

Shutesbury Board of Selectmen Tuesday November 20, 2012 Meeting Minutes

Members present: Chairwoman Elaine Puleo (arrived late from Northampton at 6:15 PM due to Thanksgiving traffic) and members Al Springer and April Stein.

Also Present: Town Administrator Rebecca Torres, Administrative Secretary Leslie Bracebridge recording.

Selectmen Stein and Springer opened the meeting at 6:07 P.M. at the Shutesbury Town Hall.

Appointments

At 6:07 PM in the presence of Franklin Housing and Redevelopment Authority Assistant Director of Community Development Bruce Hunter Chairman Puleo opened the public hearing for the FY 2013 CDBG – CDF I application. Bruce Hunter began the discussion of the application:

- The public hearing is needed to solicit public comments for the activities the towns are applying for.
- 4-town grant: Bernardston is the lead town with Conway, Shutesbury and Sunderland joining in.
- Described the 2 elements of the proposed program in the agenda on file with Select Board minutes:
 1. Housing Rehabilitation for which the grant requests \$214,800 for Shutesbury residents.
 2. Meals-on-Wheels Program for which the grant requests \$1,919.70 for Shutesbury residents.

Donna Liebl described the Franklin County Home Care Meals-on-Wheels Program:

- Recipients should be home-bound, or unable to safely drive the distance to the congregate site.
- Interested residents should contact Franklin County Homecare to learn about services.

Bruce Hunter reviewed:

- Income eligibility requirements.
- Timeline:
 - Anticipates grant to be awarded in July 2013.
 - Bernardston's Select Board will sign agreements with the state in September.
 - Program to start in October 2013 and run for 15 months ending in December of 2014.
- The next steps:
 - Selectmen in all 4 towns will be asked to sign a joint authorization form, and
 - Sign a program income statement: For Shutesbury the statement is for the \$47,000+ or -. remaining in the program income from paybacks which is available for emergencies in the gap between the time we apply and when the funding comes through. HRA also works with Community Action programs for income eligible residents.

Selectmen thanked Bruce Hunter and Donna Liebl for their administrative assistance and closed the Public Hearing at 6:45 PM.

Selectmen met with Police Chief Harding:

- On the request of Chief Harding, **Selectmen unanimously voted to sign an appointment letter for Officer Soto** which is required for Officer Soto's Police Academy enrollment paperwork.
- Becky introduced **John Gorey who spends his summers at Lake Wyola and who was invited to be a citizen-at-large at tonight's 2 Police Department interviews.**
- **Chief Harding introduced Auxiliary Police Officer candidate Thomas Herzig of Bernardston:**
 - Mr. Herzig has always been interested in police work and helping people.
 - This is a good way to start; Mr. Herzig would like to become a full-time officer in Shutesbury.
 - April congratulated Mr. Herzig on his recent graduation from Westfield State University with a Bachelor of Science Degree in Criminal Justice, and asked how he found the commute to Shutesbury: It's 40 minutes; his previous commute to Westfield was much longer.
 - Mr. Herzig:

- Has some of the required Auxiliary Officer equipment, so he won't have to make a huge outlay if he is appointed.
 - Has previously done 300 hours observing police officers including "ride-alongs".
 - Considers keeping cool in stressful situations the biggest challenge for police officers.
 - Rode with seasoned officers and saw how to do things the correct way and would like to bring that knowledge to Shutesbury.
 - Al: As far as he's concerned, Mr. Herzig is welcome to learn here in Shutesbury.
 - Elaine: inquires – the nuances between working in a large community and a small town.
 - Mr. Herzig: Small town policing is people/community oriented. In cities officers are "on the go" all the time, often dealing with violent crimes.
 - April: Where are you going to be in 5 years?
 - Mr. Herzig: Has no idea. No one is hiring anymore.
 - What was the most interesting course? Mr. Herzig: Policing Ethics.
 - Elaine describes the auxiliary officer position as "field training." Wear a full uniform, ride with an officer, listen to what they have to say, and do what they tell you to do.
 - When invited to ask questions, Officer Herzig asked, "What would you like me to do as a Shutesbury auxiliary police officer?"
 - Elaine would like to see him grow so that when enough time passes the Chief comes to us and says he's ready to put you on as a paid officer.
 - Elaine: Coming out of college with a bachelor's degree is no longer a ticket to a job, so an apprenticeship is a good idea. She knows a lot of people are doing this in a variety of fields.
- **Police Chief Harding introduced Justin Ritter, a full time security police officer at Mount Holyoke College**, who answered questions put to him by the Board of Selectmen:
 - Students are like our children; we keep them very well protected at all times.
 - Every community has its own personality. Officer Ritter will adapt to Shutesbury.
 - There will be small and big challenges wherever you work.
 - Feels he has a good sense of reading people quickly: Goes to calls to find out what is important to that person. I'm going to "fix it" for that person.
 - On request, gave example of a student suicide event and his ability to come away from it:
 - This is work, there is also home life; don't cross the two.
 - When I am on the job, I do the best that I can to the extent of my own ability.
 - Attended Special State Police Academy for 16 weeks:
 - Same drills, same instructors, same curriculum, as offered to state police, but it was a "tighter" package.
 - It was in depth training for a campus police officer. Officer Ritter got a lot out of it.
 - Anticipates learning everything over again, and twice as much at the Police Academy.
 - Police work is constantly changing.
 - There will be a lot of the same and also changes.
 - He has been on the job, he can apply things he's experienced and enhance his skills.
 - The academy is great for legal updates also.
 - April: Describes Shutesbury's work as that of missing toters, dogs, and domestics. A different array of calls; how will that be for you?
 - Mr. Ritter: I've worked part time in Hadley which is pretty busy. Countless arrests, countless "un-calls." There will be the same calls. Call volume will change.
 - Al wants to know if Mr. Ritter will get bored with Shutesbury's slower pace.
 - Mr. Ritter: There's always something to do: Collect the week's citations, maybe a summons, can go on patrol. Being bored is a very small problem.
 - Does Mr. Ritter have questions for the Board?

- Mr. Ritter: What way is the department going for you? Needs to learn as much as I possibly can. Is the resident population growing?
 - Elaine: The town grew between 1970 and 2000. We haven't been shrinking. We're stable. In terms of housing and the economy, most people are staying put. The town is what it will look like for next 5-10 years. The one major business is the Athletic Club. It's a bar/private club. That's where some of the action is. Sometimes the action is at the lake. There are still things to "wake you up."
 - Al offers the "S-curves" in winter.
 - Elaine: We have a highway to Rte. 202.
 - Mostly Shutesbury is a nice place to live.
 - See's a police officer as someone who helps, not restricts others' ways of life.
 - It's getting to know families and kids in town; that you're there for them, even if something went sour for them.
 - Al: we want people to like you not fear you.
 - Elaine: But we still want them to know that you're a police officer.
 - The force in the recent past has been great.
 - Our police officers are expected to lend a hand to other communities.
 - Mr. Ritter: Is familiar with mutual aid; it's used by a lot of towns.
 - Elaine: Is glad that he's choosing to look our way; she expects it's a great match. Elaine invites citizen-at-large John Gorey for any comments or questions:
 - John Gorey: Invites Mr. Ritter down to the Lake on a summer Sunday afternoon.
 - Mr. Ritter was invited to tell his story of rescuing a 3-year-old near-drowning in the Connecticut River, and he did.
- Chief Harding and the Board of Selectmen reviewed the interviews and received positive feedback from Mr. Gorey on both interview candidates as well as the auxiliary police concept.
 - Chief Harding:
 - Generally speaking, he sees 3 months as a minimum for auxiliary police officers working 8 hours per week to be ready to assume part time officer duties.
 - Will sign the sponsor letter for the Academy for Mr. Ritter.
- **In the presence of Chief Harding Selectmen met with Shutesbury Athletic Club (SAC) President Paul Danielovich and Secretary Jennifer Donnelly:**
 - Becky: Fire Chief Tibbetts received from the Building Inspector, signed his section, and submitted to the Selectmen the form which Selectmen are required to have in hand before they approve renewal of the Club's license to sell and serve alcoholic beverages in 2013.
 - Paul: From his contact with the Massachusetts Alcoholic Beverages Control Commission (ABCC) there is no outstanding problem with the SAC, just the unemployment insurance concern, which has been cleared up. So, there is no Dec. 6 ABCC hearing in Boston.
 - Elaine received and reviewed the records of closing for the last month, which she had requested at the November 13 Select Board meeting. Neither she or Paul are aware of any recent (last 3 or 4 weeks) complaints being made of the Club being open late.
 - 4 minute openings and closings in the early mornings is to fill the woodstove.
 - 2:14 AM closings on Sunday mornings involves clean-up, restocking and rearranging the heavy kegs from the back room to the front room.
 - Friday and Saturday customers tend to stay right to the end as opposed to week night customers.
 - The Club stops serving by quarter of the hour and customers are sent out the door on the hour, if they haven't already left. The bartender is not paid to stay longer for them.

- Chief Harding has no changes to request be made to the May 8, 2012 Memorandum of Understanding.
- The SAC submitted renewal papers only.
- Before submitting expansion request papers, the SAC plans to further research ABCC rules for expansion of the outdoor drinking area, including inquiring how such entities as the Hadley Young Men's Club can have an unfenced open outside bar for their outdoor activities. The SAC would similarly like to set up for outdoor parties and summer cookouts without fencing as indicated is a must on the ABCC website.
- The guidelines on the ABCC website reason that the area must be fenced in to prevent under-age drinking or inadvertent service to over-intoxicated individuals.
 - Paul states that as a member of the Club, you watch out for your friends and,
 - Everyone knows everyone's kids; not that kids join their parents at Club events.
- Paul is looking to allow drinking everywhere on the property but the parking lot.
- Chief Harding: A lot is left up to the governing board of the town.
- Paul gave an example of an outside wedding held at the Club where toasts could only be made inside or under the pavilion.
- Paul feels the bottom line is that you're monitoring for under-age drinking.
- Paul: "The level of worry is different for the SAC than for a bar on Main St. in Amherst."
- **Selectmen unanimously voted to sign the Memorandum of Understanding for the coming year and keeping the latest closings to 1 AM on Friday into Saturday, and on Saturday into Sunday, and until 12 midnight on Sunday through Thursday nights.**
- Since all renewal paperwork was in order, **pending delivery of the payments for the licenses, Selectmen unanimously voted to:**
 - **Approve renewal of an Alcoholic Beverages Club License at \$450 for 2013 for the SAC,**
 - **Approve a Commercial Video License at \$20 for 2013 for the SAC,**
 - **Approve a Pool Table License at \$20 for May 1, 2013 to April 30, 2014 for the SAC,**
 - **Approve a Live Entertainment License at \$25 for 2013 for the SAC, and the**
 - **Renewal Certification for the ABCC for 2013.**

Topics

1. **Erving School Union #28 Health Insurance Agreement between the 5 towns:**
 - Becky Union 28 Health Insurance agreement between the 5 member towns.
 - New Salem will be paid, if agreed to by all towns to write one check, staying on as the fiduciary for the 5 towns.
2. **Memorandum of Understanding for the Shutesbury Athletic Club:**
 - See vote in Appointments above
3. **Senior Lounge Update:**
 - The rug has been removed from the senior lounge area.
 - The Buildings Committee has not yet determined which sealant is most appropriate.
 - At this point they have to deal with the dried glue adhering to the concrete.
 - Selectmen inspected mysterious rusted and broken piping found in a trench in the concrete, below the surface of the floor, around the perimeter of the room.
 - It ended toward the bathroom wall between the furnace room and the senior lounge.
 - The trench was covered with iron plates.
 - Leslie reported similar trenched piping showing up and covered over in the Select Board meeting room during the 2003 accessibility project.
4. In the presence of Wendell Road residents Christine Sullivan and Roger Witter Selectmen reviewed **Trash Update/Toters:**

- **444 Wendell Road resident Christine Sullivan** described the totter barrels placed at the Locks Pond Road/Wendell Road fork in front of her home as a “ridiculous eyesore.”
 - She went through this with the dumpster that was placed there 20 years ago.
 - There’s no barrel at the other end of Wendell Road.
 - There was no discussion about placing toters at the intersection.
 - They’ve been knocked over and she has already picked them up multiple times.
 - Doesn’t understand why Wendell Road residents can’t bring their trash up on Wednesday mornings and leave their bags on the ground as they did in previous years.
 - Christine is determined to keep on it until the toters are removed.
 - How are they going to plow the snow?
 - It’s a bus stop that needs extra space for parents to park while waiting for the bus.
 - There won’t be enough barrels; we all recycle very well.
 - Names others living on Wendell Road who finds the toters ugly.
 - Would you want that in your front yard?
- **484 Wendell Road resident Roger Witter** stated that he brought this up when he previously brought his concerns about the condition of Wendell road to the Select Board (See August 28 and September 11 Select Board meeting minutes.)
 - Roger and Christine were not contacted before the barrels were placed.
 - Feels that this goes back to the maintenance of the road.
 - Wants the trucks to come down the road to pick up the trash.
- **Becky:** Many people want a managed way to handle the trash.
- **Roger:** Pays \$5600 in taxes and demands that the town get a town truck to come down the road.
 - They put a Band-aid on it. They didn’t get it done.
- **Becky:** We have not gotten down the road for years and years.
 - It was an erratic service.
 - Becky got constant phone calls from people on the road.
 - We can’t count on them to go down the road every week, so this is the system.
- **Christine:** Who did Becky talk to?
 - Christine wouldn’t know to be here if she hadn’t been called by Roger. It’s a surprise to Christine that there was a meeting tonight.
- **Roger:** States that the night that he talked to the Selectmen about the road, Highway Superintendent Tim Hunting assured Roger that the trucking company could get down the road.
- **Becky:** Was with Tim when he spoke with Allied Waste Removal personnel and denies that Tim advised them to go down Wendell Road in the winter.
- **Roger:** The contract is to pick up the trash at the end of the driveways
- **Becky:** “In a safe manner.” The road was not picked up by Duseau in the winter and it was not expected.
- **April states there are 3 things being discussed and Elaine defines them:**
 - 1st: The condition of the road: Vibratory rollers cost a lot more than what was batted around in the earlier meeting. Selectmen suggested to Highway Superintendent Hunting that he rent one in the spring to see what is needed and how well it works. Elaine agrees the road has a Band-aid. We’ll work from there. We are going to hang on until spring. It will come to town meeting in the spring. A vibratory roller is too big (expensive) a piece of equipment to purchase at a special town meeting.
 - 2nd: Elaine understands the idea of the toters. She probably wouldn’t want 9 of them in front of her house.
 - 3rd: Fire Chief Tibbetts has told us that if there was an emergency they could get down there. Trash is not an emergency. Sharing the road with the big truck is hard to deal with. You can hear and see

emergency trucks and you get out of the way. She compares to the logging trucks that use Baker Road, where she lives; they're too big for the road.

- Elaine: This is a new hauling company. We don't have a working relationship yet.
 - Agrees, we need to do something about this.
 - Do we pay more to get to problem areas or do we work something out?
 - Elaine is talking about all different options.
 - Truthfully, we are not able to get in front of everybody's house.
 - That's living in a small town on a dirt road on a hill.
 - We have to gather all the information, get it together, and figure it out.
 - They (Allied) haven't seen our roads in winter yet.
 - We can't come up with a solution right away.
- **Becky:** All of those things have been talked about. If this makes an improvement, we do it.
- **Christine:** Owns the house where they sit; I was there during "the dumpster years."
- **Al:** Signs in front of Elaine's house "bugged" her. Al had a truck in the yard "bugging" him until he got rid of it. The barrels "bug" Christine.
- **Christine:** I can't look at it; it bugs me that I have to pick the barrels up; we pay more for the toters.
- **Becky:** We'll have to pay for the one that's missing. Becky states that she's sorry there wasn't a meeting. Hopes to give it a try for a couple of weeks and see what happens.
- **Christine:** Disagrees didn't consider somebody's time to pick the barrels up. Isn't concerned about bags getting broken and stuff getting strewn around; that happens anywhere.
- **April :** The difference is 9 families are putting their trash in one concentrated area.
- **Roger:** Suggests that if this is also done at Cooleyville and the Laurels, then all the roads should bring their trash to the highway garage.
- **Becky:** Everyone has a different response. Let's give it a try so we can say, "That didn't work."
- **Christine:** Wants reassurance that this isn't year-round.
- **Becky:** It's definitely only for the winter.
- **Christine:** You will get tired of hearing from me. I will send photos. Christine challenges the timing without a road meeting.
- **Becky:** The way it happened was the dumpsters arrived before the keys, so the letter came after the barrels were delivered. Trash has been picked up at the top of the road year after year.
- **Christine:** Understands that the Select Board can't talk to everyone about everything.
- **Roger:** All of those people (Wendell, Cooleyville and the Laurel Drive residents) should have been pooled together because he feels that the dumpster should have gone to the town barn.
- **Elaine:** Requests a log from Christine of the problems Christine encounters with the barrels and wants to meet at the December 18 Select Board meeting at 6:35 PM to re-discuss.
- **Christine:** Thanks the board for listening.

Select Board Action Items

1. **The CDBG public hearing was held at 6:07 PM.** See notes above.
2. **Selectmen unanimously voted to approve the minutes of October 9 and November 13 as written.**
3. Selectmen signed payroll warrants totaling \$81,841.49.
4. Selectmen signed vendor warrants totaling \$255,757.87.

Topics the Chairman Could Not Reasonably Have Anticipated

1. **Selectmen unanimously voted to sign a grant agreement for \$500 between the Town of Shutesbury and the Massachusetts Department of Environmental Protection grant to be used for more recycling bins.**

2. **Selectmen unanimously voted to sign the contract documents required to complete the FFY11 Emergency Management Performance Grant in the amount of \$2500**, as reviewed at the November 19 Emergency Management Team meeting.
3. There may need to be a short **Select Board meeting on Wednesday November 28th** at 8:30 AM for the Building Committee to sign a truss bid for the highway barn, if the references and numbers work out. With cold weather coming on they want to move forward as quickly as possible.
4. Erving School Union 28 Director of Finance and Operations Mike Kociela has sent an annual agreement between the Shutesbury School Committee and the Town of Shutesbury, already signed by School Committee Chairman Clifton Read and still needing a Select Board signature concerning the calculation of school related town expenditures for the purpose of reporting the End of Year Pupil and Finance Report to the Department of Education. Since the Select Board members were not familiar with ever signing such a report before and were not familiar with its contents, it was decided to table the vote to sign the agreement for the next meeting and invite School Committee Chairman Clif Read to attend the Select Board meeting to explain the agreement.

The Select Board **adjourned at 8:45 P.M.**

Respectfully submitted,

Leslie Bracebridge
Administrative Secretary