

## **Shutesbury Board of Selectmen**

### **Tuesday, August 30, 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 and Sergeant Wall:**

1. "Dodged a bullet" Sunday (August 28 in reference to hurricane Irene):
  - Tree down on Pratt Corner at 8 PM Sunday night.
  - Tree landed on primary wires on Locks Pond Rd.
  - Washout on Montague Road making it impassible for a while.
    - Culvert was repaired by 7 PM Sunday evening.
    - For part of the time Dudleyville Road in Leverett had a simultaneous wash-out making 80 homes between the two washouts inaccessible.
    - As an emergency remedy, the Fire Department cut a brush truck route through from Carver Road East to Carver Road West.
    - Leverett's Dudleyville Road was repaired on Monday.
  - A small tree dropped on a Shore Drive house.
  - Sand bags stopped Baker Reservoir from flowing over and washing out the Baker Road.
  - The West Branch of the Swift River flowed over two bridges on Cooleyville Road and there was a culvert problem at Camel Brook on Cooleyville Road.
    - Homes in between on Cooleyville Road, New Boston and Cornwell Roads were inaccessible until about 7 PM.
  - Wendell Road narrowed by flowing water on both sides made it barely passable.
  - Privately owned culverts need to be maintained by their owners.
  - Many residents called and sent Emails: Stating appreciation for the emergency announcements sent on BlackBoard Connect.
2. Shutesbury had power throughout the hurricane day – Sunday, and then lost it for a few hours on Monday. Monday's power outage affected customers from Deerfield to Ware, and was related to repairs being made in Deerfield.
3. The last of the stuff on at 278 West Pelham Road should be gone by Friday.
  - Once the stuff is removed, the property is in the realtor's hands and the Police will have no more involvement.

#### **6:50 PM appointment with Fire Chief Tibbetts:**

- Report on Hurricane Irene:
  - Things went relatively smoothly – we didn't get hit that bad.
  - People heeded warnings and stayed off the roads.
  - Concerns about Baker Reservoir:
    - The water level was coming over the bank, not the spillway so sandbags were placed there to keep the bank from washing out because if a washout channel got started, it could have emptied Baker Reservoir of over 1 million gallons of water. The culvert was just barely handling what was going through, and could take no more.
  - Spoke with Dam Keeper Howard Kinder on Saturday afternoon and the gate was opened to 18 inches which took the level down a little over 6 inches below the normal fall water level.
    - The reports were still going up on rainfall.

- At some point in the storm the gate was opened to 30 inches.
- Water started going over the spillway and by 5 PM it was about 6 inches deep. At 8:30 PM Sunday night the water going over the spillway was and the Lake water level was about 12 inches from the top of the dam at the spillway and 10 inches from the top of the dam at the gatehouse.
- Monday evening water was still going over the spillway by about 6 inches deep.
- A concerned Leverett resident asked about the amount of water coming down the stream before the storm.
  - It was explained that if this flow were held back, sent down later coupled with the storm it would devastate his property.
  - Dam Keeper Howard Kinder suggested he speak with Leverett Selectman Richard Brazeau who requested Shutesbury open the gate ahead of time.
- Shutesbury's use of the water flow gauge had been averaging 10 cubic feet/second the last few days.
  - At the peak of the storm it was flowing at 1000cubic feet/second.
- Al measured 5 inches of rain fell at his house. The predicted 8 inches with wind gusts would have been trouble.
- Assistance on Shore Dr. for a dead limb on a house made it to the TV evening news.
- There were no electrical people around to assist with wires down on Lakeview Road until later in the afternoon.
- A few good sized trees came down, but fortunately with little damage to wires and none fell on cars, houses or people.
- We were prepared, we didn't get the wind and rain expected and the storm wasn't as severe as predicted.
  - The ice storm had previously cleaned out a lot but it also left a lot of damaged trees.
  - There have been a few subsequent good storms.
  - National Grid has done a lot of good clearing.
  - Tree Warden Houston arranges maintenance of a lot of damaged, sickly and weak trees.
- Places west and north of the Connecticut River were really hit.
  - A lot of bridges need assessments, roads are gone, gas lines are broken.
  - Greenfield's water line was damaged.
  - Water treatment plants in Montague, Deerfield and Greenfield were all under water.
- **Selectmen unanimously voted their agreement of a State of Emergency declared by Select Board Chairman Elaine Puleo on Sunday, August 28, 2011 at 3 PM.**
  - **Elaine signed the declaration of a state of emergency.**
  - Elaine thanked all emergency management personnel for their efforts during the storm.
- Review of Massachusetts Emergency Management Agency's request for the town to participate in the new Statewide Public Safety Mutual Aid: (MGL c. 40§4J) and the Fire Mutual Aid (MGL c. 48 §59) and the new but not yet ready for adoption: Statewide Public Works Municipal Mutual Aid (MGL c. 40 §4K.)
  - Statewide fire mutual aid has been around for a while.
  - Shutesbury already belongs to the Tri-state mutual aid program which has been around since the 1950's.

- The fire mutual aid law
- Public works one is not finalized yet.
- The Public Safety Mutual Aid covers Boards of Health Selectmen, Assessors and others.
  - It works like fire mutual aid.
  - If they call you and you have the services you can provide you can do it. If you do not have the resources, you are not expected to do it.
  - Though you're working for another town, you are covered under the sender's insurance. They will cover for you in other events.
  - Federal aid requires the town participates in mutual aid.
  - The sending town pays the wages.
    - If there is federal reimbursement, the receiving town can pay the sending town for the work that the sent people did.

**A motion was made and seconded to opt into the Statewide Public Safety Mutual Aid (MGL c. 40 §4J) and the Fire Mutual Aid (MGL c. 48 §59A) agreements.**

- State assets are run through a company and will be covered by MEMA anyway.
- The agreements do not supercede, intercept or over step any other mutual aid agreements.
- The state is trying to get every municipality to sign this
- Future federal grants will require participation in these programs for participation in grant opportunities.
- It is not mandatory to send resources, only if they are available and affordable.
  - Who decides?
  - Under the “our Tri-state mutual aid agreement” the sending town must be able to staff a truck with 4 people, if they can't, then sorry, call the next town.
  - This agreement does not pin down who makes the decision.
    - Since this does not supercede existing agreements for adjoining communities so the mode of current operation with Leverett can remain the same, but further outside towns would be a larger group decision including Selectmen making the decision
- **Selectmen made, seconded, and unanimously voted to opt into the Statewide Public Safety Mutual Aid (MGL c. 40 §4J) and the Fire Mutual Aid (MGL c. 48 §59A) agreements.**
- Shutesbury's Emergency Shelter is the Town Hall.
  - We really need to push for a generator for the school.
  - There will not be a grant in these times.
  - Put it on the warrant for the fall town meeting from either stabilization or free cash.
    - It is anticipated the town will have \$1.1million between the two sources.
    - In 2009: Generator and transfer switch: \$28,379, electrical and installation: \$5,000.
    - Just purchase and buy our own fuel or just contract with the installation company?
      - Purchase of own tank? Benefit of owning: can easily shop around for propane. Above ground isn't that big a thing.
      - If don't have your own tank, you get charged a minimum usage fee.
      - A couple of years ago it was \$600 for not using fuel.
      - Shutesbury owns the tank at the fire station.
      - Companies own the propane tanks at the Library and Town Hall with no minimum fee.
      - Chief Tibbetts will get some prices for consideration.
- **Selectmen unanimously voted to put the question to install a generator at the school on the fall special town meeting warrant.**
  - Walter will re-quote the installation and Becky will work on a warrant article.

- A generator will both provide the school as an emergency shelter and also save the pipes at the school in the event of an ice storm or other extended loss of power in the winter.
- **School Safety meeting:** MIAA safety grants for the schools: Where Shutesbury got the electronic locking door at the school:
  - This year the School Safety meeting requests the town apply for MIAA grant funds to add another panic button which will provide the quickest way to lock off most of the doors at the school at once.
  - MIAA has changed a few things: The school can no longer apply for the funds; only the Selectmen have the authority to apply.
  - Chiefs Tibbetts and Harding will write up a grant application for Select Board approval for the panic button and for phone lines for dialing out on two lines for the fire alarm and separately for the burglar alarm.
  - The new panel put in this spring has the ability to dial out itself. If it is ever up-graded it will tell the exact location of everything. To make NFDA compliant it needs the second line.
  - The phone line is internal and done by the alarm company.
- **There will be a special service at the North Leverett Baptist church on September 11.**
- Elaine and maybe Becky will attend the **UMass Community breakfast** on Tuesday morning.

**8:00 PM: Board of Health Chairman Bill Elliott and member Catherine Hilton– Flu Clinic:**

- The arrangement with Commonwealth medicine is the same as entered into last year. It worked quite well. The only question was where to send the checks, and that will be made clear this time. Be sure it is clear that the check goes to either Board of Health or to the town P.O. boxes, not the school.
- In addition to providing a flat amount negotiated statewide payment for doing the clinic.
  - The town also received money from Medicare.
  - There is an on-going negotiation with Blue Cross for the preceding clinic.
- The upshot: Last year about \$1,000 was brought in from the clinic and expenses were \$400+.
- Shutesbury is allocated 60% of last year's vaccinations; that is what funding allows.
- This year adults with insurance coverage may not receive vaccine provided by DPH.
- A new triage system will be developed to implement the provision change during the clinic.
- Talked with Emergency Management Director Tibbetts about continuing to run the clinic it as an Emergency Dispensing Site (EDS).
- Selectmen were asked to sign the agreement with the University of Massachusetts and Shutesbury, make it retroactive, and send it in.
- The first batch will be for uninsured adults only and not children. Uninsured adults includes adults whose insurance is not covered by Commonwealth medicine program.
- The triage process will include identification of the insurance company.
- The tentative date for the clinic will be October 22, dependent upon getting the vaccine which is dependent on Select Board authorization to order it.
- Single-dose vials will be ordered as they worked very well last year.
- Leverett is interested in seeing how we do an EDS site and may observe Shutesbury's clinic.
- The general philosophy of DPH is to vaccinate as many people as you can so we will not be challenged if use up the vaccines.

Selectmen unanimously voted to sign the contract with Commonwealth medicine and unanimously voted to spend \$715 for the purchase of flu vaccine (60 doses.)

## Topics

1. **Hurricane review with Emergency Management Director (EMD) Walter Tibbetts and a Assistant EMD Thomas Harding: see above.**
  
2. **Fire Station Gas Leak Update-Report from John Henry**
  - In the presence of Fire Chief Walter Tibbetts, Selectmen reviewed the proposal of O'Reilly Talbot & Okun Associates for a Soil Vapor Extraction (SVE) Pilot Test Summary Report.
  - While Selectmen spoke of only running the extraction for 6 months, once the system is installed the cost to keep it running longer will be \$20,000/year.
  - Conditions (high water table) are not favorable to operate the system this year.
  - The real problem was at 6 to 12 feet down, not 6 feet and above.
  - It could be 5 years before an SVE run would be worthwhile.
  - The pilot test was pulling water up.
  - Department of Environmental Protection Deputy Regional Director Eva Tor was previously saying we're already done.
  - Even if we were to entertain an SVE run, it would have to be a very dry season. Weather is unpredictable.
  - It's time to have a meeting with Eva Tor and Ben Fish to review this report.
  - Becky has not gotten feedback from Ben and Consultant Jim Okun of O'Reilly, Talbot & Okun regarding the classification.
  - The wells should be re-tested before the meeting.
  - Plan: Get wells checked and then have a meeting with Jim Okun, Eva, Ben and whoever else Eva wants to bring, at the Springfield DEP headquarters.
  - The system would work if the water table were not so high or the weather so unpredictable.
  - They couldn't get the well in further than 7 feet in the rescue bay. If we can't get a well in 10 to 12 feet, it won't be worth it.
  - Last year was the driest Walter had ever seen.
  
3. **State Fire Department Mutual Aid Agreement – see appointments above.**
  
4. **Flood Insurance Information Meeting Planning, September 3.**
  - Everyone is invited to the Lake Wyola Association Building at 6 Shore Drive for 9 AM, Saturday, September 3.
  - A state expert Eric Carlson from the Department of Conservation & Recreation Flood Hazard Mitigation Program will do a power point, answer questions and provide information sheets.
  - Lake Wyola Association President David Green, also a local bank manager, has a lot of bank information.
  
5. **Green Communities Grant Final Request**
  - The grant request was submitted on time and included:
    - A new HVAC at the fire station and a 10 kilowatt pole mounted photo voltaic system.
    - School I-Beam insulation, broken blower at the school to \$15,000.
    - Town Hall – New furnace and outer wall units to be re-worked.
      - Hybrid Ford Explorer for the Fire Chief. It has not been confirmed that we have to do it now. We will have that money set aside for the eventuality of having to do it. Fire Chief Walter Tibbetts needs to know the timing in order to know what to put into the Police cruiser hand-me-down car.

- Walter only drives about 5,000 miles/year.
- We are planning to replace it with a hybrid when it needs to be replaced. We're planning ahead.
- We want to recycle this car because we are a green community.
- We do not know the turn-around timeline for the grant funds.
- 6. Special Fall Town Meeting:**
- By January 2012 we need to secure funds to be in good standing with the MBLC grant program.
- 7. Selectmen want to hold an election on Thursday November 10<sup>th</sup> and the special town meeting on October 25<sup>th</sup>. Leslie was asked to research if they need to have the town meeting at or within a required timeframe from the override election.
- 8. 250<sup>th</sup> Ball – invitations, tents, food, drink – report on ticket sales:**
- 13 tickets have already been sold. Elaine and April will sell tickets.
- The Board of Health has approved the Selectmen buying their own packages of food and creating their own platters.
- Tomorrow Becky meets with 5 volunteer bartenders, who will have their TIPS certifications.
- Becky, April and Elaine will go to the Spirit House on Friday at 11 AM to work out the beer and wine order.
- Kathy Burbank is ready to decorate for the ball. She has paper lanterns.
- Casey Hayman will not be playing.
- Elaine has white lights from a tag sale.

#### Select Board Action Items

1. Selectmen voted to approve the minutes of August 16, 2011 as written with April abstaining because she was not present on the 16th.
2. Payroll warrants were not available for Select Board signatures as Accountant Weiss got stranded in Vermont during the hurricane.
3. Vendor warrants were not available. Selectmen will call a special meeting to sign the warrants.

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

1. The missing 2008 contract for Chief Harding that was signed by all parties, and the 2009 contract extended until 2012. Now that both are signed which one rules? Town Counsel said to go to the minutes. If the minutes clearly say expire in 2011, then the 2008 contract rules over 2009. The minutes are clear that the 2009 was done to set the percent, not to extend the contract. So the contract negotiation team will meet as soon as possible.
2. Additional personnel action forms for union police that were previously approved were signed.
3. No Select person was available to attend a meeting of the Association of Town Finances meeting on October 15.
4. October 24 is United Nations Day. Shutesbury Selectmen will discuss their recognition of the day at the next full Select Board meeting.

The Select Board **adjourned at 9:40 P.M.**

Respectfully submitted,

Leslie Bracebridge, Administrative Secretary