

**Palmer Town Council
Meeting Minutes
February 14, 2022**

Call to Order:

The Palmer Town Council Meeting of Monday, February 14, 2022, was called to order at 6:30 pm by Town Council President Barbara Barry. Councilors Jessica Sizer, Robert Lavoie, Philip Hebert, Karl Williams, Matthew Lemieux, and Mark Caci were present. Also present was Town Manager Ryan McNutt and Executive Assistant Sarah Hermanson.

Visitors Comments

None.

Minutes

None.

Old Business

Second Reading and Public Hearing – Rezone six (6) parcels into Highway Business (Breckenridge). R. Lavoie read the second reading.

B. Barry opened the public hearing at 6:36pm. Linda Leduc from the Planning Department explained the intentions of the rezoning of these parcels Linda Leduc indicated the types of businesses that could potentially develop in this type of zoning. The following types are retail, restaurants, gas stations, and fast-food chain.

B. Barry opened the discussion to the public.

Jack Santos- Palmer Resident- questioned if a traffic study would be performed before any type of business goes into this parcel.

L. Leduc explained that during the site plan review stage a traffic study could potentially be required.

R. Bergeron- Palmer Resident- wanted an explanation of why the zoning must change all the way up the hill. He stated that if something large must go into that area he would like it to be something big. He also questioned why the abutters were not notified.

L. Leduc explained that the Planning Board met and had a public hearing on this matter before it was brought to the Town Council. She also went on to explain that state law does not require abutters to be notified- Chapter 40A Section 5.

B. Barry stated that she understands the frustrations that the residents have with regards to the zone changes and feeling that they were not made aware. The town utilizes all the resources that we can including social media, newspaper, and other town meetings. It is very difficult to get the message out to everyone and there is very little press coverage.

Mike Lessard-70 Ware St. Palmer- Believes that this is a bad idea for this area of town. He stated that the traffic that is currently there already has issues of speeding. He is worried about the families that live

there. Would rather have homes built there instead of looking at a business. Drive to Belchertown if you want to go to Tractor Supply.

Dave DuComb- High St.- Palmer Resident- Requested that the potential occupant would be able to speak to the audience.

Rob Gromenski- Palmer Resident- Doesn't want a box store in a residential area. He stated that he informed his neighbors that day about the meeting and provided them maps of the rezoning.

Heidi Barra- Palmer Resident- Voiced that the area should stay Residential and there are other box stores that are close. There will be 10 homes affected by the view if this was to move forward.

Rich Plant- Palmer Resident- Will there be consideration about the property values?

B. Barry stated that it is unclear if it would affect the property values.

K. Williams appreciates everyone input on this topic.

Maria Donato- School St. Palmer Resident- stated that she is a local realtor and the property values do decrease due to developing and over crowded areas.

Nelson Pease- 38 Pearl St.- Palmer Resident- questioned why there is no speaker system in the meeting room?

Patience Hartley- Palmer Resident- questioned the other areas in town and why they are not developed.

L. Leduc commented on that a lot of the areas are privately owned land for instances the Kmart building is owned by a holding company and is not currently being developed. Some landowners that have potential areas to develop are not suitable for projects. The Town is following the Master Plan of the Town which is to extend the commercial development.

B. Barry asked the audience if there was anyone that wanted to speak in favor for the zoning change.

Sheryl Chase- River St.- Palmer Resident- acknowledged that she is pro-business for the town. We need more commercial development to offset the residential tax bills. Palmer is dying for new business.

Val Rodrigues- Summer St.- Palmer Resident-voiced that he agrees with the zoning change for Route 32.

Carl Whitney- Palmer Resident- stated that the town needs more draw. This area that is in question is on a state road and if it does pass his recommendation is that the light at the Rugmill coordinate with the potential new light at the end of Breckenridge St.

B. Barry responded that with a zoning change most of the time we do not know what the business is that wants to develop there. The zone change would be voted on at the March Town Council Meeting.

M. Marciniac- Planning Board Chairman- stated that the state determines if a traffic light can go up on a state road.

B. Barry closed the Public Hearing at 7:12pm

Second Reading and Public Hearing – Rezone six (6) parcels into Highway Business (Sherman property).

R. Lavoie performed the second reading

B. Barry opened the Public Hearing at 7:15pm. Linda Leduc from the Planning Department explained the intentions of the re-zoning of the 90 acres. The Hill is for a large-scale development and the area that is currently zoned highway district includes a steep hill, and a vernal pool. The rezoning would add the additional acreage for the ability to develop something larger on the parcel. This also includes the rezoning of Converse Middle School. There cannot be spot zoning. The playground will always have to be a playground. The Converse Middle School rezoning to highway business is also apart of the Master Plan.

R. McNutt- reassured the residents that there are no active plans for Converse Middle School. He stated that the gymnasium and Legion Field will still be retained for community use.

B. Barry opened the floor for questions.

Rick Laviolette- Converse St. Palmer Resident- has lived in Palmer for 87 years. He stated that he has seen this town flourish in the 1940's and 1950's and now over the years he has seen it go downhill. He would like to know if this rezone will affect the tax rate if you rezone it. He also wanted to know where they are going to put a road in to access the additional area.

L. Leduc replied by saying that this measure of rezoning is a proactive measure for the Hill property. The intention was never to bring any traffic into the highly residential areas close to the rezoning.

R. Laviolette stated that we should be developing that land and not let it continue to sit there. We should be able to collect taxes on a developed piece of property.

B. Barry commented that we do not have control over that piece of property. It is privately owned. As far as the affect on the tax bill of the homes that are directly affected by this rezoning, we do not have an answer to that question. That would be an Assessor's question and even that depends on the market and the property values at the time. We currently don't have a plan for the reuse of Converse Middle School and that is what would directly impact you. The Town Council is having an open forum on Monday February 28, 2022, to discuss the reuse of Converse Middle School.

M. Marciniac – Planning Board Chairman- stated there is a plan for the property on the Hill but the developer is looking for more acreage.

Ann Miller- 60 Buckland Village – Palmer Resident- A. Miller would like the town to re-examine the process of notification. She suggested a committee to help. She feels that a smaller business would be beneficial in these areas.

Nelson Pease- 38 Pearl St.- Palmer Resident- was questioning who the developer is? We have a right to know who and what is going into a property.

B. Barry reminded the resident that when a developer is interested in an area it remains confidential unless the party involved states that it is okay to release the name.

L. Leduc reiterated the process. It goes to the planning board for the use, there is a study completed, which includes traffic and landscaping.

Ben Hood- Palmer Resident- Palmer has a train stop, is rural residential and we are close to the highway.

Chris Smith- Palmer Resident- felt like the zoning change was being thrown at the residents. She stated that the Planning Board and the Town Council need to work together.

Lindsey- 45 Converse St.- Palmer Resident- voiced her concern about the potential of losing the sport fields. She stated that the town needs to retain them. We already have a box store at the other end of Breckenridge St., and they constantly have trash everywhere. There are young families that live in these areas. She pleaded to the Town Council not to take the woods away.

Dave Ducomb- High St.- Palmer Resident- stated that zoning is a positive thing for the town. He provided a little history of zoning from when his father was a part of the zoning in town when it first began. He went on to say that even though rezoning is a positive thing this rezoning is going to effect 100's of people of the town. We must learn to compromise, and good things will happen for the tax base and good things for the people of the town. People come first. We wonder why business don't want to come into Palmer. Take a drive through town and see the abandoned properties. We all have been turning a blind eye to certain things in town.

Maria- Breckenridge St.- Palmer Resident- She lives on a street that does not have sidewalks, so they walk their pets in the woods behind their home. If this was rezoned the woods would be gone and they would have no where safe to walk. Why does the entire light blue area of the map have to be rezoned?

Rick Fannigan- Palmer Resident- questioned if Converse Middle School was to be repurposed and Legion Field was to stay, how would the new owners handle the parking for events that occur at the field?

R. McNutt stated yes, the fields and parking would not be an issue.

Chris- 15 George St. -Palmer Resident- Could the properties be separated differently? Could we challenge the movement in different ways?

B. Barry closed the Public Hearing at 8:01pm.

New Business

Town Manager, Ryan McNutt, acknowledged the appointment of Patience Hartley to the Palmer Historic Commission.

Palmer Sewer Rate study presentation- Michael Schrader, Principal Engineer Tighe & Bond. Michael presented a power point to provide an overview of the goals of the sewer rate evaluation. The goals are to provide a full cost to service. This figure will provide the full cost to operate. The second goal is to be fully staff and lastly, is to be proactive in repairs. We need to have a maintenance plan to ensure that items are addressed in a timely manner. The concept of the evaluation is to project the expenses first. What will be the revenue needs? We are covering the costs of what we need to continue the service. The next item is projection of the revenue and this how we adjust the rates. There is also a trending analysis that shows projections of expenses as well as revenue. Michael went over some of the projects that need to be addressed such as, collection systems, roof replacements, and the operating permit system. Michael Shrader also went over the rate increase and customer impacts as well as the affordability.

R. McNutt stated that they only people in town that this impacts are the 1900 households that are on town sewer. A goal for the town is to expand the number of households on the system and there may be a few opportunities to do this but currently we must focus only on the current number of 1900 to keep the system going.

P. Hebert questioned how the rate is set? He provided an example of if a family with two (2) bathrooms have the same rate as a single bathroom home with one (1) person in the household.

A. da Cruz stated that is correct. The current system cannot determine a water reading for individual households as we do not access to water readings from the districts.

P. Hebert responded that each household should only be charged for their usage.

R. McNutt commented that if the water districts combine it could be possible to have meters that would provide a more accurate figure for households.

Joint Meeting discussion Town Council & School Board regarding FY 23

Presenting the information is Superintendent, Patricia Gardner and Director of Finance, Amanda Babinski.

B. Barry set the ground rules for the presentation and the questions towards the school.

P. Gardner went over the vision of the schools, as well as the theory of action and the objectives.

A. Babinski went over the FY23 Budget drivers. These components are based on the needs of the students and staff as we are coming to the end of a pandemic. She continued to provide an overview of how the funding is broken down by different categories including grade levels. The funding is a bare minimum to educate a child in the school district. The state also takes into consideration students that are at an economic disadvantage lifestyle as well as a wealthier student. The economic disadvantaged student may require additional services such as free breakfast and lunch along with academic services.

P. Gardner commented that there are certain positions and criteria that is mandated by the state that the schools must follow.

A. Babinski went over the cost of educating a student. There is not one set cost for the students. Some students do not require any additional services where other students require more services. She also provided a comparison of Chapter 70 funds- state aid from FY22 to FY23. Transportation, food service, health programs and recreation programs cannot be used towards the net school spending calculation. She presented a 2% increase for FY23 budget. This request is not based on current cost of living adjustment for inflation ratios.

B. Barry asked about the enrollment trend in the schools.

P. Gardner stated that a part of the problem is that families are not growing. The population in Western MA is declining. The trends of where people are living is changing. If you looked around the town of Palmer the families are not as large as they used to be.

K. Williams questioned what the enrollment was five (5) years ago compared to today?

P. Gardner said the enrollment five (5) years ago was 1,351 and today is 1,150.

M. Lemieux questioned if the school does not use all their funds do they come back to the town in the general funds account or if the school has their own free cash? He wanted to know where the school fits in their capital projects.

A. Babinski answered yes, they do if there are any additional funds.

B. Barry requested that the school discusses the capital projects and the funding for them.

A. Babinski responded that school has received ESSER grant, COVID funding, ARPA Funding, CARES Act and DESE. The capital projects that the school is looking into completing with these funds are the caulking in both schools, plumbing updates, faucets in the bathrooms, and duct work for the air conditioning and air quality.

R. McNutt stated Fred Gerber the Facilities Director started in 2020 and is in the process of reviewing all the capital projects for the schools.

M. Lemieux also stated that the town and the school are working on the MOU to ensure that each party is aware of their responsibilities.

M. Caci questioned a figure on the slide from FY20 of 2.2 million overages?

A. Babinski answered that it was the actual net school spending. The school spent above and beyond the amount the state requires. This does not include transportation.

B. Barry stated that when the school and her spoke that the school was attempting to add some capital funds back into the budget.

A. Babinski responded that this is the plan as the need for continuous preventive maintenance on plumbing, the elevator, and the electrical is crucial.

M. Caci questioned how school of choice works with the budget?

A. Babinski informed the council that all students are included in the budget whether they are in the district or not. The reason behind this is because the school still must pay for the students going to other districts. Currently, the number of students that are in other districts are 108. The state is also looking into putting caps on how many students can attend online school programs.

M. Caci questioned how many students from Palmer attend Pathfinder?

A. Babinski stated that in 2011-2012 school year there were 201 and currently, there are 181.

B. Barry wanted to know the process of getting accepted to Pathfinder?

P. Gardner responded that the process is any student can apply and attend.

B. Barry questioned the turnover rate over the last few years.

P. Gardner stated that these are difficult times and teachers that were close to retirement decided to do so.

B. Barry wanted to know if the schools were fully staffed.

A. Babinski responded that they are not as Paraprofessionals are very difficult to find.

J. Fountain – Palmer Resident questioned the employee separation agreement line in the budget.

A. Babinski stated that item line is there for if a faculty member decided to leave prior to contract.

C. Smith submitted a letter to the School Committee, Superintendent, and Town Council on her thoughts of the budget and the school system.

B. Barry closed the agenda item with the school

B. Barry suggested that the next agenda item of the Town Manager Goals be tabled from the agenda tonight.

Town Council members agreed.

Town Manager request for American Recovery Plan (ARPA Funds) (\$19,393.17 Covid Tests and \$50,000 for Fuel Assistance)

Covid tests are for a first come first serve basis. There are no restrictions on who can receive unlike the other Covid tests from the state.

The fuel assistance is to add additional funding for residents that need assistance with heating costs. The state has a program and is based on income levels and there is only a certain amount that the town receives. The need is present and this additional \$50,000 will help.

Motion to approve \$19,39.17 for the purchase of Covid test kits from ARPA funds was made by M. Lemieux, second by J. Sizer. Motion passed 6-1-0.

Motion to approve \$50,000.00 for Fuel Assistance from ARPA made by R. Lavoie, second by P. Hebert. Motion passed 7-0-0.

Ordinance- Bring your own Brew- BYOB restaurant- Refer to Subcommittee

R. McNutt requested an Ordinance for a BYOB. It could be a low impact way of local restaurants the ability to offer alcohol but not have to worry about stocking and serving it. We have mocked a local community, the City of Greenfield, and their policy of BYOB.

B. Barry requested this be reviewed by the Ordinance subcommittee and that they obtain opinion from Chief Chris Burns.

Streaming of Town Council Meetings

B. Barry requested this agenda item be brought forth. The reason behind this that some residents do not have Comcast or cable. She stated she has seen much smaller communities can live stream the meetings. This is an opportunity for anyone to have the ability to watch the meetings by clicking on a link and streaming it through any device.

M-Pact should be able to accommodate this for us. She requested Ryan to coordinate this request as well as the meetings to be remote and in person. The third item would be to have a speaker system installed.

Any other new business

None.

Subcommittee Reports

R. Lavoie stated that the subcommittee did meet on the ordinance of the naming and dedication of Town property, and they are 90% completed with the draft. They will submit at the next meeting.

Town Managers Report

A few weeks ago, the Board of Health was able to take advantage of purchasing COVID testing kits at a discounted rate. We utilized \$19,393.17 from ARPA funds to purchase 4,812 kits. They will be distributed on a first come, first served basis without restrictions.

Code enforcement William Fenner, part-time Zoning Enforcement Officer in the Building Department is staying on as code and zoning enforcement. Recent actions from this area are condemnation of 3182 High Street, Bondsville, 2022 Main Street, Three Rivers, Stimson Street junk yard, 134 Gate Street, Palmer, 501 River Street, Palmer, 1235 Park Street, Palmer.

Recycling remains the first Saturday of the month. Dave Cotter from Conservation continues to lead recycling. Last weekend closed due to a vacation and Waste Management scheduling issue that has been resolved.

On Friday February 11, 2022, the Town was notified that there was an 18-inch hole on the Main Street Bridge in Thorndike. After having DOT come out to inspect it was determined that the hole needed repair and as a result the bridge had to go down to one lane. As of Monday February 14, 2022, the bridge was still down to one lane and the work should be completed this week.

B. Barry questioned how much the repairs will be for the bridge.

Motion to use \$20,000 out of the reserve fund to pay for the bridge repairs by M. Lemieux, second by K. Williams. Motion passed 6-0-0.

B. Barry asked if the 181 Culvert project was paid for by a grant?

R. McNutt stated yes it was.

P. Hebert wanted to mention the stormwater to the residents and keep them aware of what is coming their way. The federal mandate for the stormwater run offs. What you can expect to happen is the Town Council to approve a stormwater utility fee to be added to your tax bill.

Miscellaneous Correspondence:

B. Barry stated she had received the emails about the school budget and had forwarded to all the Councilors.

Councilor's RoundTable:

None.

Adjournment of Formal Session

Close public session, roll call vote to convene executive session for the purpose of M.G.L.c.30A, § 21 #3 union Personnel: To discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body.

Purposes of the M.G.L. c. 30A, §21 #3 Non-Union Personnel: To discuss strategy with respect to contract negotiations if an open meeting may have a detrimental effect on the bargaining position of the public body.

Council will not reconvene in open session at the end of the executive session.

Executive Session

Motion was made by roll call at 10:32 pm to exit formal session and enter executive session with adjournment there from by R. Lavoie and seconded by P. Hebert. Motion passed (7:0:0)