

**Buckland Select Board  
Meeting Minutes  
November 9, 2021 5:30 p.m.  
Buckland Town Hall**

**Listing of Topics**

**Appointments**

> 6 p.m. Shelburne Select Board & Shelburne Police Chief - Discussion of Shared Services

**Agenda Items**

- > Board response to public comment regarding past and further personnel matters.
- > Road Opening Permit - Shelburne Falls Water District, Ashfield Street.
- > Committees and Appointments:
  - > Creation of a lighting committee.
  - > Ass't. Town Clerk, Andree Duval.
  - > Openings - Board of Health and Field Driver.

**Documents to Sign**

- > MVP Grant Contracts , GZA & FRCOG
- > Conway TIP, Non-Participation Agreement
- > Upper Pioneer Valley Veterans Service District Agreement

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

**Select Board Member Concerns**

**Town Administrator's Report**

**Public Comment**

**Volunteer Recognition:** Buckland Planning Board

**Announcements:** Flower bulb planting on State Street 11/10

**Attendees**

Zachary Turner - Select Board Chair  
Barry Del Castilho - Select Board Member  
Clinton Phillips - Select Board Member  
Heather Butler - Buckland Town Administrator  
Mary Bolduc - Boards' Clerk  
Andrew Baker - Shelburne Select Board  
Greg Bardwell - Shelburne Police Chief  
Kurt Gilmore - Acting Police Chief, Buckland  
Dana McNay - Falls Cable

Janet Sinclair - Resident  
 Marilyn Kelsey - Resident  
 Tim Bohonowicz - Resident  
 Paul Bernier - Resident  
 Doug Smith - Resident

### **Meeting**

Mr. Turner opened the meeting at 5:30 p.m.

### **Appointments**

6 p.m. Shelburne Select Board & Shelburne Police Chief - Discussion of Shared Services. - A letter sent by Mr. Turner to the Shelburne Select Board and the response from Shelburne to Mr. Turner are available on the town website as an attachment to this meeting agenda.

Chief Bardwell of Shelburne and Acting Chief Gilmore of Buckland led an informative discussion on the logistics of the police departments from both towns, including statistics of call numbers, number of full and part time officers, local coverage and that provided by the State Police Baracks. They gave detailed information on what police reform will mean to small towns in terms of personnel, shift coverage, training requirements and related expenses, emphasizing the strain on departments in terms of finances and manpower. Andrew Baker of the Shelburne Select Board and members of the Buckland Select Board participated in the discussion. Mr. Baker suggested that there be an outline of tonight's shared services discussion to take back to the Shelburne Select Board, and Mr. Del Castilho will continue to work with Shelburne in further researching, assessing and discussing shared services.

### **Agenda Items**

Board response to public comment regarding past and further personnel matters - Mr. Del Castilho recapped a prepared statement in which he addressed, to the extent he could without violating executive session and personnel privacy, current public concerns. He recognized public sentiment and the need to institute a personnel policy to prevent a recurrence of the same or similar issues. See attached.

Mr. Turner also submitted a proposed action plan for misconduct of any Town of Buckland employee. Mr. Turner and Mr. Del Castilho were very much in agreement in their approaches to this matter, and will continue to work out details and language. Mr Turner's document is available on the town website as an attachment to this agenda.

Mr. Phillips will not be at the November 23rd meeting and asked if this agenda item could be put on the December 14 agenda so he could participate in the discussion.

Road Opening Permit, Shelburne Falls Water District, Ashfield Street - This item was tabled until spring.

Committees and Appointments:

> Creation of a lighting committee - Ms. Butler recapped the background for creating a lighting committee whose charge it will be to examine light pollution and public safety. A Draft Lighting Committee Charge and an example of a lighting bylaw are available on the town website as attachments to this meeting. The committee would be an ad hoc committee to the Select Board and would answer to the Board. Following brief discussion, it was decided that the Select Board would take time to consider, and revisit at a future (perhaps next) meeting. Janet Sinclair stated that the goal was to generate more community discussion, not necessarily create a bylaw.

> Assistant Town Clerk, Andree Duval - Ms. Butler explained the ad which was published for the position, resulting in a number of excellent applicants. She recapped the review and screening process by the committee, and highlighted Ms. Duvall's background and skill set. Mr. Turner explained that there has been an assistant to the Town Clerk in the past. Mr. Del Castilho stated that he was a member of the interview committee and confirmed that Ms. Duvall is very qualified for the position. Mr. Castilho then moved to approve the appointment of Andree Duvall as Assistant Town Clerk, seconded by Mr. Phillips. Vote in favor of the motion was unanimous. The Certificate of Appointment/Election for Ms. Duvall is available on the town website as an attachment to this meeting.

> Openings, Board of Health and Field Driver - The Board received a letter of resignation from Martha Taft-Ferguson, Board of Health (BOH) Chair, effective November 1, 2021, thus creating an opening on that board. Ms. Butler stated that anyone interested in serving on the BOH must submit a letter of intent and she will forward all necessary documentation for that person to complete. Board will revisit this appointment in two weeks at the next Select Board meeting. Mr. Turner thanked Marti for her service on the Board of Health and to the town. Ms. Ferguson's letter of resignation is available on the town website as an attachment to this meeting.

In addition, Edward Grinnell, Field Driver, resigned from his position as Field Driver. Interested parties must submit a letter of intent to the Town Administrator to initiate application for the unexpired term. Ms. Butler cautioned that this can be a physically demanding position dealing with livestock. She reported that one application has been received. A copy of Mr. Grinnell's appointment letter (noting he did not accept) is available on the town website as an attachment to this meeting agenda.

**Documents to Sign**

MVP Grant Projects, GZA & FRCOG - Following a brief Board discussion, Mr. Phillips moved to approve the Chair to sign GZA MVP Contract, seconded by Mr. Del Castilho. Vote in favor of the motion was unanimous. Mr. Del Castilho moved for the Board members to sign/approve the FRCOG MVP contract, seconded by Mr. Phillips. Vote in

favor of the motion was unanimous. Both contracts are available on the town website as attachments to this agenda.

Conway TIP, Non-Participation Agreement - Ms. Butler stated that this final agreement is less than the pre-bid amount, and explained the terms of payment including reimbursement from the sewer and water districts. Mr. Phillips moved to approve/sign, seconded by Mr. Del Castilho. Following brief discussion during which Mr. Del Castilho expressed his concerns about the water district paying their portion, the vote in favor of the motion was unanimous. This agreement is available on the town website as an attachment to this meeting.

Upper Pioneer Valley Veterans's Service District Agreement - Following brief Board , discussion, Mr. Phillips moved for the Chair to sign, seconded by Mr. Del Castilho. Vote in favor of the motion was unanimous. Document is available on the town website as an attachment to this meeting.

**Items Not Reasonably Anticipated by Chair 48 Hours in advance of meeting** - The Nilman Road bridge was supposed to be installed this weekend (weekend of Saturday, November 13, 2021) but the pre-cast bridge is running late. The date has been moved to December 9, 2021 with Senator Hinds being committed to working with the town to ensure the timely completion of the project. Mr. Phillips moved to approve the schedule change, seconded by Mr. Del Castilho. Vote in favor of the motion was unanimous.

**Select Board Member Concerns** - No specific concerns were expressed.

**Town Administrator's Report** - Ms. Butler's report addressed:

> Moonlight Magic - Because it was too late to formally vote on approval of Moonlight Magic, Ms. Butler asked for the Board's consent to close the street as in the past. Also, a permit application for the use of Town Hall by the Friends of the Buckland Rec was submitted for the purpose of holding a vendor/crafts fair the night of Moonlight Magic. Organizers will work with COVID 19 Task Force to ensure a safe event. After a brief Board discussion about crowd concerns, and noting there are no COVID guidelines regarding crowd size, Mr. Del Castilho moved to approve the application, seconded by Mr. Phillips. Vote in favor of the motion to approve the Friends of the Buckland Rec permit application was unanimous. Application document is available on the town website as an attachment to this meeting.

> Nilman Road Culvert Replacement - This is addressed in *Items Not Reasonably Addressed by Chair 48 Hours in Advance of Meeting*. Date has been changed from the weekend of November 13 to that of December 9.

> Outside Porta-Potty - Whether or not to continue the rental of the porta-potty behind Town Hall was discussed in terms of expense and necessity. Mr. Del Castilho moved to continue its use, seconded by Mr. Phillips. After further discussion, Mr. Turner tabled the issue until the first meeting in December.

> Broadband Needs - The Cable Advisory Committee asked the Select Board to help get the word out that Comcast has federal recovery funds to be spent on broadband connections in rural areas. For further information call Town Hall or contact Ms. Butler at [townadmin@town.buckland.ma.us](mailto:townadmin@town.buckland.ma.us).

> Wastewater Treatment Facility, Shared Position - Ms. Butler stated that the sole applicant was interviewed and is a strong candidate. Mr. Phillips was also on the interview committee. Specifics of the position were recapped; candidate will be an employee of Buckland and will only work at the Shelburne Wastewater Treatment Facility until the MOU is finalized. Mr. Phillips moved to make a job offer to the applicant, seconded by Mr. Del Castilho. Vote in favor of the motion was unanimous.

### **Public Comment**

Paul Bernier stated his preference for local vs regional policing services, wanted to know if shared policing would be voted on at Annual Town Meeting, and asked if there was any masking update from the Board of Health.

Marilyn Kelsey expressed concern over the Buckland liaison to the Senior Center not being present at last two meetings. Mr. Turner explained that he is the liaison and due to a communication issue unintentionally missed the meetings.

Paul Bernier asked for an explanation of protocol in reference to the Chief of Police personally delivering a warning for masking non-compliance. Ms. Butler referred to BOH minutes documenting vote to send letter via the Chief. She also stated that the Chief had come to her office to report that he was personally delivering the letter(s) rather than assigning the detail to a part time officer.

Doug Smith recapped the meetings he has attended in search of an answer to his questions regarding the letter delivered to him by Chief Hicks, and his displeasure with responses from the Boards.

Tim Bohonowicz addressed road closings due to work by Pan Am and the absence of road closing signs, cones, etc. He stated that the town must take responsibility. Highway Foreman Jake Purinton stated that he was assured by Pan Am that they would be responsible for their own posting, cones, etc. Mr. Bohonowicz reiterated that the town must be responsible.

**Volunteer Recognition** - Planning Board was again recognized for their efforts in drafting the housing bylaw which passed at the recent Special Town Meeting.

**Announcements** - In response to comments made regarding the lack of color on the State Street side of the bridge, there will be a project on Wednesday, November 10 to plant bulbs which will bloom next spring. Ms. Butler said the planting will continue throughout the day and all volunteers are welcome.

With no further business to conduct, Mr. Del Castilho moved to adjourn, seconded by Mr. Phillips. Vote in favor of the motion was unanimous. Meeting adjourned at 7:27 p.m.

Respectfully Submitted by Mary Bolduc, Boards' Clerk, November 23, 2021

**Signed:**

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

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

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