

Shutesbury Board of Selectmen July 5, 2011 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 was not present to meet with the Select Board.

Topics

1. In the presence of Fire Chief Tibbetts and Shutesbury resident and Lake Wyola property owner William "Bill" Wells, Selectmen received feedback on the activities at **Lake Wyola on July 4th**:
 - Fire Chief Tibbetts related his and Police Officer Shlosser's activities in the Fire/Police rescue boat:
 - Starting at 6:30 PM Chief Tibbetts gave new part time Officer Shlosser a tour of the Lake's natural features, and had conversations concerning public safety with boaters and kayakers.
 - During the annual July 4th boat parade:
 - Spoke with two boat operators about improper lighting; one boat was fixed right away and continued in the parade; the other could not be fixed and left the parade.
 - Instructed the operator of one overloaded boat (at least 15 people) to drop off a few passengers on the shore, continue with the parade and later drop off other passengers and let original dropped off passengers have a turn riding around. In a response to a comment about loud music on that boat, Chief Tibbetts responded that nothing was said to the operator about the music.
 - Officer Shlosser spotted a few fireworks. Not many were shot off.
 - Well after dark they encountered one rowboat without any lights on and advised the operator to go to shore and the rower did so.
 - April: Reported feedback she had received that the rescue boat was appreciated on the Lake.
 - Fire Chief Tibbetts:
 - Got thumbs up from some boaters and thumbs down from others.
 - It was his and Officer Shlosser's responsibility to keep people safe.
 - Some people were disappointed there were no fireworks, others were pleased.
 - Was told that the parade was smaller than usual.
 - Elaine: Reported that she attended a party on Lake Dr. and conversed with people along the road:
 - The boat parade may have been smaller partly due to no fireworks and partly due to the weather prediction for rain and possible thunder showers.
 - People were sad, not mad, disappointed, but understanding.
 - Predicts: Now there will be much more planning to revive the event in a good way.
 - Found it interesting to hear that most people who don't live at the Lake thought the fireworks would still take place.
 - Becky: Reported that someone who went to the Market thought it was only a rumor that fireworks would not take place and was planning on going to the Lake to watch fireworks until she told the person otherwise.
 - Elaine: Reported hearing fireworks from her home (Baker Rd.) at 11:30 PM.
 - Fire Chief Tibbetts: Heard some fireworks at the Lake, and heard of some on Leverett and Montague Roads.
 - Al heard fireworks on Pelham Hill Road.
 - Officer Shlosser had knowledge about boats, and boat brands and their capacities.
- Resident Bill Wells** who had been at the Lake on July 4th reported:
- People were sneaking through the woods.

- Two officers walked through his yard.
 - A cruiser snuck up his road (Shore Dr.) with its lights out and parked in his neighbor's driveway.
 - They walked down his path, that connects Shore Drive and North Laurel Drive.
 - Bill asked them 3 times who they were and they did not answer him, later telling him they didn't know he was talking to them.
 - Bill caught Officer Robinson's name badge on his shirt with his flashlight, and later learned Officers Gelinas and Robinson were the officers walking through his yard.
 - Becky: Asked that the topic be tabled until someone from the Police Department could be present.
 - Sergeant Wall reported to Becky that one small bag of fireworks had been confiscated during the weekend.
 - Referred the Select Board to an email report* of the event from Chief Harding.
 - To Bill's comment that there were no campfires:
 - Elaine reported seeing 4 or 5, and
 - Walter reported seeing 8 or 9 reasonably sized cooking fires; a couple were big but went down. He referred to and quoted the letter he had sent out in the June 29 town-wide mailing relative to campfire regulations**.
 - Becky reported hearing that the rescue boat had hit a sandbar:
 - Chief Tibbetts:
 - Denied the boat had hit a sandbar;
 - Reported the motor quit when going to load it on the trailer at the end of the evening; after putting around at low speed;
 - Reported the motor had stalled a few times during the evening because it was running so slowly, but feels it runs well enough, unless the town wants to replace it.
 - They shared the task of loading their boat with two other people and assisted the two others loading their boat on their trailer.
 - Elaine wondered how many times per year the boat goes out on the Lake. Walter:
 - The year before it was on the Lake a couple of times.
 - This year 3 times already.
 - Have had a couple of people say they'd like to see the boat more.
 - Bill: The other boats get scarce quick when the police boat shows up.
 - Elaine: Reported a tragedy elsewhere when a bunch of kids didn't have enough life jackets: "We don't want a kid to drown."
 - Walter reported there was a medical call at the Lake just yesterday.
 - Al reported there was a line of cars all the way along the road, already waiting to go into the state park parking area at 7:45 AM on Monday, July 4.
2. **Review and approve a few PAF's:**
- There were no new Personnel Action Forms to approve and sign.
3. **Review and approve contract- Becky:**
- Summarized the history of Police Chief Harding's contract including one "gap" year.
 - Reported that the Police Chief's contract had been opened for salary only for FY 12 and the negotiation meeting had resulted in agreement of a salary adjustment in the amount of 1.5% in keeping with other town salaries, and graciously accepted by the Chief. **(See vote to approve in Action items below.)**
4. **Wired West Update – Becky reported:**
- Wired West has requested new signed paperwork stating everything that has already been done.
 - Town Counsel is still inquiring whether Wired West's Bond Counsel will allow Shutesbury's membership in the Wired West Cooperative based on a unanimous voice vote at annual town meeting rather than counted ballot votes. Town Counsel will write a letter on Shutesbury's behalf.

- At an up-coming posted meeting for the municipal lighting board Selectmen will repeat what has already been done.

A motion was made, seconded and unanimously voted to name Shutesbury's newly voted municipal lighting board "FiberWest."

A second motion was made, seconded and unanimously voted to appoint the Select Board as the municipal lighting plant board.

5. Tri-State Fire Mutual Aid Agreement for Fire Dept - Fire Chief Walter Tibbetts:

- Mutual aid agreement with 45 fire departments in three states: Massachusetts, Vermont and New Hampshire, including Worcester, Berkshire, Hampshire and Franklin Counties in Massachusetts.
- Effective July 1, 2011 and runs for 3 years.
- Northampton and Pelham have joined the tri-state mutual aid corporation.
- All insurances standards remain the same as with the previous agreement, including the requirement for Emergency Workers' Salary Protection (M.G.L. 41 §111 f) stating that firefighters will be paid wages if injured until recovered because they are not covered under Workmen's' Compensation.

In other matters Fire Chief Tibbetts reported:

- The Franklin County Emergency Communications System (FCECS) (***)See summary pulled from Franklin Regional Council of Governments website below) Mount Toby radio tower is getting a new piece of equipment to address a long-standing issue with reception on the fire side only. On June 30 reception at the Mt. Toby tower went down completely. The problem has been repaired and on Friday evening radio reception was better than ever in the last year.
- Went to 4th of July parade in Amherst on Monday and came back with no issues.
- Last year (FY 11) the Fire Department had a total of 158 runs; this is the highest number ever, by far. Average annual calls run 95 to 115; with some years up to 120 calls.
 - Chief Tibbetts will provide a spreadsheet of calls to Selectmen.
 - Most calls were in Shutesbury.
 - We've been going to more mutual aid calls than in the past:
 - Even the larger towns are trying to do more with less.
 - Shutesbury went to Orange 5 times this year.
 - Greenfield doesn't have staffing that they used to.
 - Some large brush fires drained the entire county:
 - Montague Erving and Leverett had multiple brush fires.
 - Leverett had the woman stuck in the cave and the plane crash.
 - Shutesbury's force is up from previous years: We were averaging 6 or 7 fire fighters and now we are up to 12 fire fighters.
 - This is better for structure fires: The more people on the roster, the shorter amount of time for a useable crew to assemble.

- **Chief Tibbetts will provide Selectmen with a spreadsheet summary of the calls made in FY 11.**

Selectmen unanimously voted to sign the Tri-State Mutual Aid Agreement.

6. Fire Station Gas Leak Update:

- The ground water level is down 4 feet. It needs to be down 6 feet before the soil vapor extraction pilot test can be performed. If rain holds off another week or two it could reach the 6 foot mark by the middle to end of July.
- The waste barrels still need to be picked up.
- PIG Inc. will supply new waste containment barrels.
- The last chemical report that needs to be done should be complete tomorrow.
- Highway Superintendent Tim Hunting promises the hard-pack will get down soon:
 - His department has been tied up with the anniversary parade,

- Then the starter went on the grader. The new \$550 starter came in today.
- Other things include pothole repairs.
- The Fire Department is having a constant battle with sand on the floors.

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Select Board Action Items

1. There were no more **Personnel Action Forms** than the Select Board had signed at previous meetings.
2. **Selectmen unanimously voted to approve and sign a contract for Police Chief Harding, opened for FY 12 for salary adjustment only, which was raised in the amount of 1.5%.**
3. **Selectmen unanimously voted to approve and sign a tri-state Mutual Aid Agreement** after review with Fire Chief Tibbetts as detailed above under topics #5.
4. **Selectmen unanimously voted to approve the June 21, 2011 minutes as written and voted to approve the June 28, 2011 minutes as written** with one abstention, as April was not present for that meeting.
5. Selectmen signed vendor warrants totaling \$91,174.15.
6. Selectmen signed payroll warrants totaling \$79,391.84.

Topics the Chairman Could Not Reasonably Have Anticipated

1. Local municipal aid will be discussed another night. Packets were given out early to Selectmen to read to prepare for a future meeting.
2. **Selectmen viewed the newly installed DSL jack, electrical outlet and production meter installed for reporting the accumulated KW's for the CEC PTS; for SREC credit.**
3. Becky reported that **the school union contract was ratified.** Should there be more to discuss, it will be put on a future agenda.

The Select Board **adjourned at 7:55 P.M.**

Respectfully submitted,

Leslie Bracebridge, Administrative Secretary
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*To All,

There were no major problems or issues at the lake on Sunday. Residents were generally cooperative and understanding about the enforcement effort. Several people did show up from out of town inquiring about what time the fireworks started. Some residents complained that the boat parade was not as large as in the past, which was attributed to the enforcement effort. Aside from some comments about the police department trampling citizen freedoms, it was a largely understanding crowd. It's very possible those who spent a significant amount on fireworks may plan to use them some other weekend this summer.

The effort ended up being solely a Shutesbury Police and Fire operation, like the ice storm, as most mutual aid towns had no officers working or were unable to send anyone. All police officers and Chief Tibbetts and Lt Hasbrouck were professional, courteous, and effective in making a safe evening for all at what could have been a very confrontational night. The lake residents also deserve credit for their overall cooperation and understanding in working with the police and fire departments to ensure everyone's safety.

I feel I have made it clear to the Lake Association and lake residents that we will continue to work with them in the future to make future 4th of July celebrations safe and legal in their efforts to restore this tradition.

I will be out of the office today, Tuesday July 5th.
T. Harding

**Camp Fire Regulations

With summer upon us, this is a good time to remind everyone about what an acceptable cooking/camp fire is and *what is not*. Small fires using clean wood, contained to a fireplace made out of cement block, substantial stones, or the like, for the main purpose of cooking, and attended by a person 18 years of age or older at all times until completely extinguished are acceptable, do not violate any state regulations, and do not require a permit. A "small" fire is generally considered as a fire that has a continuous flame height of no more than three feet. These fires should be located on sand or gravel and away from flammable materials such as grass, trees, leaves stored firewood, and buildings.

Larger fires (bonfires), un-contained fires, and the burning of leaves, grass, hay, garbage, tires, building materials, or anything else other than clean wood is a violation of 527CMR 10.22 and 310 CMR 7.07 and will not be permitted.

Please be safe while having fun this summer.

Walter R. Tibbetts
Fire Chief
Shutesbury Fire Department

*** Regional Radio Communications System Project Overview

In December 2006, the Tri-State Fire Mutual Aid came online with a new emergency communications system renamed Franklin County Emergency Communications System (FCECS). The new system is an

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upgrade from the previous fire and emergency services low-band 3-channel VHF system to a 14-channel full duplex UHF system to serve all Franklin County Fire, Police and Emergency Medical Services. All physical infrastructure upgrades were funded through the Western Regional Homeland Security Advisory Council. The current system is owned by the FRCOG. Users are assessed an annual user's fee to fund system maintenance and operations. An Oversight Committee, comprised of county representatives from Fire, Police, EMS, Dispatch, FRCOG and Tri-State Mutual Aid oversee the maintenance, continued system build-out and operations of the system. FRCOG staff provides administrative and fiscal support to the Committee.

The FCECS was constructed with the capability to connect to and be compatible with the Western Mass Law Enforcement Council emergency radio communication system. This interoperable capability assures the system will serve the need of the region for a long time and is critical technology for cross-discipline communication in the event of mutual aid needs across regional systems.

Current Activities

Route 202 Project

The Committee has identified an area along the Rt. 202 corridor where communication capabilities are significantly compromised due to terrain. The affected towns include Leverett, Shutesbury, New Salem, Warwick and Orange. The Committee has secured Homeland Security funds to support the addition of a regional/simulcast site and the strategic placement of a remote receiver to enhance communication signal in the area.

Radio Alarm System

The Committee has nearly completed implementation of a remote radio site alarm reporting system within the infrastructure of the FCECS. The alarm reporting system will provide detailed information to FCECS dispatch regarding various types of system failure at any remote site location. This project has also been funded by a grant from the Western Regional Homeland Security Advisory Council.

Future Plans

Next steps for the system include continued operational review to determine areas of low or no coverage and to plan system build-out to address coverage needs for those areas.

Contact: **Tracy Rogers**