

Shutesbury Board of Selectmen March 27, 2012 Meeting Minutes

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

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

Meeting opened at 6:30 P.M. at the Shutesbury Town Hall

Appointments

Police Chief Harding, Sergeant Wall and Officer Robinson:

- Police Chief Harding introduced the following candidates under consideration for part time police officer positions in Shutesbury, to fill schedule gaps caused by Sergeant Justin Wall's resignation to work for the Wilbraham Police Department and Shutesbury's part time Officer (and Leverett's full time Sgt) Timothy Batchelder's absence, because he has been called for 3 months of active military duty.
 - Chief Harding first introduced Leverett's Officer Michael Thomas, who will temporarily be filling the role of Sergeant in Leverett during Timothy Batchelder's absence, including filling in for Leverett's Chief Billings when Chief Billings goes on vacation. Officer Thomas has offered availability to Shutesbury including going to court on Thursdays during Officer Batchelder's temporary absence. Chief Harding stated that "we are very lucky to have Officer Thomas," and that Officer Thomas may be able to increase his availability after Officer Batchelder returns.
- **Leverett Officer Michael Thomas:**
 - Thanked the Select Board for the opportunity to meet with them.
 - Has thought about working in Shutesbury for quite a while.
 - Retired a few years back after 21 years in the Air Force.
 - Is prepared to fill in for Timothy Batchelder's full time absence in Leverett and to do what he can to help out in Shutesbury also.
 - Will resume his part time position (of 5 years) in Leverett upon Sgt. Batchelder's return and offered to keep working part time in Shutesbury as well if needed.
 - Has part time police officer academy training.
 - Has maintained his in-service trainings and is certified in all required trainings.
 - Was born and raised locally; graduated from Turners Falls High School.
 - Enjoys this work; at 59 years old he still "shines his boots. The newness has not worn off."
- Officer Robinson stated that he has worked a lot and works well with Officer Thomas.
- **Patrick Gonzalez:**
 - Formally educated in Springfield, Patrick is in his 3rd year of a Bachelors degree in psychology, which he feels will enhance his law enforcement skills by bettering his understanding of human behavior and body language.
 - Plans to attend fulltime police academy in the future.
 - Has many certifications, almost equaling a full time officer.
 - Started his career in the human services field and then switched to law enforcement.
 - Worked as a special police officer in West Springfield where he worked the Big E.
 - West Springfield trains their special police officers right along with their regular officers.
 - Has his First Responder and CPR certifications.
 - Is bilingual.
 - Has worked alone and knows how to respond to every call and stop from start to finish.
 - States that "crime doesn't discriminate between cities and towns" and feels he is better prepared to work alone in Shutesbury due to his West Springfield experiences.
 - Being a police officer has helped him to build his patience, which he lists as one of his skills.
 - His attitude is to be courteous and professional at all times.

- Is known for always smiling, even after a tough situation.
- Would let go of West Springfield if he transfers here.
- As a police officer, it doesn't matter what town he works in, it is his job to just apply the laws as written. He goes by the book.
- Feels that he is good at working under pressure and making decisions.
- Doesn't want to wind up in the newspaper over something silly.
- Takes his job seriously and then goes home to his wife and family.
- When asked about dealing with barking dogs he replied that he would study the local ordinance; and that his job isn't just to fine but also to teach the community about the laws.
- Domestic calls: Has had a couple of assault and battery arrests. "There's a certain way of handling domestics", which he related to the Board. He feels confident that he is "up to date" with what needs to be done.
- As one of Shutesbury's officers he would have access to bookings in Sunderland as is true with Michael Thomas.
- **Rich Downie** (worked in Shutesbury in 1997-1998 under Chief Bray.)
 - Graduated from Amherst High in 1984, and enrolled in the Holyoke Community College business program with a law enforcement certification attached to it.
 - Has been to part time police academy.
 - Was in the Army 1990 to 93.
 - Started as a dispatcher and part time police officer in Hadley.
 - Is currently a full time dispatcher in Hadley.
 - Had to give up his part time police officer status to become a full time dispatcher.
 - Left Shutesbury in 1998, and stayed on as a part time officer in Hadley only, because he was caring for his child while his wife worked in Vermont.
 - While working in Shutesbury he had a lot of traffic experience, some domestics, a couple of housebreaks, had crime scene certification so would be the officer to dust for fingerprints.
 - Hadley is a lot faster-paced than Shutesbury.
 - Works as a dispatcher 3-11PM, Monday through Friday in Hadley.
 - Doesn't want to be a full time officer, but wants to get back into it.
 - Has 15 years to retirement and plans to stay in law enforcement.
 - Would need refresher classes in some certifications; has his CPR.
 - Has worked alone both in Hadley and in Shutesbury.
 - Uses the "CAD" system in Hadley also and is taking a computer class.
 - Has had "quite a few" barking dog calls.
 - His dispatch work is very service oriented: Sends fire and police only; Amherst sends the ambulance. As a dispatcher he monitors communications and if there are none, he follows-up.
 - One situation of under-age drinkers on the power lines in Shutesbury: He took the alcohol and called the parents. He recollects at least 2 experiences in each town.
 - Feels the dead zones for radios and cell phones in Shutesbury are the same as when he worked here before. (They still have dead zones in Hadley.) You can always be in that situation even if a battery dies. You just have to deal with it and move forward.
 - Took cases start to finish in Shutesbury.
- **Jeffrey Soto:** Trained in West Springfield, currently works in Whately.
 - Graduated from the high school of Commerce in 2006 and is attending STCC. He hopes to have his Associates degree in December.
 - Has worked Holyoke Mall security for 6 years.

- Has worked West Springfield Special Police for 2.5 years: an auxiliary force maintained by West Springfield due to the Big E. Works the Big E every year. (Police officers with the gray shirts.) Also involved with training in the West Springfield Police department. Monthly cruiser training.
- Whately: Started in October 2011, and has worked on his own since January. Hasn't had a problem yet in Whately and knows who to contact if he has a problem. Is well aware of things that need to be done.
- Being Captain of his track and field team in high school taught him to be a good sport, helped his mental stability, and taught him not to give up. He made sure his team mates were confident and also to have fun while it lasts.
- Criminal justice is his major; he has a passion for it.
- Still looking to further his education, it takes time.
- 24 years old with a 1.5 year old son and is engaged.
- Hopes to locate in the Sunderland area.
- Future plans: Grow as an individual, get a degree, grow in his law enforcement career.
- Full time police academy would be of interest to him.
- "I'm a hard working guy and whatever opportunity shows up I'll be happy to take it."
- On small town versus city: Likes to talk to the community. If I can make it to full time anywhere I'll take it. It's police work at the end of the day, no matter where you are you enforce the law. It's service for fellow citizens, city or town no matter where you are.
- So far in Whately it's been mostly motor vehicle experience and also business alarm calls. He has assisted in a domestic violence situation.
- Speaks fluent Spanish.
- Domestic violence is a serious thing. Always call in someone to come by; call in mutual aid. Get there to see if they are in danger. Wait for back-up; you never know what you are going to get with domestics.
- Security at Holyoke Mall: Shop lifting frequent. Can expect it 2 to 3 times/day.
- Started in the Parental Escort Program and then was deemed eligible for full time security.

Chief Harding: Requests Selectmen rate the candidates so he has input depending on if he can hire one or two or more part time officers.

- He will also talk with Sgt. Wall and Officer Robinson before making his decisions.
- Has made it clear to all 3 that the town is not in a position to put them through the Academy.
- All come recommended by other chiefs.
- Feels Sgt. Wall was a "lucky situation" for Shutesbury. With the exception of Officer Thomas, these candidates would require more training and more supervision than Sgt. Wall did.
- Based on recommendations all 3 have serious potential.
- Officer Michael Thomas is "worry free," and will have more availability when Officer Batchelder comes back. Officer Thomas will cover court on Thursdays which is what Officer Batchelder has been doing. (Officer Gelinas does the paperwork for the court motor vehicles.)
- Officer Thomas is looking for potentially 20 hours/week after Officer Batchelder returns.
- Doesn't know how many officers he'll hire; that will be based on availability.
- All have worked alone. Help is a little bit closer down in Whately and Sunderland. Staffing has been cut back everywhere. All seem to have the judgment to call someone for help.
- It's expensive to set people up with uniforms and necessary equipment.
- For the next 3 or 4 months, Officer Thomas will not have much availability. Needs 6 or 8 weeks to give adequate training for two of the other candidates.

Selectmen voted to strongly recommend Police Chief Harding hire Michael Thomas, Patrick Gonzalez, and Jeffrey Soto. Chief Harding will speak with Officer Robinson and Sgt. Wall before deciding.

Other discussion points with Chief Harding:

- On April 15 Chief Harding will send out the same letter as last year regarding the Fourth of July. The letter will include guidance as to how to legally conduct fireworks displays.
- Select Board alerted Chief Harding of a day-long April 28 Celtic festival at the Athletic Club. Selectmen and Chief Harding will meet with the Shutesbury Athletic Club Board of Directors on April 10 and get the details. Chairman Puleo wants to make sure it's covered appropriately.
- Officer Wall thanks the Shutesbury Select Board for his opportunity to work here. Has asked, but will not be allowed to work here while working full time in Wilbraham.

Selectmen thanked citizen Sarah Shields who arrived partway into the interviews and added her input in the rating discussion.

Topics

- **Police Officer Interviews:** See Appointments above.
- **Annual Town Meeting Warrant – second draft:** Changes from first draft include:
 - Community Preservation Committee (CPC) articles 2, 3, and 4. There is a possibility for a 4th article if the CPC recommends support of the Sirius Schoolhouse project.
 - Citizens petition for “an amendment to the Constitution of the United States in response to the campaign of corporate interests promoting ‘corporate parenthood’, and the excessive power and corrupting influence that corporations and large donors now wield in our electoral process. The motion notes the negative impacts that the Citizens United ruling has had on the current election cycle, and recommends the need for a constitutional fix.” (The previous quotation was taken directly from the petition itself by the Select Board Secretary.)
 - Selectmen agreed to post a meeting to join the April 3 Finance Committee meeting as the Finance Committee is still discussing the budget.
 - The Finance Committee and Moderator Kim will be invited to the next Select Board meeting to review the Annual Town Meeting warrant.
- **New Version of Flood Plain District bylaw proposed for Annual Town Meeting/Planning Board hearing will be April 11 at 7 pm:**
 - The Planning Board held a discussion of the Floodplain Bylaw at their last meeting and planned to ask Franklin Regional Council of Governments planner and advisor if it could be shortened.
 - A digital version of the currently approved version will be requested of the Planning Board.
 - The Planning Board has posted a public hearing on the Floodplain Bylaw for April 11 at 7 PM.
 - April recognized an overlap in the meetings of the Water Resources Committee and Public Hearing and will suggest to the Water Resources Committee that their meeting include attendance at the Planning Board Public Hearing.
- **Update on Registrar appointment:**
 - Town Counsel is “buried in motions” and is preparing a pre-conference report due for the pre-trial conference in Northampton Superior Court on Wednesday, March 28 at 2 PM and has therefore not taken time to consider the statutes regarding appointment of Registrars.
 - No appointment decision can be made until after March 31st anyway, which is the last day that the two leading political parties have to turn in a list of three names for the Select Board consideration for appointment to the board of Registrars.
 - Registrar Todrin’s term expires on March 31.
 - Becky and Leslie will continue to request guidance from Town Counsel MacNicol.

- **Fire Station Remediation- discussion of meeting with DEP and LSP Jim Okun:** Elaine summarized the content of the Monday, March 26, 2 PM meeting at the Western Regional Office of the Department of Environmental Protection attended by herself, Select Board member April Stein, Town Administrator Torres, DEP Section Chief for Emergency Response David “Dave” Slowick, DEP Deputy and Regional Director Eva Tor, and Licensed Site Professional James “Jim” Okun:
 - Eva wanted to know what work remains and wanted to talk about where we are in “MPC” and noted her willingness to extend the contract. It’s possible to extend the contract, but if going on forever maybe set up an arrangement. She doesn’t know how well this process will work. The expenses that we as a town incur kind of offset the way they look at the \$200,000 payback.
 - Eva thought we should wait for 6 months to see what happens.
 - Jim will get an IRA status report to DEP next week and they will expedite sign-off.
 - The only thing requested is that we do indoor vapor monitoring with a PID during the injections.
 - They talked a lot about the Redox Tech chemical oxidation to be done by the end of April.
 - Selectmen already voted to move forward back in November and to sign the document.
 - John told Becky the process would be done in 3 weeks or sooner.
 - The actual injections take place over 2 days.
 - They will monitor quarterly and we will know after the first monitoring if it’s working.
 - They think that the area in the rocks along the wetland will take care of itself.
 - The Redox chemicals will continue working for a year.
 - If Monitoring Well (MW)-8 levels continue to drop it will show the treatment is working.
 - Eva has already talked with Kristen (LaCroix, from the DEP Boston office) for a continuation of the contract agreement.
 - Dave said 2 applications are more commonly needed; Jim felt one application will be enough because of the addition of the “magic” ingredient Klozur™.
 - Redox Tech will use two chemical oxidants – Klozur™ (activated persulfate and sodium percarbonate (terminology taken from Redox Tech LLC website by Select Board Secretary)
 - Becky suggests that Shutesbury may want to settle with the state sooner rather than later: We have 2 fabulous legislators to help us get the best possible repayment terms now with the state.
 - Becky showed DEP officials photos of the sheen on the water and brought a water sample that smelled mostly like pond scum. They weren’t certain at the meeting if the sheen was from gas. If it breaks up on the surface, that’s normal pond scum. Ben Fish will come up to take a look.
 - It was a good meeting, not long, moving forward, and very productive.
- 6. **Upcoming meeting to be scheduled with the Athletic Club – April 10**
 - Becky prepared a letter to send to the Athletic Club as directed at the last Select Board meeting.
 - In light of her getting a letter from the Club requesting longer hours a meeting with Board members is in order.
 - Selectmen edited her letter to include an invitation to the Club to attend the April 10 Select Board meeting to discuss the issues raised in the letter.

Select Board Action Items

1. **Nomination of Inspector of Animals** will be addressed at the next meeting with paperwork ready.
2. **Selectmen signed vendor warrants totaling \$99,415.69.**
3. **Selectmen signed payroll warrants totaling \$82,205.60.**
4. **FRCOG request for permission to contract to write a CDBG grant on the town’s behalf.**
 - Mixed interest of residents in previous year was reported.
 - There is potential that some residents may be interested.

Selectmen unanimously voted to request assistance from the Franklin Regional Council of Governments (FRCOG) to submit a CDBG grant on the town's behalf.

5. Selectmen unanimously voted to approve the March 13, 2012 meeting minutes as written.

6. Assign Select Board members to contract teams:

- The Police contract negotiations are in progress.
 - The Fire Chief, Highway Superintendent and Town Administrator contracts need to be negotiated:
 - The Fire Chief has George Arvanitis from the Finance Committee and Kathy Carey from the Personnel Board. Al Springer volunteered to represent the Select Board.
 - The Highway Superintendent has Rus Wilson from the Finance Committee and George Arvanitis from the Personnel Board. Elaine Puleo volunteered to represent the Select Board.
 - The Town Administrator has Allen Hanson from the Finance Committee and April Stein from the Personnel Board. Elaine Puleo volunteered to represent the Select Board.
7. At 9 P.M. a motion was made and seconded to go into executive session for reason number 2 for the purpose of contract negotiations, and not to resume public session: Springer – Aye, Puleo – aye, Stein – aye.

Topics the Chairman Could Not Reasonably Have Anticipated:

- A section of the town hall lost power earlier in the day. Becky will examine the electrical fuse boxes in the daylight tomorrow.

Respectfully submitted,

Leslie Bracebridge
Administrative Secretary