehensive Index

We will provide you with an index that is designed to let you quickly and easily locate information in the Code.

## A Disposition List

Your Code will include a Disposition List that sets forth—in chronological order—the subject matter, date of adoption and disposition of each item of new legislation reviewed with the project. It will also indicate whether those items are included in or omitted from the Code.

#### A Derivation Table

General Code will renumber and reorganize Buckland's existing compilation of bylaws using our standard format. To ease the transition to the new numbering system, we will prepare a Derivation Table. This table will be included at the end of the published Code and will clearly show the chapter numbers from the Town's existing compilation of bylaws and where they have been included in the new Code.

### Code Adoption Legislation

We will prepare the proposed Code adoption legislation and/or necessary information to establish the Code as an official document. We will provide this information to the Town Attorney for review and enactment by the governing body. Once the Code is adopted, it can be amended directly to change, add or delete material.

In order to establish the Town Code as the official body of law for the Town, the codified bylaws should be submitted to the Town Meeting for approval. Based on our experience with our Massachusetts clients and our discussions with the Attorney General, the Town has four options in this regard:

- The General Bylaws and Zoning Bylaw can be renumbered as part of the new
  Town Code book without any changes to the text. The Town Meeting would then
  vote only to accept the renumbering of the Bylaws as they appear in the Code.
  Under this option, the text of the Bylaws cannot be changed in any way. Even
  errors in spelling, grammar and punctuation have to be retained.
- 2. If the Town wishes to make revisions to the General Bylaws and Zoning Bylaw as part of this project, we recommend that these Bylaws be renumbered as part of the new Town Code, revised as desired by the Town and then readopted in their entirety by the Town Meeting. This method will allow for revisions to the text to bring it up-to-date and also allow for the correction of errors in spelling, grammar and punctuation. It will result in a new set of General Bylaws and a new

- Zoning Bylaw that will replace all prior Bylaws. Under this method, the newly adopted Bylaws would be subject to a complete review by the Attorney General.
- 3. If the Town wishes to make some wording changes to the General Bylaws and Zoning Bylaw without completely readopting, General Code can incorporate the desired wording changes into the Bylaws and draft separate warrant articles for the Town Meeting to adopt in order to put each of the changes into effect. Depending on the number of changes the Town decides to make, this method can result in a large number of warrant articles. Each of the amendments adopted by the Town Meeting will then be subject to review by the Attorney General.

The Town may choose to approach the General Bylaws one way and the Zoning Bylaw in a different way. Any regulations included in the Town Code, such as the Subdivision Regulations, would need to be submitted to the appropriate body which adopted the regulations for acceptance of their renumbering as part of the Code and to put any changes made by the Town into effect.

## Publish a Secure Online Code with eCode360

Once the final deliverables have been prepared, *General Code* will make your *eCode360* site available to the public. *eCode360* is a secure, reliable online platform created specifically to house codified laws and municipal documents. Built with a variety of user needs in mind, *eCode360* will provide Buckland's staff, citizens and businesses with unparalleled flexibility to quickly access and search your Code on a variety of desktop and mobile devices.

#### eCode360 Benefits:

A centralized solution—laws, regulations and related documents are integrated into a dynamic, centralized resource

Simple to use—eCode360 is easy and intuitive and offers powerful time-saving features

Always up-to-date—We will update your eCode360 site with each supplement to your Code

A trusted, "go-to" resource—Empower staff to answer questions with clarity and confidence

Always evolving—We consistently release innovative functionality based on communities' needs

Premium eCode360 Features

	Premium eCode360
Annual Maintenance Fee	\$1,195
New Laws	X
Easy and Flexible Searching	X
Dynamic Table of Contents	X
Email or Share Links	X
Printing	X
Bookmarking Searches	X
Archive View	x
"Sticky" Table Headers	X
Administrative Tools	х
Translate	X
eCode360 Search App	X

Linked New Laws	X
Public and Private Notes	x
Sample Legislation (Multicode Search)	X
Download to Word	X
Download to PDF	X
New Laws Indicator	X
Advanced Search	X
Customizable Titles	X
eAlert	X
Public Documents Module	х

For more information about eCode360, see page 19.

## **Publish a Custom Printed Code**

General Code will publish 5 printed copies of your Code in high-quality, custom-imprinted post binders. The Code pages will be designed in an 8 ½-by-11-inch page size, using 11-point Times New Roman font in a single-column format on 100% recycled paper.

General Code lets you customize the look of your final printed Code binder, including the color of your binder (blue, dark red, green, brown, black or gray) and the color of the silk-screen lettering on the binder cover (white, silver or gold). We can also include the Town's Seal on the front and spine for added impact at no additional charge. Each copy of the Code will include a set of 15 tab dividers for individual customization and will also be serial-numbered for easy identification.

## **Provide Ongoing Code Maintenance**

The codification process is not truly over when your new Code is delivered. Your community will change and grow, and ultimately, your Code will evolve with it. In order to maintain your Code as an accurate and reliable resource, it is important that the Town keeps the Code up-to-date after initial publication. *General Code's* supplementation services are designed to make the process easy, fast and accurate.

For more information about General Code's Supplementation Services, see page 25.

## **Project Materials**

## **Source Materials**

The Town of Buckland has provided *General Code* with the following documents, which will be used as the source materials for the recodification project:

- A copy of the Town's General Bylaws, including Chapters 1 15, as amended by the Annual Town Meeting on June 5, 2021, as posted on the Town's website on April 19, 2022
- A copy of the Town's Zoning Bylaws, as amended by the Special Town Meeting on October 23, 2021, as posted on the Town's website on April 19, 2022
- A copy of the Town's Board of Health Regulations, as posted on the Town's website on August 19, 2021

## **Project Scope**

This proposal and the scope of this project consider only the legislation submitted for review as listed above. The processing, review, and inclusion of any materials not submitted are outside the project scope as proposed and therefore may be subject to additional charges. We request that Buckland set up a process to routinely send any new legislation upon adoption. This additional legislation will be included in the Code up to the point where the editorial work has been completed and will be subject to an additional charge at the end of the project.

## **Investment Details and Options**

## **Codification Project Price**

\$9,495

## Services included with the codification project:

- Project Launch
- Creation of a New Code, with Project Scope Including Legislation to Special Town Meeting October 23, 2021, as Posted on the Town's Website on April 19, 2022 (For a Complete List of All Legislation That Will be Incorporated into the Code, See Source Materials on Page 11.)
- Editorial Work
- Code Review Launch
- Proofreading
- Shipping

#### Code Review deliverables:

- Organizational Analysis
- > Editorial and Legal Analysis
- Manuscript
- > Preliminary and Final Drafts
- > Comprehensive Index
- Disposition List
- Derivation Table
- Code Adoption Legislation

## Final deliverables included with the codification project:

- Premium eCode360
- eCode360 Search App
- Publication of 5 Code Volumes in Standard Imprinted Post Binders
  - Customizable Tabs
- Code Adoption Legislation

### **Administrative Fees**

\$0

General Code does not charge administrative fees; you will only pay for products and services you actually use.

## **Optional Components**

#### Estimated Price to Implement Gender-Neutral Language in Code

184

A General Code Editor will assess your goals and work with you to develop a strategy to make your Code language gender neutral and more inclusive. Typical solutions include direct pronoun replacement. Solutions that are more complex, such as an analysis of gendered terms in your

Code or the re-writing of Code text to eliminate the use of pronouns, may be deemed outside of the scope of this project. An estimate for any additional charges will be provided upon request.

Please note: Code books in addition to the 5 Code books included in the Codification Project Price may be ordered through the publication date of your Code. Pricing is available upon request.

## **Ongoing Services**

## Premium eCode360 Annual Maintenance

\$1,195

The maintenance fee is an annual recurring flat fee that begins one year from the initial posting of eCode360. Therefore, we recommend that the Town budget for this service each year. The fee covers annual licensing, web hosting, posting of new legislation between regular Code supplements and the PubDocs Module. Please note that this does not include the cost for codifying new legislation.

# Performance and Payment Schedule

Deliverable	Delivery Date	Payment Milestone
Contract Signing	Within 30 days of contract signing	10% of total project price due
Submission of the Organizational Analysis	Within 80 days of contract signing and receipt of the materials; the Town has 30 days for review	20% of total project price due
Submission of the Editorial and Legal Analysis with Manuscript	Within 180 days of receipt of the responses to the Organizational Analysis; the Town has 100 days for review	20% of total project price due
Submission of Preliminary Draft	Within 145 days of receipt of responses to the Editorial and Legal Analysis; the Town has 45 days to review	20% of total project price due
Submission of Final Draft	Within 60 days of receipt of responses to the Preliminary Draft; Town to adopt draft and submit to Attorney General for approval	20% of total project price due
Delivery of the Code	Within 40 days of approval to proceed with the publication of the Code	Balance of total project price due

Performance schedule reflects only business days excluding legal holidays.

## **Authorization and Agreement**

The Town of Buckland, Recodification, April 25, 2022

## **Codification Project Price**

\$9,495

## **Optional Components**

\_\_\_\_ Estimated Cost to Implement Gender-Neutral Language in Code

\$184

## **Total Investment**

Including all of the options selected above, the total project price will be:

\$ .....

The Town of Buckland, Massachusetts, hereby agrees to the procedures outlined above, and to General Code's Codification Terms and Conditions, which are available at http://www.generalcode.com/terms-and-conditions-documents.

## Town of Buckland, Franklin County, Massachusetts

Ву:	Witnessed by:
Title:	
Date:	
GENERAL CODE, LLC	·
Ву:	Witnessed by:
Title:	Title:
Date:	

This document serves both as a proposal and as an agreement. To accept this proposal and delegate authority to *General Code* to administer the codification project, complete the form above, including authorized signatures. A signed copy of this agreement will be mailed back to Buckland for its records.

Scan and email the completed form to contracts@generalcode.com. You may also fax the completed form to *General Code* at (585) 328-8189 or return it by mail to *General Code*, 781 Elmgrove Road, Rochester, NY 14624.

## **Appendix**

## The American Rescue Plan

On March 11, 2021, President Biden signed into law the American Rescue Plan Act of 2021. This \$1.9 trillion stimulus package is a huge opportunity for municipalities as the Plan includes \$360 billion in direct financial relief for state and local governments, including \$65 billion for America's cities, villages and towns, as well as \$65 billion for counties. While the new law outlines the allocation process and authorized use of funds, the U.S. Department of the Treasury is charged with issuing related regulations, guidance and allocation amounts.

The U.S. Department of Homeland Security (DHS) has determined code enforcement is essential to the U.S. response to the coronavirus pandemic. Federal funding available under the recently enacted American Rescue Plan can be used by governments to continue their essential operations and by addressing their digital (virtual) needs for remote work. According to the U.S. Treasury, this funding can be used for municipal and building code department hardware and software investments. The investments that establish digital (virtual) capabilities, including the deployment of technology that enables online access to codes, will help mitigate the challenges ahead for vital governmental services. When considering how to use available American Rescue Plan funds keep in mind:

- Federal funding to maintain operations and develop digital (virtual) capabilities is essential
- The lack of digital (virtual) capabilities risks the safety and efficacy of departments' work
- Code officials are essential to health and safety during the pandemic
- Inadequate operations and digital (virtual) capabilities slow construction essential to response and recovery

For more information regarding *General Code's* Coronavirus advocacy resources use the following links:

General information

https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds

https://home.treasury.gov/system/files/136/SLFRP-Quick-Reference-Guide-FINAL-508a.pdf

FAQ

https://home.treasury.gov/system/files/136/SLFRPFAQ.pdf

https://www.naco.org/resources/featured/naco-recovery-fund-fags

Allocations

https://www.naco.org/resources/featured/state-and-local-coronavirus-fiscal-recovery-funds#table https://www.nlc.org/resource/local-allocations-in-the-american-rescue-plan/

## Massachusetts Communities We Serve

For more than a half century, we have had the pleasure of forming long-term, collaborative working relationships with municipalities of all types and sizes across the country. Below are some of the 135 municipalities in Massachusetts that have trusted *General Code* to codify their laws:

City of Amesbury City of Beverly City of Chicopee City of Fall River City of Fitchburg City of Gardner City of Haverhill City of Lowell City of Marlborough City of Melrose City of Methuen City of North Adams City of Northampton City of Pittsfield City of Quincy City of Springfield City of Taunton City of Waltham Town of Abington Town of Adams Town of Agawam Town of Andover Town of Ashland Town of Athol Town of Aver Town of Barnstable Town of Barre Town of Belchertown Town of Bellingham Town of Belmont Town of Blackstone Town of Bolton Town of Boxford Town of Braintree Town of Brewster Town of Charlton

Town of Chatham Town of Chelmsford **Town of Cohasset** Town of Dalton Town of Dartmouth Town of Dedham Town of Deerfield Town of Dennis Town of Dover Town of Eastham Town of Easton Town of Edgartown Town of Fairhaven Town of Falmouth Town of Foxborough Town of Franklin Town of Georgetown Town of Great Barrington Town of Greenfield Town of Groton Town of Hadley Town of Harvard Town of Harwich Town of Hopedale Town of Ipswich Town of Lancaster Town of Lee Town of Lexington Town of Littleton Town of Lunenburg Town of Lynnfield Town of Mansfield Town of

Marblehead

Town of Marion Town of Marshfield Town of Medfield Town of Middleborough Town of Middleton Town of Millville Town of Milton Town of Nantucket Town of Newbury Town of North Andover Town of North Reading Town of Northbridge Town of Norwell Town of Orange Town of Orleans Town of Palmer Town of Pelham Town of Plainville Town of Plymouth Town of Plympton Town of Randolph Town of Rockland Town of Rutland Town of Salisbury Town of Sharon Town of South Hadley Town of Southborough Town of Southwick Town of Sterling Town of Stoughton

Town of Sunderland

Town of Templeton

Town of Topsfield Town of Townsend Town of Wakefield Town of Walpole Town of Wayland Town of Webster Town of Wellfleet Town of West Springfield Town of West Stockbridge Town of Westminster Town of Westwood Town of Weymouth Town of Whately Town of Williamstown Town of Yarmouth

## **Municipal Contacts**

The following municipalities have completed similar projects with *General Code*. Please feel free to contact anyone on the list.

City of Greenfield, Massachusetts
Kathy Scott, City Clerk
413-772-1555 x 6161
kathy.scott@greenfield-ma.gov
eCode360: https://ecode360.com/GR1899

Town of Lee, Massachusetts
Christopher Brittain, Town Clerk
413-243-5505
cbrittain@town.lee.ma.us
eCode360: https://ecode360.com/LE1695

Town of Williamstown, Massachusetts
Nicole Pedercini, Town Clerk
413-458-3500 ext. 101
npedercini@williamstownma.gov
eCode360: https://ecode360.com/WI1660

## eCode360 Platform

Our eCode360 platform is designed specifically to house codified laws and municipal information. eCode360's intuitive design, responsive navigation, and robust search functionality drive performance and user satisfaction.

## Simple for Everyone

eCode360 offers a user experience that's simple and intuitive. Our easy-to-use, uncluttered interface allows users to access, search and share Code sections with incredible speed and precision on desktop and mobile devices. It provides the power to communicate information to everyone in your municipality like never before.

## 24/7/365 Access and Security

General Code supports your community through technologies that transform your users' experience and empower your community to access, navigate and share your Code in exciting new ways. Our eCode360 platform was designed by our own in-house team of software engineers, experts who understand the importance and value of simplifying how you access and use your Code, generating an impressive 71,000 users a day while boasting an incredible uptime average of 99.9%. eCode360 is available 24/7, 365 days a year.

eCode360 is hosted on Amazon Web Services (AWS)'s EC2, which has an uptime guarantee of 99.99%. Our servers are backed up using IT industry best practices, taking advantage of multiple redundancies and regions within AWS. In addition to a robust disaster recovery plan, we have taken steps to avoid disaster by building eCode360 from the ground up to be secure and scalable. The system is designed and engineered to minimize the possibility of intrusion and uses multiple leading-edge technologies to harden and secure the service.

eCode360 is our proprietary platform, and does not require any Folio installation or licenses.

## **Maintenance and Updates**

eCode360 is maintenance- free for our users. General Code employs a team of software developers, web application developers and system administrators who maintain and update the platform to give you an intuitive and seamless experience with your Code. Our most recent enhancements can be found at <a href="https://www.generalcode.com/happyecode/">https://www.generalcode.com/happyecode/</a>.

## Free Introductory eCode Webinar for Municipal Staff

Our introductory eCode webinar lets you work online with an experienced Training Specialist who can demonstrate eCode360's powerful tools and offer step-by-step guidance to help you use the Code. A great resource for municipal employees who want to help their constituents!

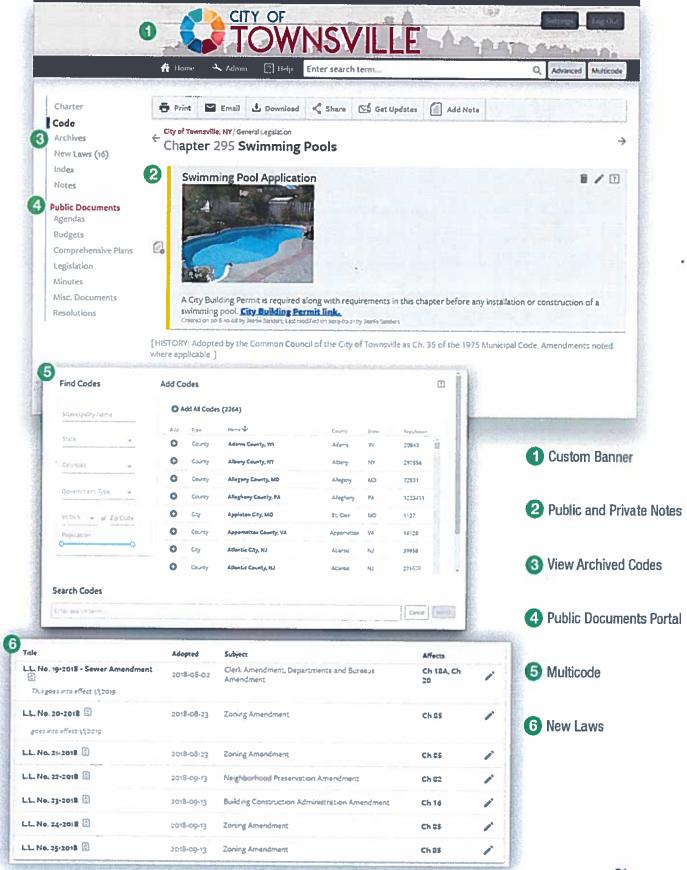
## "Multi-purpose" your Code Content—and better serve your community.

Give departments and individuals within your municipality the ability to view and use the specific Code information they need—when they need it. With eCode360 Content Export, we export your Code's content to an Excel or CSV file. From there, the file can be imported into systems other departments are already using where information from your Code can be quickly viewed and used. This saves others—especially staff who serve the public in the field—the time and effort of searching the entire Code manually to find the particular section they need. For more information about our Content Export services, please contact us at <a href="mailto:sales@generalcode.com">sales@generalcode.com</a>.

## Premium eCode360 Service Levels

The state of the s	Between regular Code supplements, General Code will temporarily post
New Laws	PDF copies of new legislation to your online Code
<b>Custom Settings for</b>	Control the look of your eCode360 by selecting custom colors and
Admin Users	accents, and uploading a custom banner or photo
Easy and Flexible Searching	Search by key words, phrases, section numbers and more
Electronic Index	A comprehensive list of key words and phrases to speed searching
Dynamic Table of Contents	Users can find the information they need and see their current location with a table of contents that moves as users browse
Email or Share Links	Email a link to a specific Code section or share via social media
Printing	Print with user-friendly functionality and a variety of user options
Bookmarking Searches	Save "favorites" to quickly return to sections of the Code
Archive View	View a permanent archive of your Code, updated with each supplement
"Sticky" Table Headers	Table headers remain stationary as you scroll
Translate	Users can view your Code in more than 100 additional languages
eCode360 Search App	Use your mobile device to search your Code
Linked New Laws	As new legislation is posted, we will add links from the New Laws section of eCode360 to the affected Code chapters or articles
Public and Private Notes	Create personalized links and annotations within the Code
Multicode Search	Search across multiple Codes by municipality, geographic region, government type or population to find sample legislation or other Code content for zoning use, legal cases or historical research
Download to Word	Administrative users can download Code text to a Microsoft Word document to edit and track changes when drafting new legislation
Download to PDF	Public users can directly download Code text to a PDF document
New Laws Indicator	Code Change Indicators help users identify sections of your Code that have been changed and provide links to the new legislation
Advanced Search	Search across the Code, Public Documents, New Laws and Notes using an intuitive query tool and filtering system to quickly pinpoint the most relevant information
Customizable Titles	Administrative users can add customized titles and comments to your legislation in New Laws
eAlert	Public users can sign up to receive notifications of changes in the Code
PubDocs Module	Post non-Code documents along with your online Code

## Sample eCode360 Screens



## TOWN OF BUCKLAND MASSACHUSETTS



May 17, 2022

Kimberly Noake MacPhee, P.G., CFM Land Use & Natural Resources Program Manager Franklin Regional Council of Governments 12 Olive Street Greenfield, MA 01301

Re: Franklin Regional Council of Governments'

Application to Long Island Sound Futures Fund

Dear Ms. MacPhee:

The Town of Buckland is pleased to support the Franklin Regional Council of Governments' proposal for a project to address regulatory barriers that prevent the implementation of innovative projects that use nature-based solutions (NBS) to prevent and reduce sedimentation and nitrogen loading from the Massachusetts portion of the Connecticut River Watershed.

The goal of this project is to engage state and Federal permitting agencies in the development of design typicals for Massachusetts projects that use a NBS approach grounded in river science (fluvial geomorphology or FGM). These projects restore and protect water quality and fluvial geomorphic functions, protect healthy waters and provide habitat and flood resiliency co-benefits. Examples of these projects include floodplain reconnection, bank stabilization, riparian buffer plantings, and in-stream structures such as large woody debris, boulder deflectors and v-shaped weirs.

FRCOG's project to convene a Blue Ribbon Panel and develop design typicals for NBS projects could create a more cost-effective and clear permitting process and help towns like Buckland and others in the Massachusetts portion of the CT River Watershed build projects.

The Town of Buckland received a \$100,000 grant from the Massachusetts Municipal Vulnerability Preparedness grant program for our project to develop a Watershed-Based Plan for Clesson Brook HUC-12 Watershed. The FRCOG also secured \$38,500 in 604b grant funds for this project. Buckland's MVP project includes three elements of an eligible LISFF Planning Project for the upper basin, including:

- Community Engagement, Planning and Project Prioritization;
- Feasibility, Suitability or Alternatives Analysis; and
- Site Assessment and Conceptual Designs for 4 reaches

FRCOG can use the work completed during FY23 for Buckland's MVP state grant as match for their LISFF project application. The value of this eligible state match is anticipated to be \$30,000, assuming a match eligibility start date of October 1, 2022.

Thank you,

Barry Del Casthilo Chair, Select Board Submitted by the Franklin Regional Council of Governments
Kimberly Noake MacPhee, P.G., CFM, Land Use & Natural Resources Program Manager

### Long Island Sound Futures Fund 2022 Idea Feedback Form

What is the problem to be addressed by the project and its relevance to restoration of the health and living resources of Long Island Sound? This planning project would address regulatory barriers preventing the implementation of innovative projects that use nature-based solutions (NBS) to prevent and reduce sedimentation and nitrogen loading from the Massachusetts portion of the CT River Watershed.

What is the solution to be pursued by the project? The goal of this project is to engage state and Federal permitting agencies in the development of design typicals for Massachusetts projects that use a NBS approach grounded in river science (fluvial geomorphology or FGM). These projects restore and protect water quality and fluvial geomorphic functions, protect healthy waters and provide habitat and flood resiliency co-benefits. Examples of these projects include floodplain reconnection, bank stabilization, riparian buffer plantings, and in-stream structures such as large woody debris, boulder deflectors and v-shaped weirs. For several decades, these techniques have been successfully implemented in Vermont and New Hampshire. Over 40 NBS/FGM projects have been identified in Massachusetts HUC-12 watersheds, Approximately 10 have conceptual designs and cost estimates. To date, only 2 have been implemented. Projects to be completed in 2023 for the Clesson Brook and Sawmill River HUC-12 watersheds will identify even more implementation NBS/FGM projects. The primary barrier to project implementation is the state permitting required for these projects. A landscape-scale project for the South River that included riparian buffer planting, large woody debris, bank stabilization and reconnecting the South River to an abandoned oxbow channel was deemed to be "unpermittable" by the MA Municipal Vulnerability Preparedness grant program. These FGM/NBS techniques are not widely used in Massachusetts because state permitting requirements for laws that protect Coldwater Fisheries Resources (CFRs), endangered and threatened species, wetlands and Riverfront Areas drive up project implementation costs or don't have a clear and affirmative permitting pathway for projects.

**Major activities will include:** 1) identify project implementation barriers in state regulations and knowledge gaps/concerns of MA permitting agencies and the USACE through a regular series of meetings with agency staff (convene a Blue Ribbon Panel?). 2) discuss projects and conceptual designs previously identified in the Deerfield Basin and select 3-5 pilot projects for feasibility, suitability or alternatives analysis and develop a suite of design typicals for projects that use FGM/NBS techniques. 3) working with permitting agencies, select one pilot project with multiple FGM/NBS techniques for Final Design and cost estimates for permitting and construction.

Where is the project located? Connecticut River Basin, Massachusetts. Four HUC-12 tributary watersheds – South River, North River, Clesson Brook, Sawmill River.

What is the approximate size of the grant to be requested? \$400,000 - \$500,000

**Who will be the applicant?** Franklin Regional Council of Governments. Contact information to receive feedback: Kimberly Noake MacPhee, P.G., CFM, Land Use & Natural Resources Program Manager. kmacphee@frcog.org or 413.774.3167 x130

#### **Comments:**

Project is a bit outside of the traditional LIS Futures Fund submission but you have identified a
major barrier to forward movement on implementation describing challenges and opportunities.
These points belong in the problem and solution section of the proposal narrative. Discuss the
potential water quality benefits of project deployment in terms of selected waterways relationship

Submitted by the Franklin Regional Council of Governments
Kimberly Noake MacPhee, P.G., CFM, Land Use & Natural Resources Program Manager

- to downstream LIS and the need and opportunity for prevention of N loading. A description and map showing tribs and rivers that feed waterways that flow downstream to LIS?
- The methods from convening to final design and permit submission make sense. Identify all permitting requirements, associated agencies and examples of challenges experienced during recent permitting (maybe in a chart?).
- If you have specific people or agencies who have already agreed to participate it would be good to get some letters of "yes we will consult and advise" to be uploaded into a proposal. That is, "agency would be willing to consult and provide feedback to inform a potential strategy to inform the review and permitting of conservation projects." They are not agreeing with your strategy just saying they will participate in ongoing discussions to inform the development of pathway(s). Sharing expertise, perspective, experience.
- You might also get some letters from entities that are ready to do these projects stating the value to them of this effort. Short and simple from a few organizations.
- Basin and select 3-5 pilot projects for feasibility, suitability or alternatives analysis and develop a suite of design typicals for projects that use FGM/NBS techniques. It sounds like you have projects teed up that have not been able to move through the process. Is the feasibility, suitability or alternatives analysis stage necessary? Can you work off some exiting conceptual designs for projects already identified and use them to do design typicals? If not then in the methods section of the proposal you are going to have to state the specific types of project activities which would be the focus of your efforts. Our reviewers are going to want to know that while the details are not in place about specific projects they are still able to understand the suite of project types (e.g, riparian etc.) to be considered.
- Each project must discuss and reference no more than 2 relevant Implementation Actions (IAs) from the Comprehensive Conservation and Management Plan (CCMP) for LIS. See: <a href="https://longislandsoundstudy.net/wp-content/uploads/2021/01/LISSCCMP-Update-2020-2024.pdf">https://longislandsoundstudy.net/wp-content/uploads/2021/01/LISSCCMP-Update-2020-2024.pdf</a>
  Based on the description theses IAs may be relevant to components of the project (s).
  - See Under Clean Waters and Healthy Watersheds.... https://longislandsoundstudy.net/wp-content/uploads/2021/02/1-WW-CCMP-Technical-Supplemental-Document\_2020-2024\_Final\_NewLogo.pdf
  - Refer to this in your proposal: Implementation Action: WW-1 Evaluate how drivers of pollutant loads and management responses will affect current and future pollutant loads from point and nonpoint sources. Theme: Clean Waters and Healthy Watersheds Goal: Improve water quality by reducing contaminant and nutrient loads from the land and the waters impacting Long Island Sound. Outcome: 1-1: Contaminant and nutrient loads from land-based sources in the watershed of Long Island Sound are reduced. Objective: 1-1a: To reduce contaminant and nutrient loads from point and nonpoint sources. Strategy: 1-1a6: Implement low-impact development and green infrastructure for new and existing development, and mitigate pollution from commercial and industrial sources.

## **WILLIAM GREEN**

April 26,2022

To the Select Board:

I am submitting this Curb Cut Permit application as a preliminary review. I thought it would make sense to try and work this curb cut into the current work that is happening on the Conway Road from State Street to the town line at Conway. I would most likely hire Ed Young to do this work for me and we would follow the guidelines for width, radius and grade as well as include a culvert for drainage specified by the highway department. There is a current existing entrance very close to the rail road crossing and partially over the rail road land that was used for logging and access to a pasture (barb wire around the field). At this point, I just sketched the general area I would like to move the entrance to the south and away from the rail road tracks and land. Hope to get this conversation going so we can get the curb cut in the works this summer or fall and integrate it the improvements currently happening along the road.

Thanks, Bill Green 508-364-8044

# TOWN OF BUCKLAND APPLICATION FOR CURB CUT PERMIT

<u>PURPOSE</u>: To provide better protection of public safety through the orderly control of traffic entering and exiting a public way and to provide the necessary grade and drainage to protect the public way from damage.

# **APPLICATION INFORMATION:**

Applicant: William Green
Applicant Address: PO. Box 444, Shelbine Falls, MA 01370
Applicant Telephone Number: 508-364-8044
Contractor (if any):
Contractor Address:
Contractor Telephone Number:
Road on Which Curb Cut to be Made: Longuey Road
Description of Work: I Dun 5 acres + just over
In sail road tracks as you head ot of
tun Ram Shelbrine Falis to Connay
on the connay 120ad. There is an old
"nowls coul" already in place. I would like
he shift he cut to me so-the along
My Fortage to make it Facher From My
Jail coul tracks. Good to do wa with the von
Anticipated Start Date:
Anticipated Completion Date: Sunne 2022 or Fall
Anticipated Completion Date: Sunne 2022 or Fall  depud-7 on M large road Pla
cultury under way.

#### You MUST:

- 1) Submit a plan for any driveway that is to be created, altered, or closed, and the relationship to the access public way. Construction details are described under Section 5, Design Standards below. Attach a drawing/plan of the proposed curb cub or driveway and any necessary construction details. The curb cut and/or driveway must be designed in accordance with the provisions attached to this application. Any other information deemed necessary or applicable in the judgment of the Building Inspector or Highway Superintendent.
- 2) Receive written approval BEFORE BEGINNING ANY WORK. Any person who effectively creates or causes to be created, a curb cut without such authorization, may be subject to a fine or \$100.00 per day following certified notice, and is liable for damages and cost of repair, and must restore the area to its' original condition. Approval or denial must be rendered within forty (40) days of the submission/ acceptance date of the request. Incomplete applications do not initiate this deadline.

#### **REVIEW OF APPLICATION:**

Application must be submitted to: Board of Selectmen, Town of Buckland, 17 State Street, Shelburne Falls, Massachusetts 01370

Please submit one original and three copies of this application.

Must be signed at time of application.

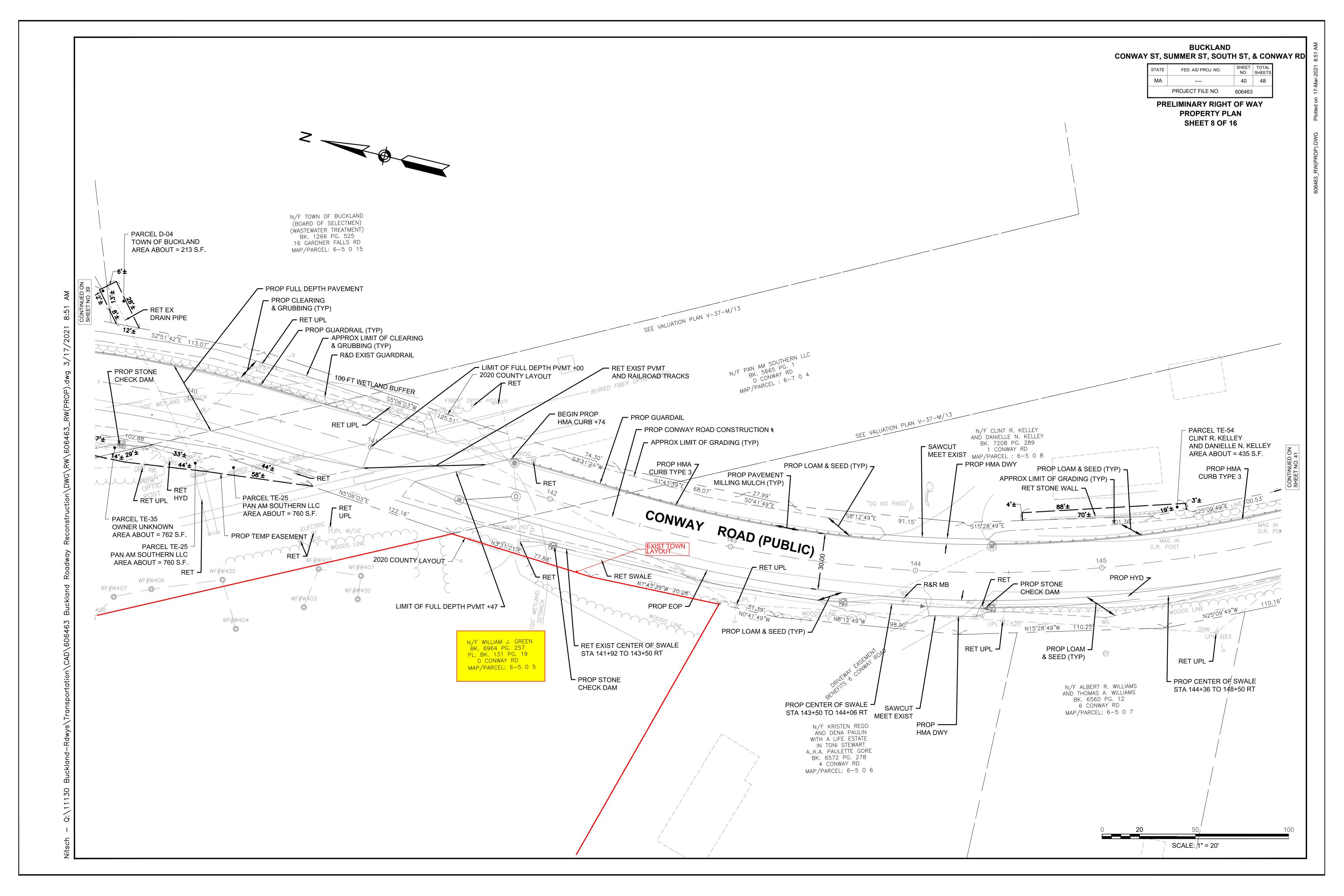
I have read the attached Curb Cut Policy and agree to abide by them when implementing and maintaining the above referenced project. I understand that the

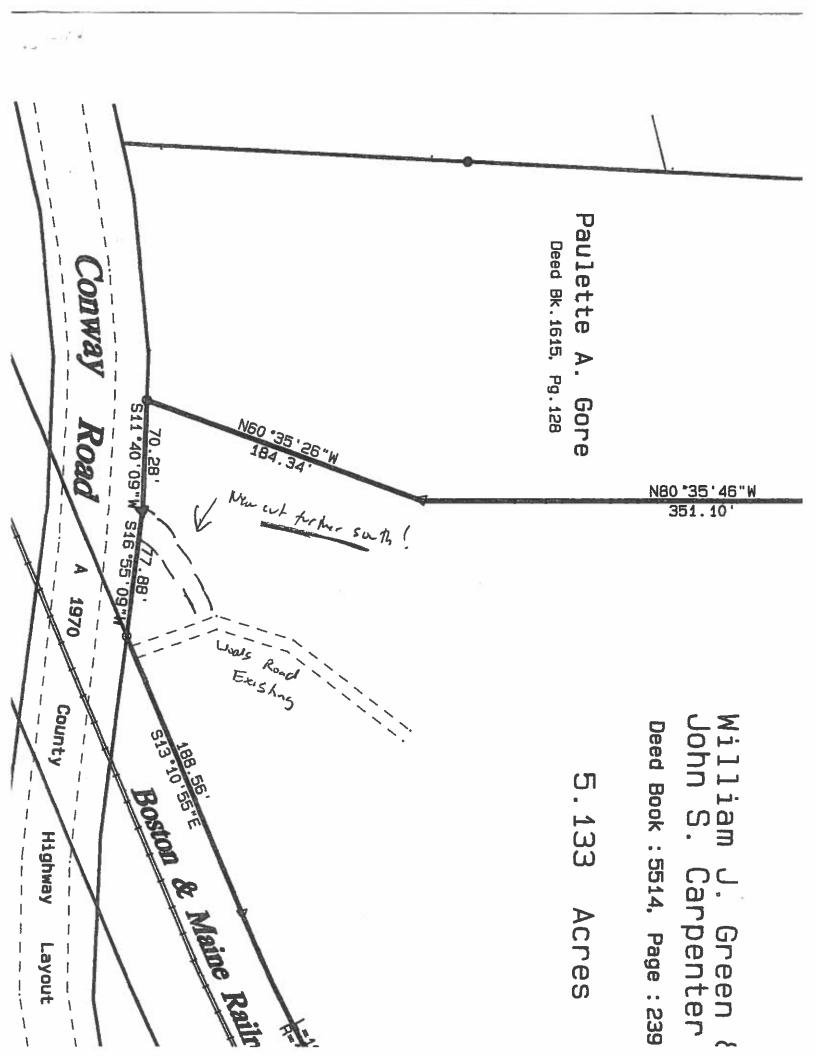
driveway shall be designed and must receive approval from the Board of Selectmen before a building permit for a newly constructed building is approved and the driveway construction shall be completed before any occupancy or use of the premises is permitted.  Applicant's Signature:
Date: 4-26-2022
Dutc
The Board of Selectmen must notify the Applicant making the application within twenty-one (21) days, in writing, indicating whether the application is approved or not. The Highway Superintendent shall consult with the Police Chief and the Fire Chief and other interested Town Officials to obtain their comments on the curb cut.
Reviewed by:
Highway Superintendent:
Fire Chief:
Police Chief:

	OFFICE I	JSE ONLY
RESIDENTIAL FE COMMERCIAL AI INDUSTRIAL FEE	ND	
APPLICATION RE	ECEIPT DATE	INITIALS
	DECISION O	APPLICATION
Permit is gran	nted as it conforms to Tow	n of Buckland standards.
Permit is gra	anted with the following mo	odifications, standards, and restrictions:
_		.0
Permit is grather the Policy. I		e design standards set forth in Section 5 of
:		
Permit is de	nied for the following Rea	sons:

Conditions attached to this permit must be followed. It will be the responsibility of the Applicant to notify all utility companies involved (Dig Safe number in Massachusetts is: 1-888-344-7233).

Said permit for the above shall be under direct inspection of the Highway Superintendent, and he will inspect the project during and after construction. He shall have the authority to halt construction and/or prohibit access to said driveway if construction is not in accordance with the approved plan until objectionable conditions are corrected.





# Town of Buckland Parade Or Street Use Permit

Date of Event: MAY 30, 2022	
Name of applicant or organization: $\sqrt{Fh}$	J Post 8503
Profit Non-Profit V	Memorial Day
Description of activity and purpose of reques  START AT MCCUSLERS A  TRUN BRIDGE TO MAIN ST, I	t: (including date, time location, etc.)  + 1000 M. 90 ACROSS  DESTROY HOPE ST. CONTINUE
(This permit must be completed in full and re	
application fee to the Town of Buckland, no left for the activity.)  Paid: Check # 1/2	
BAY God FROY	A - 5
Print Name	Telephone Number
Raymone Soffway Signature	Bill Police Services To:
10 WATER ST Shelbornstall	
Address	
Date received by Town	<u> </u>
Police Department Approved	Disapproved
Recommendation of Police Department: Traf	fic &/or crowd control assessment:
Estimated cost to the Town:	
Board of Selectmen: Approved	
Chair, Board of Selectmen	45

## TOWN OF BUCKLAND

MASSACHUSETTS

## **APPLICATION FOR USE OF TOWN HALL**

NAME OF ORGANIZATION: Weaving feelige.
RESPONSIBLE PERSON: Carmela lavra haphone number: 503 750 1439
ADDRESS: 31 School St. S7.
PURPOSE OF USE: Rehears al for Plany
DAY(S) and DATE (S) REQUESTED: May 21 + 22, Jule 5, 25 + 26
TIMES REQUESTED: 10 am TO 6pm ESTIMATED ATTENDANCE: 12
ADMISSION FEE TO BE CHARGED?: (yes/no)
DO YOU PLAN TO SERVE FOOD?: (yes/no) (Note additional fees apply-see below)
POLICE CHIEF NOTIFICATION Date:

#### **RENTAL FEE SCHEDULE:**

	Hall	Seasonal	Serving	TOTAL
	Fee	Charge*	Food	
Buckland Indiv/Group No Admiss. Fee	\$30	\$15	Y/N If yes + 1hr Cust.	\$150
Buckland Indiv/Group w/ Admis. Fee or Tuition	\$60*	\$25	Y/N If yes + 1hr Cust.	Fig. 442 -481
Other Entities	\$175	\$35	Y/N If yes + 1 hr Cust.	

<sup>\*</sup>Use during heating season October 1 – April 1

TOTAL FEE:	150	

A group is defined as a Buckland Group if the applicant is a Buckland resident *and* the event is primarily focused on attracting residents of Buckland. Town Departments may use the Town Hall upon reservation for no fee.

4-15-2008

2. Provide a CERTIFICATE OF INSURANCE COVERAGE which serves as proof th	ıat
the applicant carries adequate insurance and that names the Town of Buckland as an	
Additional Insured. (This is mandatory for approval to serve alcoholic beverages.)	

**OR** upon request of the Select Board

<ol><li>Request SPECIA provider.</li></ol>	AL EVENTS C	OVERAGE thro	ugh the Town of Buc	kland's insurance
Approval Granted/Denied	Date	Sele	ect Board Signature	

PLEASE NOTE: Your approval for use is not complete until such time as you meet the insurance obligations as agreed upon with the Select Board.

In accordance with Federal Law this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability and familial status.

4-15-2008

#### Buckland Select Board Meeting Minutes April 26, 2022 5:30 p.m. Buckland Town Hall

#### **Listing of Topics**

#### **Appointments**

n/a

#### **Agenda Items**

- > 2022 Annual Town Meeting Warrant Motion Review & Positions
- > Community Fridge, revised proposal
- > Library Director, recommendation of Buckland Public Library Board of Trustees
- > May meeting schedule

#### **Documents to Sign**

**Contract Documents** 

> n/a

#### Permits & Licenses

- > Town Property Town Hall Use Permit, Mary Lyon
- > Common Victualler's License, Buckland Pizza

#### Minutes

- > March 22, 2022 including Executive Session minutes
- > April 12, 2022

#### Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting

**Select Board Member Concerns** 

**Town Administrator's Report** 

**Public Comment** 

**Volunteer Recognition** 

**Announcements & Upcoming Meetings** 

#### Attendees

Barry Del Castilho - Select Board Chair Clint Phillips - Select Board Vice-Chair Heather Butler - Town Administrator Dana McNay - Falls Cable Mary Bolduc - Boards' Clerk
Larry Wells - Candidate for Select Board
Jorie MacLeod - Buckland Library Trustee
Sara Salem - Library Board of Trustees Recommendation for Library Director
Marilyn Kelsey - Resident

#### **Meeting**

The meeting was opened at 5:30 p.m. by Barry Del Castilho, Chair.

#### **Appointments**

n/a

#### Agenda Items

<u>2022 Annual Town Meeting Warrant - Motion Review & Positions - Mr. Del Castilho</u> asked if there were any questions or objections regarding any warrant articles/positions/ motions. Mr. Phillips responded he had none. Board members and Ms. Butler reviewed the warrant articles, corresponding positions and motions. Mr. Del Castilho reviewed the warrant assignments for the Select Board members. Following all discussion, Mr. Del Castilho moved to approve positions and motions for the Annual Town Meeting Warrant, seconded by Mr. Phillips. Vote in favor of the motion was unanimous.

Community Fridge, revised proposal - A proposal submitted by Emily Gopen for a community fridge to replace the former community pantry was reviewed and discussed by the Board. The new structure would be located in the alley between Town Hall and Buckland Pizza, but set further back than the original pantry. It will use Town of Buckland electricity and will also require some electrical work/upgrade prior to its installation. Board members and Ms. Butler expressed their concerns about cost and location; discussed logistics, the possibility of solar to subsidize energy usage, and emphasized a desire for the project to succeed. No vote was taken. An electrician needs to be consulted for feasibility and price quote, and Board members want to further evaluate the site.

<u>Library Director, recommendation of Buckland Public Library Board of Trustees</u> - Jorie MacLeod of the Buckland Library Trustees, introduced Sara Salem as their recommendation for the position of Library Director. Ms. MacLeod gave a brief overview of Ms. Salem's background and qualifications and expressed the Board of Trustee's confidence in her. Mr. Del Castilho moved to accept the recommendation of the Library Board of Trustees to hire Sara Salem as Library Director of the Buckland Public Library. He further moved to allow the Town Administrator to sign a letter of hire. Mr. Philips seconded the motion and vote in favor of the motion was unanimous.

<u>May meeting schedule - Mr. Del Castilho addressed the May meeting schedule stating that he regretfully had conflicts.</u> He proposed meeting on May 17th and 31st instead of the 10th and 24th. That change was agreeable to Mr. Phillips and Ms. Butler.

#### **Documents to Sign**

#### Contract Documents - n/a

#### Permits & Licenses

<u>Town Property - Town Hall Use Permit, Mary Lyon</u> - Mr. Del Castilho recused himself citing his wife being on the Mary Lyon board of Trustees. Mr. Philips moved and seconded to approve the use permit, and voted in favor of the motion.

<u>Common Victualler's License, Buckland Pizza - Mr. Phillips moved to approve/grant the license, seconded by Mr. Del Castilho.</u> Vote in favor of the motion was unanimous.

#### Minutes

<u>March 22, 2022 including Executive Session minutes -</u> Mr. Philips moved to approve the March 22 and April 12, 2022 open session minutes, and approve and release March 22, 2022 executive session minutes. Mr. Del Castilho seconded, and vote in favor of the motion was unanimous

April 12, 2022 - See above. One motion was made and vote taken for all minutes.

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting - Ms. Butler presented a request the town received for accepting a deed for a1.675 acre parcel of property in lieu of taxes owed (\$3212.57 due the Town of Buckland and \$153.49 to the Buckland Fire District). Board discussion followed; Mr. Phillips asked Ms. Butler to investigate further.

**Select Board Member Concerns -** There were no Select Board Member Concerns expressed.

**Town Administrator's Report -** Ms. Butler reported that the fiscal year will be wrapping up; \$96K sewer project will be in process; regarding CDBG for Depot Street, the bid is open and there is much interest; final layer of pavement on Ashfield Street is scheduled for May 11; and the final layer on Nilman Road will be done the week of April 25 (week of this meeting).

**Public Comment -** Marilyn Kelsey asked for clarification on changes in the Mohawk Trail Regional School District Agreement language. She also sought clarification regarding the senior district document and inquired about the process for making a change in that document at town meeting when towns are meeting simultaneously and the document must be approved unanimously and verbatim. Ms. Butler responded on all.

**Volunteer Recognition -** There was no volunteer recognition cited at this meeting.

**Announcements & Upcoming Meetings** - Reminders were given for the Town Election, May 3, 2022, 10 a.m. - 8 p.m. and the Annual Town Meeting on Saturday, May 7 at Mohawk Trail Regional School. Hopefully Town Meeting will be able to be held in the auditorium. With no further business or announcements, Mr. Phillips moved to

adjourn, seconded by Mr. Del Castilho. Vote in favor of the motion was unanimous. Meeting adjourned at 6:19 p.m.
Respectfully Submitted by Mary Bolduc, Boards' Clerk, May 17, 2022
Signed:
Barry Del Castilho

Clint Phillips\_\_\_\_\_



# Vision for the future of 50 Conway Street

Using feedback from a community meeting held in March and responses to a public survey, three conceptual redevelopment scenarios have been created for the former Buckland Highway Garage site.

Join us to view a presentation of these designs and learn about next steps.

# Wednesday, May 25, 2022 at 6:30 pm over Zoom

For details, check out Town News on the Buckland website at <a href="https://www.town.buckland.ma.us">www.town.buckland.ma.us</a>.

# Project partners:







KUHN·RIDDLE ARCHITECTS 28 AMITY ST. · SUITE 2B AMHERS T MASSACHUSETTS 01002 4 1 3 · 2 5 9 · 1 6 3 0