

Shutesbury Board of Selectmen Tuesday August 28, 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.

Chairman Puleo opened the meeting at 6:30 P.M. at the Shutesbury Town Hall

Appointments

Police Chief Harding:

- Delivered a Personnel Action Form (PAF) for Officer Soto for full time employment and paper work for the academy.

Selectmen unanimously voted to sign the PAF for Jeffrey Soto.

- Will be interviewing one individual for part time employment on Monday and will report back.

Wendell Road residents with concerns about the condition of the road:

Roger Witter from 484 Wendell Road:

- Condition of the road is unacceptable.
- Last year took garbage to the top of the hill because the trash truck couldn't negotiate the road; if the garbage truck cannot travel the road, how could an ambulance or a fire truck?
- Right now it would be a suicide mission for an ambulance.
- The road is 11 feet wide in front of his home, 6 inches narrower than it used to be.
- The road used to be wide enough so that two cars could pass.
- The washout in front of his home is 18 inches deep.

Gus Carlson from 483 Wendell Road:

- Seconds everything that Roger states.
- The road is tolerable but it's getting worse and worse.
- Drainage: Every April his driveway washes away.

Roger:

- Gary Dihlmann replaced the culvert in front of Roger's house and nothing has been done since.

Gus:

- Spoke with Highway Superintendent Hunting about replacing the drainage 2 years ago. Some changes were made at the time, but nothing since.
- Has spoken to people who do excavating for private business; they have told him that the culverts and swales on Wendell Road are not proper.

Pat Dempsey of 473 Wendell Road:

- The swales have standing water from last night's storm. Standing water collects mosquitoes, which is a health hazard.
- Is concerned about an ambulance or fire truck or first responder police car coming down the road in the winter.
- The Post Office won't deliver mail after Roger's house.
- The school bus doesn't go down the road.
- There is an issue with the road.
- (Pat) doesn't have a solution.

Roger:

- A month ago we had torrential storms two weekends in a row.
 - Roger put his own stone down after the first storm, and the Highway Department put gravel in the ditch, but not stone.

- The second storm washed the gravel away; Roger's stone stayed in place.
- Roger works in road construction. He recognized that the Highway Department is now using reclaimed materials, which is a better solution than gravel.

Pat:

- Walks the road twice a day and sees the changes

Denise Chiminiello 539 Wendell Road:

- Water comes down Leslie Bracebridge's driveway (530 Wendell Rd) crosses the road and goes into her driveway.
- Torrential rain goes right into Denise's driveway.

Roger:

- It's definitely a drainage issue where Denise is.

Denise:

- It ices up in the winter.

Chris Footit of 480 Wendell Road:

- Is a healthcare worker and has to get out to work; he doesn't drive a 4-wheel drive vehicle.
- Chris is concerned that he won't be able to get to work in the winter.

Roger:

- Some large rocks stood so far up above the gravel in the road, they could have taken out his oil pan.
- When he complained about the stones they were removed and replaced with reclaimed materials. The reclaimed materials stayed in place during last night's rainstorm.

Select Board Chair Puleo:

- Understands the concerns raised, she lives on Baker Road which is also gravel.

Denise:

- One night she came home at midnight and had to leave her car at the top of the road and walk due to ice. Once she went off the road.
- Others in the group spoke about this being a condition of dirt roads everywhere.

Roger:

- In the winter the road gets narrow.
- Roger doesn't like to bring his trash to the top of the road.
- If the trash truck can't go down, an ambulance can't go down.
- Recommends putting 6 inch rip rap right up to the road surface in the gullies and continued use of the reclaimed road material.

Ton Administrator Becky Torres: There is a difference between Safety vehicles and maintenance vehicles

Selectman Al Springer:

- The Highway Department put riprap down on the hill on Montague Road. After 4 years it's filled back in with gravel.

Roger:

- Isn't expecting immediate results.
- 6" stone keeps the water from rushing down the road.
- Even when it fills in, it gives a solid base for the road.
- Reiterates that he put stone below his driveway, the road gravel washed out and the stone stayed.

Pat:

- Likes the idea of an engineering assessment of Wendell Road.

Roger:

- Prefers living on a dirt road.
- Knows that the Highway Department knows the right way to take care of the road

Al:

- Remembers Wendell Road as one lane in the past.
- An engineering study would recommend catch basins and culverts.
- Would cost millions to build the road to an engineered standard

Becky:

- The study on Montague Road required water easements, which were very hard to get.

Gus:

- Has a friend who drove off Wendell Road on Saturday night, and went into a gully at the sharp steep curve (between 554 and 585 Wendell RD.)

Roger:

- Invites Selectmen to drive down and pull into his driveway to see where the road has closed in.
- We're not looking for a paved road.
- Look at what has been done in the past.
- The vegetation at the side has been removed causing more water to flow down the road.

Selectwoman April Stein:

- It's always going to be a problem, but it could be better.

Roger:

- Hasn't seen a grader go down the road in 5 years.
- Recommends using the reclaimed material.

Town Administrator Becky Torres:

- The Highway Department has been opening up the canopy to let the sun in to melt the ice.

Roger:

- It's been neglected for so long.
- The culvert (at Freeman Road) used to be deep and now is only 6 inches below the surface because so much gravel has washed away.

April:

- It seems like you're asking for reasonable things.

Roger:

- We're going into fall; the Highway Department has a lot to think about preparing for winter.
- It's a safety hazard now.
- Quotes the Fire Chief as saying that the Fire Department is selective about what vehicle they take when they get a call for that part of Wendell Road.

Denise:

- Notes that her driveway goes down from road where other driveways go up.

Select Board Chairwoman Elaine Puleo:

- We will try for improvements.
- Thanked the neighbors for coming in and the neighbors thanked Selectmen for listening.

Becky:

- Listed the recent projects that the Highway Department has been involved in:
 - Spent days at the generator installation site.
 - Is preparing culverts for fall paving.
 - Test pits for solar panels installation.
- The 539 Wendell Road driveway mentioned earlier (tonight) was installed without a curb cut permit and the contractor sold the house and moved on. Mud shoots down their driveway onto their porch despite a berm at the top of the driveway.
- Roger's comments are sensible, he knows what a mile of paved roads cost.

Topics

1. Letter of Intent to host Meter for Solar Generation Facility with ALTRU:

- Becky has been in contact with Amherst officials regarding terms of the LOI, letter of intent from ALTRU to the town for hosting solar projects. Amherst has Western Mass Electric, not National Grid. There is a difference between the two utilities in the distribution rates and how they are calculated. Becky has more questions for National Grid. She wants to gain a better understanding of the 10 meg. municipal credits and what their potential value is to the town and to a developer before the town negotiates a 20 year contract.
- The letter asks only for a Select Board signature but Becky's understanding is that because the contract is for 20 years, it needs a town meeting vote.

2. Cutting down a pine tree for satellite access – town's responsibility?

- Tree Warden Houston referred a woman to Becky who asked that the town take down a healthy mature tree, deemed to be on town property across the road from the woman's residence (at 301 Locks Pond RD) and which the woman deemed to be blocking her satellite TV access.
- The woman contacted Town Administrator Torres to have the town take down the tree so that she can get entertainment.
- What kind of precedent would doing so set? Where would it lead? When would it be reasonable?
 - If it were affecting electric or telephone or affecting safety it would be reasonable.
 - If the town gave permission, the woman could pay to have it cut down.
 - But, this is a healthy tree.
 - What about people who want trees cut down to put up solar panels?
- It's not the town's job to take down trees for entertainment or solar.
- We would need larger a discussion.
- Currently the Tree Warden takes down trees which are aging, or are not healthy, or are a safety concern.
- Selectmen request more information, is there is another location for the satellite dish?
- It's not something for which the town gives a blanket approval.

3. Generator overruns:

- It was originally thought that we needed a 1,000 gallon propane tank to power the emergency generator at the school.
- Present calculations indicate that we need four 1,000 gallon above ground tanks or two 1,000 gallon underground tanks (due to temperature affects on flow and vaporization.)
- The more viable alternative of 2 underground tanks was selected:
 - Problem: The first company did not have a hoister.
 - The second company suggests putting the tanks end to end instead of parallel so as not to have to notch out the earthen hillside behind their intended location.
 - No paperwork is necessary for the Conservation Commission in order to move forward.
 - The installation price quote came in at \$9700.
 - The final location of the generator is twice as far away from the building as the original plan so installation (including replacement proper wiring for the school storage shed) is more expensive than was originally planned; coming in at \$13,000.
 - The generator and electrical come to \$44,000 and we have \$45,000 for the project.
 - Becky reviewed the figures with the Finance Committee: To complete the project in a timely manner, the only way to proceed was with a Finance Committee reserves transfer:
 - The Finance committee agreed to transfer the funds with the caveat that the up-coming fall special town meeting be asked to transfer that amount of funds from free cash back into Finance Committee Reserves as it is so early in the fiscal year.

- One last piece of unanticipated budget overrun is the cost of the propane to fill the tanks:
 - The generator cannot be tested without propane.
 - It will cost about \$4800 to fill the tanks.
 - Town Accountant Weiss suggests purchasing the propane out of the existing fuel budget line, and at a special town meeting request a transfer from the electricity budget line into the fuel line because the solar panels are providing enough electricity to cause excess funds in the electricity budget line by the end of the year.

Selectmen unanimously voted to approve the proposal of George Propane of Goshen MA in the amount of \$9,737.72 to furnish and install two 1,000 gallon underground propane storage tanks and a gas line to the generator.

4. Shutesbury Library:

- Response letters are starting to come in from people who had donated funds for the proposed new library with mixed responses as to how previously pledged funds should be managed.
- Library Director Antonellis will prepare a report of the results.

5. Fall Special Town Meeting – Flood Plain Bylaw:

- Becky was the sole attendee at the Planning Board’s Public Hearing.
- Lake Wyola Association President David Green had already told Chairman Bonnar that it was a “well-written” bylaw.
- The Planning Board made a few more changes to the bylaw, and the changes have been sent to Town Counsel for review.
- If Town Counsel approves those final changes, the Planning Board will vote to approve the changes at their September 12 Planning Board meeting.

6. Trash Update/Toters:

- The toters were removed from the Lake Wyola Association (LWA) property last Wednesday.
- At a meeting of Town Administrator Torres, Recycling and Solid Waste Coordinator Gary Bernhard, Recycling and Solid Waste Committee Chairwoman Meryl Mandell and representatives of the Allied Waste Company “Aron” and “Patrick”:
 - Allied brought up a smaller truck to see if it could back down Shore Drive hoping that solution would work, but it did not work.
 - All agreed that the residents don’t want toters.
 - There was an idea of trash trucks turning around on a private property near the end of Shore Drive, where a number of delivery trucks already turn around, but LWA President David Green, who originally volunteered to ask permission of the private land owner for turn-around permission decided not to inquire stating instead that he felt that the road should get the same service as they used to have.
 - People on the Laurels do not want toters, and they don’t want damage to their roads from the heavy trash trucks, so they may be willing to bring their trash up to the end of the road, though not happy to have a decrease in service.
 - Pine and Shore Drive residents will continue to have their trash picked up by Allied’s pick-up truck while a solution is being sought.
 - The contract says that the proposal needed to itemize which households would need to bring the trash to the ends of roads and the Laurels, Pine and Shore Drives were not itemized. Still, it’s important for the town to work with Allied, so the solution for collecting trash on the Laurels, Pine and Shore Drives is still unsolved.

Select Board Action Items

- 1. Selectmen signed payroll warrants totaling \$77,349.54.**
- 2. Selectmen signed vendor warrants totaling \$71,169.33.**

3. Selectmen unanimously voted to approve the minutes of August 14, 2012.

Topics the Chairman Could Not Reasonably Have Anticipated

- 1. With summer ending, the speed bump will be removed from Lakeview Road.**
- 2. A request has been made for a speed bump in the town center.**
- 3. Some feel the Farmer's Market in front of Town Hall slows through traffic.**

The Select Board **adjourned at 8:08 P.M.**

Respectfully submitted,

Leslie Bracebridge
Administrative Secretary