

**Buckland Select Board
Meeting Minutes
August 23, 2022 5:30 p.m.
Buckland Town Hall**

Listing of Topics

Appointments -

- > 5:30 p.m. - Cable Advisory Committee, contract review
- > 6:00 p.m. - Public Hearing, CDBG FY20 Amendment, Fright Yard Parking

Agenda Items -

- > Iron Bridge Improvement Schedule Comment Opportunity

Documents to Sign -

- > Contract and Grant Documents
 - > Right of Entry , Conway Road
 - > Comcast Cable Contract, Renewal
 - > Tighe Bond - Brownfields study proposal, Fright Yard
 - > Letter of Hire - On-call Wastewater Operator
- > Permits and Licenses - n/a
- > Minutes - August 9, 2022

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

Select Board Member Concerns

Town Administrator's Report

- > 50 Conway Street, overhead door repair update
- > Hazardous Waste Day, September 24th. Pre-registration required by September 18th.

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
 Dana McNay - Falls Cable
 Linda Overing - Breezeway Consulting
 Chris Larabee - Greenfield Recorder
 Nancy Dole - Resident, Business Owner
 Chris Williams - Resident
 Gini Brown -Resident
 Sarah Brown - Resident
 Patrick Cadam - Resident
 Martin Yaffee - Resident
 Debra Yaffee - Resident

Meeting

Mr. Del Castilho opened the meeting at 5:30 p.m.

Appointments -

> 5:30 p.m. - Cable Advisory Committee, contract review - Mr. Phillips moved to table this appointment, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

> 6:00 p.m. - Public Hearing, CDBG FY20 Amendment, Fright Yard Parking - Mr. Del Castilho read aloud the Notice of Public Hearing. Linda Overing then proceeded to explain the amount of excess funds and recommendations for their use. She first addressed the West County Emergency Food Pantry giving an overview of its function and some of the difficulties it encounters. She further explained that Buckland has about one third of the population that uses the food pantry. Following several questions, comments on availability of fresh produce, accessibility to the food pantry, and concerns that work done on the Ashfield Street project is already deteriorating in places, Ms. Overing next approached the idea of an engineering study for the freight yard. She and Mr. Del Castilho discussed that previous monies had been repurposed to Depot Street, so the freight yard seemed a likely project to dovetail. She detailed the condition of the surface of the lot which qualifies for CDBG funding, and gave examples of how that funding might be applied to improve the area. The proposed engineering study would explore all possibilities for review by the town.

Comments from the public included:

Gini Brown - Designs for 50 Conway Street did not reflect survey results - fear of same with this project

Sarah Brown - Thinks Depot Street was handled without public input and freight yard same way . Linda responded with how process would unfold.

Sam Bartlett - has concerns with impact of run-off of town water on Trolley Museum property, also the direction/flow of bus traffic

Debra Yaffee - First asked for explanation of Depot Street project. Ms. Butler and Sam Bartlett responded. Ms. Yaffee lives adjacent to the RR tracks and next to freight yard - described quiet neighborhood, changes in use of Salmon Falls building over the years, has become more commercial. Cited concerns for increased lighting, bus fumes, safety issues with increased number of people, comparing it to initial vision of Greenfield's Energy Park vs what it has become. Reported current use of freight yard property for people walking, walking dogs, photographing the nostalgic view of RR tracks, extra parking for tenants in buildings with insufficient parking, and fear that would all be lost.

Sarah Brown - Also concerned about lighting, aka light pollution, idling coaches and fumes, problems posed by public toilets, i.e. loitering, etc. Re some of her concern, Linda explained that because this is Buckland grant money, it has to be spent in Buckland, therefore the toilets have to be on Buckland side of river. Clint added that survey responses emphasized need for public restrooms.

Pat Cadam - Asked how information gathering would be achieved and indicated he would want to be part of the process. Ms. Butler responded that most people coming to the village spend their money on Shelburne side of river - Buckland needs to generate economic growth and development and to continue conversations in that direction.

Gini Brown - Asked for population of Buckland then stated that a town of this size does not need to provide public restrooms when many businesses already have them.

Nancy Dole - Disagreed with Gini Brown's assessment of providing bathrooms. She stated that the village of Shelburne Falls (both sides of river) advertise as a tourist destination and invite people here. The Bridge of Flowers draws thousands of visitors yearly from all over the globe, so yes, indeed we do have to provide restrooms for these visitors to our town if we are to be gracious and welcoming hosts.

Martin Yaffee - Been a resident for 40 years...town not as proactive as it used to be about getting the word out regarding what is going on in the community. Asked about newsletter. Referred to available open grassy space or lack of, specifically O'Malley Park, Cricket Field, and the need for other options for residents to enjoy.

Mr. Del Castilho thanked everyone for their participation and said memories expressed had been most enjoyable. Mr. Phillips added that currently ideas are just being entertained and nothing is set in stone; it could come down to just increased and improved parking. He can identify with the area because he lived at the end of Green Street for 15 years.

Mr. Phillips moved to request DHCD to reprogram surplus funds from the FY20 CDBG Lower Ashfield Street Improvements project to \$34,000 for Freight Yard Parking Lot

Engineering Design, \$6,250 for the West County Emergency Food pantry , \$510.89 for additional grant administration expense and to extend the grant to March 31, 2023. Mr. Wells seconded. Mr. Del Castilho asked Ms. Overing if the engineering design project had to be complete by March 2023 to which she replied she would like it to be done by March 1st so she can submit the grant application in early March. Following brief timeline discussion, the board voted unanimously in favor of Mr. Phillips' motion.

Agenda Items -

> Iron Bridge Improvement Schedule Comment Opportunity - Mass DOT is seeking input regarding timing to close the Iron Bridge to accommodate work on the sidewalk and pavement. Concern was expressed about the duration of the closing and if it would interfere with Halloween, foliage/tourism, or the holiday season, all of which are important to residents and businesses. Shelburne has written a letter and asked if the Buckland Select Board would sign. Mr. Phillips moved to sign, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Documents to Sign -

> Contract and Grant Documents

> Right of Entry , 4 Conway Road - Ms. Butler explained the effect of current construction on the property owner's driveway and consultations with said property owner and engineers to arrive at a mutually agreeable solution. Following a brief discussion, Mr. Phillips moved to approve a temporary right of entry to 4 Conway Road so Baltazar Construction can complete some additional work to the property owners' driveway. Mr. Wells seconded, and vote in favor of the motion was unanimous.

> Comcast Cable Contract, Renewal - Tabled. See vote regarding 5:30 appointment.

> Tighe Bond - Brownfields study proposal, Fright Yard - Wait until after public hearing.

> Letter of Hire - On-call Wastewater Operator - Mr. Phillips moved to authorize the Town Administrator so sign a letter of hire for Dan Fleuriel as our on call wastewater operator. Mr. Wells seconded, and vote in favor of the motion was unanimous.

> Permits and Licenses - n/a

> Minutes - August 9, 2022 - Mr. Phillips moved to approve/sign, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting -
There were no unanticipated items.

Select Board Member Concerns - There were no Select Board member concerns expressed.

Town Administrator's Report

> 50 Conway Street, overhead door repair update - There has been back and forth communication with the door companies, and due to the lengthy wait period for the replacement doors, Ms. Butler recommends holding off on the project.

> Hazardous Waste Day, September 24th. Pre-registration required by September 18th.

> ZBA and Planning Board have worked through the cell tower application and it has been reviewed by town counsel. Ms. Butler thanked all who participated, board members and the public. Questions have come forth regarding current work on Martin Road but it is not related to the cell tower.

> COVID tests are available in the Town Clerk's office. Though they have a July expiration date, they are valid through October.

> The Buckland Rec will close September 1 and will remain closed through June 2023.

> Cara Leach has presented an idea for a mini-newsletter to accompany quarterly tax bills. Ms. Butler will confirm start date with Ms. Leach.

> Ms. Butler announced all early voting dates and hours, voter registration deadline. and primary election hours.

Public Comment - There was no public comment.

Volunteer Recognition - n/a

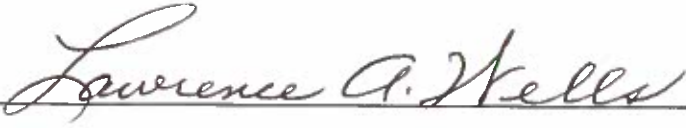
Announcements & Upcoming Meetings - Select Board meetings on September 13th and 27th and State Primary Election on September 6th. Following a brief discussion on hybrid meetings, Mr. Phillips moved to adjourn seconded by Mr. Wells. Vote in favor of the motion was unanimous. Meeting adjourned at 7:07 p.m.

Submitted by Mary Bolduc, Boards' Clerk, September 23, 2022

Signed:

Barry Del Castillo 

Clint Phillips 

Larry Wells 

TOWN OF BUCKLAND
MASSACHUSETTS



August 9, 2022

Via Email (dtc.efiling@mass.gov)

Ms. Shonda Green, Department Secretary
Department of Telecommunications and Cable
1000 Washington Street, Suite 6
Boston, MA 02118-6500

Re: Motion for Extension of Time to File Preliminary Assessment of Denial

Dear Ms. Green:

The Town of Buckland voted on August 9, 2022 to preliminarily deny Comcast's renewal cable license proposal. The current license is set to expire on August 13, 2022.

The parties continue to cooperate and to progress towards an agreement, and most recently met on March 15. Town operations have been hindered by the impacts of the pandemic. While there remain terms that may not be resolved by August 13, the Town is confident that all of these terms can be resolved given sufficient time to continue conversations with Comcast.

Therefore, the Town hereby requests a 120-day extension of time to file its preliminary assessment of denial, to February 13, 2023. Comcast has given its assent to this extension request.

Thank you for your attention to this matter.

Sincerely,


Barry Del Castilho, Chair
Town of Buckland Select Board

CERTIFICATE OF SERVICE

I, Pamela Guyette, hereby certify that on August 10, 2022, I served a copy of the Motion for Extension of Time to File Preliminary Assessment of Denial upon the following party, via electronic mail:

Eileen Leahy
Eileen_Leahy@comcast.com

APPROVED



Pamela Guyette, Administrative Assistant

Date: August 18, 2022



**COMMUNITY ACTION
CENTER FOR SELF-RELIANCE
FOOD PANTRIES**

WEST COUNTY EMERGENCY FOOD PANTRY STATISTICS

FY20 Activities

(Grant period: 4/1/2021—9/30/2022)

Statistics:

- 80 Buckland residents have been served through 6/30/2022.
- Average distribution of 24 meals per month per person.
- The West County Emergency Food Pantry (WCEFP) has distributed 63,023 pounds of food to date, including 21,652 pounds of fresh produce. Fresh produce is 34% of all of the food distributed.
- The WCEFP continues to deliver to Highland Village twice per month and we are open every Wednesday from 11:00 a.m.—3:30 p.m.

Request to Extend Contract until December 31, 2022

- Center for Self-Reliance greatly appreciated the Town of Buckland's support to extend the FY20 contract to 9/30/22 and support pantry operations with an additional \$6,250.
- We appreciate the Town's consideration to extend the contract a second time until 12/31/22 with support of \$6,250. The additional funds are extremely important to pantry operations, especially without a FY21 Buckland CDBG contract.

FY20 Highlights Include:

- Delivery availability to all Shelburne and Buckland residents via our online ordering system. Staff continue to deliver Highland Village residents twice a month. Approximately 17 Buckland households take advantage of the delivery service
- In May, we received \$20,000 from the Community Foundation of Western Massachusetts to purchase food and other goods. We purchased produce, groceries and household items that we normally do not receive through donations at the pantry and distributed items at both pantry locations.
- We welcomed a new our new Food Pantry Coordinator, Cheo Ramos, in November 2021. Cheo comes to CAPV with over twenty years of experience at the Food Bank of Western Massachusetts. Cheo is bilingual, which is an enormous benefit to our Spanish-speaking participants.

The Center for Self-Reliance is a program of Community Action Pioneer Valley

CENTER FOR SELF-RELIANCE FOOD PANTRIES ♦ 156 MAIN ST, GREENFIELD MA 01301
PHONE: 413-773-5029 ♦ FAX: 413-773-9523 ♦ WEBSITE: www.communityaction.us



TO: Buckland Select Board

FROM: Linda Overing, CDBG Administration Consultant

DATE: August 22, 2022

RE: Reprogramming of Surplus FY20 CDBG funds

Costs for the Ashfield Street Improvements Project have been tallied and both construction and engineering came in under budget. Tonight's hearing is to discuss options for reprogramming the surplus, which is \$40,760.89. I am providing additional information on options that were advertised in the Public Hearing Notice.

Freight Yard Parking Lot Improvements Design: Upgrading the Parking Lot as well as the adjacent Trolley Museum properties has been the focus of several planning studies over the past two decades. Since the south end of the Parking Lot is no longer used as the Highway Department's materials yard and an engineering design project for repair of the connecting Depot Street is already underway, this may be a good time to evaluate plans for the Freight Yard Parking Lot. The Lot was classified as being in "Fair" condition when it was evaluated by Tighe and Bond as part of the Downtown Slums & Blight Study in 2017; this makes it eligible for CDBG funding to address the blighting conditions. Those include the condition of the paved and unpaved surfaces as well as a cracked sidewalk that is not ADA compliant. Engineering design would be limited to the publicly owned lot and would evaluate the existing conditions, traffic and parking patterns, make recommendations for improvements, and prepare final plans and specifications as well as a construction cost estimate. Whether public bathrooms are included in the design as well as if they are eligible for CDBG funding would be determined as part of the public process. At least two public meetings would be held with the engineer to solicit input on the proposed improvements. When finalized the design could be used for the same CDBG application as Depot Street Improvements.

I recommend that \$34,000 be budgeted for this design project. It can be completed in time for the next CDBG application round in early March 2023. The services must be procured and I recommend that RFP scope include future construction administration and resident inspector services, dependent on funding.

Assistance for the West County Emergency Food Pantry: The FY20 CDBG included \$25,000 to support the Food Pantry operation. With Buckland not applying for a FY21 CDBG, Community Action Pioneer Valley, which operates the Food Pantry, has already been granted \$6,250 of additional funding for July-September. I recommend that they be given another \$6,250 to assist with the program through December 31, 2022.

I also request an \$2,000 grant administration fee for managing the additional Engineering Design Project as well as the extended Food Pantry project. \$510.89 of the fee will come from the Ashfield Street Surplus and the remainder from surplus funds in the existing grant administration accounts (advertising, supplies, etc.)

I recommend the following uses of the surplus Ashfield Street Funds:

\$ 34,000.00 – Freight Yard Parking Lot Engineering Design
\$ 6,250.00 – Food Pantry Support
<u>\$ 510.89 – Grant Administration</u>
\$ 40,760.89 – TOTAL

I recommend the following motion:

I move to request DHCD to reprogram surplus funds from the FY20 CDBG Lower Ashfield Street Improvements project to \$34,000 for Freight Yard Parking Lot Engineering Design, \$6,250 for the West County Emergency Food pantry, \$510.89 for additional grant administration expense and to extend the grant to March 31, 2023.

Town Administrator

From: Jessica Atwood <JAtwood@frcog.org>
Sent: Tuesday, August 16, 2022 11:43 AM
To: 'ljovering@breezewayfarm.net'
Cc: Town Administrator
Subject: RE: Shelburne Falls Info
Attachments: Shel Falls Econ Dev Report FINAL.pdf; FOREST-CENTER-FINAL-1-Report.pdf

Hello Linda,

Wow, this is exciting. Attached is the final version of the report from 2019. (I don't think there were any changes from the 2019 draft.) Unfortunately, nothing comes to mind that meets this specifically for Shelburne Falls. The closest thing I can think of is in the Mohawk Trail Woodlands Partnership Forest Center" project done by a group of Williams College students for the MTWP Board in 2021 (see Dropbox folder), which includes a quote from me saying we need bathroom amenities in the western Route 2 corridor and, in the conclusion, that a tourism facility should include public bathrooms.

For the 50 Conway Street (old highway garage) visioning process, there was a slide in the first meeting about home sales, which does not really make our case because of the craziness of real estate market during the pandemic. But the presentation also noted support for new housing in the Buckland Housing Plan. The second meeting had results from a community survey & from comments received at the first meeting about what should and should not happen at the site. The findings identified the creation of affordable housing as the top suggestion for what should happen on the site. I've put the two slide shows in a Dropbox folder, if you are interested. Dropbox link: <https://www.dropbox.com/scl/fo/zehgdyfnz7w6wgqykh73w/h?dl=0&rlkey=czinnkj94tudqajasvdg6ju4>

Here are some other thoughts.

- 2020-2025 [Franklin County Comprehensive Economic Development Strategy \(CEDS\) Plan](#) has Goal 4. Cultivate important or emerging clusters that will enhance the quality of life and work opportunities for current and new residents, which includes the key industry & cluster of Outdoor/Adventure Recreation and Cultural Tourism (page 58).
- I looked through our [2020 Franklin County Regional Transportation Plan](#) chapters on Tourism and Transit. Unfortunately, I did not see anything that explicitly states this priority. In addition to fixed route service, FRTA is running the Access program, which allows riders to schedule rides in advance using an app (but that doesn't really help us in this situation).

I'm looking through all the reports we have for the two towns (except for the RRP, which you already have). I imagine you likely have most of these, but if you need any of them, let me know and I'll put them in the Dropbox folder.

- Buckland Housing Plan, 2017
- Buckland Railyard/Parking Lot Project, 2017 (Conway School)
- Shelburne Falls Slum & Blight Final Report, 2017
- Shelburne Housing Plan, 2018
- Buckland-Shelburne Master Plan, 1999
- Buckland Hazard Mitigation Plan, 2021
- Shelburne Hazard Mitigation Plan, 2021
- Buckland Municipal Vulnerability Preparedness (MVP) Resiliency Plan, 2018
- Buckland Open Space & Recreation Plan, 2021

- Shelburne Open Space & Recreation Plan, 2014
- Shelburne Falls Market Analysis Final Report, 1997 (Karl F Seidman Consulting Services)
- Shelburne Falls Hub Marketing Plan Executive Summary, 2009 (Fostering Arts & Culture with FCCDC)
- Shelburne Parking Strategy Final Report, 2017 (Nelson Nygaard)
- Mohawk Trail Scenic Byway Corridor Management Plan - West, 2002 - <https://frcog.org/publication/mohawk-trail-west-scenic-byway-corridor-management-plan/>
- Buckland Complete Streets Prioritization Plan – Story Map, (the FRCOG.org link is not working, I'll find out what is up)

Brownfields/Environmental Site Assessment reports for:

- 50 Conway Street, Phase I, 2016 (old highway garage)
- 69 Conway Street, Phase I, 2021 (Police Station property)
- Conway Street/Depot Street triangle lot, Phase I, 2014 (bicycle pocket park)
- Freight Yard, Phase I, 2005

I'll keep thinking on this. If you need anything else, please let me know.

Take care,
Jessica

Jessica Atwood
Economic Development Program Manager
Franklin Regional Council of Governments
Email: jatwood@frcog.org
Voicemail: 413-774-3167 x123

From: ljovering@breezewayfarm.net <ljovering@breezewayfarm.net>
Sent: Monday, August 15, 2022 8:38 AM
To: Jessica Atwood <JAtwood@frcog.org>
Cc: Heather Butler <twadmin@town.buckland.ma.us>
Subject: Shelburne Falls Info

Hi, Jessica – I'm reaching out to you for some documents and information as Heather is on vacation. As you know, the Town is looking at surplus CDBG funds to design improvements to the Freight Yard Parking Lot, the town owned parcel. Surprisingly, folks at DHCD have been somewhat encouraging about the possibility of using future CDBG funding for improvements that include public bathrooms IF I can make a case for linkage between the lack of tourist amenities and depressed real estate values in the Village.

One document that I'm looking for is the final version of the Shelburne Falls Economic Report. I have the draft dated 12-16-19. Could you forward to me?

I have the final Local Rapid Recovery report and Shelburne's Parking Study. Do you know of any other documents that might speak to the need for bus parking and public bathrooms, either in Shelburne Falls, or relating to the tourism economy in general or specific to Franklin County? Also, any documentation of tourism as a major economic driver for Shelburne Falls. Any leads would be greatly appreciated.

BTW, Heather has been in contact with Tighe & Bond and will be getting an updated Phase 1 report on the Parking Area.

Appreciate your help, as always!

Linda Overing
Breezeway Farm Consulting, Inc.
222 Wendell Road
New Salem, MA 01355-9525
Ph: (978) 544-8505
Fax: (978) 544-7958

Town Administrator

From: Nancy Dole <ndole@crocker.com>
Sent: Thursday, July 21, 2022 4:44 PM
To: Town Administrator
Subject: Fwd: today

Hello Heather,
I'm still interesting in the public bathroom situation for the village.....more food for thought.... in the CNN article below.
Nancy Dole

p.s. also interested in all weather, all season kiosk (phones are not everything to everyone although I do know that they are everything to some).
nancy

----- Forwarded Message -----

Subject:today
Date:Thu, 21 Jul 2022 16:34:41 -0400
From:Tony Jewell <tonyj@crocker.com>
To:'Nancy Dole' <ndole@crocker.com>

cnn headline

Analysis: America has a public bathroom problem. Starbucks says it can't solve it

Town Administrator

From: Sharin Alpert <shenalpert@gmail.com>
Sent: Saturday, August 20, 2022 7:21 AM
To: Town Administrator
Subject: NOTICE OF PUBLIC HEARING FY2020 CDBG AMENDMENT

To Town of Buckland Officials,

With regret, I will not be able to attend the meeting on Tuesday, 8/23 regarding changes at the train yard. At 75 Ashfield Street, I am a close neighbor to the area in question, and have concerns about what those changes will entail.

I'd be delighted if the area is cleaned up. Old railroad ties and similar materials stored there are hazardous, and I have seen children playing on the 10-foot high heaps of sand and stone that are sometimes stored there. That's just two examples.

But I hope the area will not be used to accommodate tourists' comfort needs. Encouraging visiting families to hang out in areas where passenger trains come through at high speeds does not seem safe or appropriate. An increase in lighting and noise in our little residential area also does not seem appropriate - we already have street lights that are way too bright and the trains themselves are frequent and VERY loud - loud enough to make babies and toddlers cry. (Of course, we knew about the trains when we moved here, but the overly bright lights are a very recent change.)

Finally, the trains coming through are not predictable in time and often very long - I am used to waiting 10 minutes for a train to pass. That could create a problem for someone trying to get to the bathrooms with little kids - or hoping to get back to enjoying the shops and restaurants in town.

It is less than a ten minute walk to the Visitors Information Center from the train yard - I know, because my house is further up Ashfield Street than the train yard, and I walk most days to my job in a building which is across the street from the VIC. Yes, there is a need for restrooms for tourists. It would make sense for them to be associated with the VIC, which is easy for visitors to find - perhaps in the area between the Center and Asma's food truck.

In addition, because the train yard is off the beaten track, it seems like it could become an area where mischief, even criminal activity, could happen in the off-hours - from late-night partying to vandalism or drug deals.

It is tourism that allows our wonderful locally owned shops and restaurants to be successful. However, bringing this kind of services into a residential neighborhood seems inappropriate. It also does not seem like an ideal location because it is in an area where the majority of tourists don't venture.

Thank you for your consideration of these concerns.

Sharin Alpert
35-year resident of 75 Ashfield Street

Town Administrator

From: Christy Moore <c_moore22@yahoo.com>
Sent: Saturday, August 20, 2022 7:03 AM
To: Town Administrator
Subject: Train tracks upgrade

Hi Heather

I am disappointed to hear that there is a public meeting on Tuesday about the proposed funding change of CDBG money to bring back the park project next to the train tracks.

I just heard about this from a neighbor last night. We will not be able to attend on Tuesday so I wanted to share some thoughts.

First, why wasn't the neighborhood notified of such a meeting? This is the second time there is a meeting like this and the neighborhood impacted by this change have not been directly notified. This is a courtesy and part of the planning board process.

While I am an advocate for parks and pedestrian improvements in nearly any location I am concerned about a park like setting in such close proximity to the train tracks. A bioswale is not a true barrier for youth and will not prevent a potential for a very serious accident given that the design creates a place for people to congregate. Does the train company have any feedback or concerns? Encouraging more people to be near the train tracks is a dangerous plan.

The worst part of the entire project is the concept of compost public bathrooms. Any public bathroom has areas of concern from maintenance, stocking, cleaning, and security. Having a composting toilet in a neighborhood is a terrible idea. While I support sustainability and the concept, it is not something that should be in a neighborhood or near a restaurant. Public restrooms should be downtown near Town Hall, in the back parking lot or in the alley where picnic tables are. This is an established gathering place in the heart of downtown and is more visible and accessible for all.

I firmly do not support the installation of any public restroom in this proposal.

The part of the project I would support is establishing a consistent parking surface to make clear that parking is allowed on the entire section not just the current paved area.

Thank you for all you do to move recreational opportunities forward. We do acknowledge that Without you, our pool project would not be moving forward. I would rather see park Investment in Cricket Field then creating the train track area into a park.

All the best,
Christy Moore
and Laurie Naughton
9 Green St

Town of Shelburne
51 Bridge Street
Shelburne, MA 01370
(413) 625-0300 ext. 1
Townadmin@townofshelburnema.gov

August 18, 2022

Mark DeVylder
Mass Department of Transportation
District #1 Office
270 Pittsfield Road
Lenox, MA 01240

Dear Mark,

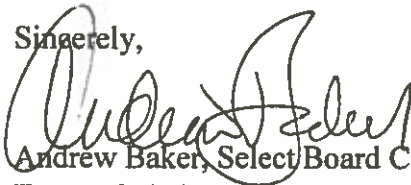
Thank you for your recent update regarding MassDOT's plan to address the deteriorating road surface and repair of the pedestrian walkway on the Iron Bridge that spans over the Deerfield River in the towns of Buckland and Shelburne (email dated July 28, 2022).

While we understand that you may not have a great deal of control over the commencement date of the work, we appreciate that you would like some input from our towns especially given that the work will require the bridge to be closed for approximately one week.

After discussing the impact of the Project with representatives from our Shelburne Falls Village Task Force, we agree that a late October, early November, or even an early Spring start would have the least impact on our business district however, we also understand that the materials used on the road surface may not be as effective if applied in colder temperatures.

It is extremely important that you keep our town administrators Terry Narkewicz, (townadmin@townofshelburnema.gov) and Heather Butler (townadmin@town.buckland.ma.us) informed of the Project schedule once it becomes known so that we can inform our residents, businesses, and event coordinators (i.e. Halloween parade, Fall festivals, etc.) of the potential bridge closing. We appreciate your willingness to work with our communities and look forward to hearing from you.

Sincerely,


Andrew Baker, Select Board Chair
Town of Shelburne

Barry Del Castilho, Select Board Chair
Town of Buckland

RIGHT OF ENTRY

Toni Stewert (the “Owner”), the owner of certain property located at 4 Conway Road, Buckland, Massachusetts, and described in a deed recorded with the Essex South District Registry of Deeds in Book 4327, Page 169 (the “Property”), in consideration for the sum of \$1.00, the sufficiency of which is hereby acknowledged, hereby grants to the **Town of Buckland**, having an address of 17 State Street, Buckland, Massachusetts, and its duly authorized employees, agents, representatives, contractors and invitees (the “Town”) a right to enter upon the Property by foot and vehicles for the purpose of repairing the driveway serving the Property, including, without limitation, excavation and removal of the existing driveway surface to a point in the existing driveway about 25-feet from the 2020 County Layout Line, re-grading of the driveway surface to meet the roadway improvements along Conway Road, installation of a new driveway pavement structure, and seeding of disturbed areas along the driveway (the “Work”).

This right of entry shall commence on ____ September 1 _____, 2022 and continue until the earlier of (i) __ June 30 _____, 2023 ____ or (ii) the completion of the Work. In the event the Owner revoke this Right of Entry prior to the Work being completed, the Owner agrees to give the Town at least sixty (60) days prior written notice thereof. In the event of termination, the Town shall have no obligation to complete the Work, or to restore the Property to its prior condition. The Town’s rights and obligations herein shall terminate upon the completion of the Work or the termination of this Right of Entry.

In Witness Whereof, the Owner has signed this Right of Entry on this ____ day of _____, 2022.

OWNER

Toni Stewert

For the Town:

Barry Del Castilho, Chair, Select Board

F01370
August 5, 2022

Town Administrator – Heather Butler
Town of Buckland
17 State Street
Shelburne Falls, MA 01370

Re: **Phase I Environmental Site Assessment
Freight Yard – Parcel 6-2 0 118
Buckland, MA**

Dear Ms. Butler:

Tighe & Bond is pleased to submit this proposal to complete a Phase I Environmental Site Assessment (ESA) for the freight yard, located off Ashfield Street (Parcel 6-2 0 118) in the Town of Buckland, Massachusetts, hereinafter referred to as the Subject Property. We understand that a Phase I ESA is needed to support your due diligence efforts prior to conducting planned improvements to the Subject Property. Tighe & Bond's proposed scope of services and fee is described below and in the attachments.

A Phase I Environmental Site Assessment (ESA) will be performed for the Subject Property in accordance with the All Appropriate Inquiry (AAI) Final Rule and the American Society of Testing and Materials (ASTM) E1527-21 Standard. The purpose of conducting an assessment under the ASTM Standard and AAI rules is to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner or bona fide prospective purchaser limitations under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

Subject Property Background

The Subject Property consists of a parcel of land located off Ashfield Street in Buckland, Massachusetts. The parcel is owned by the Town of Buckland and consists of 0.7 acres of land which is zoned as "historic industrial". Note that the assessors card also indicates that Freight Yard is a co-owner of the Subject Property. The Subject Property is currently undeveloped and consists of paved parking.

According to a review of the Massachusetts Department of Environmental Protection (MassDEP) Searchable Sites portal, no known Release Tracking Numbers (RTNs) are associated with the Subject Property.

Based on this background, Tighe & Bond proposes the following approach to this Phase I ESA:

Task 1 ASTM Phase I ESA

The purpose of the Phase I ESA will be to identify Recognized Environmental Conditions (RECs) including Historical or Controlled RECs (HRECs or CRECs) as defined in ASTM E1527-21 and associated with a current or past release of hazardous substances or petroleum products in connection with the Subject Property. Also per the current ASTM standard, the potential for vapor migration from the subsurface environment into indoor air is also identified during the Phase I, whether or not an occupied building is currently present on the Subject Property or in the future. Where the potential for a Vapor Encroachment Condition is identified during the Phase I ESA, a Tier 1 and/or Tier 2 Vapor evaluation in accordance with ASTM Standard E2600 will be recommended.



The Phase I ESA will include the following four core tasks: 1) a records review; 2) a Site reconnaissance; 3) interviews with owners or knowledgeable parties; and 4) evaluation and report. A detailed description of the Phase I ESA core tasks is provided in Attachment A.

The findings of the Phase I will be summarized in a report prepared in general conformance with the ASTM E1527-21 suggested format. Per AAI, the final report will include: 1) an opinion regarding the presence of RECs, HRECs, or CRECs at the Subject Property, 2) identification of "data gaps" and their significance, 3) a statement of the Environmental Professional's (EP's) qualifications and their signatures, and 4) an opinion regarding the need for additional evaluations (which can be provided separately if requested). Tighe & Bond will provide you with an electronic PDF copy of the report and up to three hardcopies if requested.

Task 2 Technical Support Services

For some due diligence assessments, supplemental environmental consulting advice may be needed in support of strategy development or communications with stakeholder(s) during the property transfer process. These services may be in the form of emails, phone calls, letters/memorandums, or in-person meetings and are not included as part of our standard Phase I ESA (Task 1 above). Tighe & Bond can provide these services as needed upon client request and will be charged on a time and expense basis.

User Responsibilities

To qualify for one of the Landowner Liability Protections (LLPs), the User must conduct the inquiries required by 40 CFR 312.25, 312.28, 312.29, 312.30, and 312.31, which are summarized in the User Questionnaire to be provided. Failure to provide this information could result in a finding that "all appropriate inquiries" is not complete.

The Client shall provide Tighe & Bond with project related technical data including site survey/plans, historical environmental reports, title search (if available), building layout drawings, and all other relevant data in their possession. Tighe & Bond will rely upon the accuracy and completeness of Client-furnished information in connection with the performance of services.

The Client shall arrange for or coordinate site access for Tighe & Bond and any of its subcontractors. The Client shall also provide Tighe & Bond with a Subject Property contact (preferably the current Subject Property owner) that is knowledgeable about the Subject Property history and can be contacted by Tighe & Bond for an interview.

Phase I ESA Limitations and Exclusions

Regarding COVID-19

Due to the current COVID-19 pandemic, our review of municipal files (see Attachment A below) may need to be performed via emails and telephone calls only (i.e., not in person). If there is little or no response to our request for files or information from one or more of those municipal offices via our email/telephone calls, a significant data gap as defined in the ASTM standard may be identified in the conclusions of our Phase I ESA report. If that occurs and there are concerns regarding that data gap, Tighe & Bond can complete the municipal file review at a later date, and we can update our Phase I ESA report and/or provide a separate summary letter with our additional findings under a separate contract Agreement.

The following services are not included with the Phase I ESA;

1. Completion of an Environmental Liens Search (ELR). Tighe & Bond will inquire about environmental liens or Activity Use Limitations (AULs) for the Subject Property, but a review of recorded land title or judicial records will not be conducted. If a search for these records



is desired, then Tighe & Bond can use an environmental database service provider to conduct this search for an additional fee of \$400 (per parcel). Tighe & Bond anticipates that a separate title and lien search will be conducted by the User.

2. Meetings/conference calls in response to the Phase I findings, which can be provided on a time and expense basis (Task 2).
3. Review of lengthy reports and regulatory files associated with large, complex sites that may not have been known to Tighe & Bond at the time of the writing this proposal. Review of additional reports can be provided on a time and expense basis.
4. Reliance letters to lending institutions or other third parties are not included; however, these Reliance Letters can be prepared in Tighe & Bond's standard format at the client's request provided the relying party agrees to the same Terms and Conditions of our Agreement. An additional fee may be required to prepare the Reliance Letter. Tighe & Bond will not prepare reliance letters in accordance with Small Business Administration (SBA) or other third-party formats.
5. Phase I updates beyond report validity timeframes (see Task 4 in attached scope)
6. Evaluation of "non-scope" issues as defined by ASTM. Users of the Phase I may expand the scope of the due diligence to assess other "business environmental risk or BER" that exist beyond CERCLA liability. Non-scope considerations include:
 - a. Asbestos-containing and polychlorinated biphenyl (PCB)-containing building materials
 - b. Radon
 - c. Lead-based paint and lead in drinking water
 - d. Wetlands or other environmental resource areas
 - e. Past or current regulatory compliance (federal, state, local, including health & safety)
 - f. Indoor air quality (excluding the potential for impacts from hazardous substances released to the subsurface environment)
 - g. Biologicals and Mold
 - h. Endangered species
 - i. Cultural or historical resources

Potential BER items can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of the Subject Property.

7. Any areas deemed to be unsafe by Tighe & Bond will not be inspected.

Schedule

Upon your written authorization to proceed, we anticipate completion of the Phase I ESA report within approximately four weeks. Due to the current situation with COVID-19 many businesses, and state, federal and municipal offices are closed or operating under limited hours which may affect completion of this work within the projected timeframe.

Fee

Tighe & Bond will perform services for Task 1 in accordance with the Company's standard billing rates for a lump sum fee of \$3,800, invoiced monthly based on percentage complete. Reimbursable expenses performed by other than Tighe & Bond employees, such as subcontractors, materials purchased directly for this project, and permitting fees will be invoiced at cost plus 10%. In the event that the scope of work is increased for any reason, the lump sum fee to complete the work shall be mutually revised by written amendment.

Services for Task 2 (if required and requested) will be billed at an hourly plus expense basis and you will be billed in accordance our standard rates.



Our attached Terms and Conditions is part of this letter agreement. The included schedule and fees are based on the above scope of work and assumptions. The schedule includes reasonable allowances for review and approval times by applicable parties. This schedule may need to be adjusted as the project progresses, allowing for changes in scope, character or size of the project requested by you, or for delays or other causes beyond our reasonable control, including delays due to Force Majeure, including those delays that may incur due to the COVID-19 pandemic.

If this agreement is acceptable, please sign one copy and return it to my attention at your earliest convenience. If you have any questions, please feel free to contact Shawn Rising at 413-875-1615 at your convenience.

Very truly yours,

TIGHE & BOND, INC.



Shawn D. Rising, LSP
Senior Project Manager



Dan Rukakoski, PWS, CWS, PSS
Senior Vice President

Enclosures: ASTM Phase I – Scope of Services
Terms and Conditions - REV 04/2020

ACCEPTANCE:

On behalf of the **Town of Buckland**, the scope, fee, and the attached terms and conditions of this proposal are hereby accepted.

Authorized Representative

Date

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Attachment A

ASTM Phase I ESA – Scope of Services

The Phase I ESA will be conducted in accordance with the American Society for Testing and Materials (ASTM) E1527-21 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. This ASTM standard is recognized by the United States Environmental Protection Agency (USEPA) as consistent with the All Appropriate Inquiry (AAI) Rule under the 2002 Small Business Liability Relief and Brownfields Revitalization Act (aka "Brownfields Amendments") that amended the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Regulations 40 CFR 312. The ASTM E1527-21 is the recognized industry consensus-based standard for conducting AAI for commercial real estate with respect to the range of contaminants within the scope of CERCLA and petroleum products. Compliance with this standard is required to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner or bona fide prospective purchaser limitations under CERCLA (landowner liability protection or LLP).

The objective of the Phase I ESA will be to identify Recognized Environmental Conditions (RECs) including any Historical or Controlled RECs (HRECs or CRECs) as defined in ASTM E1527-21 and associated with a current or past release of hazardous substances or petroleum products in connection with the Subject Property. The terms REC, HREC, and CREC as defined under ASTM E1527-21 are explained below:

- *REC (ASTM Section 3.2.73) - "the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment."*
- *Historical REC or HREC (ASTM Section 3.3.39) – "a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (for example, activity and use limitations or other property use limitations). A historical recognized environmental condition is not a recognized environmental condition."*
- *Controlled REC or CREC (ASTM Section 3.2.17) - "recognized environmental condition affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (for example, activity and use limitations or other property use limitations)."*

RECs, HRECs, and CRECs exclude *de minimis conditions* that generally do not present a threat to human health or the environment and that would not be the subject of an enforcement action by a local, state or federal governmental agency.

In accordance with ASTM E1527-21, the Phase I ESA includes the identification of the potential for the migration or intrusion of volatile compounds in soil vapor into indoor air whether or not an occupied building is currently present on the Subject Property or in the future. If the potential for vapor intrusion is found to exist at the Subject Property, this condition will be identified as a potential REC, and a Vapor Encroachment Condition evaluation in accordance with ASTM E2600 will be recommended. *Note: A Phase I ESA does not include an assessment or evaluation of vapor intrusion pathways at the Subject Property.*



USER PROVIDED INFORMATION AND RESPONSIBILITIES

A User seeking protection from CERCLA liability as an innocent landowner, bona fide prospective purchaser, or contiguous property owner must complete all components of the AAI process in addition to meeting ongoing obligations. AAI components, CERCLA liability relief, and ongoing obligations are discussed in the AAI Rule and in Appendix XI of the ASTM E 1527-21 Standard. Prior to or during the Phase I, Tighe & Bond requests that you (the User) complete a User Questionnaire. Although it is not required by ASTM E 1527-21 or the AAI Rule, failure on the part of you (the User) to obtain such information for their own records, should it be reasonably ascertainable, may invalidate the User's compliance with the AAI Rule for CERCLA liability protection in the future.

SCOPE OF SERVICES

The Phase I ESA process consists of four components and will include: 1) a records review, 2) a Site reconnaissance, 3) interviews with owners or knowledgeable parties, and 4) an evaluation and a report. The report will be signed by an Environmental Professional (EP) and include an Opinion regarding the presence of RECs, HRECs, or CRECs at the Subject Property. The details of the Phase I ESA process are described below:

Task 1 - Records Review

Tighe & Bond will review relevant records for the Subject Property to obtain current or historical background information about the use of oil or hazardous substances at or on abutting properties and that will help to identify RECs, HRECs, or CRECs in connection with the Subject Property. The records review will entail a review of records that are *reasonably ascertainable* from *standard sources* and that will include one or more of the following:

- Existing Site Records or Previous Reports: Tighe & Bond requests that you (the User) assemble and provide us with any and all existing property record and previous reports. This would include documents such as: previous environmental site assessment reports; environmental compliance audit reports; environmental permits; registrations for underground and above-ground storage tanks; registrations for injection systems; safety data sheets; community right-to-know plan; safety plans; spill prevention plans; emergency preparedness plans; hydrogeologic reports for the Subject Property; any government notices concerning the Subject Property; hazardous waste records and reports; geotechnical studies; risk assessments; recorded activity and use limitations (AULs), or environmental land use restrictions (ELURs).
- Note: Tighe & Bond anticipates that the User will engage a separate title company, real estate attorney, or title professional to undertake a review of reasonably ascertainable recorded land title records and environmental (e.g. AUL) or other liens currently recorded for the Subject Property.
- Environmental Database Search Report: This report will be obtained from an independent third party service provider (e.g. EDR, Inc.) and will include a search of the Standard List of Federal, State, and Tribal Environmental Record Source in accordance with the appropriate minimum search distance as recommended in Section 8.2.2 of the ASTM 1527-21 standard. This list of records searched will include:

<u>Record Source</u>	<u>Approx. Min Search Distance</u>
Federal NPL Site List	1 mile
Federal Delisted NPL Site List	0.5 mile
Federal CERCLIS List	0.5 mile
Federal CERCLIS NFRAP Site List	0.5 mile
Federal RCRA CORRACTS Facilities List	1.0 mile
Federal RCRA non-CORRACTS TSD Facilities List	0.5 mile
Federal RCRA Generators List	Subject Property and Adjoining Properties



<u>Record Source</u>	<u>Approx. Min Search Distance</u>
Federal Institutional/Engineering Control Registry	Subject Property only
Federal ERNS list	Subject Property only
State/Tribal Hazardous Waste Sites List	1 mile
State/Tribal "Superfund" Equivalent List	0.5 mile
State/Tribal Landfill/Solid Waste Disposal Site List	0.5 mile
State/Tribal Leaking Storage Tank List	0.5 mile
State/Tribal Registered Storage Tank List	Subject Property and Adjoining Properties
State/Tribal Institutional/Engineering Control Registry	Subject Property only
State/Tribal Voluntary Cleanup Sites	0.5 mile
State/Tribal Brownfield Sites	0.5 mile

The environmental databases will be used to further review select properties which are identified via the database search to have a potential negative environmental impact on the Subject Property. Records of the Subject Property and select area properties will be further researched in more detail via a review of local, state, or federal files.

- **Physical Setting Sources:** As required by ASTM 1527-21 a current USGS topographic map of will be reviewed and included in the Phase I ESA report. Historical topographic maps will also be obtained and reviewed from an independent third party service provider (e.g. EDR, Inc.). Other discretionary and non-standard physical setting sources which will be reviewed will include: USGS or state geological survey bedrock geology, surficial geology, groundwater, or soil maps.
- **Standard Historical Sources:** Subject Property information will be obtained, researched, and compiled through a review of current or historical topographic maps, aerial photographs, municipal directories, and fire insurance maps (Sanborn® Maps). Under the AAI Rule, historical sources are required to be reviewed as far back in history as the Subject Property is shown to contain structures or from the time it was first used for residential, agricultural, commercial, industrial or governmental purposes.
- **Local Records:** Historical data on land use will be obtained via a review of local municipal or county records. Municipal offices and departments to be researched may be one or more of the following departments/offices: property tax assessor; fire; planning and zoning; building; health; engineering; or department of public works. For some Sites, Tighe & Bond may also research newspaper archives, internet sites, on-line registry of deeds, local libraries, or historical society, where appropriate. Information from local records review will provide information on: general current and past usage and ownership, property valuation/assessment, zoning and general land use, public utility services, including drinking water source, private well usage and installations, and wastewater disposal methods (public versus private septic).
- **State and Federal Records:** Further review of the Subject Property or area properties to identify potential environmental impacts will be further researched through an online review of state or federal files. If files are available for review but not available online, an additional fee may apply to visit the state or federal agency.

Task 2 - Site Reconnaissance

Tighe & Bond will conduct a Site reconnaissance to visually observe and assess: 1) the current use(s) of the Subject Property, 2) the past use(s) of the Subject Property, and 3) usage of hazardous substances or petroleum products in connection with identified uses, which indicates a release or material threat of a future release to the environment. One site visit has been budgeted using a one-person Tighe & Bond team. Specifically, exterior and interior observations to the extent visually or physically observable shall include:



Exterior and Interior Areas for presence of:

- Storage Tanks - aboveground or underground storage tanks (ASTs or USTs), vent pipes, including content and approximate capacity.
- Strong, Pungent, or Noxious Odors and Their Sources.
- Standing Surface Water and Pools or Sumps Containing Liquids Likely to be Hazardous Substances or Petroleum Products.
- Drums and Containers – the approximate number of drums and containers (both labelled, unlabeled, or unidentified) and general description of the contents, capacity, types of containers, and the storage conditions. A detailed inventory is not required.
- Polychlorinated Biphenyls (PCBs)-Containing Items - electrical or hydraulic equipment known to contain or likely contain PCBs.

Exterior Areas for presence of:

- Pits, Ponds, or Lagoons - both on the Subject Property and adjoining properties to the extent visually observable from the Subject Property,
- Stained Soil or Pavement.
- Stressed Vegetation.
- Solid Waste - areas that are apparently graded by non-natural causes (or filled with fill of unknown origin) suggesting trash, construction debris, demolition debris, or other solid waste disposal.
- Water/Wastewater – wastewater or other liquid (including stormwater) discharged from or to the subject property.
- Wells - including dry wells, irrigation wells, injection wells, monitoring wells, abandoned wells, or other wells.
- Septic Systems or Cesspools.

We may also make reasonable attempts to access or open certain structures, manhole covers, monitoring wells, or Subject Property features to collect additional visual/olfactory observations. If access cannot be made due to time constraints, safety conditions, or need for specialized tools/equipment/contractors, we will advise you accordingly.

If the Subject Property contains buildings the interior of the buildings/structures will be walked through if it is safe to do so. Interior observations will be reviewed for: heating/cooling systems and fuel source, stains and corrosion on floor, walls, and ceilings, and floor drains and sumps. Interior observations of some structures may be limited due to access issues or safety concerns. The exterior and interior reconnaissance will be photographically documented (if allowed), copies of which will be included in the report.

Notes:

1. *Exterior area observations may be limited due to the presence of snow on the ground. Weather limiting conditions, if present, and interior areas not accessible will be noted in the report.*
2. *Client will make arrangements for Subject Property access with the current owner and prearrange for Tighe & Bond personnel to enter the Subject Property for the reconnaissance and in-person interviews. The User will provide Tighe & Bond the contact information for the key personnel at the Subject Property, who in turn will coordinate a time and date for the reconnaissance or an in-person interview.*
3. *Testing - No subsurface explorations or chemical analyses of environmental media will be performed during this assessment unless specifically stated. Therefore, our conclusions regarding indications of RECs will be based on observations of existing visible conditions, and on our interpretation of*



Subject Property history and Subject Property usage information. Further, our conclusions regarding the presence of hazardous substances and petroleum products may not be applicable to areas beneath existing structures, unless specific subsurface exploration, sampling, or analytical information is available and reviewed by us for such areas.

Task 3 - Interviews

The ASTM E1527-21 standard requires that interview(s) be performed with a “key site manager(s)” (a person(s) with good knowledge of uses and physical characteristics of the Subject Property) to obtain information of their knowledge of potential RECs, HRECs or CRECs in connection with the Subject Property. Additionally, Tighe & Bond will make a reasonable attempt to interview other current or past Subject Property owner(s), occupant(s), neighbor(s) or other knowledgeable persons who are likely to have material information (uses, environmental practices, or permits or licenses) in connection with the Subject Property. Interview(s) will be conducted either in person at the Subject Property, via telephone conversation, or via email. The results of the interview process will be documented in the report.

Note: Tighe & Bond requests that you (the User) obtain access for the Subject Property if you are not the not owner. Additionally, the User will coordinate or provide Tighe & Bond with the contact information for the “key site manager(s)” so that we can arrange a mutually convenient appointment for the Site reconnaissance and interview. Tighe & Bond is not responsible for any false or misleading information that may be provided by the interviewees regarding current or past practices at the Subject Property.

Task 4 - Evaluation and Report

The results of the records search (Task 1), site reconnaissance (Task 2), and interviews (Task 3) will be evaluated and summarized in a Phase I ESA report. The report will be prepared in conformance with the Phase I ESA content requirements per the ASTM E1527-21. Per AAI, the final report will include: 1) an opinion regarding the presence of RECs, HRECs, or CRES at the Subject Property, 2) identification of data gaps and their significance, 3) a statement of the EP’s qualifications and their signatures, and 4) an opinion regarding the need for additional appropriate evaluation (separate from the report if requested). Attachments to the report will include: list of User provided information; a topographic map and site plan; a copy of the environmental database search report; a photographic log of the Site reconnaissance and copies of relevant records.

Per the ASTM standard, the Phase I report is considered valid if completed within 180 days of the transaction/acquisition. Phase I reports completed between 180 days and one year of the transaction/acquisition must be updated. Phase I reports completed beyond one year of the transaction/acquisition are not considered valid per the ASTM standard. Any subsequent relying parties or new users are subject to the same ASTM validity durations.



TOWN OF BUCKLAND
MASSACHUSETTS

Dan Fleuriel
19 Monroe Ave.
Shelburne Falls, MA 01370

August 23, 2022

Dear Mr. Fleuriel;

I am pleased to inform you that the Buckland Selectboard voted at their meeting on Tuesday, Aug. 23, 2022, to offer you the position of On-Call Operator at the Shelburne Falls Wastewater Treatment Plant. You may officially begin work as soon as you have filled out all the appropriate employment paperwork. Please see the Treasurer, Cara Leach, for any forms she may need you to complete. You should call her office at (413) 625-6330 x2 to discuss what information and documents you will need.

The Board is offering you a rate of \$31.88 per hour.
This position is not eligible for overtime, holiday pay, sick leave or insurance benefits, including health.

Please contact me if you have any questions. I am pleased you will be joining us here in the Town of Buckland and I look forward to working with you.

Sincerely,

Heather Butler
Town Administrator
Town of Buckland

cc: Cara Leach, Town Treasurer
Lisa Provencher, Chief Operator

**Buckland Select Board
Meeting Minutes
August 9, 2022 5:30 p.m.
Buckland Town Hall**

Listing of Topics

Appointments

5:30 p.m. - Public Hearing, Liquor License Transfer of Ownership, Buckland Pizza

5:45 p.m. - Town Clerk, Approval of Primary Election Warrant and Election Preparations

Agenda Items

- > 2022 Committee Appointments, Continued
- > 2022 End of Year Transfers

Documents to Sign

Contract and Grant Documents

- > A. Martins Construction. Change Order #2
- > Comcast Cable Contract, Renewal
- > Shared Police Administrative Services, Memorandum of Agreement - Town of Shelburne
- > Westfield Construction, Contract for Construction of the Buckland Community Swimming Pool
- > Mass DOT Winter Road Recovery Fund Agreement

Permits and Licenses

- > Curb Cut, Howes Road

Minutes

- > July 12, 2022
- > July 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, Absent
 Pamela Guyette - Director of Assessing
 Mary Bolduc - Boards' Clerk
 Karen Blom - Town Clerk
 Donald Wheeler - Falls Cable
 Chris Larabee - The Recorder

Meeting -

Mr. Del Castilho opened the meeting at 5:30 p.m.

Appointments

> 5:30 p.m. Public Hearing, Liquor License Transfer of Ownership, Buckland Pizza - Mr. Del Castilho read aloud the legal notice of the hearing. Following brief Board discussion and dialogue with the applicant, the hearing closed at 5:32. Mr. Phillips moved to approve the transfer of the On-premises Wine & Malt Beverages License from LARISSA G, LLC DBA Buckland Pizza House to PJSKI, LLC DBA Buckland Pizza House, at 13 State Street, Buckland, MA. Mr. Wells seconded the motion and vote in favor was unanimous.

> 5:45 p.m. Town Clerk, Approval of Primary Election Warrant and Election Preparations - Ms. Blom, Town Clerk, presented the Warrant for the State Primary on September 6, 2022 to the Select Board for their signatures. Mr. Phillips moved to sign, seconded by Mr. Wells. The vote to approve/sign the Warrant was unanimous in favor of the motion.

Ms. Blom then presented Board members with changes in election law as a result of **VOTES act** which made permanent many voting changes introduced during the height of the pandemic. The following motions were made, seconded, and voted on in one action. The motions made by Mr. Phillips, seconded by Mr. Wells are as follows:

Motion #1: To accept the following early voting hours for the primary election on September 6 to be held in the Clerk's office:

- > Sat. Aug 27th: 9-11 a.m. & 3-5 p.m.
- > Tues. Aug 30th: 1-3 p.m.
- > Wed. Aug. 31st: 4-6 p.m.
- > Thur. Sept. 1st: 9-11 a.m.
- > Fri. Sept. 2nd: 3-5 p.m.

Motion #2: To accept the use of regular polling location at 1 William Street (2nd Floor of Town Hall) unless in case of emergency, when the small gym at Mohawk High School would be used . Polling hours are 7 a.m. - 8 p.m. regardless of poll location.

Motion #3: To hire a minimum number of 1 officers/constables for coverage at town hall voting precinct. To ensure the security of voted ballots after the polls close at 8 p.m. and until all ballots are tabulated, a minimum of 1 officers/constables shall be assigned to any building in which voting has occurred. We have 3 constables and every effort should be made by the Select Board to secure their schedules for Sept. 6 and Nov. 8, 7 :00 a.m. - 11: 00 p.m. to help with coverage.

Motion #4: To hire a minimum number of 2 officers/constables if voting occurs in the Mohawk school gym (emergency location) and classes are in session during polling hour. One for inside the gym and one for outside.

Motion #5: To allow the Town Clerk to make 2 Robocalls - 1) for early voting 2)for election.

The vote in favor of the motions was unanimous. Mr. Phillips then moved that it would be the responsibility of the Select Board to secure/hire the constables for elections, seconded by Mr. Del Castilho. Vote in favor of the motion was unanimous.

Agenda Items

> 2022 Committee Appointments, continued: - A list of remaining vacancies was read aloud with some recommendations discussed for possible appointments/council or committee members. Mr. Del Castilho volunteered to be the Select Board representative to FRCOG, and Mr Wells will serve on the McKnight Scholarship Fund. Ms. Blom also recommended Janice Sorensen for the Board of Registrars. Mr. Phillips moved to appoint Mr. Del Castilho, Mr. Wells, and Ms. Sorensen to the respective roles, in addition to approving the appointment of Melissa Griffin as the Town's Fence Viewer, Lisa Provencher as the Town's Sewer Hook-up Inspector, Janice Fleuriel to the Council on Aging, and Paula Consolo, Leslie DeGraff-Grinnell and Patricia Schmidt to the Personnel Committee. Mr. Wells seconded the motion, and the vote in favor was unanimous.

> FY22 End of Year Transfers - Board members reviewed the FY22 year-End Transfer handout. Following a brief discussion, Mr. Phillips moved to approve under the provisions of MGL Chapter 44, Section 33B, subsection (b) the transfer of funds between departments in the amount of \$38,973.00 as further detailed in the handout and recommended by the Town Accountant and Town Administrator. Said transfers will be completed upon further approval of the Finance Committee. Mr. Wells seconded the motion and vote in favor was unanimous.

Documents to Sign

Contract and Grant Documents

> A. Martins Construction, Change Order #2 - Mr. Phillips moved to approve Change Order #2 for A. Martins Construction for additional work done by the contractor and for an increase of the cost of asphalt. Mr. Wells seconded the motion and vote in favor was unanimous.

> Comcast Cable Contract, Renewal - Mr. Phillips moved to approve the letter to deny Comcast Cable's renewal cable license and further requests a 120 day extension for further negotiations. Mr. Wells seconded the motion and vote in favor was unanimous.

> Shared Police Administrative Services, Memorandum of Agreement - Town of Shelburne - The Collins Center has completed a final draft of the Memorandum of Agreement (MOA) with Shelburne for Chief Bardwell to Serve as Police Chief in both the towns of Buckland and Shelburne. Following brief discussion, Mr. Phillips moved to approve the Final Memorandum of Agreement between the Towns of Buckland and Shelburne for shared police administrative services and approve the sum of \$5,500 be paid to the Town of Shelburne each month until June 2023. Said payment is not retroactive and is to commence on a date to coordinate with that chosen by the town of Shelburne. The motion was seconded by Mr. Wells, and vote in favor was unanimous.

> Westfield Construction, Contract for Construction of the Buckland Community Swimming Pool - Mr. Wells moved to approve the Contract for Westfield Construction in the amount of \$2,068,321.00 Mr. Phillips seconded the motion and vote in favor was unanimous.

> Mass DOT Winter Road Recovery Fund Agreement - Mr. Phillips moved to approve the Contract for MassDOT for Winter Road Recovery in the amount of \$142,000.00. Mr. Wells seconded, and vote in favor of the motion was unanimous.

Permits and Licenses

> Curb Cut, Howes Road - Property owners had submitted a completed curb cut application in accordance with Town policy having been reviewed and signed by the Highway Superintendent, Fire Chief, and Police Chief. Mr. Wells moved to approve a curb cut application for Bonnie Iglesias and Marco DePaulis of 167 Howes Road (East Buckland, former address). Mr. Phillips seconded the motion and vote in favor was unanimous.

Minutes

> July 12, 2022 and July 26, 2022 - Mr. Phillips moved to approve both sets of minutes as written, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting - Saint Joseph's Catholic Church had submitted a sidewalk use application to display a banner advertising their annual tag sale on the State Street river fence for two weeks prior to

the August 27 event. Mr. Phillips moved to approve the permit, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Select Board Member Concerns - There were none reported.

Town Administrator's Report - There was no formal Town administrator's report, however, Ms. Guyette reported that some trees in front of McCusker's Market will be trimmed some time soon and at that time there will be an impact on the number of available parking spaces.

Public Comment - There was no public comment.

Volunteer Recognition - Recognition was given to the Cable Advisory Committee for their hard work in the cable licensing renewal for the Town of Buckland.

Announcements & Upcoming Meetings - There will be Select Board meetings on August 23 and September 13, 2022. The State Primary Election is September 6, 2022. With no further business or announcements, Mr. Phillips moved to adjourn, seconded by Mr. Wells. Vote in favor of the motion was unanimous. Meeting adjourned at 6:08 p.m.

Respectfully Submitted by Mary Bolduc, Boards' Clerk, August 23, 2022

Signed:

Barry Del Castilho_____

Clint Phillips_____

Larry Wells_____

HAZARDOUS WASTE COLLECTION DAY

SATURDAY, SEPTEMBER 24, 2022

GCC MAIN CAMPUS AND ORANGE TRANSFER STATION

PRE-REGISTRATION REQUIRED BY SEPTEMBER 16TH

**Register online at: franklincountywastedistrict.org
or fill out the form on the back of this sheet and mail it.**

Your appointment time and directions will be mailed after registration is processed.

For residents and businesses of the following towns:

Athol, Barre*, Bernardston, Buckland, Charlemont, Colrain, Conway, Deerfield, Erving, Gill, Hawley, Heath, Leverett, Montague, New Salem, Northfield, Orange, Petersham, Phillipston, Rowe, Royalston, Shelburne, Sunderland*, Warwick, Wendell, Whately.

This collection event is free for residents. *Barre and Sunderland residents must pay to participate in 2022. Space is limited. Greenfield and Leyden residents are not eligible and should call (413) 772-1528 for info on disposal.

For business registration and pricing information, call (413) 772-2438.



Due to COVID-19, safety protocols and waste restrictions will be in place.



Participants will be required to remain in their vehicle and place all waste in the trunk, rear cargo area, or truck bed. Materials that will not be collected this year include all types of batteries, thermometers, and thermostats. These items can be brought to most town transfer stations year-round.



WHAT TO BRING

Any substance labeled: CAUSTIC, TOXIC, CORROSIVE, POISON, FLAMMABLE, WARNING, DANGER, CAUTION



- Paint (non-latex), spray paint, varnish, paint thinners, solvents
- Herbicides, pesticides, yard/garden chemicals, wood preservatives
- Asphalt sealer, roofing tar, household cleaners, pool chemicals
- Motor oil, antifreeze, automotive fluids
- Photo chemicals, arts & crafts supplies, furniture polish

WHAT NOT TO BRING

Fluorescent light bulbs, batteries, mercury-containing items (see reverse for alternate disposal), latex paint, empty containers from hazardous products (put empties in trash, not recycling), gas cylinders, radioactive material, explosives (including ammunition & fireworks)

For more information: franklincountywastedistrict.org or contact the Franklin County Solid Waste District at info@franklincountywastedistrict.org, (413) 772-2438.

MA Relay for the hearing impaired: 711 or 1-800-439-2370 (TTY/TDD).

The District is an equal opportunity provider.



Safe Home—Healthy Home

We are exposed to harmful chemicals in many ways—including products we use to clean our homes or maintain our yards. Only a small portion of the more than 80,000 chemicals registered by the U.S. Environmental Protection Agency (EPA) have been thoroughly tested for human health concerns. Many common chemicals found in our homes can have immediate toxic effects on adults, children, and pets if not used properly. Others may have long-term health effects after repeated exposure. Particles from detergents, cosmetics, pesticides, and other chemicals are found in the dust in our homes, potentially contributing to asthma.



We can make our homes safer by adopting some minor changes to the way we clean our homes or care for our lawns and gardens, and through proper storage, use, and disposal of household chemicals. Consider purchasing nontoxic or low-toxic products. When considering a chemical product, ask yourself if something else you already have will do the job. Common household items such as baking soda, vinegar, and plant-based soaps can often clean just as well as specialty cleaners.

Mercury-containing items such as thermometers, thermostats and compact fluorescent lights (CFLs) should never be put in the trash or recycling. These items won't be accepted at the 2022 Hazardous Waste Collection Day. Thermometers and thermostats are accepted free of charge at District transfer stations; put in plastic bag and hand to attendant. All types of fluorescent bulbs are accepted at Franklin County transfer stations, including Greenfield transfer station, and Lowe's Stores. Home Depot only accepts CFL bulbs. These items are also accepted at the District's regional hazardous waste "Super Sites." Fees may apply; handle items carefully.

Batteries (rechargeable, lithium, button) and cell phones are other common household items that should never be placed in the trash. If these batteries are burned in waste combustion facilities or buried in landfills they can release mercury, cadmium or other heavy metals into the air and water, entering the food chain and posing health threats to people and the environment. Proper disposal of these batteries and cell phones is free at all District transfer stations; hand them to the attendant. Towns that do not have transfer stations have collection boxes at town hall. Residents can bring vehicle batteries to auto parts stores and most municipal transfer stations for free recycling or get paid at scrap metal dealers.

For information on alternatives to chemical products, and information about proper disposal of hazardous chemicals, mercury and sharps (needles): franklincountywastedistrict.org, info@franklincountywastedistrict.org, (413) 772-2438. The District is an equal opportunity provider. MA Relay for the hearing impaired: 711 or 1-800-439-2370 (TTY/TDD).

Hazardous Waste Day Registration - submit by September 16, 2022 (or register online):

Please fill out this form completely and mail to:
FCSWMD, 117 Main St, Greenfield MA 01301

Resident name: _____

Mailing address: _____

Town of residence: _____

Daytime phone: _____

Email: _____

Specify type and quantity of waste
Ex: 2 gallons gas, 5 lbs. pesticides
Please be specific!
