South Hadley Bike/Walk Committee
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South Hadley Bike/Walk Committee (BWC) Minutes
October 16, 2019 | South Hadley Public Library

Present: Mariann Millard, Carol Gillis, Nancy Bozek, Marilyn Gass, Melissa O’Brien, Lucia Foley (arrived at 8pm after MPC Update Meeting)

Absent: Margaret Jodoin, Larry Dubois

Meeting commenced at 7pm.

Housekeeping Items
New members: Carol was confirmed as our new member on Tuesday 10/15 at the SB meeting. All went well and she was sworn in at the Clerk’s office prior to this meeting.

Elections: Marilyn moved, Nancy seconded that Mariann continue as Chair; Melissa as Vice Chair. Clerk duties will remain on a rotational basis.

Margaret had previously volunteered to take minutes for the November meeting.

Minutes from August meeting: Nancy moved to accept minutes as printed; Marilyn seconded.

Go4Life Stroll on October 22nd
- Trail edges will be mowed and seeded per Anne Capra
- Tree that was downed during recent storm was removed on side trail.
  - As a side note, Marilyn mentioned that while family visited her over the weekend and they were hiking the loop trail, 2 non-leashed German Shepherds were roaming around the conservation property, making the people very nervous about their aggressiveness. Marilyn will reach out to Anne Capra to tell her about the occurrence so she can follow-up on it.
  - Leslie to pick up granola bars from HS
  - Many thanks to Marilyn who assumed the task of making sure Food Pantry drops off/picks up containers for the food drive.
  - Anne to bring hats for Volunteer Conservation Corps.
  - Larry will bring portable PA system and will attend.
  - Trail entrance to be closed off by ribbons; trail interpreters arrive by 12:30, mini ceremony at 1pm with Anne and volunteers
  - Margaret is away and Carol has another commitment so they will not be at the trek.
  - Jeff Millard will direct attendees on where to park.
  - Police to be there from 12:45-1:15 as part of their regular patrol.
  - Water (donated by Big Y) will be given out in advance/snack food will be for after the trek.
  - The Town Reminder did an edited version of our press release to come out this Friday.

November Trek
-Scheduled for 11/17 at LWNT. Will be a regular trek with treats/water. We’ll use the semi-circle parking lot for tailgating; attendees will be asked to park in Mosier School parking lot.
- Mariann will speak with Anne to see if ready for “official” opening. Will do a ribbon cutting if everything is ready.

BWC 10/16 Meeting Minutes-FINAL
BOH Grant for Tick Education/Awareness
- Still unclear on details of grant/programming/etc., as Sharon Hart has not responded to Mariann’s several attempts to arrange a time for her come to a BWC meeting to discuss/plan the event.
- Need an inside venue for the tick presentation, speaker only available on Saturdays (not Sunday)
- Thinking it would be a good spring event to prepare for tick season.

December Trek:
- Considering doing a more strenuous hike at the new Bachelor trail (starting at R2R loop or at the Town Athletic fields on Rt. 47; Mariann to discuss with Anne Capra).

Remote Participation (RP)
- At the Sept 3rd SB meeting - this matter was discussed, as requested by BWC. The Town Administrator presented his research on the issue. No SB member expressed support for it and at the end of their discussion, Chair Miles invited Mariann to speak to it since BWC requested it be put on the agenda.
- Mariann provided the background on why this issue has come up (BWC has a member with a physical disability who would greatly benefit from it). In her presentation to the SB, Mariann summarized the research that the BWC did on Northampton, Amherst, Holyoke and Chicopee — which then became apparent that this research (which was forwarded to the Town Administrator, and the SB Chair and Vice-Chair on 8/27, well in advance of the 9/3 meeting) had not been shared with the rest of the SB.
- During her presentation on 9/3, Mariann read sections directly from the OML to correct some of the misinformation that was relayed during the prior SB discussion such as, cell phone use in RP being categorized as “illegal” — and the OML explicitly states that cell phones may be used.
- Mariann made another clarification given the SB discussion regarding RP would be a “costly” endeavor which she noted that both Amherst and Northampton are currently doing it at no cost.
- Mariann also made the point that while the SB may adopt a RP policy, they can tailor it to the town’s particular needs/desires. For example, she noted that RP may not be suitable for all boards and committees, esp. those that are televised, for various other reasons, in which case those entities may “opt out” and not allow RP at all.
- In conclusion, the SB agreed to revisit RP at their 10/1/19 meeting and the Town Administrator indicated that he would conduct a survey for all committee/commission/board chairs re: interest in RP, outfitting rooms with equipment, etc.
- Several BWC members noted that the 9/3 SB Meeting Minutes which are posted and approved, relate considerable detail re: the SB’s discussion about RP and the Town Administrator’s research but make no mention of Mariann being invited by the Chair to speak to RP, the background as to why the BWC is raising this issue, the research conducted by the BWC on adjacent towns nor the referencing and citations read aloud from the revised 2018 OML Guidelines by Mariann, which were relevant to their discussion (and forwarded to them prior to their 9/3 meeting). In addition, the minutes do not reflect the conclusion of the RP discussion whereby it was agreed the SB would put the RP on the 10/1 agenda and the TA would conduct a survey re: interest and cost. The discrepancy of having one part of the discussion described in detail and providing no information on the other part involving Mariann’s presentation (and the SB decision to add RP on the 10/1 agenda) may represent a potential OML violation. It was further noted that neither RP nor the survey were discussed at the 10/1 or 10/15 SB meetings.
- In light of the SB’s omissions in the approved/posted 9/3 meeting minutes, Melissa conducted research on what constitutes an OML violation and how it is handled. On 10/2/19, she spoke to Liz at the AG’s office who confirmed that inaccurate minutes are considered a violation of OML. In determining what is considered “inaccurate” the AG office would have to review the minutes in detail, along with the televised meeting recording, if there is one. This process is triggered by the party who believes there is an inaccuracy (the BWC in this case) which would file a complaint online via the AG website. A copy of said complaint simultaneously goes to the SB. The SB has 14 days to review/respond. If they take remedial action (e.g., revise the minutes) and it meets BWC’s satisfaction, the matter goes no further. Should they revise (or do nothing) and the BWC is still not satisfied, then the AG conducts a formal review to see whether action, if any, should be taken.
Mariann highlighted various options:

1) Make a personal call to Chair Andrea Miles, indicate that we reviewed the meeting recording/minutes and are confused given that the SB is subject to OML, particularly in light of the recently held Legal Jeopardy Forum in September hosted by Town Administration.

2) Attend an SB meeting and ask them about it at the open forum portion of the meeting.

3) Ask for RP to be put on the agenda again and hope to be recognized to discuss this issue.

4) File a formal complaint with the AG re: a potential OML violation that minutes are not accurate

5) Combination of the above

This decision can be delayed until the next meeting with the hope of more BWC members present; it will also give the SB another chance to bring it up on their own. However, it was further discussed that the issue is urgent as winter is coming, the weather is changing, making it most relevant and reasonable to address sooner than later. Larry, for example, could not be here tonight because of heavy rain.

Lucia thinks widespread education could be helpful. She brought RP up at the MP Committee Update meeting as a possibility and opposition was raised, mostly because of unfamiliarity with RP requirements.

Marilyn mentioned that some communities have limited the number of times you can do it, i.e., Northampton limits it to no more than 6 (or 8) times in a row? Yes, use is limited and that is something South Hadley, should it adopt RP, could do as well. Again, it can be custom-tailored to suit the town’s needs.

In short, there are 2 separate issues at hand to be addressed:

1) SB Minutes are problematic - potential OML violation?
2) Adopt RP as a community?

Lucia spoke with Bruce Forcier, SB member, and shared Mariann’s research materials with him as he wasn’t sure that he had them. Lucia forwarded him the same information that Mariann had previously sent to the SB Chair, Vice-Chair and Town Administrator prior to the 9/3 meeting.

In addition, it was noted that the BWC research and OML Guideline from 2018 (sent to TA and SB Chair in advance of the 9/3 meeting) were not recorded/included in the SB background packet. The only relevant attachment was the old version of OML guideline from 2017.

Melissa moved that we proceed with option 1 and Nancy seconded - it was unanimously approved.

**Master Plan Committee Update by Lucia**
Community Forum #5 is next Weds. Oct. 23rd from 6-8pm at Town Hall. It will include exercises with info that came out of the previous meetings. A Jan/Feb a draft will then be circulated, then it goes to the PB for adoption and TM for endorsement.

**Next Meeting**
Special Town Meeting on November 20th which is the same date as our meeting. It was decided that Wed. Nov. 20th at 1pm would work best so MM will contact Joe Rodio to see if Trustees Room at the library is available.

**Mass Trails Conference - Nov. 2nd, Saturday**
Mike has allowed BWC a $600 FY budget so if interested, can go just sign up, print confirmation receipts and provide to Mariann to submit for reimbursement. Mariann, Melissa and Lucia plan to go.

Meeting adjourned at 8:35pm.

Respectfully Submitted by:
Melissa O’Brien