



TOWN OF GRANBY

Kellogg Hall, Room 1
250 State Street
Granby, MA 01033
Telephone: (413) 467-7177
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Town Administrator: Christopher Martin

Granby Select Board: Wayne H. Tack, Sr.,
Mark L. Bail,
Mary A. McDowell

Board Meeting: July 19, 2010 @ 7:00 P.M.

AGENDA:

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

CITIZEN PARTICIPATION:

OLD BUSINESS AND INFORMATION:

District II Meeting-Update
Website-Update

REPORT OF TOWN ADMINISTRATOR:

APPOINTMENTS:

7:15 POLICE CHIEF BARRY
7:30 CONSERVATION COMMISSION
8:00 DUFRESNE AD-HOC COMMITTEE

ACCEPT AND SIGN MINUTES:

OTHER ACTIONS ITEMS:

NEW BUSINESS AND INFORMATION:

1. Accept Departmental Reports
2. Approve and Sign Maintenance Warrants
3. Affirm Appointments
4. Correspondence: PVCH8-NFCA
5. Approve Granby Hazard Mitigation Plan

REPORTS OF INDIVIDUAL MEMBERS OF THE BOARD:

EXECUTIVE SESSION: Contract Negotiations

ADJOURNMENT:

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GRANBY BOARD OF SELECTMEN
KELLOGG HALL, ROOM 1
MEETING MINUTES OF
July 19, 2010

Members Present:

Wayne Tack Sr., & Mary McDowell
Town Administrator Christopher Martin

Mr. Wayne Tack, Sr., chair called the meeting to order at 7:00 P.M.

Mr. Wayne Tack, Sr., led the meeting with the “Pledge of Allegiance”

CITIZEN PARTICIPATION

Charles Maheu, 326 Batchelor Street asked the Board if they are going to be asking for traffic study to be done because the impact is so great concerning the truck route.

David Desrosiers, Highway Superintendent said that it would be only a 2% increase in the traffic if it were the #'s he had talked about with the Chairman the other day (20 trucks per day loaded and 20 trucks empty).

Mary McDowell thought that studies were done for the Master Plan and wondered if Batchelor Street was one of the Streets done? She thought that they did a pretty complete study.

David Desrosiers is not sure it was either.

Christopher Martin believes it was a traffic count not traffic study, they are different.

David Desrosiers if the amount is 20 trucks that is not a significant number in a traffic study, very low volume.

Christopher Martin did not think so being loaded trucks. People who live on Batchelor St., School St., Carver St., and parts of Taylor St., and Chicopee St., would be directly impacted.

Mary McDowell what are the criteria's to see if a traffic study needs to be done?

Christopher Martin that would be up to the Select Board's determination, expenses with regards to a traffic study is about \$2500.00. You could request that the applicant do a study for Monday-Friday, as you are talking about not granting Saturday hours, unless you find data from the Master Plan.

Charles Maheu is requesting an independent review of a traffic study be done.

Patricia Paxton, 332 Batchelor St would like to bring the following concerns to the Board's attention concerning application for a gravel permit on Trompke Ave; she feels that the quality of life will be changed dramatically for everyone who lives on Batchelor, School and Chicopee Streets. # 1 being safety issue for just people walking, biking on your own street and pulling out of your own driveways, with fully loaded trucks in front of their houses. Empty trucks returning to Trompke Avenue and fully loaded trucks

leaving will be an off-track issue, being that Batchelor St. in front of her house is on a corner that is only 20 ft wide. The trucks debris, oil, exhausts and noise will affect all the beautiful wildlife and kill some of them. When the oil and other leaks from the trucks seep into Batchelor Brook. There are a lot of issues here. With the weight of the fully loaded trucks on our streets, the roads are going to deteriorate fast. Therefore she urges the Select Board to post a \$250,000 bond or more for road repair to ease the burden of the taxpayers of Granby, if this goes through. As far as traffic study, for this proposal to even be considered a traffic study is mandatory, absolutely mandatory.

Wayne Tack we have discussed a bond.

Patricia Paxton this is supposed to go on for 2/3 years what happens after that?

Wayne Tack depends on the demand/sales. Are they going to be moving everyday, probably not? No outside trucks, only their own trucks will be used for their own jobs. So hard to say exactly how long it will take. Gravel permits are renewed every year, but it is not a contract. It is usually granted unless there are violations.

Patricia Paxton what is our noise bylaw?

Wayne Tack standard 7 am – 10 pm.

Patricia Paxton everyone's lives are going to be affected by this dramatically and that needs to be seriously thought about here. Batchelor St is a scenic byway. It is a beautiful street. She didn't know it was going to become Boston Rd in Springfield.

Wayne Tack it's not really.

Patricia Paxton yes it is.

Wayne Tack the affect of those trucks will be a lot but not Boston Rd.

Patricia Paxton for us it will be. Those of us who moved to Granby to have peace and quiet and beauty, for us it will be like Boston Rd., it's going to have that much impact.

Wayne Tack agrees that it will have an impact but in other words, when stuff was done to your house it was hauled in by someone else's house, so you might say everyone gets a turn.

Patricia Paxton not in Granby, you're not going to be able to walk down your own street, walk your dog, and hop on your bike because you have 18-wheelers going every 15 minutes. You could end up getting killed. As it stands now she has to look 4-ways to get out of her driveway. What is going to happen with the trucks who have to pick up speed to get up the hill going to do? It is a big-big safety issue, people's lives are at stake here, that's what matters not money.

APPOINTMENTS

Chief Louis Barry came in front of the Board to inquire about salvaging the gymnasium in the current high school after the rest of the building is demolished if the new proposed project for a 6-12 high school gets passed. Chief Barry believes that keeping that part of the building would be in the town's best interest. The gym would give the town's younger school kids a place to play and would also sustain itself financially through tournaments and user fees for practices. Chief Barry said he spoke to Paul Kneeler about the building and was told that it is economically viable to salvage the gym. Ken Scully, head of the maintenance department did not have a problem with keeping the building or demolishing the building, he wanted to remind everyone that the school buildings were going to need money put into them as well. The Board voted in April to demolish the building after the new building is built, as it is reimbursable from MSBA and still agreed that a complete demolition was the appropriate way to go. Mary McDowell said it is unfortunate that it is the eleventh hour; we should have been able to talk about this possibility earlier. Chief Barry understood their decision but hopes that they don't regret

it in ten years. Both Board members understood and are definitely for having space for the kids to play but don't feel keeping the gym is the right way to go.

William Shaheen, Kimberly Masiuk and Nancy Milkey of the Granby Conservation Commission spoke to the Board concerning the model language for the gravel permit application.

Kimberly Masiuk Bill had met informally with the Select Board at their last Select Board open office hours and discussed having a model by-law or model language for permitting gravel pits. From the checklist that they had made up as part of the permitting process they have received responses back from the Trompke Ave applicants. Now is the time that the Board is able to impose conditions, if they chose to do so, because the by-laws of the Conservation Commission doesn't have as much meat to it as surrounding towns do for working operations. They have come up with some guidelines with help from the MACC. It is generic but really helpful. As far as drafting the actual conditions to the permit they can help the Board address the issues. Things like distance of the earth work to ground water that should be monitored.

Nancy Milkey the whole renewal procedure isn't all that clear in the by-laws so we want people to come in and update their base plans and let us know how much they have taken out and what elevation they are at now. These things will help keep track of things over the years. You will be able to catch problems immediately.

Kimberly Masiuk starting with this application to try to get some good conditions in to help the Conservation Commission do a more accurate job of staying current with the gravel pits.

Mary McDowell so what was suggested is that together both the Conservation Commission and Select Board draft an earth removal by-law/ordinance that would be more current and would be reflected in the proposed permit for the Trompke Ave gravel pit if it is granted.

Kimberly Masiuk it would be used for putting conditions on the permit. Long-term goal would be to change the zoning by-law. Put conditions in now that would eventually tie in with the future by-laws.

Mr. Martin reminded the Board that we don't want to violate the existing by-law.

Kimberly Masiuk the list is pretty generic at this point and even the Planning Board is allowed to give input as far as hours. Make sure the permit sees all three Boards before it is approved or that they give the language that they feel is needed to complete the permit. We would give you things we think are important to have in the permit and give the correct language.

Mr. Martin looking at the application they did test pits to about 11 ft, talking about excavating to about 20 ft, we have a concern because the checklist says 5-ft above the high water table, which is determined by a test pit. The issue is how do we word our permit to say they can't go more than 5-ft above the deepest test pit if there is no water present.

William Shaheen you will need to have someone evaluate the high seasonal groundwater, based on what these folks use in the soil industry, a soil evaluator.

Kimberly Masiuk That was the biggest concern of the Conservation Commission also.

Mr. Martin how can he grant a permit and allow them to go 21-ft if they haven't gone to 26-ft.

William Shaheen You can do a couple of things –they can do a couple of test borings and establish that high seasonal groundwater elevation, set a benchmark monument on site with a land surveyor. You also could say they shall not excavate more than x, y, and z.

Kimberly Masiuk you should also have some monitoring wells, so every year they can be checked and see where the groundwater is during high groundwater season.

William Shaheen what they can do is take the test borings and turn them into a monitoring well very easy.

Kimberly Masiuk then you use that too, if you need to test for anything.

Mr. Martin would like them to give him that in Conservation language because we can't really keep sitting on this project, he is looking at the Select Board meeting on August 2 to start looking at granting or not.

Wayne Tack was surprised to hear they didn't find any water, as there has always been some there.

William Shaheen you have had that established.

Wayne Tack if these test pits don't show water, that is good for them, but still don't know where the water is.

Kimberly Masiuk Donald Frydryk of Sherman & Frydryk Land Surveying and Engineering did respond to that and said as they went down they would keep checking. The Conservation Commission will certainly give their input on what they think is pertinent.

Mr. Martin could you put those points related to the Trompke Ave to us in writing with in a week to 10-days, so we can start the draft of the permit.

Kimberly Masiuk you should have the Planning Board do the same.

Mary McDowell they already have in a letter they sent to us, basically asking about the hours of operation.

Kimberly Masiuk would definitely like to see input from them

Mr. Martin hours of operation have already basically been set by earlier discussion.

Kimberly Masiuk how about the roads? Are you limiting where they go?

Mary McDowell have we set the hours definitely?

Mr. Martin when we talked to them originally in the hearing process they wanted Monday-Friday and Saturday mornings, but we talked about not allowing Saturday mornings. They agreed to allow that at this point and time.

Wayne Tack they did not seem to have a problem with that being it is a residential area. They only work on Saturday in an emergency.

Mr. Martin shared some of his thoughts that he had spoke to Wayne about:

*Allowing only the loaded trucks to make right turns coming off of Trompke Ave to avoid the issue of the North Street Bridge. It only has 26-ton limit, when these trucks are at a 70-77,000 pound vs. 52,000 and so he has concerns.

*Trompke Ave Bridge talked about it a little bit and spoke to David Desrosiers about it and in the end we need to make sure that it has an H2O loading capacity. Mr. Tack said you could probably determine that by the shape of the culvert.

Wayne Tack he would say that it is a concrete culvert made of corrugated steel.

Kimberly Masiuk is it enough just to get an engineers letter on what it is.

Mr. Martin *also part of his concern is that there is only one entrance in and out of Trompke Ave and we have to have an ambulance and fire truck go over a culvert that has been damaged by constant pounding of trucks. He is not going to endanger the lives of our firemen /police officers going over an unsafe culvert.

*We also talked about a bond, not a cash deposit but a performance bond. We talked about a 750,000 performance bond for/to make sure they meet conditions of the permit and to protect our roads. We are looking to have them take a right turn out of Trompke Ave to Batchelor/School Streets, we are concerned about the pounding that the these

Streets will be taking. These are thoughts he is sharing, things that he has been thinking about and reading about to try to protect the neighborhood.

Mary McDowell what are our time restrictions?

Mr. Martin looking at the 7 am- 5 pm Monday –Friday

Kimberly Masiuk noise levels, what are you thinking about that?

Mr. Martin determined by the noise bylaw, even during the day there is a certain noise level that you cannot exceed. Feels that is taken care of in the noise bylaw that is part of the Zoning Bylaws that they will have to abide by. No construction before 7 am and after 10 pm. They will be 7- 5 which fits within the that bylaw

* Concerning the Scenic Road Bylaw nothing in there that prohibits them going on that road from his viewpoint. Doesn't know how we can address that situation. Traffic study/count was done as part of the Master Plan, so the question is would 20 trucks on the trip in/out have a negative impact on the traffic patterns. That we don't know.

David Desrosiers Pioneer Valley did a count on both sides of School Street (north side which would encumber Batchelor Street) not sure if the section running towards Trompke Ave.

Charles Maheu every 15 minutes with trucks you do the math.

Mr. Martin * has been slowly going through and looking at the application and check list and have thought about what should be required as to slopes and dust control and all that other stuff, yes he agrees with the Conservation Commission, but also was looking at how they are going to use it. He does believe we have an issue with mud, but there isn't issue if you are digging out gravel, there should be enough drainage, so there shouldn't be a mud issue. So the way he is looking at it is that the mud issue is sort of a moot point.

* He did talk to David Desrosiers about our local Stormwater ordinance he wants to make sure that they have to follow the proper permits to operate. So he was even looking at that part even though it is probably going to require a NEPES permit, we still want to make sure we meet our local Stormwater ordinances. He needs another set of eyes to look at these things to sort of expand his horizon.

William Shaheen realistically in a gravel permit you have 5-ft off water table and stormwater is going to go straight down so there shouldn't be any migrating storm waters.

Kimberly Masiuk biggest thing would be equipment hydraulic lifts instilling pollutants.

Mr. Martin Those are the types of things you are going to bring to the Board's attention too, see we need to be looking at those types of things.

Mary McDowell so going over the checklist we are okay with it, except for the ground water issue.

Kimberly Masiuk yes, we think they addresses everything.

Mary McDowell so any concerns you have will draw up something and get it to us/Chris in the next 10-days and you will be working with us to update the earth removal bylaw.

For her benefit is the process at this point-are we under time constraints.

Mr. Martin believes that if we delay it unnecessarily we could be in violation. If he needs legal council he could get a hold of Kopelman & Paige and they could advise us as our current council is representing the Toth's in this. He can check into M.G. L. to see if they have anything concerning gravel permits that is relative to time constraints.

Mary McDowell so we will be ready for the 2nd and that is within the time frame?

Mr. Martin believes so, and also thinks we should be able to take a vote and it is in the time frame of the application and public hearing. He doesn't think we can issue the permit for the full 21-ft excavation because of the 11-ft testing boring. They will need to

have additional test borings done by a certified engineer. Mr. Martin will email Donald Frydryk of Sherman & Frydryk Land Surveying and Engineering of this issue.

Mary McDowell looking at the checklist, Planning Board sent us a letter/comments but they didn't do what we are requesting the Conservation Commission to do, specific input, listing of limitations, can we get some more information from the Planning Board?

Charles Maheu the Planning Board is meeting tomorrow night. Mr. Maheu said it might be possible to discuss this at their meeting and bring it his Board tomorrow night.

Mary McDowell believes that it would very helpful if the Planning Board could cash in the terms of putting in what they feel should be on the permit for limitations to the Select Board. She also didn't see any comments from the Building Inspector.

Mr. Martin it was forwarded to him and he has not gotten anything back to us. He is usually the person who makes sure that the conditions/limitations are being followed on an approved permit. He would also probably look at making sure building codes are followed if they were any temporary building structures.

Wayne Tack this application does not have any at this time.

Lisa Anderson, and Terry Lajoie members of the Dufresne Ad-Hoc Committee asked the Select Board for permission to create a new dog area within the Dufresne Park from a group of dog owners (proposal in back of minutes). They were going to refurbish the existing site and decided it would be better to move to a new area. They would pay for all of it by donations and fundraising. They were looking for permission to use the land and have a water hook-up. The Ah-Hoc Committee took a vote and voted 2-1 for it, as they do not believe that it would interfere with Charter Day Celebrations. The Select Board did not have an issue with moving the dog park to the corner of 202/Kendall St but requested that the Dufresne Ad-Hoc Committee consult with the Conservation Commission before moving forward as there is wetlands near the proposed dog area and to get something in writing to give to the Select Board before they will vote on it. Mr. Martin will send an email to the Conservation Commission to get in touch with the Dufresne Ah- Hoc Committee to set up an appointment to meet and discuss the proposal with the Conservation Commission.

OLD BUSINESS AND INFORMATION

District II Meeting-Update- On July 13th Mark Bail, Chris Martin, Mary McDowell met with Robert Lak of District II. Prudential Committee. Trying to address the issues that were raised at the public meeting in December 2009. All felt that it was a productive meeting with 4- potential options being discussed:

- See if the towns would petition the legislature to get a special act to allow us to abate one of the taxes.
- To hold a special meeting of the Districts to vote to petition the legislature to redraw the District lines to not include the Granby residents
- To look into an intergovernmental assessment instead
- To look at a potential merger of the District II, Granby Fire, and while we were there District I was also interested in merging with District II with all of Granby EMS and Fire services.

The Governor has been pushing regionalization of services; he has been looking at dispatch regionalization of services and recently been pushing for police and fire. We are going to contact our Senators and Representatives on both sides and see if they can petition the Governor to get a grant to fund a feasibility study and an analyst study of a future merger. Some progress but maybe not enough for what some people want to see.

Mary McDowell what is the method of communicating that to the people who are involved?

Mr. Martin sending a letter would be the way to go just need an updated list of current owners. Chris will take care of sending a letter.

Website-Update is up and running. It went live last Thursday July 15th. Emails are working and improvements are continuing to be made and more town historical data is being put in. The new town website address is www.granby-ma.gov.

NEW BUSINESS AND INFORMATION

On a motion by Mary McDowell, and seconded by Wayne Tack, it was unanimously voted to accept the departmental reports as written.

On a motion by Mary McDowell, and seconded by Wayne Tack, it was unanimously voted to approve and sign the maintenance warrants.

On a motion by Mary McDowell, and seconded by Wayne Tack, Board unanimously voted to affirm the candidates presented by Town Administrator Christopher Martin who have changed their status since the annual appointments were done in June:

Gary Glenn	59 Center Street	Call-Force- Firefighter/EMT	6/30/11
Lisa Anderson	29 Taylor Street	Call-Force- Firefighter/EMT	6/30/11
Austin Plante	132 School Street	Call-Force- Firefighter/EMT	6/30/11
Wasn't included in the June appointments			
Daniel Rheume	143 Tribly Ave., 2 nd Floor, Chicopee	Call-Force- Firefighter	6/30/11

Pioneer Valley Chapter 8 of NAFCA has sent a letter asking to have edu's for their new site at 104 West State Street reduced. The problem is Chris didn't have any data other than the designer's letter that says full occupancy of the building is 339 people. They have not been in the new site a year yet. So Chris's issue is that under the sewer regulations we have in our chart a category called Private Club/Meeting Place, so based upon that chart it is 3-gallons per seat multiplied by 339 seats equals 1017 gallons per day divided by 330 (which is one edu) and you get 3.08 edu's, straight math. They have indicted in their letter that the building is currently used the following way:

Full meetings-8-times per year approximately 150-175 people

Board Meetings- 10-times per year approximately 15-20 people

Camp Show Meetings- 10-times per year approximately 30-35 people

Events-10-times per year approximately 100-150 people

Member rentals (not officially renting yet) assume 10-times per year approximately 100--150 people

Misc. Meetings-varies assume- 10-times per year approximately 10-30 people

So they fee that they should not be charged the 3.08 use based on the charts that were used. Asking the Board to reevaluate the edu's based upon their indication of the use of the building. They also have a kitchen that Chris feels could add to the edu's being used.

On a motion by Mr. Tack and seconded by Mary McDowell, it was unanimously voted to have Chris Martin write a letter to Pioneer Valley Chapter 8 of NAFCA indicating that the Board would like to wait a year till a full-year's water use report is available before approving any abatements.

Granby Hazard Mitigation Plan- we had contacted Pioneer Valley Planning Commission to develop a plan for Granby as they were developing them for a brunch of towns. Do to the last bad rainstorm that we had, FEMA wants all the local towns to have Hazard Mitigation Plans on file. Pioneer Valley Planning Commission already sent it to FEMA and it was accepted but needs to be accepted by the Granby Select Board. Mary McDowell read the plan and questioned on page 2 that it says that the Board adopted it in 2009, but we didn't. It sounds like we are supposed to have a public hearing on your plan. We have not had that. The Board will hold a public hearing at their next meeting and then vote on it then. Some other changes need to be made in addresses for the Fire/Police Station as we have it in electronic version. Need to change the spelling of Phins Hill. In The public building/areas category public areas to protect we need to add the Annex, the new Public Safety Building and the new COA building at 10 West State Street. To category 4-Food/water we need to add Red Fire Farm and Sapowsky's to be included with Breezy Acres. Recommendations: We already have the Local Emergency Planning Committee we need to make sure that they meet. Jeffery McPherson is our Emergency Management Director. We really need to look at the recommendations.

REPORTS OF INDIVIDUAL MEMBERS OF THE BOARD

Mary McDowell: There was a request from Terry Lajoie to be appointed to the Historical Commission, she sent an email to Mark Bail. Mary will forward it to Mr. Martin. She has a question as to whether she can be on both the Historical Commission and the Historical District Commission. Mr. Martin did not see a problem with being on both. Look at it for the next meeting.

Auditors Report: Chris just received them and will be handing them out shortly. He will then be setting a date for Tom Scanlon to come in and talk to the Board about the report.

Report for the Citizens for Kellogg Hall: Chris has not been able to locate it. He will be checking with the former Select Board members to see if they might know where it is or have a copy of it.

Personnel Board: James Bell has declined to renew his appointment for another term. They are short one person on the Board. Chris will put the opening on Channel 15. There also was a vacancy for a Veterans Graves Officer. He will put that on Channel 15 also. Mary McDowell gave her personal thanks to both residents for volunteering in both of those positions.

Informational Meeting: Saturday at 9:30 at East Meadow School concerning the new proposed school building project.

Next Meeting: Mary McDowell has a proposal ready for the senior work-off and would like to present it at the Board's next meeting. Chris did not put it on this agenda as he is inviting the Board of Assessor's to participate in the discussion so that we can have their input at the same time.

Cleaning Bids: Chris is still in the process of developing the specs.

Mary McDowell made a motion to go into Executive Session for contract negotiations and that the meeting would only be reconvened to adjourn, the motion was seconded by Wayne Tack. On Roll Call vote, the Board voted to go into Executive Session – Tack-AYE, McDowell-AYE @ 8:50 p.m.

The meeting was reconvened at 9:53 p.m.

On a motion by Mr. Tack and seconded by Mary McDowell, it was unanimously voted to adjourn the meeting @ 9:53 p.m.

Respectfully submitted,
Cathy Leonard
Town Administrator's Secretary