

## Shutesbury Board of Selectmen Tuesday July 17, 2012 Meeting Minutes

Members present: Al Springer and April Stein who served as temporary Co-Chairs. Absent: Chairwoman Elaine Puleo. Also Present: Town Administrator Rebecca Torres and Administrative Secretary Leslie Bracebridge, recording.

The meeting was opened at 6:30 P.M. at the Shutesbury Town Hall

### Appointments

**Police Chief Harding:** (Joined by Officer Jeffery Soto part way through the barking dog discussion.)

- **There is a barking dog issue at Lake Wyola near Great Pines Drive:**
  - A couple of nights per week the owner is not home and her dogs start barking when they are left outside alone after dark.
  - Over the last 12 months, 2 people who are bothered by the barking have registered complaints with the police. Other neighbors, when asked, report being bothered but have not called the police to complain.
  - The owner's newest plan to address the problem was to have the dogs de-barked, but there is new legislation making people liable for taking that action, so there will be no de-barking.
  - In the summer everyone has their windows open.
  - Everyone has to get along in densely populated areas.
  - Bark reducing collars are in use with some effect. Training the dogs about the collars takes time and energy on the part of the owner, and it takes time for the dogs to learn not to bark when wearing a bark reducing collar.
  - The MSPCA has offered to provide a veterinary student to work with the dogs at the Tufts University campus; the dogs would have to be transported to the University by the owner.
  - A plan is in the works for a neighbor to put the dogs in on nights that the owner stays away.
  - Becky is in communication with the owner and the people involved in the complaints.
  - Should there be a hearing? What can be done at a hearing?
  - Sometimes the dogs are barking when the officers respond, sometimes not.
  - The dogs do not like to be crated when the owner is away.
  - The owner should be asked to make reasonable efforts to keep the dogs from barking.
- **Kayaks at the Lake Wyola State Park Beach:**
  - The State Park personnel feel that there was a founding agreement between the town and the state park that kayaks would not be allowed to dock at the state park beach, but there is nothing in writing, such as a bylaw.
  - Which committee should the question of docking kayaks at the state park be addressed to?
    - A kayaker was prevented from docking at the beach and requested a sign be put up stating docking is not allowed, if that is the case.
    - The Lake Wyola Advisory Committee is often instrumental in taking on questions concerning the use of the Lake.
    - Becky offered to research the related history and bylaws and follow up.
  - Some swimmers are reported to arrive before the park opens, park on the roadside grass and swim more than 50 feet from the shoreline. A bylaw states that swimmers should stay within 50 feet of the shoreline.
  - Kayakers were out on the water after dark without lights during the boat parade.
- Bylaws do address shore distance for swimmers and boats and that boats travel counterclockwise.
  - Are kayaks required to stay more than 50 feet out and do they have to go counterclockwise as do motor boats?

- A discussion is needed with a town body for reviewing Lake Wyola use bylaws.
- July has been very busy:
  - Some activities have required officers to be out of town at court.
  - Shutesbury still has a good working relationship with Leverett and New Salem when Shutesbury officers are out of town.
- Police Chief Harding had requested new language in the police union contract whereby the Chief could require part time officers to be called in. It was not agreed to and is not in the contract. So the Chief has decided because of this and other reasons there will be no Officer in Charge when the Police Chief goes out of town.
  - Therefore Chief Harding is still seeking to hire a full-time officer.
  - An Academy class will start February 15 at the STCC campus.
  - Would the town consider sponsoring one of Shutesbury's part time officers at that time?
  - Chief Harding feels that the last sponsorship worked out well for the town.
  - What sponsorship would involve is subject to negotiation.
  - The Finance Committee should be consulted.
- Officer Soto was asked how his new position is going:
  - The job is what he expected it would be.
  - Each patrol brings something new to address.
- Selectmen have not heard any complaints about any of our new officers.

## **Topics**

1. The Finance Committee was able to make transfers from their reserves to cover all the budget line shortfalls, so there is no need for the Board of Selectmen to sign off on FY 12 budget transfers (in keeping with MGL C. 44 §33B as has been done in previous years.)

- On the "Cherry Sheet" Notice to Assessors of Estimated Charges (MGL C. 59 §21) released July 9, 2012, the School Choice sending tuition is above the budgeted \$30,000 at \$46,465. Becky anticipates the number will be influx during the year and may go down.
- The Free cash number is looking extremely healthy.
- The ambulance contract will need to be renegotiated this year.

## **2. Shutesbury Library:**

- Two private property owners offered the town their properties for purchase and use as a library.
  - Resident Julian Janowitz contacted Town Administrator Torres suggesting the town could use his home and 17 acre pond, boardwalk and forest property for a library or other municipal facility.
  - Sotheby's auction of New York appraised the property at \$5 million 10 years ago. Julian would be willing to let it go to the town for \$2 million, with him staying there the rest of his life.
  - Therefore, there would be no exact transfer timetable.
  - The home has multi-levels which is difficult for a public building.
  - The property is set back from the gravel portion of Wendell Road. State grants require a library be visible for a main road.
  - 711 Wendell Road would be quite a ride from residents in the January Hills Road area.
  - Selectmen agreed that the town does not have that kind of resources; even if donated, it would be difficult for the town just to maintain the property.
  - It is a beautiful property. Mr. Janowitz has been generous in allowing others to enjoy it and in wishing to make it permanently available to the public.
- The second property offered for consideration for a library is 284 West Pelham Road owned by Sal DiNardi and Joan Culley:
  - Becky visited the home with Library Trustee and contractor Dale Houle.
  - There are 7 or 8 living levels which would make it difficult to make it wheelchair accessible.

- It has a fabulous kitchen, which is not the main feature for a library. It has 5 bedrooms.
- The renovations that would be necessary, including making it easily managed by a single person on duty would be so extensive, much of the building would need to be gutted, that purchase of the property for a library does not make sense.
- The home was not being offered as a donation.

**The town would be grateful for either property to be donated.**

### **Select Board Action Items**

1. Selectmen reappointed Ellen McKay as Shutesbury's representative to the Franklin Regional Council of Governments on June 20, so no action was required before completion of her reappointment form.
2. **(Massachusetts Interlocal Insurance Association) MIIA grant, Chief Tibbetts:**

- Chief Tibbetts has prepared a grant application to continue with school security upgrades.

**Selectmen unanimously voted to sign the FY 13 MIIA Grant Program application in the amount of \$7,183.91 for security upgrades to the Shutesbury Elementary School.**

3. Selectmen signed vendor warrants combining a few remaining FY 12 warrants with the current FY 13 warrants for a total of \$545,791.61.
4. Selectmen signed FY 13 payroll warrants totaling \$75,151.91.
5. Selectmen approved the July 3, 2012 meeting minutes as written. Selectmen approved the July 11 meeting with the Shutesbury Regional School District Planning Committee minutes as written.

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

#### **1. Proposed Change Order #1 for the West Schoolhouse project:**

- This pushes the work over the budget by \$250.
- The Historical Commission will be asked to fund it, followed by the Town Buildings Committee, followed by the Finance Committee.
- The workmen will take out a foundation rock to evaluate the main carrier beam.
- Coulter Inc. took down the West Schoolhouse sign on the north wall and will refinish it even though it is not a part of the bid.
- The bid included sill replacement on the west, south and east sides of the building.
  - Upon opening up the south wall, it was determined that the south sill had previously been replaced, beyond the memory of present town officials, and did not need replacement.
  - The north sill which was not named in the bid was evaluated and needed to be replaced.
  - Coulter Inc. agreed to substitute the north sill for the south sill.
- Some of the clapboards on the south wall were broken, hanging or rotted. A reasonable estimate was offered to replace the clapboards on the south wall which will exceed the current budget available by less than \$250. The additional expense is recommended by Town Buildings Committee member Dale Houle, who is over-seeing the project.

**Selectmen unanimously voted to sign Proposed Change Order #1 to replace the clapboards on the south wall.**

2. There is no new news on the soil remediation at the Fire Station.

The Select Board **adjourned at 8:00 P.M.**

Respectfully submitted,

Leslie Bracebridge  
Administrative Secretary

120717 Select Board