

[NORTHFIELD SELECT BOARD MEETING MINUTES]

December 5, 2023

Northfield Town Hall
69 Main St

Select Board Present: Alexander Meisner, Chair; Bernard Boudreau, Vice Chair; Sarah Kerns, Clerk; Barbara “Bee” Jacque; Heath Cummings

Also Present: Andrea Llamas, Town Administrator; Sandra L. Wood, Town Secretary; Tyler Bourbeau, BNCTV

Others Present: Beth Walker and Alice Lord, Assessors; Chief Floyd “Skip” Dunnell; Jess Krupa, Sunrun

- Meeting called to order at 6:02 pm
- **Scheduled Appointments**
 - 6:00 pm Tax Classification Hearing with the Board of Assessors
 - Motion by Lord, seconded by Walker the Board of Assessors voted to call to order
 - Motion by Meisner, seconded by Kerns the Select Board voted to open the public classification hearing to discuss the allocation of the local property tax levy among the property classes for fiscal year 2024. Roll call vote: Meisner yes, Kerns yes, Boudreau yes, Cummings yes and Jacque yes
 - Walker gave an overview of how tax classification is approached, regulations of the Bureau of Accounts, Division of Local Services and Department of Revenue (DOR) on the town’s submission of a Tax Rate Recapitulation Sheet (Recap) which is the municipality’s budget plan for the fiscal year, including anticipated and actual revenue other than property taxes. The difference between expenditures and revenue from is raised through property taxes. The difference is the tax levy
 - Before the tax rate is set the municipality determines the maximum amount it can levy under Proposition 2 1/2; establish final values for all taxable real and personal property; decide its property tax policy
 - Assessors value taxable real and personal property and classify as: residential, commercial, industrial, and personal property
 - Every 5 years the Assessors have the proposed values reviewed and certified by DOR
 - A public hearing is held with the Select Board to determine the classification of commercial, industrial, and personal property. Historically, Northfield has held a single tax rate
 - Upon submission to the DOR the approval can take up to a week. Tax bills need to go out by December 31.
 - The estimated single tax rate is \$13.58 per thousand
 - There were no written letters received nor comments for or against from those in the audience on the classification of a single tax rate. The excess levy capacity is \$1,333,463.05 which is the difference between the maximum levy allowed at \$10,344,206 and the levy of \$9,010,743
 - Llamas explained the levy limit is the maximum that can be spent without an override of proposition 2 ½
 - Motion by Jacque, seconded by Cummings the Select Board voted to adopt a uniform tax rate, otherwise known as a single tax rate for all classification for the fiscal year 2024
 - Motion by Meisner, seconded by Kerns the Select Board voted to close the hearing at 6:15pm. On a roll call vote Jacque yes, Meisner yes, Boudreau yes, Cummings yes, and Kerns yes.
 - Walker and Lord voted to adjourn the Assessors
 - Jessica Krupa/Sun Run/Mass Save request for temporary Vendor, Hawker and Peddler License
 - Krupa provides consultations and education on solar installations as well as available cost savings from Mass Save and holds a state peddler license.
 - Krupa clarified the power share is when solar panels are put on the roof and power is purchased for a lesser rate than the utility. Massachusetts has a law that the customer must be able to save money to go solar under a power purchase agreement (PPA)
 - Motion by Cummings, seconded by Boudreau the Select Board voted to approve the Hawker, Vendor, Peddler license for Jessica Krupa, SunRun from December 1, 2023, through December 18, 2023; 10am - 3pm Saturday, Sunday, Monday; 1pm-5pm Tuesday, Wednesday, Friday; with the ability to call in for renewal
 - Floyd Dunnell III - Fire Chief Appointment, Fire Chief Succession, Ellen Whitney Trust/Estate, Emergency

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Services Facility Committee Update

- Succession
 - The legislature has approved Chief Dunnell's extension until August 2024
 - Chief Dunnell is working with Assistant Chief Quinn on a succession plan. The fire department is in favor
 - Assistant Chief Quinn has 14-15 years of experience with the department working up the ranks
 - If Chief Dunnell wishes to repeat the extension it must be on the town meeting warrant. The state legislature is working on creating a bill to increase the mandatory age of retirement to 72
 - Discussion on creating a succession committee with the fire departments recommendation following the process used for the Police and Emergency Medical Service departments with a focus on all aspects of the department and Massachusetts General Law compliance, the job description, the culture of the department and skillsets for training
 - Chief Dunnell said the fire department policies are still being reviewed with additional information as requested. The department has taken offense at some of the personnel policies and claimed they are not doing anything illegal. Cummings noted it should be in line with the other departments
- Ellen Whitney Trust/Estate
 - Chief Dunnell gave a brief history on the Whitney family that lived in Northfield and was a distant relative. One third of the estate was left to the Northfield Fire Department. The department received disbursements, the last in 2021. Chief Dunnell had signed a release but the department did not receive the allotment. He was notified by probate court and checked with the Town Administrator, Town Accountant and Town Treasurer and verified in writing with those departments the funds had not been received. After attending probate court, Chief Dunnell reports there will be three disbursements coming to the town per the judges order in the amounts of \$100,000, \$75,000 and \$50,000. The judge hopes to close the case in January/February of 2024
 - Discussion on how the department receives the donation and how it can be used. A gift account does not need an appropriation.
 - Llamas asked about a pending grant for equipment replacing the need for the American Rescue Plan (ARPA) funds awarded for the equipment. The ARPA funds will be re-imbursed if the grant comes in
- Emergency Services Facility (ESFC) Update
 - Chief Dunnell read from the minutes of the ESFC 11/29/23 meeting as an after-action report and recommended to the Select Board three individual or combined departments. Jacque would like the after-action report to address the criticisms and what the committee's approach would include not bringing the project to town meeting if not supported by the employees. Chief Dunnell said he addressed the employees' actions and told them if they were against the project to give a reason. It would be a 100% buy in vote of the department to move forward.
 - Discussion on whether the Select Board limited the project to one building. Cummings did not recall an order of the Select Board for one building, but the cost of the project evolved into one building. Discussion on options, including regionalizing the fire department and the time it would take. The current regionalization of the EMS department and the administrative position of the fire department
- Fire Chief Appointment
 - On a motion by Cummings, seconded by Kerns the Select Board voted to appoint Floyd "Skip" Dunnell as Fire Chief until August 13, 2024
- **Review and Approval of Warrants**
 - Motion by Jacque, seconded by Cummings the Select Board voted to approve the 11/29/23 Payroll warrant \$78,925.71

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- Motion by Cummings, seconded by Boudreau the Select Board voted to approve the 11/29/23 Vendor warrant \$101,786.54
- **Review and Approval of Minutes**
 - Motion by Cummings, seconded by Jacque the Select Board voted to approve the 10/3/23 Executive Session minutes as written. Kerns abstained
 - Motion by Kerns, seconded by Jacque the Select Board voted to approve the minutes of 11/21/23 as amended. Boudreau and Meisner abstained
- **Meetings/Events attended by Selectboard members**
 - Meisner: while at dinner at the Deerfield Inn, encountered Chief Fortier
 - Cummings: Emergency Services Facility Committee (ESFC)
 - Kerns: Sewer Commission; Legislative discussion on sewer issues; ESFC; Zoning Board of Appeals; Unitarian Church Craft Fair; 350th Gingerbread house event; met with Police Chief; Open Space Committee; Northfield Bird Club; resident re: bus route; resident re: land use; resident re: issues on upcoming warrant
 - Jacque: Emergency Medical Service Task Force + site visit; ESFC
- **Town Administrator's Updates**
 - Highway Auction results –Received \$53,928.15 from surplus equipment
 - Comcast Contract Construction (Four Mile Brook Road)- Project is complete
 - Sewer Rate adjustment bill to fix a past mistake being sent out January 15, due March 1. Spring bill will go out April 1, due May 15. Switching to quarterly billing starting with fiscal year 2025. There will be a rate increase
 - School Street Bridge Recommendation of Department of Transportation to close or narrow to one lane. Bridge has been closed. A Small Bridge Grant will be starting soon to do the engineering in preparation for repair or replacement. Posted on the website and in the Greenfield Recorder
 - Animal Control – Kinsella Case – Mr. Kinsella has acquired the requisite insurance policy – the ACO has spoken to the company and read them the requirements right out of the court order. I verified Mr. Kinsella's address with the landlord. The ACO for the City where the dog is going to reside has been notified that the dog is coming to that address – they have agreed that the dog can come. Mr. Kinsella is now working with our ACO to vaccinate, chip and register the dog so it can be released and taken to his new address and pay the town the fees we will be billed by the Kennel for boarding after the dog was deemed dangerous. The dog has been deemed dangerous statewide and the new location is aware.
 - Discussion on whether there are requirements to notify neighbors and conditions set on the dog
 - Llamas will supply the list of fees once confirmed. Dispute on what is owed by dog owner and town
 - Dog hearing procedure to be updated and future dog hearings will be scheduled as a separate meeting
 - Discussion on setting town policy on kenneling fees during hearing procedures versus Massachusetts General Law regulations on fee responsibility.
 - Pioneer Valley School District Assessment and School Projects Update
 - We will receive the new assessment letter from the District.
 - We will be receiving a lower assessment amount to pay for the next payments.
 - We will get back actual funds for the money coming from the School's Excess & Deficiency (E&D) account
 - Kerns requested a statement to be read at Town Meeting what was refunded by the school because it speaks to their honesty
 - They will replace the walk-in cooler and the dishwasher now and are trying to get a contractor for the door. Bernardston appears to be getting a new dishwasher also
 - These amounts will be deducted from the money coming back from the E&D.
 - I have received written documentation from the school of quotes, etc. they need to do these as soon as possible, There is no quote for the door at this time
 - If the walk-in cooler fails, they can't store any refrigerated food. This will essentially shut down the lunch program.

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- They are using disposable plates because they can't wash dishes.
- Kerns asked why the door was different. Llamas responded there wouldn't be any funds left, it will be on the town. If they had a quote they could follow the same method as the other items to be repaired/replaced.
- New Electric Aggregation Rates – Post Card Mailer
 - The Town belongs to the Aggregation program.
 - Every three years we bid the electric rates. Eversource bids more often
 - The new three-year rates will be going into effect in January.
 - Our aggregation manager will be mailing postcards to every household to explain the rates and show in comparison to Eversource.
 - Kerns, referring to the Comcast update, said the electric was updated on Highland and Glenwood, and taller poles were installed leaving the smaller poles for Comcast until they move their equipment to the taller pole. Discussion on whether it is Comcast or Verizon that needs to move equipment. Llamas will follow up on the double poles.
- **Business**
 - Annual Liquor License Renewals
 - Motion by Jacque, seconded by Cummings the Select Board voted to approve the renewal for Vasilios Parios; Northfield Pizza House; 198 Main St. Annual Restaurant; Wines and Malt; expires 12/31/24
 - Motion by Jacque, seconded by Cummings the Select Board voted to approve the renewal for Paul Cameron; Cameron's Winery LLC; 1046 Millers Falls Rd. Annual Farmer Series Pouring Permit; Wines only; expires 12/31/24
 - Motion by Jacque, seconded by Boudreau the Select Board voted to approve the renewal for Shelby Hasanbasic; Northfield Golf Club Inc.; 31 Holton St. Annual General On-Premises; All Alcoholic Beverages; expires 12/31/24
 - Motion by Jacque, seconded by Kerns the Select Board voted to approve the renewal for Denis Brennan; Northfield VFW Post 9874, Inc.; 545 Mt. Hermon Station Rd. Annual Veterans Club; All Alcoholic Beverages; expires 12/31/24. Request for fee to be waived.
 - Motion by Jacque, seconded by Kerns the Select Board voted to approve the renewal for Condor80 Corp, Jody James; Northfield Food Mart; 74 Main St.; Annual Package Store; all Alcoholic Beverages; expires 12/31/24
 - Motion by Jacque, seconded by Boudreau the Select Board voted to approve the renewal for Madrigal Inc., Jody James; Mims Market; 60 Main St; Annual Package Store; Wines and Malts; expires 12/31/24
 - Motion by Jacque, seconded by Kerns the Select Board voted to approve the renewal for Christopher Sellers; The Brewery at Four Star Farm Inc.; Annual Farmer Series Pouring Permit-19H Wines & Malts; expires 12/31/24
 - Motion by Jacque, seconded by Kerns the Select Board voted to approve the renewal for Paul Cameron; The Back Room Brewery LLC; Annual Farmer Brewery Pouring Permit, Malt; expires 12/31/24
 - Annual Class II Renewals
 - Motion by Boudreau, seconded by Cummings the Select Board voted to approve the renewal for Clayton Browning; DBA(Doing Business As) Browning Automotive; 22 Upper Farms Rd; Class II license expires 01/01/25
 - Vote to approve the renewal for H. Brian Wood; DBA Northfield Auto Body LLC; 99 Main St.; Class II license expires 01/01/25
 - Annual Class III Renewals
 - Motion by Boudreau, seconded by Cummings the Select Board voted to approve the renewal for Daniel H. Browning; DBA Daniel H. Browning; 849 Millers Falls Rd; Class III license expires 01/01/25

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- Motion by Jacque, seconded by Cummings the Select Board voted to approve the renewal for Jeffrey Matosky DBA Boyd's Auto Body; 952 Millers Falls Rd; Class III license expires 01/01/25
 - Discussion: A complaint was filed against Matosky claiming a violation of the special permit for this property with the Zoning Enforcement officer. Property was inspected. Letter sent to Matosky informing him of the violation. Matosky has contacted the Zoning Enforcement officer, addressed the violation and is in compliance.
- Wastewater Office Coordinator Job Description
 - Typo to be corrected in job description
 - Motion by Cummings, seconded by Jacque the Select Board voted to approve the Wastewater Office Coordinator Job Description as amended
- Review and Adopt Policies:
 - Motion by Jacque, seconded by Cummings the Select Board voted to approve the Policy on Public Participation at Town of Northfield Select Board Meetings
 - Motion by Jacque, seconded by Cummings the Select Board voted to approve the Policy on Citizens' Concerns Protocol
 - Motion by Jacque, seconded by Cummings the Select Board voted to approve the Personnel Policy on Electronic Mail
 - Motion by Jacque, seconded by Cummings the Select Board voted to approve the Personnel Policy on Social Media
 - Select Board Policy: Town Lawyer Access
 - Meisner does not want to set a precedent for all that serve on a board to have free access to a town attorney. He felt it was dangerous, costly and not budgeted. Access should go through the Select Board Chair and Town Administrator.
 - New policy reflecting what has been current practice and follows the Town Administrator job description and article passed at Town Meeting.
 - Meisner stated that Llamas's experience and background allows her to access and interpret legal information saving time and inconvenience, and has other ways to access information.
 - Llamas explained her process of drilling down what are sometimes open ended questions to a specific question for counsel to review or direct people to sources that would be helpful.
 - When someone calls or emails the lawyer with a question, the lawyer contacts Llamas. Replying to multiple members questions on the same topic may result in variances in response and conflicting advice.
 - Kerns raised her concern based on the Select Board with the Chair being one vote, she felt individual Select Board members needing information from the attorney was a separate category and could be set with hourly limits.
 - Jacque responded the Select Board was a body and legal questions need to be discussed by the body
 - Kerns felt it was reasonable that individual members be allowed to consult the attorney apart from other boards.
 - Meisner spoke about organizational behavior and the process of giving the inquiry to the Chair, to the Town Administrator, to pass on to counsel, and referred to multiple members of the Select Board directly accessing counsel as a game. Kerns rejected the idea of it being a game but did not want to foreclose the opportunity to discuss because they don't have the opportunity to consult.
 - Jacque said in four years she has rarely spoken to the attorney and gave an example of coming to Llamas with questions prior to Jacque's recent court appearance for the town. Llamas contacted the attorney to answer questions related to the dog case. Authorization is needed because outside of the Select Board individuals have no power

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- Kerns requested if counsel was contacted a copy of the legal response could be provided. Llamas said it depended on whether it is advice or a legal opinion which is a researched written document.
- Boudreau suggested contacting the State Ethics Commission for written resource information. Meisner added the lawyer-of-the-day could be contacted
- Kerns referred to number 8 on the policy as useful concerning boards with separate budget line items for legal not needing to follow the procedure as long as they stay in the budget
- Policy will remain under review until the next meeting. Further comments to be forwarded to Llamas
- **Topics not reasonably anticipated by the chair 48 hours in advance of the meeting**
 - Select Board Appointment as municipal representative to the Pioneer Valley Regional School District Collective Bargaining 12/14/23 6:00 pm
 - Motion by Jacque, seconded by Cummings the Select Board voted to appoint Sarah Kerns as municipal representative to the Pioneer Valley Regional School District Collective Bargaining. Kerns abstained.
- **Proposed Agenda Items**
 - Kerns: Zoning Board of Appeals, Kerns will have citizen send in request; bus route to Greenfield; Police Department Speed Enforcement warrant article
 - Cummings: schedule Recreation Commission to come in after holiday
- Motion by Cummings, seconded by Jacque the Select Board voted to adjourn at 8:55pm

Recorded by Sandra L. Wood, Secretary

Select Board Clerk

12/19/23
Date Approved