

SELECTBOARD AGENDA& MEETING NOTICE

November 8, 2021

***Indicates item added after the 48 hour posting

bold underlined time = invited guest or advertised hearing

(all other times are approximate)

Location: Gill Town Hall, 2nd Floor Face coverings required per Board of Health mandate.

6:00 PM <u>Call to Order</u> (If the meeting is being videotaped, announce that fact. If remote participation will occur, announce member & reason, & need for roll call voting)

Old Business

- Review of Minutes
- o Nuisance Dog (91 Main Road) Update and Recommendations from Animal Control Officer
- Feedback/Comments on Leaf Joy community outreach meeting

New Business

- 6:15 PM Public Hearing on an application by John DeSotle of Arrow Enterprise Inc d/b/a Arrow Auto Sales for a Class II license (used car sales) at 235 French King Highway
- o Green Community Report for FY21 review & approve (deadline is Nov 19)
- Renewal of Inter-Municipal Agreement for membership in the Upper Pioneer Valley Veterans' Services District for fiscal years 2023, 2024, and 2025
- o MIIA Insurance Renewal Proposal 0% rate change for FY23 & up to 2.5% for FY24
- o Appointment Emily Samuels, 277 Main Road, to Council on Aging through 6/30/2023
- Other business as may arise after the agenda has been posted.
- o Public Service Announcements, if any
 - Pediatric COVID vaccination clinic & the Vax Bus
 - Slate Memorial Library Local Gill History, Nov 13th 1 PM
 - Slate Memorial Library Felt Snowflake Ornaments, Nov 20th Noon

Warrants

FY22 #09 Vendors (\$126,743.79) & Payroll (\$24,125.98) – reviewed & signed on 10/25/21 FY22 #10 – review & sign

Adjournment

Other Invitations/Meetings:

Date	Time	Event	Location
Mon 11/22	5:30 PM	Selectboard meeting	Gill Town Hall, 2 nd floor
Mon 12/6	5:30 PM	Selectboard meeting	Gill Town Hall, 2 nd floor
Mon 12/20	5:30 PM	Selectboard meeting	Gill Town Hall, 2 nd floor

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www.gillmass.org

November 1, 2021

In accordance with the provisions of M. G. L. Chapter 140, Section 59, notice is hereby given to all owners of property abutting 235 French King Highway, Gill, MA, that the Gill Selectboard will hold a Public Hearing on Monday, November 8, 2021 at 6:15 PM in the Gill Town Hall on an application by John DeSotle of Arrow Enterprise Inc d/b/a Arrow Auto Sales to operate a Class II Motor Vehicle license to buy, sell, exchange or assemble second hand motor vehicles or parts thereof on the premises of 235 French King Highway, Gill, MA.

Sincerely,

Ray Purington, Town Administrator

Gill Selectboard

THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF GILL

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE OR ASSEMBLE SECOND HAND MOTOR VEHICLES OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a
1. What is the name of the concern? USED CAR DEALERSHIP. ARROW ENTERPRISE INC DBA ARROW AUTO SALES.
Business address of concern. No. 235 FRENCH KING HIGHWAY St., GILL, MA 01354 City — Town.
2. Is the above concern an individual, co-partnership, an association or a corporation?\£.5
3. If an individual, state full name and residential address.
4. If a co-partnership, state full names and residential addresses of the persons composing it.
5. If an association or a corporation, state full names and residential addresses of the principal officers.
President JOHN DESONE
Secretary JOHN DESOTLE
Treasurer JOHN DESOTCE
6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? . Y.E.S.
If so, is your principal business the sale of new motor vehicles? NO
Is your principal business the buying and selling of second hand motor vehicles? \F.S
Is your principal business that of a motor vehicle junk dealer?

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.
USED CAR DEALERSHIP
••••••••••••••••••••••••••

8. Are you a recognized agent of a motor vehicle manufacturer?
If so, state name of manufacturer
9. Have you a signed contract as required by Section 58, Class 1?(Yes or No)
10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof?(Yes or No)
If so, in what city — town .SHELBURNE, MA 01370
Did you receive a license? YES For what year? 2018 70 2021
11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts
thereof ever been suspended or revoked? (Yes or No)
Sign your name in full. (Duly duthorized to represent the concern herein mentioned)
Residence 269, S. SHIRKSHIRE RD. CONWAY, MA 0134

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH FULL INFORMATION, AND FALSE STATEMENTS HEREIN MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE IF ISSUED.

Note: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)

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Zoning Board of Appeals - Record of Proceedings, Findings and Decision

Hearing Number: FY 2022-2202 Date of Decision: October 26, 2021

Application type:	Submission Date:
ZBA Special Permit	September 27, 2021

Applicant's Name: Property Owner's Name:

Applicant o Italiio		r reporty e irrier e			
Name: John DeSotle/Arrov	ses Inc.	Name: Michael Vining			
Address: 269 South Shirkshire Rd			Address: 27 Auburn St		
Town: Conway	State: MA	Zip Code: 01301	Town: Woburn	State: MA	Zip Code: 01801
Phone Number: 413-489-3168	E-Mail A	ddress:	Phone Number: 617-501-8311	E-Mail A	Address:

Site Information:

Olic Illioilliation	•	
Street Address: 235 French King		Site Zoning: Residential Agricultural
Hwy		
Gill, MA 01354		Relevant Section of Zoning Bylaw:
		Section 2C, 7k: Automobile Sales
Map #: 226	Lot #: 24	Action Taken: Permit Granted to ALLOW Automobile Sales Subject to
·		Conditions and to Allow one Over-sized Sign on the Building
Registry of	Registry of	
Deeds:	Deeds:	
Book , Page	Plan Book,	
	Page	

Nature of Proposed Work:

Business development: Used Automobile Sales

Public Hearing:

Notice for the public hearing regarding this application was posted at the Town Hall; published in The Recorder on October 12 and October 19, 2021; mailed before the public hearing to all abutters, abutting towns, and the building inspector for the Town of Gill; and distributed to town boards and commissions. The public hearing on this special permit was opened on October 26, 2021 and closed on October 26, 2021.

The following members were present at the hearing and constituted a quorum:

Roger Augustine Tupper Brown Ray Purington Suzanne Smiley

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Findings:

Finding that all applicable provisions of the Zoning Bylaw and all applicable rules and regulations of the Board have been complied with, the Board GRANTS approval of this Special Permit based on the following findings and with the following conditions. Findings are based on the Special Permit Application and testimony from the applicant and one representative of an abutter.

General Findings:

- John DeSotle is representing himself and his business, Arrow Enterprises, Inc.
- A representative of one abutter attended the hearing
- The applicant has owned and run a used automobile business since April 2017 in Shelburne Falls and has positive customer reviews
- The prior license allowed 15 units
- Business hours will be 9:00 AM 6:00 PM, Monday through Saturday
- The property lease specifies the business type and is renewable each year

FINDINGS: The following were considered in relation to Section 2-C of the Gill Zoning Bylaws, "Special Permit Guidelines":

1. Community & Regional Needs Served by the Proposal

The applicant specializes in Subaru vehicles, providing a quality product below market value. In 2008, there were seven licensed automobile dealers in Gill; there are four now and demand for used automobiles is high.

2. Traffic Flow & Safety

The applicant anticipates 20 people visiting the business each month and hopes to grow this number. Much of the business is internet driven so buyers have had most of their questions answered and are prepared prior to coming to the lot. There will be a customer parking lot and a marked entrance and exit. The site is located on a relatively straight section of Route 2 with good site lines in each direction. Automobiles to be sold are delivered one at a time so there is no issue with deliveries involving large tractor trailers.

3. Adequacy of Town Services

No additional services are required as a result of this special permit. The property is not on Town water or sewer. There will be a camera security system and the lot will be lit.

4. Effect on Neighborhood Character

The immediate prior business at the location was automobile sales and no abutters expressed concerns with this application. An active business is preferable to a vacant building. The parking lot is adequate to support up to 40 cars for sale at any one time.

The applicant will have two signs on the building: one on the front that is in compliance with the Zoning Bylaws and one oversized (up to 16 square feet) on the east end of the building.

Findings related to the oversized sign:

- The sign will serve the public convenience by making the business visible with enough time to safely negotiate the turn into the site. The larger sign will also make it easier for drivers to identify the business at the normal posted highway speed.
- The larger sign will not endanger public safety.
- The larger sign will not be detrimental to the neighborhood

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5. Protection of the Natural Environment

There will be no mechanical or wet work, including washing, or parts/junk cars on-site.

6. Potential Impact on Employment and Incomes

The applicant will be the primary employee with a part-time office manager and two independent drivers, as needed.

7. Potential Impact on Town Finances

Tax revenue will likely be similar to levels when there was an active business on the site. The applicant makes a point of supporting local businesses with purchases of fuel, parts, cleaning, etc.

8. Potential Impact on Surface and Ground Water

The existing lot surface is gravel which drains well and generates less storm water runoff than pavement.

Conditions of approval:

- 1. There will be no more than 40 cars for sale on the lot at any given time.
- 2. Lighting will be positioned to not interfere with abutters or drivers traveling on Route 2.
- 3. There will be no "parts cars", no repair and no wet work on site.
- 4. Signage will comply with the signage requirements in the Zoning Bylaws and as allowed within this Special Permit.
- 5. This Special Permit is granted for the current applicant and is not transferable to subsequent owners/operators.

MOTION: the Board finds that the criteria for approval set forth in Section 2C of the Zoning Bylaw have been met and, therefore, the proposed use will have no adverse effects which overbalance its beneficial effects on the Town as measured by the Purpose of this Bylaw.

Roll Call Vote:

Members Present:	Vote
Roger Augustine	Aye
Tupper Brown	Aye
Ray Purington	Aye
Suzanne Smiley	Aye

Motion Made By:	Seconded By:	Vote Count:	Decision:
Tupper Brown	Ray Purington	Aye - 4	Adverse effects do not
			overbalance beneficial
			effects

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MOTION: to grant a Special Permit for automobile sales with conditions based on the preceding findings and in accordance with Section 2C of the Zoning Bylaws.

Roll Call Vote:

Members Present:	Vote:
Roger Augustine	Aye
Tupper Brown	Aye
Ray Purington	Aye
Suzanne Smiley	Aye

Motion Made By:	Seconded By:	Vote Count:	Decision:
Roger Augustine	Tupper Brown	Aye - 4	Special Permit Granted
			with Conditions

MOTION: to allow one oversized sign to be placed on the east side of the building and up to 16 square feet in area based on the preceding findings and in accordance with Section 2F of the Zoning Bylaws.

Roll Call Vote:

Town Clerk of Gill

Members Present:	Vote:
Roger Augustine	Aye
Tupper Brown	Aye
Ray Purington	Aye
Suzanne Smiley	Äye

Motion Made By:	Seconded By:	Vote Count:	Decision:
Ray Purington	Roger Augustine	Aye - 4	Special Permit to allow
			oversized signage

I, Suzanne M. Smiley, as chair of the Gill Zoning Board of Appeals, certify this is a true and accurate decision made by the Zoning Board of Appeals.

Date: November 4, 2021

Filed with Town Clerk on: November 4, 2021

Continued on Following Page

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Issuance of this Special Permit does not relieve the applicant of their responsibility to comply with any state, federal, local or other regulation that may apply. For this Special Permit to be valid and in force, the applicant must record it with the Franklin County Registry of Deeds and submit a copy of the registered permit to the Building Inspector. The Building Inspector shall certify below that the permit has been registered and provide a copy of the signed page to the Zoning Board of Appeals.

Date of Registration:	Deed Book:, Page	
Building Inspector's Signature:		Date:

Notice of Appeal

An appeal from the decision of the Zoning Board of Appeals may be made by any person aggrieved pursuant to MGL Chapter 40A, Section 17 as amended within twenty (20) days after the date of filing of a notice of decision in the Office of the Town Clerk. Notice of the appeal and a copy of the complaint shall be given to the Town Clerk within the twenty-day appeal period.



Timothy Niejadlik, Director Laura Thorne, Assistant Christopher Demars, Deputy Director Brian Brooks, VSO

UPPER PIONEER VALLEY VETERANS' SERVICES DISTRICT

Veteran Resource and Referral Center located in Greenfield, satellite locations throughout the district

October 18, 2021

Member Towns

Ashfield

Bernardston

Buckland

Charlemont

Colrain

Conway

Deerfield

Erving

Gill

Greenfield

Hawley

Heath

Leverett

Leyden

Monroe

Montague

New Salem

Northfield

Plainfield

,

Rowe

Shelburne

Shutesbury

Sunderland

Warwick

Wendell

Whately

Town of Gill Select Board 325 Main Road

Gill, MA 01354

Dear Select board,

During its meeting on October 13, 2021, the Upper Pioneer Valley Veterans' Services District Advisory Board voted to continue operations for another 3 year term.

Individual member towns must now vote through their respective select boards whether to continue on as members of the district for the next three years.

All terms of the original inter-municipal remain the same with Greenfield paying 56% of the district budget and the remaining 44% being assessed to the other member towns. Only the total population has been adjusted.

Please review the enclosed agreement and sign by your town's respective signature line. We ask that you vote and return the agreement to our office no later than December $1^{\rm st}$. Towns not wishing to continue membership must do so by December $1^{\rm st}$ so district assessments may be adjusted. Towns wishing to withdraw from the district must also present to the state a plan for providing veterans' services IAW M.G.L. Ch115 no later than April $1^{\rm st}$, 2022.

We, of course, hope you will chose to remain a member of our district. Should you have any questions or require my attendance at a select board meeting please let m know.

Respectfully,

Timothy Niejadlik Director



City of GREENFIELD, MASSACHUSETTS

DEPARTMENT OF VETERANS SERVICES

TIMOTHY NIEJADLIK, Director

294 Main Street • Greenfield, MA 01301
Phone 413-772-1571 • Fax 413-772-1401
<u>Timothy.niejadlik@greenfield-ma.gov</u> • www.greenfield-ma.gov

UPPER PIONEER VALLEY VETERANS' SERVICES DISTRICT

District Composition:

The Upper Pioneer Valley Veterans' Services District (the District) is comprised of one city, 25 Franklin County towns, and one Hampshire County town with a total district population of 64,093 (2020 census). (See Appendix A) Ref: M.G.L. c. 115, §§ 2, 10, and 14; 1972 Mass. Acts c. 471, §§ 1-3 et seq.

Reasonable Geographical Proximity of Municipalities Within the District:

As a whole, all municipalities within the district adjoin one another. The district is divided basically along geographical lines with an Eastern County and Western County divided by the I-91/Connecticut River corridor. Ref: M.G.L. c. 115, §§ 2, 10, and 14; 1972 Mass. Acts c. 471, §§ 1-3, et seq.; 108 CMR 12.00. 14.

Personnel Staffing for the District:

The Upper Pioneer Valley Veterans' Services District employs three veterans' services officers and an adequate number of clerical support staff. Specifically, the district employs one (1) full-time director of the veterans' services district, two (2) full-time veterans' agent, and one (1) full-time clerical support worker. The district's staffing reflects the Massachusetts Department of Veteran Services guidelines for the minimum personnel staffing requirements for veterans' services districts.

Ref: M.G.L. c. 4, § 7(43); M.G.L. c. 115, §§ 1, 3, 10, 11, and 14; 1972 Mass. Acts c. 471, §§ 1-3, et seq.; 108 CMR 2.02; 108 CMR 12.00.

Business Hours and Locations within the District:

The Upper Pioneer Valley Veterans' Services District's main office is located at the Greenfield Veterans' Resource and Referral Center, 294 Main Street, Greenfield, separate and apart from other city offices, and maintains regular business hours from 8:30 a.m. to 5:00 p.m., five days per week (Monday through Friday). The main office is staffed by the district's one full-time clerical support member and the District Director. The District will maintain satellite offices, with space provided by member communities at no cost to the district, with the VSOs setting schedules as needed in their respective eastern and western municipalities. Ref: M.G.L. c. 115, §§ 10, 11, and 14; 1972 Mass. Acts c. 471, §§ 1-3, et seq.; 108 CMR 12.00.

Upper Pioneer Valley Veterans' Services Inter-Municipal Agreement

Pursuant to c.40, sec 4A, this Agreement, approved by the Mayor and Greenfield City Council and the Select Boards of the participating Towns, is hereby entered into and is effective from this first day of July 2022, by and between the City of Greenfield and the participating towns. This agreement contractually enables the Director of Greenfield's Veterans' Resource and Referral Center, and such other Veterans' Service Officers as shall be on the staff of such office, to perform the duties of such office for all of the towns which are party to this agreement. The terms of this contract shall be for Fiscal Years 2023, 2024 and 2025, namely July 1, 2022 through June 30, 2025.

- Such duties will be performed in the Greenfield office of the City's Veterans' Services Office during regularly scheduled business hours or in the member towns during weekly office hours there or during normal office hours.
- It is understood and agreed that the distribution of benefits payable to Veterans in the member towns under the provisions of Chapter 115 of the Massachusetts General Laws shall be paid by the Treasurer of the member Town in which that Veteran resides or by such method that the Commonwealth sees fit as determined by the Massachusetts Legislature or the Massachusetts Department of Veterans' Services.
- 3. It is understood and agreed that the reimbursement of Veterans' benefits from the Commonwealth of Massachusetts will be credited to the member Town in which that Veteran resides.
- 4. All District employees shall be employees of the City of Greenfield. The City of Greenfield shall pay all reasonable and customary salaries and District operating expenses with assessments collected from all District member towns. The Veterans' Service Officer of Greenfield shall serve as the Director of the District and will supervise all staff in their duties as related to the office in the various towns. These duties shall include the application of M.G.L. Ch 115, filing for federal benefits, assistance with housing, employment, health insurance, and burial benefits. The Director may assign other duties as required by M.G.L. Ch 115 in the performance of the office to include work schedules and appointments as needed.
- A Member Board shall be created with one primary representative and one alternate representative from each member community. Each community shall have only one vote in matters that come before the Board. The Board shall meet as needed but no less than twice a year and shall address all issues related to the implementation of this District.
- 6. The Greenfield office shall work with local Veterans Councils from the member communities to assist the Councils in coordinating all ceremonies and parades in all member communities, so long as it does not interfere with the VSO's primary duties.
- 7. The Greenfield office shall comply with the DVS Directive, dated June 8, 2009, to utilize a paperless web based system which will allow for the submission of member communities' benefit reimbursement requests to the Commonwealth of Massachusetts. Examples of such technology include but are not limited to internet access, fax access, photocopier access and office space.
- 8. For the term of this agreement, annually by February 1st, each member town will provide a quantity of cemetery flags needed to the district. The District will order the flags, bill the towns, and process reimbursement for each member town.
- 9. Assessments to the District shall be made payable to the City of Greenfield and mailed to the Upper Pioneer Valley Veterans' Services District c/o Town Hall, 14 Court Square, Greenfield, MA 01301 no later than July 15th of each year.

- Any budget surplus at the end of each fiscal year will be refunded to each member town according to the EQV/Population model used in the initial assessment. Each fiscal year the District will present a new assessment schedule for the member towns based on any budget increases/decreases incurred or expected based on normal costs of doing business such as indirect employee costs and negotiated union contracts.
- 11.

 A member municipality may withdraw from a veterans' services district by vote of its legislative body (selectmen or city council) at the end of a fiscal year if such withdrawal is voted on not less than sixty (60) days prior to the end of the municipality's fiscal year and notice of such vote is filed with the other municipalities comprising the district. The parties shall equitably adjust any payments made or due relating to the unexpired portion of the Term following such termination.
- 12.

 If towns opt to join or leave the District, it is understood that the annual assessments of the other member towns will change.

The new Upper Pioneer Valley Veterans' Services District will base assessments on 50% Equalized Valuation (EQV) and 50% US Census population. EQV will use the most recent "Final" figures as published by the Massachusetts Department of Revenue and population will use figures from the most recent decennial census conducted by the US Census Bureau. Submitted assessments are based on the cities/towns listed below (see Appendix B for assessments based on EQV and Population).

In the fall of every year of this agreement, the Upper Pioneer Valley Veterans' Services District will provide assessments to the member communities based on the 50% EQV-50% Population model. This will provide member communities time to consider membership in the district for the upcoming fiscal year within the guidelines in accordance with MGL Ch 115 District formation. Towns not wishing to join must notify MA DVS and submit their own plan for compliance of their municipality with MGL Ch 115. The remaining district assessments would be recalculated and resubmitted to the remaining communities for approval. **Fiscal Year 2016 serves as the base year in establishing the district budget. The City of Greenfield will assume 56% of the district budget. The balance of the budget will be assessed to all remaining signatory communities listed below.**

All remaining costs associated with the operation of the Upper Pioneer Valley Veterans' Services District shall be paid by the City of Greenfield.

This agreement may be renewed on a tri-annual basis by mutual written agreement of all the parties.

City of Greenfield:		
Mayor	date	
Town of Ashfield:		
Select Board Chair	date	
Town of Bernardston:		
Select Board Chair	date	

Town of Buckland:	
Select Board Chair	date
Town of Charlemont:	
Select Board Chair	date
Town of Colrain:	
Select Board Chair	date
Town of Conway:	
Select Board Chair	date
Town of Deerfield:	
Select Board Chair	date
Town of Erving:	
Select Board Chair	date
Town of Gill:	
Select Board Chair	date
Town of Hawley:	
Select Board Chair	date
Town of Heath:	
Select Board Chair	date
Town of Leverett:	
Select Board Chair	date
Town of Leyden:	
Select Board Chair	date
Town of Monroe:	
Select Board Chair	date
Town of Montague:	
Select Board Chair	date

Town of New Salem:		
Select Board Chair	date	
Town of Northfield:		
Select Board Chair	date	······
Town of Plainfield:		
Select Board Chair	date	
Town of Rowe:		
Select Board Chair	date	
Town of Shelburne:		
Select Board Chair	date	
Town of Shutesbury:		
Select Board Chair	date	
Town of Sunderland:		
Select Board Chair	date	
Town of Warwick:		
Select Board Chair	date	
Town of Wendell:		
Select Board Chair	date	
Town of Whately:		
Select Board Chair		



Serving Massachusetts communities since 1982

November 1, 2021

Mr. Ray Purrington Town Administrator Town of Gill 325 Main Road Gill, MA 01354

Re: 2 Year Guarantee Proposal

Dear Ray:

The Town of Gill is an important member of the MIIA programs. Due to the overall success of our programs and your favorable loss history, we are able to offer you a renewal proposal for FY23 and FY24 which includes a rate change of 0% for FY23 and up to 2.5% for FY24. We are pleased to offer this renewal proposal for your Property, Liability and Workers Compensation insurance.

MIIA Member Services

Woburn, MA 01801-1003 TEL (800) 526-6442

> FAX (781) 376-9907 www.emiia.org

15 Cabot Road

Your overall contributions may reflect updated exposures, such as changes in building values, number of vehicles, expenditures, payrolls or experience modification factors. This offer is being made to a limited number of MIIA members and is contingent on maintaining a favorable loss ratio for all lines of coverage below 60% through FY24.

MIIA is the non-profit insurance provider established in 1982 to deliver insurance cost stability for Massachusetts communities. We provide extensive risk management solutions including health, dental, vision, property, liability and workers compensation insurance to more than 415 cities, towns and other public entities in Massachusetts.

By accepting our proposal, you will continue to benefit from stable costs from MIIA's consistently superior coverages and services. In order to accept our offer, please sign and return the enclosed copy of this letter to our office before November 12, 2021. We appreciate your continued commitment to the MIIA programs.

Sincerely,

Joanne
Joanne
Joanne Stoll-Pizzano
Senior Account Executive

We wish to continue participating in the MIIA Property, Liability and Workers Compensation programs for FY23 and FY24. For your convenience, enclosed is a return envelope or email to MIIARenewals@mma.org.		
Signature	Date	
Title	Community	