

Minutes
Williamsburg Board of Selectmen
May 5, 2022

The members of the Board of Selectmen met in regular session on Thursday, May 5, 2022, at the town office. The chair called the meeting to order at 9:00 a.m. At the beginning of the Planning Board and Marijuana agenda item, the chair noted that the meeting was being recorded by the Country Journal reporter.

Present: David Mathers, Denise Banister and William Sayre

Also present: Dan Banister (Highway Superintendent), Shelby Macri (reporter, Country Journal), Nick Caccamo (Town Administrator), Steve Smith (Planning Board chair), Eleanor Warnock (Administrative Assistant)

1. Highway – Highway Superintendent Dan Banister gave his regular report. Since his last report he and the crew have continue to deal with ice and snow, and overspent winter salary budget by \$3000 and winter expense budget by \$7000. They have had trouble with Truck 5 and replaced the transmission, as well as the transmission cooler and power takeoff, for a cost of about \$8000. There have been issues with trees down and the crew has worked to clear the trees and reopen roads. They rented a large chipper and chipped a large amount of brush. They worked with Northern Tree Service to remove hazard trees. They removed trees and shrubs at the James Building to save money on demolition costs. They have been filling potholes. They are buying cold patch in bags, which is more expensive but reduces waste and is easier to handle. There was a small issue with the blacktop provider but it was resolved by FRCOG. The roller developed an issue with its engine and they have been renting a roller when needed and would like to get a new roller soon. They use it for blacktop and for dirt roads after grading. Chapter 90 funds can be used. The crew just rebuilt the paver and it's ready to go when the weather is warm enough. They set up the Town Caucus in the Highway Garage. The crew has started spring sweeping of the roads and cleaning of catch basins. They replaced the failed culvert on Nash Hill Road and installed a second culvert, on the recommendation of the Conservation Commission. The budget is still in good shape, even though prices have gone up. Fuel prices have increased and the budget may need to be increased. Regarding water/sewer, they are doing a lot of maintenance, raising hydrants. Bryan Osetek is taking classes to be a fully licensed operator. They are working with Mass. Rural Water going around to houses locating shutoffs. They are continuing to do sewer testing. The sidewalk on High Street will be started soon, between Maple Street and Edwards Street. The Winter Recovery Assistance Program (WRAP) will provide an additional \$144,000 to fix roads. The Hampshire Care/Overlook nursing home in Leeds will need to be hooked up to the Fort Hill water main, under an existing agreement, then will come the houses on South Main Street. Paul Sanderson, who is very knowledgeable about the nursing home grounds, is a new Water/Sewer commissioner. The salt shed roof has had to be replaced, and there is a new blower for the back of the tractor; he wants to offer the old one to the school. He has advertised the Highway job but with no good results as yet. He would like to give his crew members a raise and has money in the budget. Board members noted that there is a wage study in process, and also noted that the Superintendent's compensation is being looked at, to compensate him for overtime. Bryan Osetek, who works partly for Water/Sewer, will be

proposed for a raise when he gets his license, and when Highway Foreman Don Turner retires, Bryan is a perfect fit for Highway Foreman. A Board member mentioned a broken guardrail by the transfer station, but Highway does not do guardrails because of the liability. Board members thanked Dan for the great job he and his crew are doing.

2. Marijuana bylaws – Planning Board chair Steve Smith presented the current proposed changes to the marijuana bylaws. Summary of changes: Combine the previous medical marijuana section with the newer marijuana establishments including recreational marijuana; they may need to review this and pull them apart again. The two sections need to be consistent. Update to be consistent with changes in state law. Require that all cultivation be indoors. Change the setbacks from 15 to 40 feet side and rear. Limit to 2000 square feet of canopy, meaning square feet of plants; if plants are growing on shelves then the total area of the shelves is counted; there is a question whether the 2000 square foot limit is allowable, since the smallest state license allows up to 5000 square feet. Reduce the buffer distance from a school to 300 feet, and measure according to state law. A question was raised whether the library qualifies for the school buffer distance since it functions as part of the school program; he will follow up. Allow marijuana establishments in a building with residents, as any other business in a large mixed-use building. Move some paragraphs around and delete some items already required by the state. General comments – The Planning Board has been concerned about cultivation as intrusive and not beneficial to the town, so it is a lower priority. Other possible uses are fine and would generate jobs and tax revenue. Let other towns pave the way and see what works. While the Right-to-Farm bylaw includes farm odors, marijuana is not a protected agricultural use. There is a limit to two marijuana establishments. These proposed changes will be finalized with the town's attorneys. Board members thanked the Planning Board for their excellent forward-thinking work.

3. Winter Recovery Assistance Program (WRAP) – The contracts have not yet been received. **Motion** was made and seconded (DB/WS) to authorize the chair to sign the Winter Recovery Assistance Program contracts. **So voted** (3-0).

4. Waste Disposal contract – There is an agreement pending with Republic Services but the contracts are not yet finalized.

5. FY23 Budget – Town Administrator Nick Caccamo presented the latest version of the budget from the Finance Committee. Smith Vocational is put at \$600,000, to cover 28 students, down from 34, including possible costs for Special Education, and with some breathing room in case a new student moves into town. Finance Committee approved a 5% cost of living increase for town employees, \$51,000. The total budget is \$8.5 million including the COLA. Other individual items were discussed, including the Collector budget since the current Collector is retiring, the Town Clerk's budget including a salary increase and storage materials, decrease in property insurance for the James Building with the new Public Safety Complex coming, Fire Department salary and labor as previously discussed, elementary school expense increase, highway labor decrease. Nick reviewed the tax levy worksheet showing an excess levy capacity of \$87,000.

6. Free cash – With a budget of \$8.5 million, the town needs to keep 10% unencumbered, or \$850,000. Free cash is \$860,000, and with current stabilization of \$450,000, total reserves are

\$1.3 million, and the town is in great shape. Flexible free cash – difference between the reserves and the 10% – is \$471,000. Some possible uses for that money, to be decided at Town Meeting, are the front-end loader at \$140,000, interest on the Public Safety Complex, \$80,000, small amounts for the 250th anniversary committee, the annual Medicare payment, and a FY21 expense not previously paid, and contribution to stabilization, \$180,000. The Town Administrator has also put in a request for \$60,000 for improvements to the Town Offices, especially window replacement and historic building preservation assessment. After discussion Board members agreed to the assessment and then window replacement.

7. Annual Town Meeting warrant – Town Administrator Nick Caccamo asked Board members to review the draft warrant.

8. Open Meeting Law violation – A complaint was submitted by the editor of the Country Journal on April 20. Town Administrator Nick Caccamo explained that the process is for the chair to disseminate it to the members of the Board, done today, and for the Board to meet within 14 days to review it and respond in writing, including any actions taken to address to allegations. Nick Caccamo read the complaint aloud – that the Board is meeting in person without remote public access. **Motion** was made and seconded (WS/DB) to designate Town Administrator Nick Caccamo to draft a response to present at the next meeting on May 19. **So voted** (3-0).

9. Personnel – Tax Collector position – There have been two applicants. Interviews will be scheduled for Tuesday, May 10, at 3, on Zoom.

Building Supervisor – The Building Supervisor position will be discussed at a future meeting.

10. Mosquito Control Opt Out – In the past the town has opted out of the state mosquito spraying program, on the recommendation of the Board of Health. The town has to submit an education outreach plan in place of spraying, to be provided by the Foothills Health District in conjunction with the chair of the Board of Health. **Motion** was made and seconded (DB/WS) to opt out of the mosquito spraying program. **So voted** (3-0).

11. Agricultural restriction – Town Administrator Nick Caccamo explained that a letter from the Mass. Dept. of Agricultural Resources said that they were about to enter into an agreement with owners for preservation of the 96 Mountain Street property, and requested a local contribution of 5 to 10%, or at least \$20,500. The Board asked Nick to get in touch with the Hilltown Land Trust and will plan to discuss this at the next meeting.

12. Select Board meeting time – One of the candidates for Selectman in the recent election had proposed moving the Select Board meeting time to evening when working people could attend. Discussion included that the Board used to meet in the evening, before Covid, and almost no one ever showed up, that starting at 7 makes the meeting very late and driving home late, that department heads and staff should be able to come in on their working time, that 9 a.m. may be inconvenient for a current board member, that at some point the Board members will not all be retired people. Suggestions were: 5 or 6, 4-7 as a compromise, and that the new incoming chair make the decision.

13. Public Safety Complex – Sign – There was discussion about a sign for the new building. The current estimate is \$25,000 and could come from free cash or ARPA money. Flagpoles – The

Firefighters Association has voted to buy three flagpoles, for Fire, Police, and American Legion flags.

14. Memorial Day – The current information is that the observance will be at 1 pm. Selectmen Dave Mathers and Denise Banister will present welcoming and closing remarks.

15. Town Administrator's report –

Economic self-assessment – The first meeting included Jean O'Neil of the Planning Board, Lisa Sheehy from Finance, and Paul Kennedy of the Zoning Board of Appeals. A slide show from UMass gives a good snapshot of Williamsburg over time. The next step is a survey to distribute. Covid – Covid situation is much the same. There was a question of what to do on exposure and what to do when a test is positive. Nick will confer with the chair of the Board of Health.

16. Personnel – An employee lost vacation time when they didn't take enough vacation during the year and couldn't carry over more than a certain amount, and requested compensation for the lost time, citing specific circumstances. The personnel policy allows only a certain amount to be carried over and does not provide for compensation. While Board members appreciated the employee's going above and beyond during Covid, and appreciated the special circumstances, and would have liked to compensate the person, after an extended discussion they did not feel right about setting a precedent of overruling the personnel policy. **Motion** was made and seconded (DB/WS) not to grant an exception to the personnel policy regarding compensation for unused vacation from the previous year. **So voted** (3-0).

17. Minutes – **Motion** was made and seconded (WS/DB) to approve the minutes of April 21 as presented.

18. Miscellaneous – John Pope memorial – It was reported that the memorial went very well.

Mountain Street – Lindsay Sabadosa, who will become the town's state representative, said that if the town sends her a letter, she will try to push the project along. The town had asked MassDOT to revisit the design.

James site survey – It was noted that the boundary location is critical to the Public Safety Complex project because of location of plantings.

Town Administrator anniversary – It was noted that Nick Caccamo has been working for the town for almost a year.

19. Warrant – Selectman Dave Mathers will review and sign the warrant. Payroll warrant WP22-23 for \$109,704.80, and expense warrant W22-23 for \$101,428.45, payable 5/11/22.

Documents used

Marijuana bylaw proposed changes

Budget materials

Open Meeting Law complaint

Minutes

Adjourned at 12:37 p.m.

Approved:

Clerk