

Select Board Meeting
August 17, 2022

6:00 pm meeting called to order by Neil Oleson.

Select Board members present: Neil Oleson, Mike Bedini, Terry I. Green

Select board members absent: none

Others present: Vicki Winchell, Joan Lewis, Jim White, Pam White, Heidi Dugal, Marty McEvoy, Cindy Bosley, Ron Bosley, Mike Gleason, Brad Furlon, Nathaniel Hamburger, Al Bedini, Larry Cote, Kevin Poirot, Roger Randall, Jason Green, Judy Oleson, Heather Saunders, Donald Saunders, Carlo Pellagrini, Jamie Richardson, Robert Guetti, Colleen Guetti, Eric LeClair, Ted Fields, John Franzoni (via telephone)

Selectboard:

- Mike Bedini made a motion to accept the minutes from the July 20, 2022 Selectboard meeting. Terry I. Green seconded. Unanimous.
- Terry I. Green made a motion to suspend the meeting to move to the Senior Center due to a large audience. Mike Bedini Seconded. Unanimous.
- 6:09 pm the meeting was reconvened by Neil Oleson.
- Florida School representatives Marty McEvoy, Judy Oleson and John Franzoni (via telephone due to illness) attended the meeting to discuss the school building project in progress. The school is requesting two additional amounts to complete the project.
 - R&R has submitted a request for \$105,000 to complete additional work due to structural issues discovered during the demo work over the summer. R&R will submit more detailed information this week.
 - Gale Associates has submitted a request for two additional contract amendments totaling \$33,100 due to unforeseen conditions in the project and the extended time required to complete it and more site visits. There will be a need for more designs due to the structural issues discovered. There is dispute regarding this as the representative from Hill has told Gale Associates this is part of the work and what you bid on.
 - John spoke with the MSBA and it was confirmed that the R&R costs will most likely qualify for the MSBA reimbursement however the Gale Associates additional costs most likely would not. They also verified the project came in \$189,000 underbid. The MSBA also pointed out there is some contingency money with the \$6,000 that was built in for Gale and the \$60,000 that was built in for R&R in case anything came up like this.
 - Neil questioned the amount MSBA pointed out that the final project amount came out \$189,000 under the original estimated amount and asked if that original project amount is \$1.65 million John said yes that was based on what the bids were. The bids came in less than anticipated. The vote taken in October was based on the total amount. Neil pointed out in the vote the maximum grant amount determined by MSBA was \$1,103,764.00 and asked if we will get more than that back from them if this goes through. John felt from his conversation he thinks they are basing their reimburseable remarks on currently are they are not going to have to do the 1.12 million because bids came in under the amount anticipated so there is a cushion in there.

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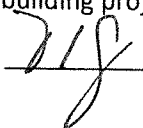
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Selectboard (continued):

- The reimbursement agreement was 72.2%.
- Judy Oleson asked John about the document she and Neil had signed and the school committee is now required to sign. Saying that in several places it said it would absolutely not reimburse and then two paragraphs later it stated it was reimbursable and it left them with no definite answer of whether they are going to reimburse them or not. John did not have the document in front of him but relayed what was said to him in a conversation this week, that the actual construction costs are for the supports because the supports are needed to be put in place, as well as some of the work that needs to be done, because it is actual work to be done that is solving a problem that was not foreseen previously it would be covered as part of the original amount. John does not think they are going above the amount, just that they are saying because the original bids came in lower there is a cushion in there. John was not sure about the document language and felt it would need to be given to town counsel.
- John relayed the information to Gale from the MSBA. Neil pointed out the windows are already taken out and we are over a barrel at this point. He asked if the town makes the decision and go forward is it still be contested between Hill and Gale, correct? The concern is to approve it or try to negotiate a lesser amount.
- Mike asked John if the building is opened up enough where the contractors have found all their problems or are they going to come back again with more requests. John told the contractors to do one complete list so he does not keep going back and forth. There are no more issues that should be found and no further change orders should be submitted.
- Neil stated he was under the understanding from town counsel that the school committee are the only ones required to sign and that is it. He asked if Judy was looking for select board approval or backing. Judy said yes coming into the middle of this because its' Massachusetts State Grant they want the school committee to but Judy request that the select board look over everything also and give her the ok to sign it because she stated the school budget is part of the town budget and basically the town money and does not want to sign anything because she does not have the ins and outs of the town budget itself. Neil pointed out they have already approved the money so it is there. Judy questions the changes in work orders to which Neil responded the approval was up to that amount so the money has been approved. If you want the board to back you on your decision to sign it, they can take a vote. Terry asked regarding Gale for the \$25,000 in additional funds would they be trying to negotiate with them due to the context of Hill saying it is not part of the changes and should have been built into that contract. Judy was unsure. Neil responded Gale would not be reimbursable by the grant and would be on the towns shoulders anyways. They would have to wait and see what the outcome is on that. Judy did not know if Hill was challenging Gale so she did not know what was going to come of that. Neil responded they are still under the \$1.65 million. Terry felt after reviewing the document some of that should have been included in their original fees. Neil agreed and it is still being contested with Hill.
- Mike Bedini made a motion for the select board to give Judy Oleson full support to move forward with the required changes for the school building project. Terry I. Green seconded. Unanimous.

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Selectboard (continued):

- Kevin Poirot shared internet information from the Broadband Committee with Cindy Bosley. Charter won funding from the FCC to build out networks in Florida and Savoy therefore Whip City Fiber would not be attending tonight's meeting to present a proposal. Charter has already completed the pole applications to apply to build in the town of Florida. Because of this if Whip City applied their application would be behind Charter so at this time it does not make sense for them to come up and give a proposal. The benefits of the Charter build out is it would not cost the town a dime as Charter would be paying for all of it. They have received \$1.2 billion in funding from the FCC. They would maintain the entire network as well. They would provide telephone, internet and cable service. The one question that is up in the air is how much of the town they are going to cover. When Kevin was on the phone with the Director of Government Affairs with Charter, he told him they were doing most of the town. They want to have as many customers as possible. Information received from National Grid was that Charter submitted pole applications for 501 poles in the town and we have around 850 poles, which shows there are not applications for every pole in town. Kevin will go back to Charter to see where they are with that. The only thing Charter needs from the town is signing off on the cable franchise. They can build the rest of the network on their own going with permission from National Grid to use the poles but the cable would need to be signed for by Joan or the Selectboard accepting Charter into the town. The timeline Charter told Kevin was that the pole applications take about 6 months to a year. They were submitted in July. After they are approved, the buildout would start immediately. They felt most likely with the size of our town we would see full coverage with what they are expecting to roll out by the holidays of 2023. They want to use the funding and get customers as soon as possible so they are motivated to get this done as soon as possible.
 - Kevin asked if there were any questions.
 - Cindy asked Kevin to ask Charter if it ends up they only cover a certain amount of the town if there would be any plans to expand. If they are not do they have plans to expand or options for the town to pay to do so.
 - Pam White asked if someone sells a house can the new owners sign up. Kevin said yes they can. Pam requested Kevin check anyways with Charter to which he responded he will.
 - Discussions moved to Verizon and their service in town and then returned to questions for Kevin.
 - Roger Randall asked if the service will stop at the same place the electrical poles is?
 - Cindy Bosley asked since Charter would become the provider in Florida would it interfere with Starlink. No they would run in tandem.
 - Carlo Pellagrini asked what is the rationale for not doing the entire town. Kevin was unsure but would check and added the \$1.2 billion is to be spread between 24 states. Charter is bidding on population parcels, which may not necessarily match geographic town borders. Cindy also responded that in the past one issue was mileage and it would cost too much for companies to run so far out.

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Selectboard (continued):

- Is Starlink up and running? Kevin yes.
 - Mike asked for clarification on speeds for Starlink since more residents have signed up for it. Kevin responded it was faster and has slowed but they are also launching more and more satellites every month. So they are planning on building out the network.
 - Jamie Richardson asked what the Charter pricing is. Kevin is unsure but looked up national pricing that started around \$50 month for first twelve months.
 - Mike asked about the Starlink setup. Discussion held regarding mounting Starlink. Frank Levesque from Ram Electrical works independently and can mount the system.
 - Ron asked where do we go from here? Does Charter contact the town? Kevin has the contact information he will pass onto the board. The only thing they need from the town is the franchise for offering the cable services. Kevin will stay in touch with them.
 - Robert Guetti asked If you get the telephone service can you keep the same number? Kevin guesses yes.
- Terry presented the proposal from Northeast IT Systems for approval to move forward with starting application for the Tech Grant. NE IT proposes \$2500 fee and Terry will work on writing the grant.
 - Mike Bedini made a motion to appropriate \$2500 to Northeast IT Systems for preparing the proposal. Terry I. Green seconded. Unanimous.
 - Mike Bedini made a motion for Terry I. Green to prepare the paperwork for the Technology Grant. Neil Oleson seconded. Terry abstained. Unanimous.
 - Terry requested to review the Library Director position and post an ad for the position. She discussed a person met that was a Librarian at the Clark previously and has offered to volunteer. This person also knows someone who may be good for the position that has retired from the Library Director at the Clark. Neil felt the ad should still be run. Terry agreed. Neil asked Joan to set up an ad. Terry directed Joan to email herself and Becky and they will forward the job description to her to run for the 2 weeks.
 - Dobberts was unable to attend tonight's meeting as posted on the agenda. Discussion tabled.
 - Julie Berube, the student who previously requested placing cameras on town property for one year to assess wildlife, has submitted all the information regarding being insured through the college. The liability coverage was verified and cameras will be placed by the windmill property.
 - Terry I. Green made a motion to approve Julia Berube from Amherst University, a master's student, asking permission to place camera traps on town owned property for one year to assess animals and snow. This is to be contingent of the insurance policy. Mike Bedini seconded. Unanimous.
 - Pam White revoked her original agenda request of funding for a membership to the MMA and instead resigned her position from the Finance Committee based on two personal reasons: she read a text she received 2 weeks ago today. That text confirmed there is a town employee who Pam feels does not think that she is an asset to the town and #2 she would not put her husbands' job as the highway supervisor in jeopardy as she feels there was something said within the last two weeks to mix up her husband's job and hers as the finance committee.

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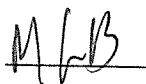
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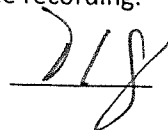
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Selectboard (continued):

- Pam questioned when Christine was still here she received phone call or email regarding town employees making sure the ethics was done. Neil responded the ethics and open meeting certificates are held by Lisa, the town clerk.
- Pam questioned when Christine was here she had mentioned she had a list of who held town keys in her head. Now that Christine is no longer here, Pam wants to be sure there is a list of who has keys to which building in case of emergency, we know who has what. Neil is unsure if there is a list of who has the keys and agreed it is something that should be done. He also believes they should think of changing the locks. Discussion held regarding various options of key lock and keyless entry systems as well as the town building alarm systems. Mike asked Joan to contact locksmiths to get product and pricing information.
- Pam discussed a past meeting with the finance committee and Christine. She had emailed several docs, one of which was an old audit. One finding was the Procedures Manual so Pam is wondering if the town administrator has started putting a manual together so it will be ready for the next audit. Discussion held regarding what exactly is in this manual. Heidi suggested Joan review other town manuals to edit and bring to the board to review. Pam also offered details and suggested checking with Clarksburg. Board instructed Joan to get started on it and bring what is complete to the next meeting.
- Pam discussed that she was called "Hun" at the last meeting by an employee. While she did not feel it was sexual harassment she did find it insulting and demeaning. She mentioned it to others and was informed it is a level of sexual harassment. After researching, it was found even though a person did not mean anything by it is a form of sexual harassment. Volunteers and employees of the town should take some sort of sexual harassment training to avoid lawsuits. Brad asked if the town had any type of personnel policy as a sexual harassment policy would be within that. Terry responded no and Neil felt it was part of the state sexual harassment policy. Discussion held regarding the town having a personnel manual for all employees and volunteers to read and sign off on. Terry clarified to Joan a personnel manual is different from a process and procedure manual. Mike instructed Joan to contact places to find examples of an employee manual and have some answers at the next meeting.
- The board thanked Pam for her time.
- Mike Bedini made a motion to accept the business license of Peter Arigoni, Little Brook Builders LLC and Blue Vista Motor Lodge, LLC. Terry I. Green seconded. Unanimous.
- Pam asked if copies of the agenda could be made available at the meeting for residents who attend. Joan will put extras out.
- Pam asked at a previous meeting if all department agendas could be posted. She has requested Joan post on the town website.
- Pam commented since Christine left that was the last time minutes were posted on the town website. She has requested the town administrator post the approved meeting minutes on there.
- Terry requested executive session be added to the next meeting. The Rowe Assessor would like to bring the board up to date on the negotiations with the power companies.
- Vicki informed the board she will be out of town for the September 14th meeting. She will leave her recorder with Joan and type the minutes from the recording.

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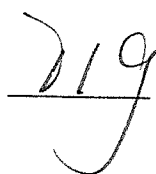
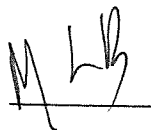


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Jim White, Highway Dept. Supervisor:

- Quote presented for additional tank and pad. A 2500-gallon tank requires special permit. Quote from West Oil is for a 1000-gallon tank. \$10,890 plus additional \$1600 to install the cement pad. There is no pricing on diesel yet as it is still fluctuating too much. Delivery is once per week. Mike requested Jim get another bid or two.
- Paperwork presented for Berkshire Regional Planning assistance in procuring the Winter WRAP Grant and Chapter 90 for Tilda Hill and Blackstone Roads as well as the Fire Station lot. The cost is \$5,000 for their services. They will do all the bid work and advertising for the Winter WRAP Grant and Chapter 90. The approximately WRAP Grant amount is \$132,808.00. The \$5,000 fee is not reimbursable through the grant. The town can apply yearly.
 - Terry I. Green made a motion to approve for BRPC to write up the proposal for the Winter WRAP Grant and Chapter 90 for the Tilda Hill project, not to exceed \$5,000.00. Mike Bedini seconded. Unanimous.
- Regarding last meetings discussion about Mike Worth getting his permit. Mike is working on it. There are currently no openings for Class B license but will be coming up soon. Jim presented a signed form from Mike Worth stating he would not receive any further license rate increases until his CDL has been obtained. He still qualifies for the yearly % increase however.
- Regarding Kyle's licenses. He has not gone back or called to check on his hydraulic license since January. He did not provide a copy of any cancelled check. Neil will check into it further.
- Town garage/buildings has been started. Panels coming next week. Putting in for payment for the paint and supplies. Project was awarded to Arigoni Contractors for painting and metalwork at a previous meeting. Costs accepted are \$32,000 for garage and \$5000 for the dog shed. Three bids had been received but not for the complete project, mostly painting but not the metalwork. Arigoni is able to do both aspects of the project.
- Talked to Delurey's today who had to leave town due to emergency. Delurey was looking for an extension on submitting the bid due to their emergency. The project will have to have the deadline extended and be advertised again as cannot accept a bid after the closing deadline.
 - Mike Bedini made a motion to extend the bid deadline for the truck for the highway department for one additional week to August 25, 2022 and repost the bid. Terry I. Green seconded. Unanimous.

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Public Comment:

- Heidi questioned people moving campers onto properties in town. Neil responded the DEP has been addressing the issue.
- Heather Saunders expressed concerns on a neighboring property (lot 14) as they have an easement for the well. Neil stated the last he heard was they were trying to set up a perk test on the property. Discussion held regarding the neighboring property owners' intentions. Because the mortgage was foreclosed on the Saunders retain the easement on the well. The board of health is working on the issues.

Mike Bedini made a motion to adjourn at 8:20 pm. Terry I. Green seconded. Unanimous.

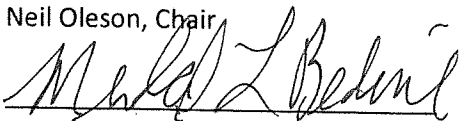
Terry I. Green made a motion to reopen the meeting at 8:24 pm. Mike Bedini seconded. Unanimous.

Public Comment:

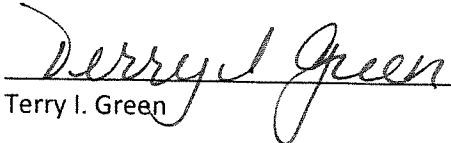
- Nathaniel Hamburg of Trinity Solar appeared before the board. His job is to get homeowners information and for them to utilize the state and federal incentives. He appeared to request permission to solicit in town. His company informed him he was required to do this. It is not required in the Town of Florida. Mike suggested he send a letter to the residents with his information as well as send a letter to Joan and she can add it to the fb page.

Mike Bedini made a motion to adjourn at 8:32 pm. Terry I. Green seconded. Unanimous.

Neil Oleson, Chair



Michael Bedini



Terry I. Green

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