

Ira Brezinsky, Chair
Andrea Miles, Vice-Chair
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Michael J. Sullivan
Town Administrator

Feb. 15, 2019

Honorable Selectboard:

This report is an abridged accounting of the activities in town hall over the past two weeks. Thank you for your support!

Cable Television; I recently had a citizen request to re-state the fundamentals surrounding the municipal agreement for cable television. I realize, and as you know, have explained this subject thoroughly at several meeting in the spring, summer and fall in reference to the Comcast agreement renewal.

Here are some of the common misunderstandings: the municipality cannot, under Federal Communication Commission (FCC) rules negotiate rates, programming or anything related to internet or phone services.

The Town of South Hadley must afford any other interested cable company the same contract, as long as they build out the entire community and offer cable television to all residents. Comcast is required to assess and collect a surcharge of 2% on customers' bills which is paid to South Hadley quarterly. Those funds supports the public Channel 15 and other related media activities for the community and as budgeted annually.

There is some conversation in the U.S. Congress to change the surcharge process and no longer allow communities to collect a fee to support public access. Municipalities may actually be charged for use of the now public channel. However, that may be some time away.

The good news is SHELD is aggressively getting into the high-speed business and many people are leaving traditional television in favor of platforms like Hulu and YouTube. Please see the SHELD website for more details.

Bylaw Review Committee; I had the opportunity to meet with Bylaw Review Committee Chair Charles Miles recently to discuss the changes he and his committee may be considering as recommended bylaw changes to the Selectboard. This was a follow-up to the committee's recent meeting.

The "sign bylaw" has long been something I have cited as difficult to enforce, perhaps inconsistent with state and federal laws, and generally a strain of relations between the citizens and the municipality.

The bylaw chair has compiled a collection of sign bylaws from various communities across the Commonwealth. At this juncture, reading the bylaw for other towns or the ordinances for a city only tells you a small part of the story. It does not tell you if they have survived a legal

challenge, if citizens feel good about the sign regulation, or if the bylaw resulted in the intended result from a community perspective.

As the chair is aware, once you get into this issue it starts to be more complex than expected. If “nuance” was a liquid you might drown before finding shore or a solution. With constitutional rights, freedom of speech including freedom of expression of belief systems, political views or statements of opinion, the challenge grows. It is understood these rights have limits. I know you cannot yell “fire” in a crowded theater. The trick is to get something which can hold up in court by not infringing on citizens’ rights if you need to enforce.

Presently, the widely held belief floated by many municipalities is you can limit the number and size of signs, you can regulate signs on town property, you can regulate distractions (lights, movement) to a degree, and you regulate anything which may be a threat to public safety. In keeping with that theme, many towns have taken the approach to state plainly what is not allowed, as opposed trying to describe what is prohibited in legalese.

Some town bylaws are a page or four or five paragraphs - others nineteen or two dozen pages. To allow effective enforcement I believe it needs to be simple and to the point. We did discuss that political signs are almost completely exempt (they can’t pose a safety concern ... the candidate can, the sign cannot ☺). We also talked about how some communities are charging fees (not for political signs) which is an interesting approach.

Thank you to the bylaw committee and particularly Charles Miles for taking this on. It will take some time and effort and then we can define the terms for a “sign.” Great fun!

South Hadley Family Center; Recently I met with Molly Lepage from the South Hadley Family Center. Unfortunately, the center has lost some of its funding to provide needed services to families in SoHa. Like so many they have been forced to take valuable time away from the work they do and allocate it to fundraising.

They will be seeking permission from the Selectboard to have a “Race/Walk” in April on a Sunday starting just across from the town common. I reviewed with them the protocol and went over the costs associated with police for such an event. They are working with an experienced race designer and should have something before the Selectboard for March 5.

This should be great event and I guess the Selectboard would be supportive if the costs are reasonably covered and the event can be made safe. I will let you know as soon as I have the formal request.

Hallway Flooring Project ; Throughout the upcoming long weekend there will be a contractor in town hall finishing the installation of the flooring. We are still getting to know the surface. When the new surface is wet it does have less friction than carpet, but certainly cleans up much easier.

Once this part of the project is completed we will start on the walls and other repairs. The ATA and I did meet with Sarah Miele, current art show artist and South Hadley resident about the possibility of doing some murals which reflect South Hadley and its culture/history. She is working up some ideas and cost estimates to be considered.

Snow storm; With the exception of a police car having a minor run in with a deer, the most recent storm seemed to be of minor consequence. The deer scampered off into the woods seemingly unharmed and the vehicle sustained minor damages.

As of this writing, trash pickup is on schedule and we only had few calls about streets being missed by plows or in need of sanding. I assume there were more lodged with Kellie at the DPW, but all in all it seemed to go well. Thank you to the DPW!

Dog Park; The dog park design award was made Berkshire Design. There were three firms bidding. One was disqualified. Even though the architect was accomplished he did not have the dog park design experience required by both the RFP and the Stanton Foundation.

The ATA and I met with Berkshire Design today to start developing the timeline. We discussed the timeline for final design (60 to 75 days), construction RFP (30 to 45 days) and contractor agreement (15 days)/construction (30 days), which puts us in the September or early October range to cut a ribbon. Of course, we need to get a construction grant from Stanton (highly likely).

The “Friends” are working on policies and we should be ready to start drafting an agreement once the final design is completed and the grant is received. I hope the “fundraising” is progressing as this is crucial to maintain and sustain this effort. This project may get “Best in Show” for 2019.

ADA Assessment Kick-off ; On Wednesday, Feb. 20 we have invited a whole host of participants from various departments in an attempt to gather as much information right from the beginning. This assessment will include sidewalks, parks, buildings including schools, and system accessibility as means for us to have an appropriate inventory as well as an understanding of what is needed to be a more accessible community.

The police, schools, DPW, WWTP, Town Hall, IT, Library COA, Health Department, and Town Clerk all will likely be called upon to provide input and/or information in to this assessment. All have been invited. The central purpose of this exercise is to better understand our deficiencies in serving those citizens with disabilities.



"I feel a genuine sense of relief when meetings like that are over."

MEI Energy Tracking; How many Town Administrators does it take to change a light bulb? Well, as it turns out, with the new energy efficient fluorescent bulbs, it takes one ...to call the property manager. These high efficiency bulbs do not screw in or out. They have a release button which is on the side of the base. Who knew? Besides

Siemens. They also are not readily there might be an OSHA violation

Segue: We continue to work on Energy Insight tracking system. I their diligence. We have identified substantial group of about a dozen to

We also have some grant hours hesitant to use this before we are half reviewing some of the team's the energy use together... if you have hard," and from historic efforts I right. Which is now our singular goal

As always, thank you for your

Respectfully submitted,

Michael J. Sullivan
Town of South Hadley, Administrator

