BOARD OF SELECTMEN

P.O. Box 372
West Brookfield, Massachusetts 01585

BOARD OF SELECTMEN
MEETING MINUTES
TUESDAY, FEBRUARY 6, 2024

PRESENT: Mr. Roland Sickenberger; Chair, Mr. Eric von Bleicken; Vice-Chair, Mr. Brad Merkel, Clerk and Mr. Ronald San Angelo, Town Administrator

ATTENDEES: Chief Nathan Hagglund, Lori Loughlin, and Dave Brown

Called Meeting to Order at 6:00 PM

MINUTES

Motion to approve the Minutes of January 23, 2024, as written made by Mr. Merkel; second: Mr. von Bleicken – 2 yes, 1 abstention – Mr. Merkel due to absence.

EMERGENCY MANAGEMENT COMMAND VEHICLE

Mr. San Angelo advised the board that the Governor's Office cut earmark monies by 50%. This included the funding for the new EM Command Vehicle. In light of that and in consideration of the town taking possession and upfitting the vehicle, the following motion was made:

Motion to expend ARPA funds in the amount of $24,679.59 to cover the shortfall of the original grant made by Mr. von Bleicken; second: Mr. Merkel – unanimous.

CMRPC – JANE WYRICK – SHORT-TERM RENTAL GENERAL BY-LAW

Ms. Wyrick addressed the board this evening to discuss the proposed Short-Term Rental (STRs) By-law. She has worked with CMRPC on this matter. This by-law would provide oversight on short-term rental properties. In 2018, the Commonwealth passed Chapter 337 of the Acts of 2018 "An Act Regulating and Ensuring Short-Term Rentals" which went into effect on July 1, 2019.

There are Mass General Laws that do govern STRs, however the town can place additional conditions through local by-laws such as health and safety, location, density and licensing and registration. One point of discussion was having a separate fee schedule, which can be adjusted without the need for another town meeting vote. After a discussion and with the support of the Board, Ms. Wyrick is going to make a few changes and then send the draft back for review and further consideration.

Motion to add proposed by-law to the ATM warrant for consideration keeping fees as a separate document made by Mr. Merkel; second; Mr. von Bleicken – unanimous.

MASSDOT AMENDMENT TO LICENSE AGREEMENT WITH DIVISION OF FISH & GAME

After the final title search on the properties associated with Phase I of the Rte 9 project, it was discovered that a parcel of land had been sold to the Div. of Fish & Game. Therefore, the following motion was made:

Motion to approve and sign the Amendment to the License Agreement with the Commonwealth of MA, Dept. of Fish & Game, Division of Fisheries and Wildlife and the Town of West Brookfield as provided by Town Counsel made by Mr. von Bleicken; second: Mr. Merkel – unanimous.

MASS DOT – CORRECTED ORDER OF TAKING

In light of the previous vote to amend the license agreement with the Division of Fish & Game, the following motion was made:

Motion to approve and sign the Corrected Order of Taking (MassDOT Project 606517 as presented by Town Counsel made by Mr. von Bleicken; second: Mr. Merkel – unanimous.

PROPOSITION 2 ½ OVERRIDE – Discussion

Mr. San Angelo advised the members that changes were made in his 2 ½ Override Presentation. He exchanged a number of emails with our budget consultant, John Madden on how best to present the numbers. Mr. San Angelo is holding a presentation next Thursday, February 15th at 1 PM at the Senior Center. Additional informational meetings will be scheduled.

TREASURY WARRANTS

Motion to approve and sign the Treasury Warrant No. 24 P 16 and 24 W 16, dated February 8, 2024, in the amounts of $89,252.55 and $1,208,097.97 and RE FY23 Refunds in the amount of $4,514.84 and MVX Refunds in the amount of $254.72 respectively made by Mr. von Bleicken; second: Mr. Sickenberger – unanimous.

TOWN ADMINISTRATOR'S REPORT

Mr. San Angelo touched briefly upon a request to Sen. Durant's Office requesting $75K in funding for a feasibility study for a safety complex and $7,500 for codification of the town's by-laws. The new lighting project should be underway in early March.

Next Regular Meeting Date: February 20, 2024 – 6 PM

CHIEF HAGGLUND – POLICIES & PROCEDURES - TABLED TO TUESDAY, FEBRUARY 13TH AT 5 PM IN ORDER FOR THE BOARD TO REVIEW.

Motion to enter into Executive Session in accordance with M.G.L., c30A, §21(2) to conduct contract negotiations with non-union personnel (Chief of Police) and the potential to return to Open Session made by Mr. Merkel; second: Mr. Sickenberger – unanimous.

Chief Hagglund addressed the board this evening to discuss his ability to work both private details and work for state-funded traffic enforcement grants. The following is wording that he provided to the board for consideration:

> **Private Detail Work.** The Chief may also work a total of ~~80~~ 60 hours per month on details provided that all such detail work shall: (i) occur outside the Chief's regularly scheduled hours of work; (ii) be available to the Chief only after being offered to and refused by all regular ~~full-time~~ officers of the Department; and (iii) after arrangements have been made by the Chief with the entity requesting a detail which allows the Chief to leave the detail to attend to police emergencies. Detail pay shall be made to the Chief by the City/Town in accordance with the established procedure and shall not be made directly to the Chief by the entity requesting the detail.

After a discussion, the board recommended capping the total hours to 60 per month and to remove the wording of "full-time". All were in agreement.

Overtime Work for State-Funded Traffic Enforcement Grants: Notwithstanding any other provision of this contract, the Police Chief shall be eligible to perform overtime work exclusively for projects funded by state grants dedicated to traffic enforcement ('State-Funded Traffic Enforcement Grants'). However, such overtime work by the Chief shall only be permissible under the condition that all available full-time officers under the Chief's command have been given the first opportunity to volunteer for such overtime assignments. Should there remain unfulfilled overtime assignments after offering them to all full-time officers, the Chief may then elect to undertake these assignments. This clause ensures that the Chief's participation in overtime work is strictly limited to scenarios where sufficient staffing from full-time officers is not available, thereby prioritizing the allocation of overtime opportunities to full-time officers first.

The Board did not have any objections to the above.

Motion to exit Executive Session and return to Open Session made by Mr. Merkel; second: Mr. Sickenberger – unanimous.
Motion to approve the Private Detail Work and Overtime Work for State-Funded Traffic Enforcement Grants with the recommended changes as discussed made by Mr. Merkel; second; Mr. Sickenberger – unanimous.
Mr. San Angelo will provide a Memorandum of Understanding for all to sign

Motion to Adjourn made by Mr. Merkel; second: Mr. Sickenberger – unanimous at 8:08 pm.

Respectfully submitted,

Rebecca Acerra

Rebecca Acerra
Executive Asst. to the Town Administrator/
Board of Selectmen

Brad Merkel /rma 2/20/24

Brad Merkel, Clerk