

Shutesbury Board of Selectmen June 18, 2011 Meeting Minutes

Members present: Members Al Springer and April Stein. Absent: Chairwoman Elaine Puleo
Also Present: Police Chief Thomas “Tom” Harding and Sergeant Justin Wall, Part time Officer Robinson (arrived at 8:27 AM), Fire Chief Walter Tibbetts (left at 8:53 AM to prepare for this morning’s Lake Wyola Road Race), Town Administrator Rebecca “Becky” Torres, and Administrative Secretary Leslie Bracebridge recording.

Meeting opened at 8:15 A.M at the Shutesbury Town Hall.

Police Chief Harding, Sergeant Wall and Fire Chief Walter Tibbetts met with Select Board members April Stein and Al Springer (Chairman Puleo was not available) to discuss the preferred wording and content of a letter to be hand-delivered to residences in the Lake Wyola area, prior to the July 4 weekend. The preferred letter needs to reach a balance of clear and direct communication concerning the Police and Fire Departments’ intention to maintain a safe July 4 holiday weekend, without causing incitement.:

- The Lake Wyola area has become an annually increasingly popular destination spot, including increasing crowd sizes, numbers of both in and out of state vehicles, and increasing illegal use of and size of fireworks on the July 4th weekends.
- The Police and Fire Departments plan to conduct an inter-agency effort enforcing the laws related to: the illegal use of fireworks, unpermitted bonfires and other illegal public conduct.
- Town Administrator Becky Torres summarized efforts she had made to coordinate input and prepare a letter in advance of this meeting that could be signed by the Select Board, Police Chief Harding and Fire Chief Tibbetts, including how the topic of illegal bonfires, which had been in the first draft and later removed would be addressed.
- Becky offered an alternative method of addressing bonfires: in an upcoming town-wide mailing.

Chief Tibbetts’ response on whether the topic of illegal bonfires should be included in the hand-delivered Lake Wyola area announcement letter or in the town-wide mailing included:

- Expressed his support of the larger effort; giving credit to both Chief Harding and the Select Board to see that the illegal activities will be addressed.
- Expressed his confusion that wording regarding bonfires and clarifications that he had offered to be put in the letter were removed but there was still a place for him to sign the letter.
- Feels that discussion of the fireworks and of the bonfires are 2 critical situations that go together.
- Is willing to put the discussion of bonfires in the town-wide mailing if preferred.

Chief Harding:

- The point of the letter is not town wide, but rather to address public conduct at the annually growing Lake Wyola area July 4 “event.”
- All information should be in the one letter as long as it’s kept to one page.
- The big picture is to make a decision so that the letter can move forward.

Other topics included:

- How to sign a new letter, with 2 Select Board signatures, or wait for Elaine to return.
 - If the public would read full Select Board support into just 2, not 3 Select Board signatures.
 - Should they type in Elaine’s name and write “not available?”

Officer Robinson joins the meeting at 8:27 AM.

- Should sparklers be mentioned in the letter when they are often given to children by their parents?
 - What will the average person read into a warning letter that includes sparklers as illegal?

- The letter contains the language of the law that classifies fireworks, including sparklers as illegal..
- Legally, there is no need for a letter; the combined letter and hand-delivery method are meant to provide a space for communication, so that questions can be asked and answered in advance.
 - The more discussion the better.
 - The letter needs to be as clear as possible; without inciting or appeasing the public.

Chief Tibbetts: Offers to go along with whatever wording is most comfortable for Chief Harding.

Chief Harding:

- If we don't put out something firmly worded, people are going to say, "We didn't know."
- Is willing to wait until Tuesday in order to have all three Selectmen have a thorough public discussion at a regular meeting, and reach a consensus. Then put all three signatures on the letter.
- Requests calls to the Select Board concerning enforcement are "punted" to the Police Department.

Other discussion points continued:

- Use of the Police and Fire safety boat and who should be in it.
- Use of fines.
- Jurisdiction of Fire Chief.
- Meaning and use of "cannot be allowed" versus "won't be happening."
- Fire Chief's fire safety concerns should also be put in the town-wide mailing.
- No one can control what happens 20 years into the future.

Chief Tibbetts leaves the meeting at 8:53 AM to assist with the Lake Wyola Road Race.

Chief Harding reiterates it is better to have a full discussion at Tuesday's regular Select Board meeting with Elaine present and then she can sign the letter.

Final comments:

- Regardless of the letter and announcements, some people are still buying fireworks.
- We have to plan for the worst.
- There are going to be people who will do what they have always done in the past.
- This is for both association and non-association members.
- This is not because a group of people complained.
- It's turning into a battle of wills that may carry on into the summer.

A motion was made by Al and seconded by April and unanimously voted to table a final decision, to be made at the Tuesday June 21 regularly scheduled Select Board meeting.

Adjourned at 9:03 AM.

Respectfully submitted,

Leslie Bracebridge, Administrative Secretary