

Town of Colrain
Select Board/MLP Board Meeting
Highway Garage
9 Jacksonville Road
4:30 PM

**MINUTES OF SELECT BOARD
August 22, 2023**

Present: Benjamin Eastman, Chair; W. Thomas Griffin; Emily Thurber

Others Present: Pat Geary, Colrain Sewer District; Jane Johnson; Andrew Evans, RCAP Solutions; Rebekah Novak, RCAP Solutions; Bella Levavi, The Recorder; Kathy Phelps; Howard Phelps; Cole Whitaker; Mark Thibodeau; Matthew Lovett; Roger Williams; Dann Emerson; Jade Mortimer; Joshua Hall; Christa Snyder; Ben Davenport; Mike Slowinski; Donnie Brown; Kellie Smith; Marjorie Smith, Administrative Assistant; Kevin Fox, Town Administrator

Chair, Ben Eastman called the meeting to order at 4:33 pm.

Appointments: Pat Geary – Colrain Sewer District Update

Pat Geary updated the Board that Barnhardt will not accept the Colrain Sewer District (CSD) wastewater as of 9/1/2023. The CSD has worked hard on strengthening the District's laws of governance, by-law's and have been meeting regularly with agencies, State Reps, FRCOG and Rural Communities Assistance Partnership (RCAP). They applied for a \$500,000 grant through One Stop and have received a \$50,000 earmark from the State. Currently they are at a standstill and are asking the Town for help on a few items. First, they are looking for help with the Infiltration and Inflow testing and reporting required by MassDEP, which involves ownership of the system. Pat has been told by attorneys, RCAP and DEP that the District does not own the system and there is no agreement that the Town owns the system. Secondly, they are asking the Town for help applying for funds because the District doesn't own the collection system; that is, if the Town does in fact own the system.

Pat further informed the Board that the District has signed an agreement with Community Engineering Corp. (CEC) for preliminary engineering assessments and Franklin County Solid Waste Management District for pumping out the wet wells starting 9/1, however, they don't have a signed access agreement with Barnhardt yet; the lease is still in negotiations.

Discussion regarding proposed collection systems and financial aspects. It could take approximately three to five years to figure out and build a feasible system. Kevin explained that the immediate problem for the CSD is getting the system pumped for the next three years and the immediate problem for the Town is the ownership and getting a written agreement with the CSD.

Jane Johnson – Unregistered Motor Vehicles

Jane informed the Board she is not looking for an update on specific properties but wants to know where we go from here. There are still people not in compliance and it isn't fair to those that have complied. She pointed out that the by-law states people shall be charged \$5 a day for those not in compliance. Discussion on procedure for handling complaints and who is not in compliance. Jane said the properties still out of compliance are 1 Jacksonville Rd, 259 Ed Clark Rd, 13 Greenfield Rd, 116 Main Rd, and 72 Adamsville Rd.

Emily suggested splitting up the list amongst the members of the Board and didn't agree with charging fees at this point in time. Ben Davenport expressed his opinion on the matter and doesn't agree with someone telling him what he can and can't do on his property. Ben Eastman stated that the appropriate way to handle this would be to gather a team together and propose to change the by-law. Emily explained the steps she took when she wrote her warrant for the last town meeting and there are resources that can help with the process. Kevin Fox will speak with 1 Jacksonville Rd and 13 Greenfield Rd; Ben will speak with 116 Main Rd and 72 Adamsville Rd and Emily will speak with 259 Ed Clark Rd.

New Business: Letter from Mass. DEP – Requirement for Sewer System Inflow and Infiltration Studies per 314 CMR. 12.00 Project #: 066-076

Kevin Fox recommended not doing anything until the Town receives more information from MassDEP. Kevin attempted to schedule an in-person meeting with the DEP, however, they refused to meet at a public meeting and offered a remote meeting. Emily was to attend; however, Thom will be taking her place as the lead in regard to meeting with the DEP.

Mike Slowinski questioned what is the disposition of the lagoons and clarifiers if Barnhardt leaves and they fill up; who will pump them out. There is no way to get the water out and will become a health hazard. He believes that the Conservation Commission and Board of Health need to be weighing in and needs to be corresponding with DEP to ensure that Barnhardt doesn't leave a mess.

MOVED: Thom Griffin moved to instruct the Board of Health and Conservation Commission to look into all matters especially the canal, lagoons and the dam at Barnhart, ASAP.

Emily Thurber seconded. **Approved unanimously.**

Old Business: Equipment Operator/Laborer Revised Job Description

Emily and Thom suggested wording edits with the draft job description and advertisement. Discussion on Transfer Station staffing. The Board agreed to have Kevin re-advertise the Highway position in the Recorder, including a wage range.

Unanticipated: Approve Select Board Meeting Minutes – 8/8/2023

MOVED: Thom Griffin moved to approve the minutes of the Select Board for 8/8/2023.

Emily Thurber seconded. **Approved unanimously.**

Approve Select Board Meeting Minutes – 8/9/2023

MOVED: Thom Griffin moved to approve the minutes of the Select Board Executive Session for 8/9/2023.

Emily Thurber seconded. **Approved unanimously.**

Approve Select Board Meeting Minutes – 12/21/2015

MOVED: Thom Griffin moved to approve the minutes of the Select Board for 12/21/2015.

Emily Thurber seconded. **Approved unanimously.**

Approve Select Board Meeting Minutes – 6/3/2015

MOVED: Thom Griffin moved to approve the minutes of the Select Board for 6/3/2015.

Emily Thurber seconded. **Approved unanimously.**

Approve Select Board Meeting Minutes – 4/27/2015

MOVED: Thom Griffin moved to approve the minutes of the Select Board dated 4/27/2015.

Emily Thurber seconded. **Approved unanimously.**

Approve Select Board Meeting Minutes – 2/11/2015

MOVED: Thom Griffin moved to approve the minutes of the Select Board dated 2/11/2015. Emily Thurber seconded. **Approved unanimously.**

Approve Select Board Meeting Minutes – 12/16/2014

MOVED: Thom Griffin moved to approve the minutes of the Select Board dated 12/16/2014. Emily Thurber seconded. **Approved unanimously.**

Approve Select Board Meeting Minutes – 11/24/2014

MOVED: Thom Griffin moved to approve the minutes of the Executive Session dated 11/24/2014. Emily Thurber seconded. **Approved unanimously.**

Approve Select Board Meeting Minutes – 11/24/2014

MOVED: Thom Griffin moved to approve the minutes of the Select Board for 11/24/2014. Emily Thurber seconded. **Approved unanimously.**

Approve Select Board Meeting Minutes – 11/17/2014

MOVED: Thom Griffin moved to approve the minutes of the Select Board for 11/17/2014. Emily Thurber seconded. **Approved unanimously.**

Highway Department

Ben questioned potholes on Heath Rd and Kevin informed the Board that it was on the list.

Emily mentioned that a few residents questioned her about roadside mowing, and she informed them that it was on the list to be done. The residents came back a week later to report that it had been done and this was a good example of things being on the list and being completed.

Town Administrator Updates:

Jacksonville Road Update

The engineer updated Kevin that the critical pass is obtaining funding and permitting for the project. Regarding the permitting, drafts of the application for preconstruction notification through PCN and Army Corp of Engineers, and the Notice Of Intent have been prepared and are going through internal quality control reviews and should be able to submit to the Town for signature in the next two weeks. Kevin submitted the MassWorks Grant in June, and he should hear if the Town was awarded one in October.

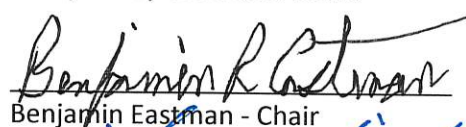
MOVED: Thom Griffin moved to dissolve the meeting at 6:31 pm.

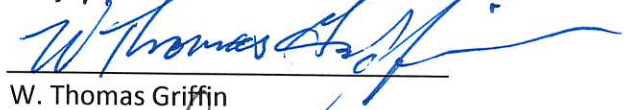
Emily Thurber seconded. **Approved unanimously.**

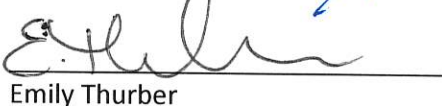
Respectfully submitted,

Marjorie Smith
Administrative Assistant

Accepted by the Select Board


Benjamin Eastman - Chair


W. Thomas Griffin


Emily Thurber

Documents:

Select Board Meeting Notes

Email from Pat Geary dated 8/7/2023 re: Colrain Sewer District Update

Email from Jane Johnson dated 8/10/2023 re: Unregistered Vehicles

Unregistered Motor Vehicle By-Law Complaint Log

Letter from MassDEP dated 8/14/2023 re: Requirements for Sewer System Inflow and Infiltration Studies

Email Correspondence between Kevin Fox and Matthew Sokop (MassDEP) dated 8/17/2023 and 8/18/2023 re: Meeting with MassDEP and member of Select Board

Draft Equipment Operator/Truck Driver/Laborer Job Description