

Shutesbury Board of Selectmen May 24, 2011 Meeting Minutes

Members present: Al Springer and April Stein. Absent: Chairwoman Elaine Puleo.

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

Meeting opened at 6:40 P.M.

Appointments

Selectmen met with Police Chief Harding:

1. Selectmen were introduced to Part Time Officer Applicant Mark Shlosser:

- Mr. Shlosser said he would enjoy the personal interactions available in small town policing.
- He will be available to work on weekends.
- He has seniority to choose shifts at Hadley in order to fit into Shutesbury's needs.
- He reassured Selectmen that he maintains a mild manner when addressing people.
- The citizens who met with Mr. Shlosser last week recommended the Select Board vote to hire.

Selectmen unanimously voted to appoint Mr. Shlosser as a part time officer for Shutesbury.

2. Lake Wyola July 4 event:

- There is a community gathering at the Lake that is growing each year due to publicity – Internet and radio. It is impossible to control information.
- Though it is not a Lake Wyola Association (LWA) function, Chief Harding has been communicating with LWA President David Green about the possibility of a legal fireworks display.
- There has been communication with a certified pyrotechnics person.
 - A 25-minute show costs \$10,000 to \$15,000. A lot of the expense goes for insurance.
 - If an event were to go forward, Fire Chief Tibbetts would need to approve the display site.
 - A show could be done on the water. It would not be a hazard to wildlife or vegetation; it is only a hazard for human consumption. The Lake is not a drinking water supply.
 - The size of the crowds is such as to require traffic coordination.

Officer Robinson joined the group to give his 21 year perspective of how the event has changed:

- Fourth of July at the Lake used to be local, very quiet and peaceful.
- In the last few years there has been a growth in the use of fireworks, the amount of traffic and the numbers of people.
- Last year Lakeview Road had cars parked on both sides at the sharp narrow corner,
 - There was pedestrian traffic on both sides of the road.
 - The state park parking lot was filled with cars and
 - People were lined up with lawn chairs and coolers even before the boat parade began.
 - Being alone, Officer Robinson left the area due to his concern that if people saw a police officer present they would feel it was a sanctioned event, and because
 - Officer Robinson was alone and would not have been able to control large groups of people.
- Police officers have done their jobs over the years. They haven't "looked the other way" but they have been lax in being aggressive.
- Now, people are calling the police department to find out what time the fireworks start.
- Officer Robinson is concerned for liability, people getting hurt, and the potential use of alcohol in the presence of vehicular and pedestrian traffic.
- Last year's displays grew exponentially from the year before.
- Cars were bumper to bumper, including out of state vehicles from Connecticut and New York.
- Officer Robinson expressed his concern:
 - How do we deal with this? In the past it was a quiet respectful thing.

- There has to be some resolution.
- Al: We need to do something now. What is the plan for those people who try to do it anyway?
- April: We don't want people hurt.
- Al: We need to let the public know it won't be tolerated.
- Tom: Ideally the Lake Wyola Association will hire a company to carry on legally.
- Becky: Crowd control takes planning.
- Tom: Everyone in the department works that night and they will rely on mutual aid.
- Tom: Officers will have to go around in the daytime in a pro-active effort that will carry into the night. Officers can't be in the area and not take action.
- Early announcements will help.
- Suggestions include having an advance generalized newspaper article interviewing area police and fire chiefs about safety and illegal use of fireworks and police taking action when fireworks are observed in use.
- If the LWA doesn't come up with legal pyrotechnics, there is no option but to move ahead. It's a family event.
- Streets can be blocked off.
- If an ambulance had been needed down there last year, it couldn't have happened.

At a later point in the meeting, Al and April set up next Friday morning meeting times with Chief Harding.

Topics

1. See interview with Police Chief Harding and applicant Mark Shlosser above.
 2. In the presence of Library Director Mary Anne Antonellis and Library Trustees Jennifer Davies and Michele Regan-Ladd, Trustees Chairman Karen Traub introduced resident David Wheeler who is interested in filling the vacant elected Library Trustee position. In keeping with MGL 41§11, a roll call vote was taken on the motion to appoint David Wheeler as a Library Trustee with a term ending 5/5/2012: Stein – yes, Springer – yes, Regan-Ladd – yes, Traub – yes, Davies – yes: **David Wheeler was unanimously appointed to fill the vacant seat on the Library Board of Trustees.**
 3. **Selectmen met with Open Space Committee Chairman Janice Stone** who requested the Select Board sign an 80% reimbursable \$5,000 grant application to partially cover the expense of preparation/publication of the revised Open Space Plan. Janice reviewed the costs of duplication of plans and maps for town boards and the school. The main writers are Janice Stone, Susan Steenstrup and Sue Essig. Sue Steenstrup has proofed and edited the entire document. A handicapped accessibility sheet needs to be done for every town-owned property. The Department of Justice has just put out a ruling about park accessibility: You must open up at least some part of your land, if you have trails, for those who need other sorts of mobility assistance such as snowmobiles and ATV's, and larger vehicles. Janice expressed concern about the vehicles on fragile wetlands.
- Selectmen unanimously voted to sign an Executive Office of Energy and Environmental Affairs grant application for Conservation Appraisals and Open Space & Recreation Plans for Small Communities Grant Program FY 2011/12 in the amount of \$5,000 and to accept Janice Stone as the Project Manager contact person.**
4. **Fire Station Update – SVE report/holding:** There is nothing new on the fire station because the water table is still too high to move forward with the soil vapor extraction (SVE) pilot test.

5. There has been no change in the status of the solar renewable energy credit (**SRECs**) income shortfall.

6. Union 28 Agreement on Lead Town/Health Insurance:

- The fifth town, Erving signed the proposed resolution for shared costs of Union 28 retirees' health insurance last night.
- Timing of legislation will partially depend on a response from the Department of Elementary and Secondary Education (DESE) to Union 28's request for DESE's legal opinion, a month overdue.
- Becky has requested that insurance representatives and the Department of Revenue come to an agreement on the legality of the proposal.
- At the beginning of June the Swift River School Committee will be asked to sign the proposal.

7. **250th Ball Planning:** There has been no further advance on approval from the Department of Conservation and Recreation for the presence of alcohol at the 250th Celebration Ball at the proposed state park beach site.

8. 250th Parade Update – design LUST float:

- Al has asked the Highway Department for a nozzle and to prepare a platform trailer with railings.
 - The Fire Chief will be asked if there can be a safe way to have a real burn on the trailer.
 - The ground will be represented with rocks and dirt.
 - There will be a foam tank with a nozzle fashioned from tin foil and a paper towel tube. Cardboard is available to create a representation of the fire station.
 - Oversized fake money will be thrown around.
 - A boom and a contamination barrel will be displayed.
 - The words: Leaking Underground Storage Tank will be written with thanks to the people from the Department of Environmental Protection who helped the town.
 - The cardboard fire station will be created a week before the parade; most work will require assembly just a couple of days before the parade.
- Becky needs to get insurance waivers for large animals such as horses and alpacas for the parade.
- Art teacher "BZ" Reilly will be creating a banner for the school children to carry in the parade.

Select Board Action Items

1. See Select Board vote in appointments above to appoint **Mark Shlosser as a part time police officer.**
2. See combined vote of the Library Trustees and the Select Board above to **appoint David Wheeler as a Library Trustee to complete a vacant term which will end on May 5, 2012.**
3. **Selectmen signed Personnel Action Forms for the resignations of Assessor Earl Waterman and Fire Fighter Orson Jones.**
4. See vote to apply for an **Open Space Plan assistance grant at the request of Open Space Committee Chairman Janice Stone, under appointments above.**
5. **Selectmen unanimously voted to accept the minutes of May 10 and 16 as written.**
6. See plans for the **Select Board float for the 250th Celebration Parade** in topic #8 above.
7. **Selectmen signed vendor warrants totaling \$118,267.40.**
8. **Selectmen signed payroll warrants totaling \$82,380.32.**

Topics the Chairman Could Not Reasonably Have Anticipated:

1. **Unanimously voted to sign the special event notification forms for:**
 - a. The June 18 Lake Wyola Road Race.
 - b. The July 2, 2011 Pig Roast and Dance with accompanying 1-day alcoholic beverage license.

- c. The July 23, 2011 Beer & Wine Festival at the Lake Wyola Association building with a corresponding 1-day alcoholic beverage license.
- 2. **Selectmen unanimously voted to accept and sign the Department of the Treasury Internal Revenue Service form 8453** for the Noncash Charitable Contributions for Michael J. Pill and Carol Holzberg trust for the resolution of the 8 acres of undeveloped land (Lot M-30) valued at \$60,000 for half the amount - \$30,000 tax deduction; the final step in the ownership resolution of Lot M-30.
- 3. **Sergeant Wall reported a power outage** caused from a wire downed at 268 Leverett Road by the electric storm of earlier in the evening. Homes provided with power from the Pratt Corner Road sub-station will be down for a couple of hours while they wait for a truck to arrive with new wire. The Fire Department is responding to sounding alarms at the Town Hall and the school.
- 4. **National Flood Insurance Program:** A mortgage bank for a current house sale at Lake Wyola is requiring the new owner to purchase flood insurance. The seller has inquired why the Town of Shutesbury does not participate in the National Flood Insurance Program. Becky is following up.

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

Respectfully submitted,

Leslie Bracebridge
Administrative Secretary