

Shutesbury Board of Selectmen  
Meeting Minutes  
December 13, 2005

**Members Present:** Chairman Rebecca Torres and Debra Pichanick.

Also Present: Town Administrator David Dann and Leslie Bracebridge, recording.

Meeting called to order at 7:10 P.M.

**Unanimously approved the November 29, 2005 meeting minutes as written.**

**Appointments**

Chief Harding:

- Received the resignation of Sgt. Burger at noon today, effective immediately. Chief Harding is working to cover the shifts. He requested authorization to immediately run an ad in the paper to refill the position. Selectmen advised Tom to get started but not to put urgency ahead of a good fit for the town. Selectmen **unanimously voted to accept Officer Burger's resignation and to authorize the search for a replacement Police Officer to begin.** Debra expressed sorrow at the loss of an officer who had worked in Shutesbury since 1999.
- Kenneth Hartwright and Chief Harding will be attending the **next level of National Incident Management Systems (NIMS) training.**
- Shutesbury has not up-graded to the **"IMC" software program** primarily used by area departments. Start-up costs are in the range of \$15,000.

Selectmen met with Mark Snow representing the Shutesbury Athletic Club:

- **Unanimously voted to sign a Memorandum of Agreement with the Shutesbury Athletic Club, the Alcoholic Beverages Control Commission License renewal application, renewal certification, Form 43, a Club license, a Sunday Entertainment license, 2 automatic amusement device licenses, a live entertainment license, and an attestation of possession of a certificate of inspection of the facility as required by Chapter 304 of the Acts of 2004, all for calendar year 2006.**

**In the presence of Lady Slipper Lane resident Laura Dupont, and Locks Pond Road residents Jean Footit and Harry Masterton, Dog Officer Nancy Long summarized the reports she has received of events over the last couple of years leading up to a letter sent to the Select Board by Laura concerning the Footit/Masterton dogs:**

**Nancy Long:** Recently, as Laura Dupont walked her dog on a leash past the Footit/Masterton home, the Footit/Masterton dogs left their yard and went into the road barking and baring their teeth at Laura and her dog. Nancy had received a similar complaint from Laura a year ago and then again more recently. Nancy had spoken with Jean, who said that the dogs are generally tied when they are outside. On those occasions the dogs had gotten away from Jean.

**Laura Dupont:** Is tired of being afraid. She reported the owner had difficulty getting control of her dogs in the most recent incident. This is the third reported incident. Laura

wrote a letter to the Dog Officer after the second incident. The first time her dog was attacked it was bleeding. Veterinary care was not sought.

**Jean Footit:** Has 2 dogs: one 6-year old obedient lab/poodle and one less obedient 3-year old lab/border collie mix named "Hope." Hope excites easily despite three series of dog obedience classes, from which she received graduation certificates. When the two dogs are together, Hope's excitement energizes the lab/poodle also. The dogs bark but they do not bite. Jean explained the house gets left open by children, grandchildren and guests. Jean said she feels very bad and apologized to Laura for the incidents. **Jean said she would build an outside kennel for Hope when the weather allows and put Hope in an indoor kennel when children and guests are visiting who might leave the door open. When outside Hope will be on a leash or tied on a line until the kennel is built.**

**Becky encouraged both parties to work together** and to share ideas on kennel building. Becky asked Jean and Harry to move ahead and get information on the kennel they would like to build and when they have an update to share it with David Dann who will communicate with Laura.

### Topics

- A. Reviewed the December 2 and 9 Town Administrator's Reports:**
- B. Selectmen will hold a public hearing on December 27 for Charles and Thomas Clark's Class III license renewal.** An attorney will represent Clarks. The attorney expressed concern to David about the short turn-around period between December 27 and January 1 if a problem arises. David said that there have been no complaints. The public hearing just formalizes the process.
- C. Unanimously voted to appoint Bruce Davidson, Larry Hunter, Craig Marden, Susan Reyes, Clark Sylvester and Mark Tuominen to the Energy Committee. The first meeting will be Monday January 23, 2006.**
- D. Two special Selectboard meetings in January:**
  - The **January 17, 2006 All Boards Meeting** will focus discussion on the Planning Board's proposed revision of the zoning bylaws.
  - David and the Emergency Management Coordinator have developed a tentative agenda for the **January 3 meeting of the Board of Selectmen with other members of the Emergency Management Team.**
  - Selectmen authorized the Town Administrator to **send to Zoning Officer Jim Hawkins a copy of the November 29 Select Board meeting minutes, a telephone tape recording of the rug cleaning advertisement, and handouts given to the Select Board from the neighbors to for 207 Leverett Road,** as requested on November 29 by concerned neighbors.
  - **Report on the Leverett, Cooleyville and Prescott Roads Footprint Project:**
    - Town Counsel has prepared the letters for the permanent easements.
    - The Selectmen will sign the January Special Town Meeting warrant at the December 27 Select Board meeting.

- It is hoped the land takings will be by “friendly” eminent domain.
- David will call property owners for initial presentations by Becky, David and possibly Mark Hart and/or Ralph Armstrong, preferably on weekends.
- Options are a gift or a sale at the appraised value. If the owners don’t agree, it will become an “unfriendly” taking. At Town Meeting time, it may not be known if particular takings will be “friendly” or “unfriendly.”
- The goal is to complete all first time visits by the end of December.
- There are 25 different or new rights of entries to be approved.

### Select Board Action Items

1. **Unanimously voted to sign payroll warrants totaling \$86,995.65 and vendor warrants totaling \$134,804.60.**
2. See start of these minutes.
3. **Unanimously agreed to sign a contract with the Department of Housing and Community Development for a maximum amount of \$1,000, for a Peer-To-Peer Technical Assistance grant for initial assessment of a waste-water treatment facility at Lake Wyola with the aid of “Bill” Perlman.**
4. See Athletic Club appointment above for vote of Selectboard.
5. **Unanimously voted to sign a waiver of the town’s right of first refusal of Assessor’s Lot T – 165, a property described in Book 4015 Page 16 at the Franklin County Registry of Deeds.**

### New Topics

1. Town Administrator David Dann and Lake Wyola Advisory Committee Chairman Bill Elliott had a preliminary **meeting with a representative of the Federal Emergency Management Agency (FEMA) concerning an accumulation of silt that came through the Fiske Brook culvert and into the north cove at Lake Wyola in the fall rainstorms.** The request was considered unusual. If granted, the Town would have to fund 12.5% of the cost of any clean-up.

### Walk-Ins

Representing the Friends of the M.N. Spear Memorial Library, Bonnie Adams told the Board that they were planning a book-signing fund-raiser for this Friday night that has outgrown the Library space. **Unanimously voted to authorize the Friends of the Library to use the Town Hall lower level meeting room on Friday December 16 in the evening, for a five author book signing and on Saturday December 17 in the morning to continue selling CD’s and books as a “holiday store.”**

Unanimously **voted to adjourn at 9:45 P.M.**

Respectfully submitted,

Leslie Bracebridge  
Administrative Secretary