

**HYBRID SELECTBOARD MEETING  
TUESDAY, MARCH 21, 2023  
AGENDA  
SOUTH HADLEY SENIOR CENTER  
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. EXECUTIVE SESSION** – MGL Ch. 30 §21(a) 3 - To discuss strategy with respect to collective bargaining or litigation.
- 3. APPROVAL OF MINUTES:** Draft Minutes of March 7, 2023
- 4. ANNOUNCEMENTS/OPEN FORUM**
- 5. CONSENT AGENDA**
  - A.** One-Day Beer & Wine License Request from Karen Franz for March 23
- 6. RESIGNATION**
  - A.** Marie Rohan – Commission on Disabilities
- 7. NEW BUSINESS**
  - A.** Public Comment Rules
- 8. OLD BUSINESS**
  - A.** FY2024 Budget Presentation
- 9. TOWN ADMINISTRATOR’S REPORT**
- 10. ADJOURN**

**HYBRID SELECTBOARD MEETING  
TUESDAY, MARCH 7, 2023  
DRAFT MEETING MINUTES  
SENIOR CENTER CONFERENCE ROOM  
7 P.M.**

*Present in person were Chair Jeff Cyr, Vice Chair Andrea Miles, Clerk Renee Sweeney, member Carol Constant, member Nicole Casolari, and Town Administrator Lisa Wong.*

**CALL TO ORDER**

Cyr called the meeting to order at 7:03 p.m.

**MINUTES**

Miles motioned to Draft Minutes of Feb. 21, 2023. Constant seconded. All in favor. Unanimous.

**CONSENT AGENDA**

Constant motioned to approve the consent agenda as presented. Miles seconded. All in favor. Unanimous. The consent agenda consisted of a Multi-Date Beer & Wine License request from Jeff Millard for March 10, April 14 & May 12 and a One-Day Beer & Wine License request from David Smith for June 3.

**PUBLIC HEARING: Heavy Commercial Vehicle Exclusion on Spring Street, Hartford Street, Smith Street & Ludlow Road**

Cyr opened the hearing at 7:05 p.m. Closed the hearing at 7:07 p.m. Constant motioned pursuant to Article IX, Motor Vehicles and Traffic, of the Bylaws of the Town of South Hadley, to establish the following rule: The use and operation of heavy commercial vehicles, having a carrying capacity of more than 2 1/2 tons, are hereby restricted on Spring Street, Hartford Street, Smith Street and Ludlow Road. Exemptions: this Section shall not apply to heavy commercial vehicles going to or coming from places upon said streets for the purpose of making deliveries of goods, materials, or merchandise to or similar collections from abutting land or buildings or adjoining streets or ways to which access cannot otherwise be gained; or to vehicles used in connection with the construction, maintenance and repair of said streets or public utilities therein; or to Federal, State, Municipal or public service corporation owned vehicles. Miles seconded. All in favor. Unanimous.

**ANNOUNCEMENTS**

Sweeney noted the Know Your Town election program held March 30 at the public library. Constant said on April 4 there will be a kick-off event for South Hadley's age and dementia friendly initiative at the senior center.

Casolari highlighted the South Hadley High School girl's basketball team who were playing a state sweet 16 game.

**OPEN FORM**

Linda Young, of 15 Westbrook Road, and Michael Lamontagne, of 22 Cypress Drive, expressed concern about town trees and a need for a tree warden.

## **RESIGNATION**

Miles moved to accept the resignation of Jose Vazquez from the Historical Commission. Constant seconded. All in favor. Unanimous.

## **TRI-ANNUAL INTERVIEWS & APPOINTMENTS**

The board interviewed Judy Gooch Dobosh for the Human Rights Commission and Kirsten Britton for the Recreation Commission.

Miles moved to appoint Sheila Pennell to the Council on Aging to a term ending in 2024.

Casolari seconded. All in favor. Unanimous.

Miles moved to appoint Patrick Tracey to the Bike / Walk Committee to a term ending in 2023.

Sweeney seconded. All in favor. Unanimous.

Miles moved to appoint Leo Labonte to the Historical Commission to a term ending in 2025.

Sweeney seconded. All in favor. Unanimous.

Miles moved to appoint Renee Sweeney and Judy Gooch to the Human Rights Commission to terms ending in 2024 and 2025, respectively. Casolari seconded. All in favor. Unanimous.

Miles moved to appoint Kirsten Britton to the Recreation Commission to a term ending in 2025.

Casolari seconded. All in favor. Unanimous.

## **DISABILITIES COMMISSION REAPPOINTMENTS**

Constant motioned to appoint to the Commission on Disabilities Marie Rohan to a term ending in 2023, Larry Dubois to a term ending in 2025, Tay Silveira to a term ending in 2025, and Rick Dunderdale to a term ending in 2024. Miles second. All in favor. Unanimous.

## **DRAFT TOWN MEETING AGENDA**

Wong reviewed the draft town meeting warrant and articles on it thus far.

## **ARPA REQUESTS: MEDICAL TRANSPORT**

Miles moved to expend \$10,000 from the town's American Rescue Plan Act funds for the Senior Center medical transportation program. Constant seconded. All in favor. Unanimous.

## **ARPA REQUEST: AUDIO VISUAL**

Constant moved to expend \$70,000 from the town's American Rescue Plan Act funds for audio visual improvements to the Senior Center Multi-Purpose Room. Miles seconded. All in favor.

Unanimous.

## **2023 ANNUAL TOWN ELECTION WARRANT**

Constant motioned to approve the April 11, 2023 annual town election warrant as presented with hours of 7 a.m. to 8 p.m. Casolari seconded. All in favor.

## **PRESENTATION OF FY24 BUDGET**

Wong presented the FY24 budget and reviewed various sections and line items.

## **TRASH / RECYCLING CONTRACT**

Miles moved to extend the contract with Republic for one one-year extension. Sweeney seconded. All in favor.

**TOWN ADMINISTRATOR'S REPORT**

For the full town administrator's report, see the March 7, 2023 Selectboard meeting packet on the town website.

**ADJOURN**

Miles motioned to adjourn. Sweeney second. All in favor. Unanimous. The meeting adjourned at 9:25 p.m.

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

DRAFT



# OD-79

1 Day Alcohol License

**Status:** Active

**Date Created:** Mar 7, 2023

## 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**

03/23/2023

**Name or Organization Hosting Event**

Dean of Faculty

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

Reception

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

New York Room, Mary Wooley Hall, Mount Holyoke College, 50 College St, South Hadley MA 01075

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

2:00 PM - 9:00 PM

March 5 2023

RECEIVED  
TOWN OF SOUTH HADLEY  
TOWN CLERK'S OFFICE  
2023 MAR -9 PM 4:06  
SBC

To Jeff Cyr  
Chair Select Board  
Town of South Hadley

Thru Tay Oliveria  
Chair South Hadley  
Commission on Disability

Please accept my resignation  
from the commission on disabilities  
Recent events make it necessary  
for me to resign

In my brief membership on this  
Commission I had my eyes, ears  
and heart opened to a better  
understanding of creating a  
community that is inclusive  
and welcoming for all its  
citizens.

Best Wishes  
Marie Rohan

To: Selectboard, School Committee  
From: Town Administrator Lisa Wong  
Re: Selectboard Policies - Public Comment  
Date: March 21, 2023

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**Background:** *On March 7, 2023, the Supreme Judicial Court (SJC) issued its decision in Barron v. Kolenda, holding that, with respect to general public forums, the Town of Southborough's Civility Code violated Articles 16 and 19 of the Massachusetts Declaration of Rights. Under this landmark decision, the SJC concluded that a Town may not impose overly broad restrictions on the speech of members of the public who chose to speak during general public comment periods. While this case does not directly apply to discussion under specific agenda items, during public hearings or at Town Meetings, it does place sharp restrictions on the ability of a town to regulate speech during general comment periods.*

The SJC held that "the content sought to be prohibited - **discourteous, rude, disrespectful, or personal speech about government officials and governmental actions** – is **clearly protected by art. 19**, and thus the prohibition is impermissible". "[Article 19] arose out of fierce opposition to governmental authority, and it was designed to protect such opposition, **even if it was rude, personal, and disrespectful to public figures...**".

Our current Selectboard policy states on page 13 under section 5 that: The Selectboard will require that each resident speak in a civil and respectful manner. The Chair will interrupt and stop any resident who uses profanity or behaves in a similarly unacceptable manner. The Selectboard will not act on a matter introduced during Open Forum on the same night unless this rule is waived by unanimous vote of the board.  
([www.southhadley.org/DocumentCenter/View/10281/Selectboard-Policy-as-of-January-8-2019](http://www.southhadley.org/DocumentCenter/View/10281/Selectboard-Policy-as-of-January-8-2019))

Given the SJC ruling, it is recommended that the language in our policy be amended to replace #5 with the following:

1. The chair or his/her designee shall devote a period at each meeting to public comment (the "public comment period") to the extent that doing so does not interfere with the public body's ability to perform its duties in an orderly, efficient, and timely manner. The point of the meeting at which the public comment period takes place; the duration of the public comment period; the number of individuals and/or entities who are permitted to speak; which individuals and/or entities are permitted to speak; and

the time for which such individuals and/or entities are permitted to speak shall be in the sole discretion of the Chair or his/her designee; provided, however, that the Chair shall, to the best of

his/her ability, ensure that each individual and/or entity who is permitted to speak is allotted an equal amount of time in which to do so.

2. While public comments are not required to pertain to an agenda item for that particular meeting, such comments must pertain to a matter within the public body's jurisdiction. Public comments on matters outside the public body's jurisdiction will not be permitted. Because they are not; Constitutionally protected, the following comments shall likewise not be permitted: true threats, incitement to imminent lawless conduct, statements that were found by a court of law to be defamatory, and sexually explicit statements made to appeal to prurient interests.

3. Individuals and/or entities who are permitted to speak during the public comment period shall begin their remarks by stating their name and address, including their town or city of residence.

4. Individuals and/or entities who are permitted to speak during the public comment period shall do so only through the Chair.

5. Entities who are permitted to speak during the public comment period must select a single spokesperson through which to do so. The spokesperson must identify themselves and the entity for which he/she is speaking, including his/her official position within said entity, as well as the entity's physical address.

6. Individuals and/or entities who are permitted to speak during the public comment period shall not be permitted to assign their time to another entity or individual unless such assignment is required as a reasonable accommodation for such individuals and/or spokespersons because they have a disability.

7. If an individual and/or spokespersons for an entity permitted to speak during the public comment period requires a reasonable accommodation to speak because of his/her disability, he/she must contact the Chair at least 48 hours prior to the meeting to arrange for such accommodation, which may include permitting said individual or spokesperson to speak for a longer time than the other individuals and/or entities permitted to speak during the public comment period.

**Motion:** I move to approve the changes to the Selectboard Policy as presented (or as amended if there are changes to the above recommendation)

# FY24 Budget

**Town Administrator Presentation  
Updated 3/16/2023**

## Upcoming Schedule

March 20, 27 - Capital Committee meetings

March 21 -Selectboard Budget Hearing and vote

March 28 - School Committee budget hearing and vote

April - Capital meeting(s) as needed

April - Bylaw Review meeting TBD

April - TM Info Session TBD

April 20 (Tentative) - TM Info Session - Zoning

April 25 - Appropriations / Town Administrator Hearing

May 10 - Town Meeting (May 12 if needed)

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## FY2024 Overview

General Fund	Up \$1.35m to \$24.35m	5.88%
Landfill	Up \$73k to \$1.4m	4.48%
Wastewater	Up \$154k to \$1.66m	10.26%
Ledges	Up \$32k to \$1.4m	2.34%
School	Up \$900k to \$24.53m	3.81%
Miscellaneous	Down \$122k to \$915k	-11.8%
<b>Overall</b>	<b>Up \$2.4m to \$54.27m</b>	<b>4.62%</b>

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# Revenues

- **State Aid:** Net increase \$466k (last year it was \$918k)  
Total increase in state receipts is \$794k (5.5% increase) over FY23; Total increase in assessments and charges is \$328k;
  - **Property taxes** - 2.5% plus new growth and debt exclusion adds \$973k
  - **Local receipts** estimate \$100k over FY23
  - **Retained earnings:** \$~300k increase in use of (Ledges, WWTP, Landfill) - Will have to consider increase sewer rates
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# Expenses

- 6% increase Health Insurance (\$253k), 10% increase insurance (\$37k), 8% retirement (\$324k), 5% increase FICA/Medicare (\$20k)
  - Utilities - cost increases included in department budgets
  - Public Works - Add Working Foreperson position in Highway, move seasonal to full time in Parks, add maintenance expenses due to cost increases
  - Inspectional Services - add funding for emergency services and contracted inspections
  - Council on Aging - more funding for van drivers. Move  $\frac{1}{3}$  of two existing positions from grant to budget
  - Veterans - part time to full time
  - Facilities - add Director level position
  - Public - loss of grant subsidy for nurse (one year grant), animal control backup
  - School Department increase of 900k
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# FY24 Capital Planning Requests as of 3/17/23

\$2.4m for General Fund. \$489k for Ledges. \$272k for Landfill. \$1.12m for Wastewater.

- DPW \$720k for vehicles/equipment, \$52k for building, \$52k for tree assessments
  - Facilities/Town Hall \$35k for mini splits, \$300k for windows
  - Landfill \$272k for equipment
  - Ledges \$50k Master plan, \$38k clubhouse insulation/equipment, \$76k paving, \$52k drainage/irrigation
  - Library \$15k acoustical improvements (likely to cost more, need to get new estimate)
  - Planning/Conservation projects \$55k Leaping Well Nature Trail
  - Police \$135k vehicles, \$10k water heater tank
  - Recreation/Parks \$550k for Buttery Brook (70% reimbursement with PARC grant), \$12k paint basketball courts, \$65k fencing and netting
  - Schools \$100k Middle school HVAC, \$30k 10 passenger van, \$150k security at 3 schools, \$60k lockers, \$25k classroom, \$50k new floor tiles at Middle School
  - Wastewater \$250k for Management Plan, \$560k for vehicles, \$40k forklift
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# ARPA - Requests as of 3/17/23

- South Hadley received a total of \$5,268,233
  - \$2,009,460 approved (\$841k High school mold, \$147k public health, \$40k housing production plan, \$80k community groups, \$30k facade improvement, \$50k land of low value project, \$10k Mosier Statement of Interest, \$182k Judd Brook, \$605k Schools)
  - Of remaining \$3,258,773 - \$2.2m for Judd Brook project and \$293k for the schools.
  - That leaves \$765,773 in funding to consider other capital projects, community supports, public health, affordable housing.
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# Budget Information

[www.southhadley.org/679/Budget-Town-Meeting-Documents](http://www.southhadley.org/679/Budget-Town-Meeting-Documents)

- Budget presentations
  - Sources and Uses
  - Budget Changes
  - Department Information
  - Previous Budget books and Presentations
-

Jeff Cyr, Chair  
Andrea Miles, Vice-Chair  
Renee Sweeney, Clerk  
Carol Constant  
Nicole Casolari

Lisa Wong  
Town Administrator

## Town Administrator's Report to Selectboard March 21, 2023

### Administration, Finance and Operations

- **Budget Requests:** The Town has submitted three projects to State Senator Oliviera's office to advocate for in the FY24 State budget: \$60k for the Leaping Wells Nature Trail project, \$75k for a Master Plan for Ledges and \$60k for a 10-passenger minivan for the School Department.
- **Town Meeting:** Due to the numerous warrant articles, the Annual Town Meeting on May 10 may need a second night. The evening of May 12 is tentatively scheduled.

### Community

- **Dog Licenses:** 2023 Dog Licenses are currently available in the South Hadley Town Clerk's Office. You must register your dog before March 31, 2023 to avoid a \$5 late fee. Renewals or new registrations can be made in person at the Town Clerk's Office, via mail to 116 Main St, or online at <https://southhadleyma.viewpointcloud.com/categories/1084>. Proof of current rabies vaccination is required in order to issue the dog license. More information is available online at <https://www.southhadley.org/784/Dog-Licenses>.

### Planning

- **Facade Improvements:** The Town signed a contract with the Economic Development Council of Western Massachusetts for the Town to implement a \$76k Town Wide Facade Improvement Program. The funds need to be expended by June 30, so there is a quick turnover.
- **District Local Technical Assistance:** South Hadley received a 2022 DLTA Grant to support housing planning efforts. Due to staffing levels at PVPC, our approved scope of work was not completed. We will be receiving a new round of funding and technical assistance to support our Housing Production Plan which is currently being updated, and anticipated to be approved by DHCD in June 2023. Other activities are: Formalize a Housing Partnership Board. Initiate a framework for creating an Affordable Housing Trust. Conduct a public education program/workshop series about housing affordability.
- **Granby Road:** There was a 3/13 Planning Board Public Hearing for Zoning Map Amendment Request filed by RLB Management to change the zoning designation of 280 and 286 Granby Road from Residence A-1 to Business A, Map 15 Parcels 122, 123, 124, 125, 175, 176 and 113 (<https://www.southhadley.org/1347/Zoning-Map-Amendment-Requests>). The Planning Board voted 4-1 to not support the petition for a zoning change at 480 Granby Road. The petition will still be on the warrant.

### Public Works

- **Chapter 90:** The Town received notification of its allocation for FY2024 of \$494,554.78 that can be used towards local infrastructure. This is the main source of funding for roadway paving. The Town received \$492k for its annual allocation in FY2023, but also received a one time additional \$281k payment of Winter Recovery Assistance Program funds that need to be spent by June 30th. There has been repeated lobbying by cities and towns to increase the \$200 million bond bill that funds Chapter 90 to at least \$330 million as the quantity of projects able to be completed decreases as inflation increases.