

## **Shutesbury Board of Selectmen Tuesday September 11, 2012 Meeting Minutes**

Members present: Chairwoman Elaine Puleo and member Al Springer. Absent: 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:**

- Nothing new to report.
- Has to do research on new hires.
- A 7 AM Friday morning meeting was scheduled with Elaine.

#### **In the presence of Highway Superintendent Tim Hunting and Chief Harding, Becky reported:**

- A father of a long time Shutesbury resident drove off the road and hit a tree near 423 Montague Road last Thursday. On Friday the resident told Becky that the road was not safe and requested compensation for the accident.
- Becky: Went to the scene on Friday and took 43 pictures:
  - Generally, the road looked better than she had seen it look for a long time.
  - The accident occurred on the widest and flattest part of that section of the road.
  - Doesn't think the road could have been one of the contributing factors of the accident.
- Chief Harding: It is odd because the operator says someone was coming directly at him and he swerved to the west side to avoid the car coming at him. The driver of the car that hit the tree never mentioned the accident was due to the road. Chief Harding hasn't received the operator's report yet. The operator did not get hurt.
- Tim: "Traffic moves right along on Montague Road," he's observed when working on the road.

#### **Shutesbury Garden Club member Gail Fleischaker:** Distributed a town hall planting plan:

- The Garden Club would like to put in some plants this fall and more in the spring.
- Thanked the Selectmen for removal of the Japanese knotweed and bittersweet around the town hall.
- Stated that the planting plan will not cost the town anything. All plants will be given or bought by the Garden Club at a greatly reduced rate.
- The plan mirrors what is across the road at the Library.

**Selectmen unanimously voted to approve and accept the plan of the Shutesbury Garden Club for plantings in front of Town Hall.**

#### **Wendell Road residents Roger Witter (#484), Denise Chiminiello (#539), Chris Footit(3480) met with Highway Superintendent Tim Hunting and the Board of Selectmen:**

- Roger presented photos of his driveway and the road in front of his home.
  - Why did the Highway department leave grader tracks in Roger's driveway?
  - Feels the Highway Department "put a band-aid" on Wendell road.
  - Asked Select Board their policy on wood from trees cut down by the Highway Department.

#### **Denise Chiminiello:**

- After last week's storm the new swales are again filled up with sediment.

**Elaine:** Drove the road on Friday and it was in good shape. She drove the road again on Sunday and it was no longer in good shape. Is there anything more permanent that can be done?

#### **Highway Superintendent Tim Hunting:**

- Showed the residents a list of work done on Wendell Road by the Highway Department this year.
  - Dirt roads don't grade well when the weather is very dry, as it has been this summer.
    - Dry gravel tends to wear the blade out faster. The best time to grade is the day after a rain.
    - A lot of Shutesbury roads haven't been graded as much due to the dry year.

- Washboards are also due to dry weather. Sand Hill is a good example of that.
- Hard-pack is a good material being used on the dirt road hills, but it tends to washboard more.
  - It's probably worth the trade-off, in that it stays better on the hills.
  - Spread 4 loads of hard-pack on Montague Road today. It stays better than regular gravel.
- Offered to add more material at the top of Wendell Road; there have been no complaints from the bottom end of the road. The problems are related to the steepness of the road.
- On some roads people complain about too much gravel because it runs into their driveways.
- Putting stones on the edge, saves the edge but the road washes out at the edge of the stone.

Roger Witter states that it will not wash out if there is a crown in the road.

- After a brief discussion Roger and Tim agree, there is a crown in Wendell Road.
- Tim: Put 6 inch riprap on Montague Road and it has been a problem ever since.
  - When you first do it, you think you have the answer. Then when it rains the riprap fills with fines. The trouble is you can't clean the fines out. On Montague road the riprap is filled back in with fines and when they grade or plow it pulls the riprap out.
- Because Wendell Road has high banks on either side it's like a chute. When it rains hard it scours the edges. It's not perfect.

Roger: "We're not paving it; no way."

Selectman Springer: Is there any way you could put in blacktop in the one place where it is steep?

- Tim: The snowplows will rip it up.

Roger: what is your answer to fix ditches?

- Tim: Another problem is Chris Footit's driveway was put in wrong and its run-off comes down Wendell Road into Roger's driveway. Tim wanted it pitched the other way so the rain run-off would go into a culvert which would have diverted the water across Wendell Road. Gus and Jessica Carlson-Belanger (#483) don't want it in the culvert because that culvert feeds into a culvert on their property which is much too small.
- Tim: Has been down two times to look at (#483) - recommended to Gus & Jess to make the pipe bigger. Money was an issue. Tim also recommended a swale would be less expense, so far nothing has been done.
- Tim: The problem is there really isn't much of a place for the water to go to. If he could get rid of it before it builds up with cross culverts it would run into the woods, but, in many places the banks are too high.

Roger: there's enough daylight beyond the swale so it wouldn't be a pond.

Tim: The road is the narrowest by Leslie Bracebridge's driveway (#530) and with the spring below he can't make it any wider.

- Denise: Water comes out of Leslie's drive way and at some point comes across the road and some goes into Denise's driveway (#539).
- **Tim:** Runs some water off before it gets to Denise's.
- **Leslie:** Did not until the previous meeting understand that water from her driveway (#530) was impacting Denise's (#539) driveway. Water from further up the road is channeled into a little pond like area onto Leslie's land above her driveway.
- Roger: Water is always going to run downhill.

**Tim:** Has run out swales at the top of the road near Rideout (#457).

**Roger:** "Tell John not to touch my 'apron' again."

**Tim:** There are banks on each side up at Gus's (#483).

- Before Chris (#480) built his house, the water from Old Orchard Rd. came across Locks Pond, over Chris's land, and into Roger's driveway (#484). We met with the Conservation Commission to discuss this before Chris built. Chris said he preferred the water to go through his yard.

- Gus and Jess (#483) have a culvert in their yard that eventually takes the water from the culvert that goes under the road (from Chris's). Roger feels that culvert was there before Gus' driveway was built.

**Roger** moves the conversation: "If the garbage truck can't get up the road how can a fire truck or an ambulance?"

**Tim:** The problem with these roads is that they are narrow. If they were wide enough for a deep ditch without interfering with the travel lane, the ditches could handle the water. Most roads in Vermont are wider so they can have the ditch without bothering the traffic. That would be better.

**Roger:** Understands that cost is an issue, but "What if there were a couple of "drop-in boxes?" (catch basins)

**Tim:** They would fill with gravel. That was the plan for Montague Rd. It's fine if you're going to pave.

- Discussion about something that someone has put in on Montague Road across from Carver Rd.

West: "It looks fine now, what will it look like in the spring; the snowplow won't see it."

**Roger:** What is the fix?

**Tim:** Get a "vibratory roller" (road roller-compactor) to use when they grade dirt roads. The rollers have 2 rubber tires in the back and a drum compacts the gravel.

**Roger:** The washboard with hard pack would become a thing of the past with a roller. He thinks it would also make the ditches "stay put."

**Tim:** Doesn't know the price range. He feels it would be a good investment.

**Roger:** For the dirt roads and hills it would be a good idea.

**Elaine:** Call around, get some prices.

**Becky:** Offers to set up a meeting with Capital Planning.

**Roger:** In the meantime with winter coming on Roger is still concerned with the water.

- If Chris adjusts his driveway, it will help Roger, which might add more water to Gus and Jess.
- Roger: If we can get the end of Chris's driveway higher so it goes into Chris's culvert, it will go to Roger's property but won't wash out Roger's driveway.

**Denise:** What to do at her house (#539)?

- Roger: Change pitch of road to accommodate the driveway?
- Tim: The crown should be in the middle. Denise is doing the right thing.

**Denise:** Leslie's (#530) run-off is "cruising across the street"; could we use more gravel?

**Tim:** Has been down to 2 guys; he just got a third: Showed record of work on Wendell Road this year.

- Tim: Houses downgrade from the road have to have berms and the berms have to be kept up.
- Property owners have to maintain their berms.
- **Roger:** Emphasizes that a vibratory roller would be a "very handy tool."
- **Tim:** Could rent a vibratory roller for a week and see how it goes.
- **Elaine:** Do both: rent for a week and find out how much they cost.
- **Becky:** Having success will be helpful for people at town meeting to understand the purchase.
- **Elaine:** Summarized the plan and recommends starting the roller on Wendell Road.
- **Tim:** The roads weren't built for more and more traffic.
  - Wendell Road is next on the list; Montague Road was first:
    - Rebuilt the headwall at 180 Montague Road. Made a berm to go past the driveway, flushing water onto the culvert and making a trench in the culvert.
    - Built a headwall but ran out of stone and added riprap which should head off the water.
    - Went back today with the grader and trucked 7 loads of gravel onto Montague Road.
    - Montague Road is the same as by Roger Witter's: with banks on both sides of the road there's no place for the water to go.
- **Becky and Elaine agree:** A combination of all these things should help.
  - **Al:** Does Vermont put calcium chloride on the roads? Tim: Some do and some don't.

- **Tim:** Used to put it on Montague Road; the horseback riders did not want it, as it made the road too hard.

## **Topics**

### **1. Letter of Intent to Host a Meter for a Solar Generation Facility with ALTRU – update:**

- Becky met with Sandy Pooler and Sustainability Director Eric Weiss from Amherst with her questions about meter charges for hosting a project. She didn't learn a lot new.
- He explained how WEMECO breaks out the charges and talked about how the marketplace worked.
- Sandy's not so concerned about the distribution charge, as it's made up for in the property taxes.
- New legislation changes some of the factors.
- The 20 year commitment makes sense for the developer because the panels are guaranteed for 20 years. (Though they could last 25 or even 50 years; no one knows for sure.)
- The other concern raised is the RFP process:
  - If you are selling a town asset, do you need to go through a larger town process?
  - Is this a sole source situation or is there a larger market.
- Becky also talked with DOER (Department of Energy Resources): They have not heard of any other situation like Amherst and Shutesbury where the towns are not purchasing power but only hosting and giving up some of their "megs" (10 meg municipal credit.)
- Becky has no clear answers. She still has questions and is trying to get answers.

### **2. Town Clerk:**

- In response to a May 24 letter from the Town Clerk regarding any sort of one-time compensation for the extraordinary amount of work in the Town Clerk's office during the unprecedented turn-out for the double elections, the recount process, and the double court challenges:
  - Becky talked with Town Counsel: Because the Town Clerk's is an elected position, it is within the power of town meeting to set the salary higher or lower one time or permanent.
  - Elaine: Passed the question over to the Personnel Board to address when she got it; that's a wonderful solution, can we do something at the special town meeting?
  - Becky: The Finance Committee has not seen it, but will address it at their meeting tonight.
  - Leslie: Al had responded to her personally as soon as he received it suggesting "comp. time" be used, but the point was, there was no time to take "comp. time."
    - Becky: "Comp. time" was researched by the Personnel Board a number of years ago. Shutesbury does not have "comp. time," only "flex time" and "flex time" is only applied to hourly positions. The Town Clerk's position is salaried; salaried positions do not qualify for "flex time."
- Becky: Both the Finance Committee and the Personnel Board will respond. The Personnel Board meets this coming Thursday.

**Elaine requests that Becky let other Boards know the Select Board will be having the annual All Boards meeting on October second.**

**3. Wendell Rd. update – request by Highway Superintendent for meeting with residents:** See above.

### **4. United Nations:**

**Selectmen unanimously voted to respond to the annual request from the United Nations Association of Greater Boston to recognize the 67<sup>th</sup> anniversary of the United Nations by proclaiming October 24 to be United Nations Day in Shutesbury.**

**5. Shutesbury Library:** Becky reported:

- The Friends of the Library have had a 25% response rate to the 80% of the letters sent out.
- The Friends got a new donation.

#### 6. **Fall Special Town Meeting:**

- Verizon had to pay property tax on all of their poles in all Massachusetts towns a couple of years ago. Verizon appealed the mandate and the court ruled towns have to pay back what they received which is a total of \$13,564 for Shutesbury.
- Assessors have enough in overlay for 2010, 2011 and 2012, but not enough for 2009.
- There will be a special town meeting article to cover that portion of the expense.

#### 7. **Trash**

- “Aaron” from Allied Waste has asked a property owner on Shore drive if trash trucks might turn around on his property to help solve the Shore Drive trash pick-up question. The man was positive in his response, but noted that his driveway is not plowed in the winter. “Aaron” will talk to Highway Superintendent Tim Hunting about plowing that one driveway. It’s private property, but we already plow Shore Drive, and that’s private property.
- A lot of trucks turn around there.
- Highway Superintendent Tim Hunting thinks the plow trucks have been backing out of Shore Drive when they plow because the house at the end where they turn around was sold.
- Becky will look into it with Tim.
- Al maybe we could plow the driveway and both the highway trucks and the trash trucks could turn around there.
- People on Pine Drive who have just renovated their home were looking for year round pick-up on Pine Drive even though they will only occasionally be there in the winter. After further consideration the owner withdrew her request for year round trash pick-up on Pine Drive.
- Al: Pretty soon they will all be year round homes.

#### **Select Board Action Items**

1. **Selectmen unanimously voted to approve the special event notification form for the Celebrate Shutesbury event on the Town Common on September 22, 2012.**
2. **Selectmen unanimously voted to sign a standard contract form for a recycling boxes grant.**
3. **Selectmen unanimously voted to approve an agreement between the Town of Shutesbury and the University of Massachusetts for insurance reimbursement services to help defray flu clinic costs.**
4. **Selectmen signed payroll warrants totaling \$79,315.28.**
5. **Selectmen signed vendor warrants totaling \$203,600.38.**
6. **Selectmen unanimously voted to approve the August 28 minutes as written with the addition of “August” to the date.**

#### **Topics the Chairman Could Not Reasonably Have Anticipated**

1. **Becky will put out a reminder for the October 2 All Boards meeting in department mailboxes and requests to complete the space needs survey by September 25.**

The Select Board **adjourned at 8:04 P.M.**

Respectfully submitted,

Leslie Bracebridge  
Administrative Secretary