

**Buckland Select Board  
Meeting Minutes  
July 27, 2021 5:30 p.m.  
Buckland Town Hall**

**Agenda**

**Appointments**

- >Board of Health - COVID Update.
- >Shelburne Falls Fire House Studios, Jason Heilman - William Street Property.

**Agenda Items**

- >Special Election Warrant.
- >FY22 Appointments Continued - Other Select Board positions and liaisons.
- >Dog Bylaw - Public Property.
- >Town Administrator and Select Board - Goal Setting.

**Documents to Sign**

- >Contract Amendment, Weston and Sampson, Charlemont Road.
- >Minutes for July 13, 2021.

**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:** Reminder, Special Election on Tuesday, August 31, 2021

**Executive Session - MGL Ch 30A S 21 exemption 3.**

**Attendees**

Zachary Turner - Select Board Chair  
Barry Del Castilho - Select Board Member  
Clinton Phillips - Select Board Member  
Heather Butler - Buckland Town Administrator  
Karen Blom - Buckland Town Clerk  
Mary Bolduc - Boards' Clerk  
Dana McNay - Falls Cable  
Jason Heilman - Applicant, William Street Property Appointment  
Jennifer Heilman - William Street Property Appointment

## Meeting

Mr. Turner, Chair, opened the meeting at 5:32 p.m.

### Appointments

Board of Health COVID Update - Marti Taft Ferguson, Buckland Board of Health Chair, submitted a letter conveying the current status/statistics of COVID in Buckland and Franklin County. Ms. Ferguson was not present at the meeting. Mr. Turner recapped the letter's contents emphasizing the county's high vaccination rate and low number of COVID cases.

Shelburne Falls Fire House Studios, Jason Heilman, William Street Property - Mr. Heilman and his wife, Jennifer, were present. Mr. Heilman had submitted in writing his intentions for purchasing a section of 5 William Street, located between 9 William Street and Town Hall, accompanied by diagrams to illustrate the plans. He called attention to the benefits to the town for this transaction citing the creation of 2 parking spaces, maintaining the lot to be aesthetically pleasing, and adding tax revenue. Board discussion followed covering project details; Ms. Butler stated that Mr. Heilman's plans far exceed the town's capability to improve and maintain the lot. Mr. Phillips moved to go forward with the property transfer, seconded by Mr. Del Castilho. Vote in favor of the motion was unanimous. Pertinent documents are available on the town website as an attachment to this meeting.

### Agenda Items

Special Election Warrant - Following a brief discussion on voting by other district towns relative to the Mohawk expenses which are the subject of the Special Election, Mr. Del Castilho moved to approve/sign the warrant, seconded by Mr. Phillips. Vote in favor of motion was unanimous.

Karen Blom, Buckland Town Clerk, requested approval for early in-person voting prior to the August 31 Special Election. In person early voting will be available on August 24, 25, and 26, 9:00 a.m. to 3:00 p.m. and August 27, 9:00 a.m. to 12:00 noon. Ms. Blom was present to explain that the opportunity for early voting would hopefully encourage greater voter participation. Mr. Del Castilho moved to approve the requested early voting, seconded by Mr. Phillips. Vote in favor of the motion was unanimous.

FY22 Appointments Continued; Other Select Board positions and liaisons - Board members reviewed the Select Board positions and liaisons, discussed the responsibilities of each with input from Ms. Butler, and divided the positions/liaisons amongst themselves. A list of the positions/liaisons discussed is available on the town website as an attachment to this agenda.

Dog Bylaw - Public Property - Mr. Turner summarized a letter submitted by Leah Phillips, President of Buckland Shelburne Youth Baseball which called attention to the health and safety concerns that dog waste on athletic fields poses for the participation and enjoyment of youth baseball teams. Board discussion followed including the

recently approved Animal Control Bylaw, input at public hearings related to that bylaw, enforcement suggestions for the athletic fields especially during baseball season, and the possibility of a dog park. Mr. Del Castilho stated that the Animal Control Bylaw does not prohibit dogs from the Buckland Recreation Area or Cricket Field and questioned if, therefore, it can be enforced. Mr. Turner proposed using a section of Cricket Field which is currently fenced as a designated dog park and is going to continue investigating that option. Documents relative to this agenda item are available on the town website as an attachment to this meeting. Mr. Phillips had stated at the onset of the discussion that if a vote was taken regarding this issue, he would recuse himself because Leah Phillips (author of letter) is his wife and he also is a member of Buckland Shelburne Youth Baseball .

Town Administrator and Select Board - Goal Setting - Following a Board discussion, it was decided to address this agenda item at the next meeting to allow everyone to “digest” the contents of the goals list. Ms. Butler asked Board members to please advise her of their goal priorities so she can prepare a document. Ms. Butler explained her vision for a proposed maintenance position, the duties of which would include lawn mowing, snow blowing/clean up, and miscellaneous odd jobs around Town Hall; this person would report to Ms. Butler. If approved, the position would not only include the cost of wages, but also the purchase of equipment necessary to perform duties stated in the job description. Ms. Butler said she would fine tune the job description if supported by the Select Board. Mr. Phillips moved to support creation of the position, seconded by Mr. Del Castilho. Vote in favor of motion was unanimous.

### **Documents to Sign**

Contract Amendment, Weston and Sampson, Charlemont Road - Ms. Butler explained the \$21,600. amendment, current status of the project’s budget and future grant possibilities. Also, a reverse 911 call was made to advise residents of the construction and its effects on traffic flow. Mr. Del Castilho moved to sign the amendment, seconded by Mr Phillips. Vote in favor of the motion was unanimous. Contract amendment is available on town website as an attachment to this agenda.

Minutes for July 13, 2021 - Mr. Del Castilho moved to approve/sign July 13, 2021 Select Board minutes, seconded by Mr. Phillips. Vote to approve/sign was unanimous.

**Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting** - Ms. Butler stated that a pre-cast permanent bridge can now be made available for the Nilman Road project vs previous plans for a temporary bridge. She gave an overview of the bidding, proposed schedule for bridge closing and re-opening, and availability of funds. Mr Del Castilho moved for the Chair to sign the project changes, seconded by Mr. Phillips. Vote in favor was unanimous.

Ms. Butler addressed end of year deficits, how they occurred and are being covered. Mr. Phillips moved to approve the coverage of the end of year deficits, seconded by Mr. Del Castilho. Vote in favor was unanimous.

Abiding by the railroad's timeline, Board must vote a notice to proceed (Ashfield Street project). Mr. Del Castilho so moved, seconded by Mr. Phillips. Vote in favor of motion was unanimous.

**Select Board Member Concerns** - Mr. Del Castilho expressed concern over the Board's conversation with the Water Commission at the July 13, 2021 meeting regarding water infrastructure expenses for the Conway Street project. He asked Mr. Turner if, indeed, the town would be responsible should the water district's contribution fall short of their projected amount. Mr. Turner replied that was not his intention or position. Ms. Butler reported that the Water Commission, at their last meeting, agreed to move forward; she has requested a copy of those minutes. She further stated that engineers are now re-examining project. Additionally, the upcoming tree hearing was addressed.

**Town Administrator's Report** - Ms. Butler had no formal report, but stated that the walkway on the north side of the Iron Bridge will be temporarily closed for emergency repairs.

**Public Comment** - There was no public comment.

**Volunteer Recognition** - Recognition was given for all persons involved in the work at Cricket Field to take down old bleachers in preparation for installing new ones, and other volunteer efforts for maintaining the field. Mr. Phillips updated the Board on the project.

**Announcements** - Reminder, Special Town Election on Tuesday, August 31, 2021. Notice of Special Election will also be on town website.

With no further business in open session, Mr. Del Castilho moved to go to Executive Session, MGL Ch 30A S 21 exemption 3, not to return to open session. Mr Phillips seconded the motion and vote in favor was unanimous. Open session adjourned at 7:22 p.m.

Respectfully Submitted by Mary Bolduc, Boards' Clerk, August 10, 2021

**Signed:**

Zachary Turner\_\_\_\_\_

Barry Del Castilho\_\_\_\_\_

Clinton Phillips\_\_\_\_\_