Town of Dalton

462 Main Street

Dalton, MA 01226

**Select Board, Regular Session**

**February 25, 2019**

**Call to Order:**

**Members Present:** Chairman John Bartels, Jr., Marc Strout, John Bishop, John Boyle, Edward Holub

**Also Present:** Kenneth Walto, Town Manager; Nancy Rosenbaum, Recording Secretary

Chairman Bartels convened the Regular Session at 7:00 p.m. in the Callahan Room and invited Mr. Holub to lead the Pledge of Allegiance.

**Pledge of Allegiance:** Chair Bartels invited Mr. Holub to lead the Pledge of Allegiance.

**Roll Call:**

**Approval of Minutes:** Mr. Boyle noted two corrections to the minutes of the February 11, 2019. Chair Bartels noted two corrections to the minutes of the February 11, 2019. Mr. Bishop made a motion to approve the amended minutes. Seconded by Mr. Holub. No further discussion. Vote: Ayes: 4, Nays: 0, Abstentions: 1 (Mr. Bishop, who was absent from the February 11 session due to illness). Minutes were approved with minor corrections.

**Public Address to the Board:** There was no one in the audience at the meeting.

**Zoning Board of Appeals Petitions:**

***Petition #562:*** Mr. Patel, 2086 South Street (Greenridge Plaza): Chair Bartels read a letter from the Town Planner, copied to the Select Board, regarding Mr. Patel’s application to revert the property from a commercial unit to a residential unit. Mr. Boyle explained, and Chair Bartels agreed, that the unit had formerly been a residential unit and had been converted to a commercial unit. Mr. Patel now seeks to de-convert it. Mr. Boyle questioned whether the two units had paid separate water and sewer and would need a kitchen. Mr. Holub said the unit would need a kitchen. Chair Bartels expressed no concern and asked whether the Select Board was in agreement to send a letter to the Zoning Board of Appeals indicating that the Select Board had no concerns with Mr. Patel’s request to de-convert the unit. Motion made by Mr. Bishop to send such a letter. Seconded by Mr. Holub. No further discussion. Vote: Ayes: 5, Nays: 0, Abstentions: 0. Motion passed.

***Petition 563:*** This petition is a continuation of Petition #560 from Nadine Hiser, 163 Hinsdale Road, Dalton, regarding a permit to convert a single-family dwelling into a multi-family dwelling. Ms. Hiser, on behalf of Shire Enterprises, withdrew its appeal and indicated the intention to file for a special permit. Mr. Strout, Mr. Boyle, and Chair Bartels discussed the need for building inspection related to the special permit. The Select Board was in agreement to send a letter to the Zoning Board of Appeals indicating that the Select Board had no concerns with Ms. Hiser’s request to withdraw her application for a permit. Motion made by Mr. Bishop to send such a letter. Seconded by Mr. Holub. No further discussion. Vote: Ayes: 5, Nays: 0, Abstentions: 0. Motion passed.

**Department Budgets:** Chair Bartels introduced Mr. Walto to discuss budgets. None of the department heads were present at the session.

***Department 244, Sealer of Weights and Measures:*** Mr. Walto explained the stipend was increased by 2%. Expenses level-funded. No comments. New budget tentatively approved by the Board.

***Department 296, Tree Wardens***Mr. Walto explained explained the stipend was increased by 2%. Expenses level-funded. No comments. New budget tentatively approved by the Board.

***Department 310, Central Berkshire Regional School District:*** Mr. Walto walked the Board through the summary of the budget and noted he would provide the full, detailed budget in individual Board member’s boxes. The overall budget is increased 0.5%. The last few pages of the summary include an apportionment of operating expenses; Dalton’s apportionment is 60.14%, based on the 5-year average. That apportionment translates into assessments of just over $16 million, of which Dalton will be responsible for 60% (based on an average 851-student enrollment). The overall budget is increased by slightly more than 4.5% to $8,245,065. Dalton’s total allocation for capital projects is $162,693. Transportation is a separate operating expense at approximately $7,800,406, plus the $162,693 for capital expenses, $1,800 of which is not debt-excluded and must be raised under the levy. The budget includes $1 million from the excess and deficiency account of $1.3 million. Mr. Walto noted Chair Bartels had sat through additional budget meetings and might have input on this topic. Chair Bartels noted the summary budget was tentatively approved on February 14. A public heearing on the budget on February 28 at Nessacus Middle School during the School Committee Meeting. Anyone wishing to comment on the budget should plan to attend that meeting. Chair Bartels explained the budget included some shifting of teacher numbers between schools, a few retirements, and the $240,000 rural aid funding from the state had helped the budget. As a result, the overall budget for the district was cut to increase to 1.08%, and Dalton’s portion of the budget was .45% (a decrease from the previous year). Mr. Boyle praised Chair Bartels’ efforts and asked for confirmation that Cummington was remaining in the district for the upcoming year; Chair Bartels affirmed that Cummington was still in the district. Mr. Boyle asked whether there were any rumors about future decisions. Chair Bartels said there were none; it’s up to Cummington to decide what it wants to do, including initiate some change. Mr. Boyle commented that perhaps Cummington’s initial outrage had been tempered by discussions about the new school. Chair Bartels said Cummington’s financial burden for the new school was relatively low. No additional comments. New budget tentatively approved by the Board.

***Department 420, General Highway Department:*** Mr. Walto explained salary decreased by 6.86% due to reallocation for sewer work recommended by Tighe & Bond and guidance from the state regarding how a town of Dalton’s size should be staffing its Highway and Sewer departments. Chair Bartels confirmed this change reflected shifting personnel hours from Highway into Sewer. Mr. Walto affirmed and explained that, in the past, Highway Department personnel’s time had been split across multiple departments (e.g., Sewer, Parks) somewhat after the fact. This new budget reflects an up-front split. The additional $12,000 expense in this year’s budget reflects the Town’s obligation under its state NPDES permit to sweep the streets at least twice per year rather than only once per year. Years ago, it was determined that using the Town’s street sweeper equipment and personnel was less costly than subcontracting the work. Chair Bartels asked whether this was subcontracted work or contracted work. Mr. Walto confirmed this is contracted work—done by Town personnel with Town equipment. No additional comments. New budget tentatively approved by the Board.

***Department 423, Snow and Ice Removal:*** Mr. Walto explained this department is the one on which the Town can go over and spend, if need be, if the budget has not been decreased from the previous year. Mr. Walto recommended level-funding this department because, typically, there is a $30,000 overexpenditure. Chair Bartels noted the plows had been out early in the morning during the past few storms, a few of which had occurred on weekends. Chair Bartels asked whether the budget included repairs of equipment. Mr. Walto said it did. No additional comments. New budget tentatively approved by the Board.

***Department 440, Sewer Repair:*** Mr. Walto pointed to an additional $8 expense for building materials for manholes and miscellaneous sewer repair work. Based on the I&I study and input from Tighe & Bond, the Sewer Department plans to hire one person to demonstrate to the DEP that the Sewer Department is staffed as recommended. Chair Bartels asked about the numbers and staffing of department, and Mr. Walto explained the department will need to keep better track of hours worked relative to Sewer activities. Chair Bartels asked whether Mr. Roughey, head of the Sewer Department, had a written plan of how to approach the sewer work, where the work would begin. Mr. Walto said he believed Mr. Roughey has a plan in mind, but not yet on paper. For example, Mr. Walto said there was a need for 24-hour monitoring of the North Street pump station, and that the monitoring is done in an enclosed space and so two people are required. Chair Bartels asked if this monitoring would be done as overtime. Mr. Walto explained the Superintendent would take on this responsibility or the Foreman might be called upon on occasion, and a police officer might be on stand-by for the few minutes the actual monitoring is conducted. Mr. Bishop asked about $150,000 valve repair under the Housatonic River Bridge and the source of funding for that work. Mr. Walto explained that work was already done and the Town received permission from the State Department of Revenue to overextend the budget on an emergency basis because the work was an emergency. Mr. Walto said the matter could be raised at a Town meeting OR the Finance Committee could decided, in the last 2 months of the year, to move money from sewage treatment, which was underbudget this year, to sewer repairs (this budget). Mr. Boyle expressed concern about trying to hire an experienced operator for a 30-hour positioned and whether the additional hire to the Sewer Department for an operator was a 30-hour role or a 40-hour role. Mr. Walto explained the new hire was a 40-hour role, with 30 hours under this (Sewer) department and the other 10 hours under the Sewage Treatment department. No additional comments. New budget tentatively approved by the Board.

***Department 491, Cemetary:*** Mr. Walto noted the $700 salary increase was due to a step increase and 2% COLA. . No additional comments. New budget tentatively approved by the Board.

***Department 543, Veterans’ Benefits:*** Mr. Walto explained the requested increase from the City of North Adams, the lead provider of veterans’ services in the county, was $200. There are 11 veterans in Dalton receiving benefits, with an estimated 3 additional included in the budget. No additional comments. New budget tentatively approved by the Board.

***Department 650, Parks:*** Mr. Walto explained salaries are increased by 2%. The seasonal operator is split between this department and the Highway Department. There is an increase in expenses of $300 for the Beautification Commission, the first increase in a number of years. Chair Bartels asked Mr. Walto about the number of seasonal personnel in the budget. Mr. Walto expressed the belief there were two seasonal roles. Chair Bartels said they work 40 hours per week, and asked if they are considered full-time positions. Mr. Walto said they can work full-time, but because they’re seasonal activities, the roles are handled as seasonal positions. Mr. Walto added there is another seasonal position in the Cemetary Department. No additional comments. New budget tentatively approved by the Board.

***Department 691, Historical Commission:*** Mr. Walto said the commission was level-funded. Chair Bartels asked why the electrical portion was being decreased. Mr. Walto explained there were no actual changes in funding, but that funds had been shifted to reflect the reality of what had been spent. Mr. Boyle asked about the white house, and Mr. Walto responded that the matter of the white house would be addressed under Town Manager Updates.

***Department 692, Memorial Day Committee:*** Mr. Walto said there were no changes to the budget. No additional comments. New budget tentatively approved by the Board.

***Department 693, Cultural Activities Committee:*** Mr. Walto noted a $200 increase. No additional comments. New budget tentatively approved by the Board.

***General Budget:*** Mr. Walto explained all approved items are in bold. Real amount of free cash is included. The Town has a certified $1.6 million in free cash. This amount reflects a decrease from the $1.9 million from last year, but more than Mr. Walto had projected. Chair Bartels and Mr. Boyle expressed surprise at the $1.9 million figure. Stabilization accounts were increased because they hadn’t been updated since September. Of interest is the very modest increase in the overall CBRSD budget. Transportation is up, excluded debt is up, but non-excluded debt is down. Levy capacity is slightly more than $1 million. Mr. Boyle commented that, a few years ago, the Town’s level capacity was considerably less, which caused Mr. Walto concern because, if the budget is exceeded, the Town must ask for a debt exclusion or cut expenses. Because of the increase in Free Cash, Mr. Walto was able to increase funding to the OPEB and Stabilization accounts. Chair Bartels asked about tax rates, which appears to be increasing $0.11/$1,000 to $19.59. There has been conversation about making it a $0 increase. Chair Bartels asked members of the Board for their opinions on the $0 tax increase, which would be balanced by using the $75,000 in free cash. The Board does not need to make a decision now, but it’s something to think about. Mr. Walto said the only remaining major budget item is Debt Service; the other remaining budget items are the COA and the library. Chair Bartels asked when the decision would need to be made about using the free cash; Mr. Walto said that decision could be made at any time by a recommendation to the Finance Committee. Mr. Boyle agreed with that notion, saying the decrease—or lack of increase—in taxation would be welcomed by the community. Chair Bartels clarified, stating the tax rate would simply not increase—there would not be a decrease—and the option depends on the debt. The other budget items should be in by March 18. Mr. Boyle said he would not be at the next meeting (March 4) of the Select Board. Mr. Bishop will also not be at the next meeting of the Select Board. Mr. Walto pointed the board to the Revenue schedule and suggested they might increase other revenue, if needed. No further comments.

***Draft Warrant:*** Mr. Walto presented the draft Warrant. Three items are new. The first item involves the transfer station. The current contract with the materials transfer station (MRF) is coming to a close. This year, the DEP has suggested the Town initiate a 10-year contract. Typically, the Town can only have 3-year purchasing contracts. Entering into a 10-year contract would require Town Meeting approval this year for an appropriation next year. Increased appropriations will be needed in FY 21 because of the increased cost of getting rid of recyclables. Chair Bartels noted that having to pay to get rid of recyclables is hardly an incentive. Mr. Boyle asked for confirmation that this contract was only for recyclables—not for trash. Mr. Walto confirmed the contract is for collection and disposal with the MERF. The trash would continue to go to Covanta to be burned. The second article is for revolving accounts. In the past, the Town had to reauthorize the revolving accounts every year. This year, There is a need to reauthorize the maximum amounts that can be spent in any revolving account. The third article is compensation for the elected officials. The fourth article is the Town budget. Next is the grant to the CRA. Next is the operating budget of the CBRSD. Next is the transportation budget for the CBRSD. Next is capital budget of the CBRSD. Next is money for the reserve account. Next is the amount that would be appropriated to reduce the expected tax increase. Next is the matter of the money that has been transferred from the account for continuing to monitor the landfill to the landfill closure account. Next is transferring a sum of money from sewer maintenance to the wastewater treatment account to take care of fixing the sewer under the bridge. There is an option to not bring this article to the Town Meeting if the Board chooses to not do so because, under the Municipal Modernization Act, that allows for unlimited transfer (in the past, the transfer was limited to 3%) by the Finance Committee and Select Board in the last 2 months of the fiscal year. Mr. Holub asked for confirmation that both the Finance Committee and Select Board would have to agree to transfer the funds. Mr. Walto confirmed both boards would need to agree. Chair Bartels asked which option was better. Mr. Walto explained it was simply a choice. Mr. Holub said he believed it would be better if the Board and Committee could agree to do the transfer in the last 2 months; the more things that are on the Warrant item, the greater the risk that people will be confused. There will be enough confusion at the Town Meeting without having to explain the transfer. Mr. Walto said it was a rather ministerial distinction. To settle the accounts, the Town was given permission to overspend the budget in Department 440, because that department handles sewer repairs. The Town can move money out of wastewater treatment into sewer repair to make the Town whole because the money is being spent in sewer repair rather than in wastewater treatment. Mr. Holub expressed concern that trying to explain this matter at a Town Meeting could be difficult. Mr. Walto agreed. Chair Bartels summarized, saying that the action (moving money between departments) was the same but the process was different. Mr. Walto agreed. Chair Bartels said he believed it would be simpler to do the transfer outside of the Town Meeting. There was general agreement among the Board. Mr. Boyle asked how much money they were discussing. Mr. Walto said it was about $220,000 or perhaps $250,000—final numbers were not yet available. Chair Bartels sought confirmation that the funds were there. Mr. Walto said the funds were in wastewater treatment now. Mr. Holub said if the matter is brought up at the Town Meeting, someone will want to use the money for something else. Mr. Walto explained that if the matter were turned down at the Town Meeting, there would be a deficit, which would be a hit to the Town’s free cash. Chair Bartels affirmed the Town should take care of the matter in the last 2 months of the fiscal year. Mr. Walto addressed the authorization to borrow $75,000 because the Town did not know what the cost would be to repair the sewers, but the Town is not borrowing—it’s moving around money—so there is a need to rescind the authorization to borrow. It doesn’t need to be rescinded now, but it would be wise to take the borrowing authorization off the books to prevent it from impinging on the Town’s credit rating. Next are for 2019 and 2020 funding of the reserve account; one or the other year should stay on. Next is for moving money into the stabilization accounts. The current suggested total is $500,000. Final article is for the OPEB appropriation; the current suggested total is for $600,000, same as last year. Chair Bartels asked for confirmation that there is a desired minimum. Mr. Walto explained the number would change because of funding of the OPEB account. Chair Bartels asked whether the need for appropriation decreases as the funding of the OPEB account increases. Mr. Walto explained the liability is reduced. Right now, the liability is approximately $300,000, which would need to be on an approximate 20-year schedule to be fully funded, but that liability will drop dramatically now that the Town has invested the funds with the state. Next article is annual authorization of employment agreements between the Town and the Highway/Cemetary Superintendent, Highway/Cemetary Foreman, and Police Sergeant. Mr. Walto explained this was an annual article because state law prohibits the Town from having a contract for more than 1 year. Even though the Town enters into 3-year agreements, the agreements are always subject to annual renewal and approval of Town Meeting. The final article is the vote to recess for the annual Town election. There are a number of open positions. Finally, Mr. Walto drafted a draft exclusion article. The decision must be made some time in March, probably before the end of March, whether to put this article on the Warrant. Mr. Boyle asked whether this article is for the April 6 vote. Mr. Walto said it was. If the vote for the new school passes, the question applies. If the new school doesn’t pass, the question is moot, although the question hangs out there. Chair Bartels asked whether, if the school is voted down on April 6, there is still another opportunity to vote for the exact same thing within 120 days, so the matter of the debt exclusion is not “gone gone.” Mr. Boyle said the Town is asking for a debt exclusion before there is debt to exclude. Chair Bartels agreed and said the Board might not want to do this. Mr. Walto said the Board might want to call a special election or wait until the next fiscal year to ask for the debt exclusion. Chair Bartels said the matter of a debt exclusion was discussed at the 7-town meeting; the debt exclusion can be voted in at any time during the debt. Mr. Boyle said the turnout for an annual election is greater and more representative of the community than a special election. Chair Bartels agreed with Mr. Boyle, but said the debt will not actually be assumed until FY 21, maybe. If the school vote goes through. Construction would start in March 20. Bonding would be a pay-as-you-go type unless it was more sound, financially, to seek a bond for the entire amount at one time. When the construction is finished, 2 years after it starts, then the full amount would need to be bonded. Chair Bartels advocates waiting to see what happens on April 6, or perhaps 120 days later. Mr. Holub asked whether a re-vote would need to take place exactly after 120 days. Chair Bartels said the vote would need to take place within 120 days, probably in June. Chair Bartels said the matter need not be decided tonight. Mr. Boyle said it might be a good idea to wait, but it might be a bad idea to have to call a special election. Chair Bartels agreed it would be better to have the vote at as part of an annual election. Mr. Boyle again mentioned turnout. Chair Bartels said the Town could have this vote as part of an annual election. Mr. Boyle said it could voted on at the annual election in 2020. Chair Bartels said the problem is people forget what’s going on. Mr. Holub said if the school passes on April 6, it would make sense to have the vote as part of the May meeting. Chair Bartels said the problem is this decision to include or not include this article must be made before the April vote. Mr. Holub suggested the item could be withdrawn. Mr. Walto said he did not believe the item could be withdrawn once it was placed on the Warrant. Once it’s printed on the ballot, it’s on the ballot. Unfortunately, the timing of these matters means the decision must be made in this particular sequence. Chair Bartels suggested the Board mull over the options, and for Mr. Walto to change the organization of names on the Warrant article and the year. No further comments.

**Letter to State Delegation Regarding FCC Ruling:** Chair Bartels presented the draft of a letter that echoes the sentiments of the Pittsfield letter, with specific details on how Dalton uses the public access channel. Chair Bartels asked for comments from members, and then suggested changing the “I”s to “we” and “our,” some spacing corrections, and eliminating “many of” from the letter, and then having all members of the Board sign the corrected letter. Mr. Bishop made a motion to agree to the proposed changes to the letter and then be notified of when the letter is available for signature. Seconded by Mr. Holub. No further comments. Vote: Ayes: 5, Nays: 0, Abstentions: 0. Motion passed.

**CRA Annual Road Races:** Chair Bartels expressed surprised about this being the 42nd such race. Mr. Boyle asked if there had been a road race over the weekend. Mr. Strout said there had been a race, the Frosty Mug race. Mr. Boyle said he recalled having authorized the race last year, but had asked whether the race was weather-sensitive. Mr. Boyle said he could not recall having authorized the race for this year. Mr. Bishop and Chair Bartels said the race had been authorized some time ago. Mr. Bishop made a motion to accept the CRA three road races. Seconded by Mr. Holub. No further comments. Vote: Ayes: 5, Nays: 0, Abstentions: 0. Motion passed.

**Recognition of Volunteers/Gibb Kittredge Awards:** Mr. Strout and Mr. Bishop discussed their desire to recognize the work of volunteers, much the way the state representatives does. In particular, Mr. Strout pointed to the work of the CRA and adult volunteers, as well as Town volunteers. Chair Bartels asked whether the Board or members of the Board would present this award or certificate letter of recognition at the Gibb Kittredge Award night. Mr. Bishop mentioned his son had received a certificate, signed by the Board, when he became an eagle scout. Chair Bartels asked when the Gibb Kittredge Award night was scheduled. Mr. Boyle said it was in May. Chair Bartels asked who the Town volunteer award winner would be. Mr. Bishop said it was a matter of who the CRA nominates. Mr. Strout said it was both who the CRA nominates and who the Town recognizes, such as someone from the Dalton Senior Center or the Town Beautification Commission or something. Mr. Boyle lauded the notion, but expressed concern because there are many unsung heroes in Dalton. Mr. Strout agreed, but said the Town currently does not recognize anyone. Mr. Bishop said the Gibb Kittredge Award night was on April 6 at 7:30.

**Access Across Former Bardin Farm:** Mr. Bishop said there was no need for a formal right of way. The Board can grant permission to simply get their firewood. Mr. Bishop said Mr. Bardin is not seeking to improve the road in any way. Mr. Holub suggested the Town should ask Mr. Bardin for a waiver of liability. Chair Bartels said Mr. Bardin had already given the Town a waiver years ago, when the matter of access was first raised. Chair Bartels said if the DAR is happy with this arrangement, he has no problem with giving Mr. Bardin access. Mr. Boyle asked for someone to refresh his memory. Mr. Bardin wants to go up the road to the area of the proposed field, cross that property to another property to the north, cut firewood, and bring it down. Mr. Bishop said he owns the wood, and he can’t get to it because of he has no right of way. Mr. Boyle asked whether the area was the north of the Town’s property. Chair Bartels affirmed it was. Mr. Boyle expressed his reservations, but said he would support the Board’s decision. At issue is that any permission should be limited to himself and his immediate family, not open-ended to anyone. Chair Bartels and Mr. Holub agreed. Mr. Holub asked whether Mr. Bardin would be bringing heavy equipment on this dirt road. Mr. Bishop said he’d be doing whatever he’s been doing for years. Chair Bartels said he believed the equipment was a tractor with a trailer—a log trailer. Mr. Holub said the Town had received a letter from the Federal EPA asking whether the Town was testing for PCBs on that road. Mr. Boyle used oil might have been sprayed on that road to keep the dust down, which was common practice in the 1950s. Mr. Holub said the concern was that if there were PCBs and the roadway was disturbed, there could be a problem. Mr. Bishop said that road had been used for many years. Mr. Holub understood, but said, “But now, we have the letter.” Chair Bartels said he remembered having seen the letter, but asked whether the letter asked whether the Town was testing or said that Town needed to test. Mr. Holub said the letter asked a question. Mr. Walto agreed and said the USEPA is coming up with final testing plans; the Town’s environmental consultants, TRC, based on research, said they did not believe oil was sprayed on the road, so final testing plans might include some precautionary testing there. Mr. Bishop said that, in the meantime, he sees no reason why Mr. Bardin can’t use the road, and if it turns out there are PCBs on the road, he can stop using it. Chair Bartels said Mr. Bardin should be made aware that the Town has been asked to do this testing, in case it makes any difference to him. Mr. Holub said he believed the Town should tell Mr. Bardin there may have been oil used on the road and the Town does not know what the oil might have contained. Chair Bartels said he believed Mr. Bardin should be allowed to use the road, but needs to be notified or aware—Mr. Holub agreed with “aware”—of this issue. Mr. Boyle added that his permission to use the road could be terminated at any time by the Board. Chair Bartels agreed and said the Board could ask to renew the permission on an annual basis. Mr. Boyle said the access should be limited to a year and subject to renewal. Chair Bartels said Mr. Bardin should request it every year. Mr. Boyle said that the Board should reserve the right to terminate the permission for access at any time. Chair Bartels agreed. Mr. Bishop said there should be a letter. Mr. Boyle made another point: the Bardin family has not been particularly cooperative about removal of junk cars on their property. Mr. Strout said the Town had given the Bardins an extension. Mr. Boyle agreed they had received an extension, but the winter hasn’t been bad and the Bardins have removed none of the vehicles, which Mr. Boyle interpreted to mean they had no plans to do so. Chair Bartels said they would have to remove the vehicles by the end of the 120 days. Mr. Boyle said Mr. Bardin was asking for something from the Town while withholding his cooperation on another issue. Mr. Boyle said Chief Coe believed some of the vehicles might have value as scrap and that several companies in Berkshire County would tow away the vehicles and perhaps pay to do so. Chair Bartels asked what Mr. Boyle would suggested. Mr. Boyle said he did not know. Chair Bartels agreed the junk vehicles were bothersome, but that the Town had granted him an extension. Mr. Boyle said he thought Mr. Bardin was stalling by expressing a preference to wait until the weather was warmer. Mr. Strout said the Town had given him 120 days; if Mr. Bardin wants to wait 119 days to move the vehicles, it was within the 120 days, it should not be a problem. Mr. Boyle agreed, but expressed discontent. Chair Bartels said the matter was aggravating. Mr. Boyle said he did not wish to make one matter contingent on another, but that he had seen no progress. Chair Bartels said Mr. Bardin had removed 2 vehicles. Mr. Boyle said Mr. Bardin had removed 2 of the 20 vehicles. Mr. Boyle noted ????? had sent a letter indicating his bond had been reinstated; he had been closed for more than a year. Chair Bartels returned the Board to the matter at hand and asked whether there was a motion. Mr. Bishop made a motion to send Mr. Bardin a letter granting permission to the Bardin family only for 1 year of access to their firewood, and that permission can be terminated at any time, and that he should be aware . . . Mr. Holub suggested language that oil may have been used, rather than there may be PCBs, because there might be other things, such as heavy metals; Mr. Holub suggested the letter say there might have been waste oil used that contained contaminants. Mr. Bishop continued the motion, stating the permission must be requested on an annual basis. Seconded by Mr. Holub. No further discussion. Vote: Ayes: 5, Nays: 0, Abstentions: 0. Mr. Holub added that if there are going to be fields there, the Town might not want to have a road there. Motion passed.

**Disclosure by Non-Elected Municipal Employee of FInancial Interest:** Chair Bartels explained the matter involved the assistant animal control officer and his other employment as a problem animal control agent. Chair Bartels explained if anyone needed a problem animal control agent, a letter would need to be provided that explained why the animal control officer cannot respond and who can respond instead, and the list includes Mr. Elser’s business. Chief Coe contacted all of the businesses on the list, all of whom thought the idea was a good one. Mr. Boyle praised Chief Coe for his proactive approach. Chair Bartels asked who needed to sign the disclosure, in addition to Mr. Elser. Mr. Walto said anyone on the Board could sign, but the form was currently made out for him to sign. Motion by Mr. Strout to allow Mr. Walto to sign off on the disclosure form prepared by Mr. Elser, as well as the policies and procedure for providing a letter to anyone needing the services of problem animal control service. Seconded by Mr. Bishop. No further discussion. Vote: Ayes: 5, Nays: 0, Abstentions: 0. Motion passed.

**Wahconah School Building Committee/CBRSD School Committee Reports:** Chair Bartels said both committees approved the new school on February 14. There will be a vote on April 6, from 10 a.m. to 4 p.m. in each Town’s respective polling place. In Dalton, that is the CRA. The District is paying for the vote, including preregistration of voters. School Building Committee will be meeting briefly on February 28 at Wahconah to approve the minutes of the February 14 meeting. Community workshop meetings will be held in each community. On March 5, at 5 p.m., at Wahconah, there will be a community workshop for the new Wahconah. At these workshops, there will be representatives from the architect, the RA, the owner’s project manager (Skanska), members of the School Building Committee, and Chair Bartels will be moderating the meeting. Chair Bartels will also be moderating the meeting in Windsor at the Windsor Town Hall later that evening (7 p.m.). At these meetings, there will be presentations made by these representatives, and then the meeting will be opened up to questions and answers from the audience. There will be a meeting on March 7, at 5 p.m. at Kittredge Elementary, and at 7 p.m. at Becket/Washington School. Anyone from the 7 towns can attend any of these meetings. Mr. Holub asked whether the meetings would be recorded. Chair Bartels said they would not be recorded by Dalton Community Cable, but they would be recorded by the school, like the School Committee meetings.Chair Bartels distributed information on the tax impact per town if the project advances. This same information was published in *The Berkshire Eagle.* No questions regarding the School Building Committee. The school was voted on unanimously by both committees. The tentative budget was approved, with the final budget scheduled to be approved in March. The 7-Town Advisory Committee met on February 17 and every town was represented; an explanation was offered of what the costs were and why they had been set up that way. The reimbursement amount will be approximately $31 or $32 million, or in the low 40% range. Chair Bartels said the towns had discussed how to schedule debt exclusion votes for those towns that might need them. Mr. Boyle also asked about the construction period; Chair Bartels said construction would be from March 2020 to March 2022. Mr. Boyle asked when the school would be occupied. Chair Bartels responded occupancy would be in August of that year. Mr. Boyle asked whether the building would be furnished. Chair Bartels said said the cost was for a turnkey building—fields, furniture, building, everything.

**Town Manager Updates:** Mr. Walto said there were updates to the OPEB account; the Town earned $71,000 in January; in hard cash, the gain is $2,000. Mr. Walto said he and Ms. Slick were working on an RFP to sell the property that included the white house on Gulf Road. The sale will not be traditional. The assessor’s property record indicates the assessed value is $64,000, but the goal is for the property to be used for affordable housing. The property is considerably larger than is required for a residential property. Mr. Walto suggested squaring off the lot and reducing the size to approximately 15,000 s.f. Mr. Boyle said he thought the property had been subdivided years ago into separate parcels. Mr. Walto said only the Hoose House had been cut out. Mr. Boyle said the Town should not give away the right of way to the Town Garage. Mr. Walto said that was what he was proposing. Mr. Holub, Mr. Boyle, and Chair Bartels agreed. It makes sense to square off the other lot. Mr. Boyle said the lot next to the Hoose House property does not conform to the size of a residential lot. Chair Bartels said that would only be a problem if the owner of the property wanted to develop the lot for affordable housing. Mr. Boyle asked what “affordable housing” meant. Mr. Walto said that “affordable housing” needed to be defined. Mr. Walto said there would need to be a committee review, but it would be up to the Board to decide. Mr. Boyle asked what happened to Habitat for Humanity. Mr. Walto said he hoped Habitat for Humanity would offer a proposal. Chair Bartels said Habitat for Humanity was “very interested.” Mr. Boyle said he had heard otherwise; people at the site had told him there was standing water on the property. Mr. Holub expressed surprise. Chair Bartels said the matter of whether standing water was a problem was for them to decide. Mr. Boyle asked whether “affordable housing” meant a single-family house such as one built by Habitat for Humanity. Chair Bartels affirmed. Mr. Boyle said that meant Habitat for Humanity would buy the property, build a home, and a homeowner would occupy. Mr. Holub added that the homeowner would pay taxes. Chair Bartels asked whether there were any back taxes on the property. Mr. Walto said there were no back taxes when the property was acquired. Chair Bartels asked about a timeline for the process of someone acquiring the property. Mr. Walto said he hoped the RFP could be released in April. Mr. Holub said the matter has been ongoing for years. Mr. Walto said the project was now moving along at light speed. Chair Bartels asked whether there was a need for the Board to approve the subdivision. Mr. Walto made clear that there is a need for sevices of an engineering firm and a surveyor, but he believes the Town can do an “approval not required” form for this matter. Mr. Holub asked if Mr. Walto was referring to a Form A subdivision form. Mr. Boyle asked what that was. Mr. Holub explained the form is a short form with an accurate map, and that the Board could acknowledge there is adequate frontage and square feet. Mr. Walto explained the surveyor draws a plan of the lot. Mr. Boyle said the surveyor must put a stamp on the plan. Mr. Walto agreed. The plan then goes to the Planning Board for approval. Only that property would be conveyed. In comparison, the proposed lot is a bit bigger than the lot for Old Dalton High. No questions or comments. Mr. Boyle asked whether Parcel 54.1 is now part of the Hoose House. Mr. Walto explained it was, and the rest of the property belonged to the white house.

**Items for Future Agendas:** Chair Bartels asked about items for future agendas. Items include the agricultural plan (Mr. Bishop); the Hoose House sign placement (Chair Bartels); drainage at the CSX bridge (Mr. Strout); school vote, $1.2 million bond, $800,000 for Dalton Division Road, new sewer fees, request for Mr. Walto to inform the town of what’s next, existing debt/bonds for Wahconah (Bishop); millions of dollars for inflow and infiltration testing and expense of sewer system (Mr. Boyle). Mr. Walto explained there must be a sewer system evaluation survey to pinpoint where there are leaks in the system, then there will be an infiltration study, and then a plan can be developed to determine what needs to be repaired, from which costs can be estimated.

**Remarks of the Select Board:** Chair Bartels made no remarks. Mr. Boyle said the cost of a plaque to honor fallen soldier Dahling was $1,700-$1,900. Mr. Strout and Mr. Walto helped Mr. Boyle establish a GoFundMe, which raised $1,600 in 10 days. Any funds not used for the plaque would be directed to the current scholarship fund set up for this purpose.

**Announcements:**

***Dalton Police Department Winter Parking Ban:*** Winter parking ban is in effect as of November 15, 2018, and will remain in effect until April 15, 2019.

***John Bartels, Jr. Office Hours:*** Office hours by appointment at the Dalton Town Hall when available and at the Dalton Senior Center every 4th Thursday of the month from 4:30 PM until 6:00 PM.  To reserve time at the Dalton Senior Center, please call 413-684-2000.  For further information, or to schedule other appointments, please call 413-684-6111 Ext. 11.

***State Representative Paul Mark Office Hours:*** Hours at Dalton Town Hall, 462 Main Street, in Callahan Room on Tuesdays, 9:00 a.m. to 4 p.m., except the third Tuesday each month. On the third Tuesday of each month, office hours are 9 a.m. to 1 p.m. at the Town hall and from 1 p.m. to 4 p.m. at the Dalton Senior Center. Senator Mark’s district office number is 413-464-5635.

***Dalton Green Committee:*** Seeking new members. If interested, contact the Town Manager’s Office, 413-684-6111 x 11.

**Executive Session Meeting:** Declaration by Chair Bartels that holding an open meeting may have a detrimental effect on negotiating position of the public body relative. Motion by Mr. Strout to go into Executive Session and to conduct a strategy session in preparation for negotiations with union and non-union personnel (Highway Association, Patrol Officers, Highway Superintendent, Police Sergeant, Highway Foremen) and not return to open session. Seconded by Mr. Holub. Roll call vote: Ayes: 5; Nays: 0; Abstentions: 0.

Next scheduled meeting of the Select Board is February 25, 2019, at 7:00 p.m. in the Callahan Room.

**Regular Session concluded at 7:50 p.m. Recess before Executive Session**