

**SELECTBOARD MEETING  
TUESDAY, APRIL 5, 2022  
VIRTUAL AGENDA  
7 P.M.**

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<p><b>Note: Not all topics listed here may be reached for discussion. In addition, the topics listed are those which the chair reasonably expects will be discussed as of the date of this notice. This meeting may be audio and/or visually recorded.</b></p>
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- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES:** Draft minutes of March 22, 2022
- 3. ANNOUNCEMENTS/OPEN FORUM**
- 4. CONSENT AGENDA**
  - A. One-Day Beer & Wine License Request from David Capriati for April 9
  - B. One-Day Beer & Wine License Request from Willits Hallowell for April 28
  - C. Two One-Day All Alcohol License Requests from Willits Hallowell for April 30
- 5. 7:15 P.M. PUBLIC HEARING – WOODLAWN PARK**
- 6. NEW BUSINESS**
  - A. Town Administrator Evaluation
  - B. Town Administrator Contract
  - C. Town Meeting Warrant
- 7. TOWN ADMINISTRATOR’S REPORT**
- 8. ADJOURN**

**SELECTBOARD MEETING  
TUESDAY, MARCH 22, 2022  
MEETING MINUTES  
VIRTUAL SELECTBOARD MEETING ROOM – 7 P.M.**

*Present were Chair Jeff Cyr, Vice Chair Sarah Etelman, Clerk Carol Constant, Member Andrea Miles, and Town Administrator Lisa Wong.*

**CALL TO ORDER**

Cyr called the meeting to order at 7 p.m.

**MINUTES**

Miles motioned to approve the draft minutes of March 15, 2022. Etelman seconded. All in favor.

**ROLL CALL VOTE**

**Miles – Aye**

**Constant – Aye**

**Etelman – Aye**

**Cyr – Aye**

**ANNOUNCEMENTS**

Cyr reminded the public that absentee ballots for the April town election are available.

**GREEN COMMUNITIES DISCUSSION**

Matt Roth from the Sustainability and Energy Commission, Mark Rabinsky from the Massachusetts Green Communities Program, and the Selectboard discussed the benefits and unique hurdles South Hadley faces in obtaining this designation.

**ARPA**

Constant motioned to fund an additional \$50,000 in ARPA funds toward design and engineering of the Judd Brook Interceptor Project. Etelman seconded. All in favor.

**ROLL CALL VOTE**

**Miles – Aye**

**Constant – Aye**

**Etelman – Aye**

**Cyr – Aye**

**ELECTION WARRANT**

Miles motioned to approve the April 12, 2022 annual town election warrant as presented with hours of 7 a.m. to 8 p.m. Constant seconded. All in favor.

**ROLL CALL VOTE**

**Miles – Aye**

**Constant – Aye**

**Etelman – Aye**

**Cyr – Aye**

**PUBLIC COMMENT – FY23 BUDGET**

Alanna Hoyer-Leitzel, of 146 Granby Road, asked about increases to the police budget and noted town meeting warrant amendments historically come to the floor of town meeting with no discussion on the reason why.

Lilly Newman, of 21 Cedar Ridge, said she was discouraged with the budget discussion at town meeting last year. She feels stressed when seeing police vehicles on her street often and wants to make sure the budget process is not a rubber stamp. She would like to see real engagement and ensure residents know how dollars are spent.

Riley Maney-Hernandez, of 32 Lawn St., expressed dissatisfaction with the routine time limit that accompanies public comment periods and asked the Selectboard to think about the budget as a reflection of the town's values. He said the police budget has consistently been increased to the neglect of other town facilities. He said he does not see policing benefiting the entire community.

Adam Reid, of 51 Bardwell St., said he views the budget as a moral document. He feels concerned when seeing four police vehicles behind a single car presumably for a traffic violation. He said it is important to not replicate systems that have been but to interrogating those systems. The budget should be used to imagine what policing looks like beyond systems of punishment, and funds should not be used in the policing of citizens.

School Committee Member Eric Friesner, of 4 Glen St, discussed the school budget for FY23 and noted the school committee is reworking it. Members are nixing the 12 new positions down to 1 after realizing they can't fund them with Elementary and Secondary School Emergency Relief funds.

Linda Young, of 15 Westbrook Rd., asked for the cost and source of all added positions town wide.

Renee Sweeney, of 11 Boynton Ave, expressed happiness with residents vocalizing their concerns and thoughts during the public comment period.

Constant and Etelman suggested residents get involved in other committees and their meetings, like MPIC which shapes the master plan, to have their voices heard before the town budgets get formed.

**FY23 BUDGET**

Wong said the budget continues to be a work in progress until the Selectboard votes on the town meeting warrant. The budget document that the public sees is just part of the way the town funds its operations because the town receives several grants.

**TOWN ADMINISTRATOR'S REPORT**

Cyr and Wong highlighted the extensive street paving list. For the full town administrator's report, see the March 22, 2022 Selectboard packet.

**ADJOURN**

Etelman motioned to adjourn. Miles seconded. All in favor.

**ROLL CALL VOTE**

**Miles – Aye**

**Constant – Aye**

**Etelman – Aye**

**Cyr – Aye**

The meeting adjourned at 8:25 p.m.

**Respectfully submitted,  
Kristin Maher  
Executive Assistant to Administration**



# OD-18

1 Day Alcohol License

**Status:** Active

**Date Created:** Mar 21, 2022

## Applicant

David Capriati  
thebeerguyllc@yahoo.com  
21 mountainview st  
y , Ma 01075  
[REDACTED]

## Applicant Email

\*APPLICATIONS MUST BE SUBMITTED AT LEAST TWO WEEKS IN ADVANCE OF AN EVENT. APPLICATIONS SUBMITTED LESS THAN TWO WEEKS IN ADVANCE WILL NOT BE ACCEPTED FOR REVIEW BY THE SELECTBOARD.\*

## Permit Info

### Permit For

1 Day Beer and Wine

**Check this box to acknowledge that individual applicants can be approved for up to 30 permits per year.**



## Event Details

**Date of Event**

04/09/2022

**Name or Organization Hosting Event**

Thebeerguyllc

**Provide a Detailed Description of What The Event Is**

40th birthday party

**Street Address of Where The Event is Held**

20 Mountain View st south hadley

**Hours of Operation (Ex. 8:00 AM - 5:00 PM)**

1:00 pm. To 11:00 pm



# OD-19

1 Day Alcohol License

**Status:** Active

**Date Created:** Mar 28, 2022

## Applicant

Nichole McClellan  
nmcclell@mtholyoke.edu  
The Willits-Hallowell Center, 50 College Street  
50 College Street  
ey, Massachusetts 01075  
[REDACTED]

## Applicant Email

\*APPLICATIONS MUST BE SUBMITTED AT LEAST TWO WEEKS IN ADVANCE OF AN EVENT. APPLICATIONS SUBMITTED LESS THAN TWO WEEKS IN ADVANCE WILL NOT BE ACCEPTED FOR REVIEW BY THE SELECTBOARD.\*

## Permit Info

### Permit For

1 Day Beer and Wine

**Check this box to acknowledge that individual applicants can be approved for up to 30 permits per year.**



## Event Details

**Date of Event**

04/28/2022

**Name or Organization Hosting Event**

Faculty Courtyard Reception

**Provide a Detailed Description of What The Event Is**

Reception for the faculty in the Mary Lyon Courtyard

**Street Address of Where The Event is Held**

Mary Lyon Courtyard, 50 College Street, South Hadley, MA 01075

**Hours of Operation (Ex. 8:00 AM - 5:00 PM)**

3:00 PM - 7:00 PM



# OD-21

1 Day Alcohol License

**Status:** Active

**Date Created:** Mar 31, 2022

## Applicant

Nichole McClellan  
nmcclell@mtholyoke.edu  
The Willits-Hallowell Center, 50 College Street  
50 College Street  
ey, Massachusetts 01075  
[REDACTED]

## Applicant Email

\*APPLICATIONS MUST BE SUBMITTED AT LEAST TWO WEEKS IN ADVANCE OF AN EVENT. APPLICATIONS SUBMITTED LESS THAN TWO WEEKS IN ADVANCE WILL NOT BE ACCEPTED FOR REVIEW BY THE SELECTBOARD.\*

## Permit Info

**Permit For**

1 Day All Alcohol

**Check This Box to Request Multiple Dates**

**Check This Box If Event(s) Is/Are Being Held On Town Property**

**Check this box to acknowledge that individual applicants can be approved for up to 30 permits per year.**

## Event Details

**Date of Event**

04/30/2022

**Name or Organization Hosting Event**

Senior Ball

**Provide a Detailed Description of What The Event Is**

Senior Ball

**Street Address of Where The Event is Held**

Chapin Hall, 50 College Street, South Hadley, MA 01075

**Hours of Operation (Ex. 8:00 AM - 5:00 PM)**

8:00 PM - 2:00 AM



# OD-20

1 Day Alcohol License

**Status:** Active

**Date Created:** Mar 31, 2022

## Applicant

Nichole McClellan  
nmcclell@mtholyoke.edu  
The Willits-Hallowell Center, 50 College Street  
50 College Street  
ey, Massachusetts 01075  
[REDACTED]

## Applicant Email

\*APPLICATIONS MUST BE SUBMITTED AT LEAST TWO WEEKS IN ADVANCE OF AN EVENT. APPLICATIONS SUBMITTED LESS THAN TWO WEEKS IN ADVANCE WILL NOT BE ACCEPTED FOR REVIEW BY THE SELECTBOARD.\*

## Permit Info

**Permit For**

1 Day All Alcohol

**Check This Box to Request Multiple Dates**

**Check This Box If Event(s) Is/Are Being Held On Town Property**

**Check this box to acknowledge that individual applicants can be approved for up to 30 permits per year.**

## Event Details

**Date of Event**

04/30/2022

**Name or Organization Hosting Event**

Jon Western Reception

**Provide a Detailed Description of What The Event Is**

Reception held for Jon Western's Memorial

**Street Address of Where The Event is Held**

Blanchard Great Room, 50 College Street, South Hadley, MA 01075

**Hours of Operation (Ex. 8:00 AM - 5:00 PM)**

3:30 PM - 7:30 PM

Jeff Cyr, Chair  
Sarah Etelman, Vice-Chair  
Carol Constant, Clerk  
Andrea Miles

Lisa Wong  
Town Administrator

MEMO

To: Selectboard  
From: Lisa Wong, Town Administrator  
Re: Town Administrator Performance Evaluation  
Date: March 31, 2022

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**Background:** The Town Administrator contract states:

Section 5. Performance Evaluation

Annually, the Selectboard and the Town Administrator shall define such goals and performance objectives as part of the Performance Based Evaluation system, and the Town Administrator's role in the attainment of such goals and objectives, which they determine necessary for the proper operation of the Town and attainment of the Employer's policy objectives. The Town Administrator shall further establish a relative priority among those various goals and objectives, said goals and objectives to be reduced to writing. The Town Administrator shall prepare and submit for the Selectboard's approval a written document summarizing said goals and objectives which shall be signed by both parties and shall be attached to and become a part of this agreement.

The Selectboard shall establish a performance-based evaluation document for the Town Administrator prior to October 1, 2021 (or within fifteen (15) days of start date) which will culminate in a final review by June 15, 2022. Subsequent reviews shall be performed in October of each year of this Agreement. All employees may receive between 0% to 1.5% merit increases based on the success of your evaluation.

Attached please find the document containing the most recent goals and performance objectives established by the Selectboard with additional prioritized goals and objectives added by the Town Administrator.

**Motion:**

The Selectboard adopt the Performance-based Evaluation Document for Town Administrator Lisa Wong (with amendments, if applicable) and allow the Selectboard Chair to execute the document on behalf of the Selectboard with an electronic signature.

**Performance Based Evaluation Document  
For Town Administrator Lisa Wong  
Approved by Selectboard at their meeting on \_\_\_\_\_**

## **1. Communication/Community relations**

### Existing

- Branding/image-building, increase use of social media.  
LWong - Increasing focus on economic development and small business support as well as constituent services. Applying for several grants to support the urban renewal area as well as the Local Rapid Recovery Plan.
- Develop strategy and process for communication models for boards and committees (similar to communications from the Selectboard and TA communications to Town Meeting).  
LWong - Working directly with many boards. Utilizing google suite to allow boards to view ongoing planning processes and documents in between meetings.
- Continue TA attendance at various boards/commissions.  
LWong - Continuing
- Continue "Saturday Symposiums" on a bi-annual basis.  
LWong - pending public health advice, the town will look at more in-person and hybrid opportunities.
- Continue to explore opportunities to increase customer access to online payments and other services.  
LWong - this was greatly expanded during the pandemic. The Town will continue to enhance online services.

### Added

- Developed weekly newsletter
- Increase/Improve budget transparency process through additional meetings and outreach, clear budget document
- Increase Town Hall hours and access to services

Rating:

## **2. Organizational structure**

### Existing

- Continue to develop a succession plan for all departments and administration.  
LWong - proposing hiring vacant Asst Town Clerk position in anticipation of retirement of Town Clerk. Identifying and increasing professional development support for staff.

- Revamp the Treasurer/Collector's office and institute new procedures for moving forward.  
LWong - T/C was involved with development of 2020 financial policies adopted by the Selectboard.
- Submit an updated Town of South Hadley organizational chart.  
LWong - this is being done. Charts created for each individual department and included in the budget document.
- Examine functions of boards; consider or recommend best practices from other municipalities to be utilized with boards.  
LWong - working with numerous boards on goals and projects; Set up a line item in the budget to support board projects
- Increase Town website use and functionality, i.e. board/commission use, departmental use, more regular updates of material, update links; include training to boards and commissions.  
LWong - working to streamline website; will likely look for volunteers or interns to assist
- Continue to improve the process for annual appointments with the goal of increased participation.  
LWong - Tri-Annual appointments in place.

#### Added

- Enhance mental and behavioral health services - grant obtained in early 2022 to do this work
- Examine facilities - creating Memorandum of Agreement with schools to avoid confusion. Looking at models to improve preventative maintenance and efficiencies
- Proposing Human Rights Commission

#### Rating:

### 3. Policy Development

#### Existing

- Continue to streamline department procedures and processes.  
LWong - worked with departments to create list of accomplishments and goals
- Continue General Code project, including by-law review.  
LWong - reconstitute Bylaw Review Committee and having initial meetings
- Work to implement ClearGov.  
LWong - recommends elimination. Improve budget document, presentation and analysis
- Continue Town employee professional development.  
LWong - recommend increasing budget back to pre-pandemic levels
- Seek best practices in other communities or through state agencies which may assist the Town.  
LWong - participating in regional, state groups. Working with PVPC.

- Develop policy on ways to efficiently and effectively improve circulation of open Town positions.  
LWong - Appointed to MMMA Diversity Equity and Inclusion subcommittee - working with MMHR to collaboration on diversity in recruitment across the state

Added

- Support Accreditation of Police Department
- Working with the Chamber, Mt. Holyoke College and regional entities to enhance support of businesses.
- Conducting new annual review of policy log list in the 2020 Financial policies to see if any amendments needed.

Rating:

**4. Innovation (projects/initiatives/streamlining)**

Existing

- Develop a short-term and long-term plan for Town buildings  
LWong: revamped 5 year capital planning document, expand plan to include 10 year outlook and narrative
- Continue renovations on the Town Hall building.  
LWong - working on proposals for ADA ramp and repointing with Disabilities Access and Capital Planning; working on preventative maintenance
- Alternative transportation initiatives:  
LWong - working with Council on Aging to provide free transportation to senior center and for seniors to get to medical appointments
- Bike path study, PVTA  
LWong - working to implement 2016 study. Proposed some funding for Bike/Walk Committee in budget to produce materials
- “Green Communities”  
LWong - the Town should apply for a waiver as it doesn’t meet all the requirements
- Seek opportunities through Community Compact and other state and federal associations/agreements.  
LWong - continuing to apply for grants
- Continue to explore and develop “Creative Economy” opportunities.  
LWong - applied for grants; working with Cultural Commission on proposals for ARPA
- Implement municipal technology, including remote monitoring.  
LWong - continuing to work on this in various town buildings
- Continue to work with HG&E to enhance assets.  
LWong - will continue to look at this

Added

- Evaluate existing and new software programs to streamline and enhance public access to information
- Work with Master Plan Implementation Committee

Rating:

## 5. Fiscal management

Existing

- Continue to evaluate long-term borrowing and debt retirement strategies for the town.  
LWong - evaluating through the budget and capital planning process. Town is within debt limit policies.
- Ensure that audit reports are widely circulated and discussed.  
LWong - these are posted on the town website. The most current audit for FY21 is being conducted now (March 2022). This will be discussed at a Selectboard meeting and any other relevant board.
- Review all fees and charges from various departments.  
LWong - this is being done continuously. Some fees have already been adjusted/ approved by the Selectboard for the upcoming calendar or fiscal year.
- Review budget process for FY18 and FY19 with the intent to standardize the process for future.  
LWong - the process seems to have been different than what is in the current financial policies.
- Work to implement ClearGov.  
LWong - ClearGov has some good features, such as comparisons to other communities and across the years. However it does not provide explanatory detail, service level, impact of changes, or much beyond moving numbers around. The annual cost is over \$11k and the Town will explore better ways to share information and include the community in the decision making process.

Added

- Add narrative to budget to adhere to financial policy
- Enhance capital planning process and document

Rating:

Signed:

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Selectboard Chair

Date

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Town Administrator

Date

Jeff Cyr, Chair  
Sarah Etelman, Vice-Chair  
Carol Constant, Clerk  
Andrea Miles

Lisa Wong  
Town Administrator

To: Selectboard  
From: Lisa Wong, Town Administrator  
Re: Town Administrator Contract Amendment  
Date: March 31, 2022

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### **Background:**

According to Section 7 of the Town Administrator contract, the contract does not contain any language specific to carrying over vacation days.

Section 11.11 of the Town of South Hadley's Personnel Policy Guide states: No employee shall carry forward a vacation balance earned in a prior fiscal year.

The Town Administrator is requesting accommodations for maternity leave for the beginning of Fiscal Year 2023. The leave is likely to start sometime in July. The Town Administrator will have been an employee for less than 12 months and is not eligible for the Family Medical Leave Act. I believe the Town has not adopted the state's Paid Family and Medical Leave" Act. Also, given the responsibilities, the Town Administrator will still need to work during this time.

The Town Administrator is requesting the following:

- To carryover unused vacation time from FY22 into FY23. This is anticipated to be between 2-3 weeks to bring the FY23 total to 280-320 vacation hours and 120 sick leave hours. The leave is anticipated to use about 360 (equivalent to 9 weeks) of the estimated 400-440 hours available (10-11 weeks) for FY23.
- To adopt the following work temporary work schedule utilizing vacation and sick days:
  - Mid to end of July: work on average ½ to 1 day per week (contracts, procurement, legal, personnel issues, public meetings) – use ~64 hours
  - August: work on average ½ day per week (same as above but anticipate less public meetings) – use ~180 hours
  - September: work on average 2-3 days per week – use ~84 hours
  - October: work on average 4 days per week – use ~32 hours
  - November: return to 5 days per week schedule
- The above schedule may be revised at the request of the Town Administrator and approval of the Selectboard Chair if the maternity start date changes and/or if the work requires more hours. If any medical or other issue arise, the Town Administrator may have to return to the Selectboard to discuss unpaid time off and coverage issues.

### **Motion:**

To allow the Town Administrator to carry over unused vacation time from FY22 to FY23 and to approve a modified work schedule for July - October 2022 as outlined in the 3/31/22 memo.

COMMONWEALTH OF MASSACHUSETTS  
SOUTH HADLEY, MASSACHUSETTS

WARRANT  
Hampshire, ss.

TO: Either of the Constables of the Town of South Hadley

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of South Hadley that the ANNUAL TOWN MEETING will be held at 153 Newton Street, South Hadley, Massachusetts on Wednesday May 11, 2022 at 6:00 PM or as soon thereafter as the subject matter of this warrant can then and there be reached, and the Town Clerk is required to notify and warn the Town Meeting Members then and there to meet and act on the following articles;

**Consent Calendar (Articles 1,2,3,4,5 and 6)**

ARTICLE 1. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectboard, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2022, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 4 and to renew any note or notes as may be given in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 17, or take any other action relative thereto.

ARTICLE 2. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectboard, to enter into compensating balance agreements with bank offices having their principal offices in the Commonwealth during Fiscal Year 2023, as permitted by Massachusetts General Laws Chapter 44, Section 53 (F), or take any other action relative thereto.

ARTICLE 3. To see if the Town will vote to authorize the Selectboard to defend all suits that may be brought against the Town during Fiscal Year 2023 and to prosecute all suits on behalf of the Town, to engage counsel for same, and to settle such suits as they deem advisable, or take any other action relative thereto.

ARTICLE 4. To see if the Town will vote to authorize the Selectboard to apply for and accept such federal or state grants or monies as may be available and to authorize the Selectboard to expend any funds received there from in accordance with the terms of said grants, or take any other action relative thereto.

ARTICLE 5. To see if the Town will vote to accept a sum of money for highway improvements under the authority of Massachusetts General Laws Chapter 90 and other applicable law; determine whether the money shall be provided by the tax levy, by

transfer from available funds, or by borrowing, or by any combination of these methods; authorize the Selectboard to apply for, accept, expend and borrow in anticipation of state aid for such projects, or take any other action relative thereto.

ARTICLE 6. To see if the Town will vote to fix the salary and compensation of the following elective officers of the Town of South Hadley during Fiscal Year 2023 as provided by Massachusetts General Laws, Chapter 41, Section 108, as amended: Moderator, Selectboard Members, Assessors, or take any other action relative thereto.

### End of Consent Calendar

ARTICLE . To see if the Town will vote to authorize the total expenditures for the Buttery Brook Park Revolving Fund pursuant to G.L. c. 44 Section 53E ½ for the Fiscal Year beginning July 1, 2022 to be expended in accordance with Chapter 65 - 5 of the town bylaws in the amount of \$\_\_\_\_\_, or take any other action relative thereto.

ARTICLE . To see if the Town will vote to raise and appropriate and transfer from available funds the sum of \$\_\_\_\_\_ or a greater or lesser sum, to constitute the Operating Budget for Fiscal Year 2023 as further articulated in "Appendix A" as attached, or take any other action relative thereto.

ARTICLE . To see if the Town will transfer from Unreserved Free Cash the sum of \_\_\_\_\_

ARTICLE . To see if the Town will transfer from WWTP Retained Earnings the sum of \$\_\_\_\_\_ to make the following purchases, repairs, or replacements: \_\_\_\_\_ or to take any other action relative thereto.

ARTICLE . To see if the Town will transfer from Unreserved Free Cash the sum of \$\_\_\_\_\_ to make the following capital purchases, repairs, or replacements: \_\_\_\_\_ or to take any other action relative thereto.

ARTICLE . To see if the Town will transfer from Fiscal Year 2023 Unreserved Free Cash the sum of \$320,000 which \$200,000 will be transferred to the Mosier Stabilization Fund and \$120,000 transferred to the Capital Stabilization Fund or to take any other action relative thereto.

Article \_\_. To see if the Town will vote to endorse the 2022 update to the South Hadley Master Plan, as adopted by the Planning Board.

Article \_\_\_. To see if the Town will vote to replace Chapter 200 (Stormwater Management Bylaw) with a new Stormwater Management Bylaw to bring the Town's bylaws in compliance with the requirements of the 2016 Massachusetts Small MS4 General Permit for the control of stormwater runoff and illicit connections and discharges from new and redevelopment projects, as further articulated in the Planning Board's Report to Town Meeting (Appendix \_\_\_).

Article \_\_\_. Request to implement a 53E Revolving Fund for the Council on Aging's Woodlawn Café. Use of the 53E funds will be used to pay for the operational expenses of the Woodlawn Café, e.g., food, supplies and salaries.

Article \_\_\_. To see if the Town will vote to amend the Town General Bylaws by inserting a new chapter sequentially numbered creating a Human Rights Commission, as follows:

#### Section 1. Establishment of a Human Rights Commission

A. Scope - There is hereby established a Town board to be known as the South Hadley Human Rights Commission ("Commission") which may implement the policy of this Bylaw by:

1. Improving the life of the Town by enlisting community based groups in educational programs and campaigns to increase mutual respect, harmonious intergroup relations and the peaceful enjoyment of life in our community;
2. Working with Town Government, the School Department, Town Commissions and Boards to increase diversity, as well as awareness and sensitivity to human and civil rights issues;
3. Responding to complaints by persons in the Town who believe that their human or civil rights, as defined in this Bylaw or in state or federal law, have been violated in the Town;
4. Initiating investigations into circumstances which appear to the Commission to be the result of unlawful discrimination against any person(s) in the Town.

#### B. Appointment & Terms of Office of Commission Members

1. The HRC shall consist of 9 members who shall be residents of the Town for staggered 3 year terms such that at least 3 members shall be appointed annually. The Town Administrator shall be an ex-officio member of the HRC. All members, other than the Town Administrator, shall be appointed by the Selectboard and shall include a member recommended by the Commission on Disability; an employee of the Town of South Hadley recommended by the Town Administrator; a high school student recommended by the School Superintendent; a senior (age 65 or older) recommended by the Director of the Senior Center; and at least one member must be a member of the LGBTQ community.

2. The Commission shall include among its membership individuals publicly solicited and representative of the diversity of the Town.

3. If a member shall fail to attend three or more consecutive meetings of the commission, the commission by vote, may so advise the appropriate appointing authority, who may remove such member, and appoint a successor for the unexpired term of the member so removed.

C. Residency Requirement All members of the Commission shall be residents of the Town at the time of their appointment and throughout their tenure.

D. Officers, Quorum, and Adoption of Rules and Regulations

1. The Commission shall elect a Chairperson or two from among its members at the first meeting each year. The Commission shall endeavor to rotate the election of a Chairperson each year thereafter. The Chairperson shall preside over the meetings of the Commission.

2. Five (5) members shall constitute a quorum for the purpose of conducting the business of the Commission and all decisions shall be by a majority vote of the Commission members present and voting.

3. The Commission shall adopt rules and regulations consistent with this Bylaw and the laws of the Commonwealth of Massachusetts to carry out the policy and provisions of this Bylaw and the powers and duties of the Commission in connection therewith. The rules shall ensure the due process rights of all persons involved in investigations and hearings.

4. Members of the Commission shall serve without compensation.
5. Members of the Commission may be removed by the appointing authority for just cause.

Section 3. Procedures The Commission shall meet each January to organize and select from amongst its members a chair, vice-chair, and clerk and decide on a preliminary calendar of meetings for the year, said calendar to be posted at Town Hall. A majority of members of the Commission shall constitute a quorum, and a majority of those present and voting shall be sufficient for any action taken by the Commission, unless otherwise required by law. The Commission's meetings shall be governed by the requirements of the Open Meeting Law.

#### Section 4. Duties

A. The Commission shall have the following charge: Develop community awareness and education of human rights. Promote understanding of the diverse cultures within our town and surroundings through education, organization of community events, summits, educational panels and celebrations and other community action including maintaining a good working relationship with town media sources. Serve as a resource with respect to issues that challenge any individual or group's enjoyment of their basic human rights in our community. Promote cooperation of racial, religious, ethnic, civic, fraternal, benevolent and private and public organizations and agencies to cultivate and encourage an atmosphere of mutual understanding and harmonious intergroup relationships. Annually, and more often as may be requested, provide written or verbal reports to the Board of Selectman on Commission activities

B. The Commission shall not adjudicate or facilitate resolution of disputes between individuals. or take any other action relative thereto.

Article \_\_. To see if the Town will vote to amend the Town General Bylaws by inserting a new chapter sequentially numbered creating a Mobile Food Vendor Bylaw, as follows:

#### Purpose

To allow and efficiently regulate the use of mobile food vending; expand food access in areas underserved by traditional restaurants; add interest, vibrancy,

and activity to streetscapes; enhance brick-and-mortar establishments; create more opportunities for food truck entrepreneurs.

Regulations aimed at addressing the following concerns:

Food safety; motor traffic and pedestrian safety; real or perceived threat to brick-and-mortar establishments; compatible use of public rights-of-way; nuisances such as noise, smoke, trash, and odors; hours of operation.

## General

For the purposes of this bylaw, the term food truck shall also include food trailers and mobile food vending.

No person shall engage in mobile food vending in the Town of South Hadley unless they shall have been issued a permit to do so by the Inspection Services Department. Such permit shall be conspicuously displayed and clearly visible on any food truck operating within the town.

Permitted with site plan review (SPR) on private property within all zoning districts that allow restaurants and bars.

Permitted on public property by approval of the Selectboard for specific events, days, and times.

Permitted on public rights-of-way with permission of Department of Public Works and Police Department.

Where located within 500 feet of a dwelling unit, hours of operation shall be limited to ? a.m. and ? p.m. Sunday through Thursday and ? a.m. and ? p.m. Friday and Saturday.

Permits issued hereunder shall conform to regulations, rules, forms, and policies of the Massachusetts Department of Public Safety.

Whoever violates this section shall be assessed a fine of \$300. Each day a business operates in violation of this section shall be considered a separate violation.

## Food Trucks on Public Rights-of-way

Food trucks:

Shall maintain a liability insurance policy of at least \$1,000,000 that names the Town of South Hadley as an additional insured.

Shall be legally parked in full compliance with all parking regulations, including any curb marking prohibiting the parking or standing of a vehicle or indicating a parking time limit.

Shall not interfere with the passage of vehicles along the street, obstruct access to parked vehicles, nor impede the delivery of materials or goods to adjoining property.

Shall not operate within 500 feet from any K -12 school building between ? a.m. and ? p.m. on regular school days.

Shall not be parked within 25 feet from a street intersection with a crosswalk, traffic light, or stop sign, or within 25 feet from a bus stop.

Shall not obstruct or interfere with the free flow of pedestrian or vehicular traffic, including but not limited to access to or from any business, public building, or dwelling unit, nor shall it restrict sight distance at driveways and intersections.

Shall not operate within 500 feet of an event on public property that has an approved Special Events Permit

Shall be limited to no more than two days per calendar week at any one location.

Shall not encroach onto a public sidewalk with any part of the vehicle or any other equipment or furniture related to the operation of its business, except for required refuse and recycling receptacles.

Shall be limit food and beverage service solely to that side of the mobile food truck facing away from the street.

Shall not display any signs other than those exhibited on or in the mobile food truck.

Food truck operators:

Shall be responsible for controlling smoke and odors caused by food preparation so as to avoid a public nuisance.

Shall provide one trash receptacle and one recycling receptacle for use by patrons and in a convenient location that does not impede pedestrian or vehicular traffic. All litter or debris generated within a minimum of a 25 foot radius of the food truck shall be collected and removed by the mobile food truck operator.

Additionally:

No lighting shall be provided, except that localized lighting may be used on or in the mobile food trucks for the purpose of inside food preparation and menu illumination.

No amplified music or loudspeakers shall be permitted. The operation shall at all times comply with the provisions of the town's noise ordinance.

All associated equipment and operations shall be self-contained within the mobile food truck. No furniture, umbrellas, generators, extension cords, objects or structures shall be placed outside of the vehicle, or attached to any traffic signals or signs, light standards, newspaper stands, bus stops, trash receptacles, benches, trees, or similar objects.

### Food Trucks on Private Property

Prior to commencing operations, a copy of the approved permit shall be displayed in a prominent and visible place within each food truck together with a notarized letter of permission from the property owner granting the operator the owner's express consent to operate on the site in accordance with the approved permit.

The food truck(s) shall not occupy more than 25 percent of the area of the premises.

The maximum number of mobile food trucks permitted on a site shall be determined as follows:

One food truck may operate on the site for every 525 square foot paved area (at least 35 feet by 15 feet in dimension) available for food truck operations; except that food trucks greater than 30 feet in length require a space at least 70 ft by 15 ft.

Food truck operations shall occur within a paved, level parking area, where it can be demonstrated that any off-street parking spaces located in that area are not otherwise reserved, encumbered, or designated to satisfy the off-street parking requirement of a business or activity that is operating at the same time as the food truck.

Food trucks may be parked within required parking areas. However, operation of the food truck shall not create a parking impact or impede pedestrian or vehicle ingress or egress through the remainder of the parking area or adjacent public right-of-way. There shall be no reduction in the number of parking spaces required for on-site uses while those uses are in operation.

### Private Catering

The food truck shall be parked entirely on private property.

Service shall be limited to private guests of the catering event host only; no walk-up customers are permitted.

A maximum of one catering event per week is permitted in commercial zones, and a maximum of one catering event per month is permitted in residential zones.

Where located within 500 feet of a dwelling unit, hours of operation shall be limited to ? a.m. and ? p.m. Sunday through Thursday and ? a.m. and ? p.m. Friday and Saturday.

A Mobile Food Vending Permit cannot be issued without first securing approval and related permits and licenses from the following departments:

Planning Board: Initial site plan approval

Health Department: Food service certificate

Fire Departments: Initial NFPA site plan approval, and fire safety systems inspection certificate

Town Clerk: Business license

DPW: Public rights-of-way use; parks

Police: Traffic/pedestrian safety

Given under our hands this \_\_\_\_ day of April 2022:

\_\_\_\_\_  
, Chair

\_\_\_\_\_  
, Vice-Chair

\_\_\_\_\_  
, Clerk

\_\_\_\_\_

\_\_\_\_\_  
**SELECTBOARD  
TOWN OF SOUTH HADLEY**

True copy, attest:

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Carlene Hamlin, Clerk  
Town of South Hadley

DRAFT

Jeff Cyr, Chair  
Sarah Etelman, Vice-Chair  
Carol Constant, Clerk  
Andrea Miles

Lisa Wong  
Town Administrator

## **Town Administrator's Report to Selectboard April 5, 2022**

### **Administration, Finance and Operations**

- The Council on Aging is announcing that transportation fees for in town destinations are free of charge for South Hadley residents aged 60+ as of April 1st, 2022. Residents can schedule a ride to and from the Senior Center for lunch and activities, grocery shopping, banking, routine medical appointments, and more. Call to schedule a ride: 538-5030 or [coa@southhadleyma.gov](mailto:coa@southhadleyma.gov).
- The Capital Planning Committee will vote on capital projects at their next meeting on Thursday, April 7<sup>th</sup>. These projects will be incorporated into the warrant for the Selectboard's review.

### **Community Highlights**

- The South Hadley American Legion Post 260, South Hadley Sons of the American Legion & South Hadley VFW Post 3104 & the Western Massachusetts Combat Wounded Veterans planned a South Hadley's National Vietnam War Veterans Day Commemoration at the South Hadley Public Library on Tuesday, March 29<sup>th</sup>. The event was standing-room only.
- The Gaylord Memorial Library's homebound service is accepting new applications from South Hadley residents who have health or transportation issues that keep them from the library. Materials are selected and delivered by library staff on a monthly basis. Homebound delivery recipients must be home or have a household member available to receive the contactless delivery at the scheduled date/time. Interested residents may call the Gaylord Library at 413-538-5047 or print out or fill out an online application to register: <https://docs.google.com/forms/d/e/1FAIpQLSeSUYwPZVwT9Lw9fcuX2xmsFWbv2UBL0IUzMZt9UAIGO9WH-w/viewform>.

### **Planning and Economic Development**

- The Planning Board held a public hearing for the Master Plan on March 28<sup>th</sup>. The board voted in favor of the plan, which will head to Town Meeting for adoption.
- The Stormwater Bylaw Update public hearing is scheduled for April 11 at 7pm. <https://www.southhadley.org/AgendaCenter/ViewFile/Agenda/04112022-4563>
- The Hearing for Elnk, Inc. was continued to April 11 at 6:30pm.

### **Public Health**

- 25 active confirmed cases as of 3/29.
- There's a spike in COVID-19 detection in Wastewater with an almost 10 fold increase between March 11 and March 28. During that same time period reported cases went from 14 to 25.

### **Public Works**

- The DPW is going out to bid for the paving of Sunset Avenue, Alvord Street, Lathrop Street and River Road. The remaining roads will be bid as part of a group purchasing collaborative.