

## Shutesbury Board of Selectmen Tuesday October 8, 2013 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:**

- **2013 Franklin County Law Enforcement Mutual Aid Agreement renewal:**
  - This agreement has one new Article (5) from the current agreement, which would authorize officers on duty and traveling through other jurisdictions to independently exercise police powers under reasonable suspicion or probable cause. Currently a town has to request or invoke mutual aid from another town before an officer may take action.
  - Town Counsel MacNicol had 2 questions:
    1. Has the town accepted MGL Ch. 40 S. 8G allowing this? Yes, on 6/21/1990.
    2. How would Chief Harding or another officer know if the other town has signed on to allow these powers? There would be a written list to refer to.
  - Chief Harding and Town Administrator Torres will be checking in with other towns to see if they are signing onto Article 5, and if other towns have concerns which Shutesbury hasn't considered.
  - Discussion in Shutesbury included:
    1. Clarification his agreement is only for Franklin County police departments.
    2. The Franklin County Regional Emergency Planning Committee already keeps track of the regional agreements for equipment available for shared emergency management use.
    3. The state is already pushing for regionalization without towns giving up local control.
  - Officers wouldn't be looking to take action, but if an officer saw a public safety problem, he/she could act without further request. Right now, if an officer observes something an authorization called "transfer of authority" is needed.
  - The current language of mutual aid is more for a natural disaster than for traffic stops.
  - Currently, officers are going to surrounding towns anyway (typically for "domestic" calls), but just for the safety of the responding officer, but with no further authority.
  - The preliminary deadline to sign on to Article 5 is November 19. Any town not signed on at that point will have to go through an extra procedural step.
  - Larger towns with more resources don't necessarily want to sign the agreements and the smaller towns are tending to favor Article 5.
  - Fire Departments have used state mutual aid successfully for 30 years.
  - Current mutual aid agreements state who will pay for the immediate detail and court costs.
  - Town Counsel wants to be sure that Article 5 doesn't have any unintended consequence on the existing mutual aid agreement. Chief Harding:
    1. Exceptions from the agreement would be for Pelham and Amherst because they are over the county line.
    2. Town Counsel reports that this agreement supersedes the other.
  - Selectmen will wait to sign up until it has been read and discussed with other towns.
- Everything is going well for the Police Department.
- Auxiliary Officer Peters is riding around with Officers Masiuk and Soto a few times/week.
- There have been no recent dog complaint calls from Wendell Road neighbors. The Footits have purchased bark collars for their 3 dogs and are trying to keep their dogs as quiet as possible.

- Selectman Springer: Highway Superintendent Hunting talked with Mr. Footit, who will hire a private contractor to fix the washout problem on Wendell Road.
- Police officers respond to Birch Drive complaints of dogs barking without hearing dogs barking.

## **Topics**

### **1. Review Special Town Meeting Warrant Draft:**

- There is no new draft or new numbers for the warrant, which will be signed at the next meeting.
- An October 17, 6:45 A.M. Select Board meeting was tentatively scheduled to approve any urgent hearse house bids which might be recommended by the October 16 Town Buildings Committee.

### **2. Review All Boards Meeting timeline:**

- Becky reported that once she got the notice letter for the proposed meeting date of October 21<sup>st</sup>, there was not enough time to advertise to and expect town boards to properly prepare for an All Boards meeting.
- Becky recommends having the All Boards meeting on November 19 at the school, with the Select Board meeting, also at the school, starting at 6 PM that same night.
- The All Boards meeting actions, will include plans for a public presentations meeting, which was set by the Select Board for February 4, 2014 at 7 PM at the school.

### **3. Review draft bylaw on littering from the Recycling committee:**

- No new draft was available.
- A new draft needs town counsel review and new questions need to be answered by Town Counsel as to whether Police would have enforcement authority for a policy as they do a bylaw.

### **4. Review Memorandum of Understanding (MOU) between Shutesbury's Conservation Commission and Highway Department:**

- The Conservation Commission reported that the Conservation Commission and Highway Superintendent Hunting have approved an MOU.
- While the Select Board doesn't need to sign anywhere, it will have more "clout" if the Select Board approves the content/language.
- The agreement will promote an improved relationship between the 2 parties.

**Selectmen unanimously voted to approve the content/language of the MOU between the Shutesbury Conservation Commission and the Highway Department.**

### **5. Discuss wasps around town hall:**

- Fall and warm sunshine on the south exterior wall of town hall has created an ideal situation for wasps, many of which have been regularly flying around the entrance and also in the elevator.
- Some people want something be done about it, some feel if you wait a few days they will be gone.
- Becky has advised people allergic to bee stings to use the front door until further action is taken.
- Becky got a quote on spraying for the wasps. Her report and Select Board discussion included:
  - An organic solution has been recommended.
  - On-going treatments would be necessary.
  - The first treatment would cost \$400 and semi-annual sprays are recommended at \$125 each.
  - Because there are people who are allergic to bee stings, an effort should be made to reduce the number of wasps that swarm the south entrance of town hall and the elevator.
  - Treatment effectiveness will be re-evaluated in a year or two.

**Selectmen unanimously voted to use the described pest management on the wasps at town hall.**

## **Select Board Action Items**

- 1. Select men unanimously voted to accept the 9 /24/13 Select Board Meeting Minutes as written.**
- 2. Selectmen signed vendor warrants totaling \$53,552.65.**
- 3. Select men signed payroll warrants totaling \$87,461.75.**

4. **Library Event use Form for Oct/Nov/Dec 2013:** Selectmen unanimously voted to authorize use of the town hall as designated on the most recent library activity listing.
5. **Selectmen unanimously voted to sign a Chapter 90 Project reimbursement Request for \$975.25 for 4 keyways that were milled on Wendell and Locks Pond Roads, bringing the total to date to \$143,787.25, of the \$160,000 encumbered for the project for those 2 roads.**
6. **Franklin County Police Mutual Aid Agreement:** See discussion above with Police Chief Harding.

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

1. Elaine reported on compiled information about community health and what Baystate Medical Center offers surrounding communities including Shutesbury:
  - a. Baystate Medical Center is required to provide some community outreach programs:
    - i. They have a nurse who can come out to meet elders in their homes to set up medication plans.
    - ii. The Center also works to assist victims out of domestic violence situations.
    - iii. The Center can help people in rural areas get to medical appointments.

**Selectmen unanimously voted that Becky ask the Board of Health if they would be willing to put this document on their web page and if they would, to authorize the Web Committee to put it up. Though the Medical Center is not a government organization, which is a rule of thumb for website postings, since the document includes information about benefits for Shutesbury residents, the Selectmen overrode the rule of thumb.**

2. Evaluation of a concrete block wall on Pratt Corner Road:
  - a. Complaints came in earlier in the year of washouts at a turn near 520 Pratt Corner Road.
  - b. To address the concern, the Highway Department put up a concrete block berm, and now, some neighbors have complained about the look of the berm.
  - c. There is a plan in place for private citizens to paint a stonewall image that looks three-dimensional on the concrete in order to improve the scene.
3. Selectmen still plan to meet Monday, October 21<sup>st</sup> at 6:30 PM, instead of Tuesday the 22<sup>nd</sup>.

The Select Board **adjourned at 9:15 P.M.**

Respectfully submitted,

Leslie Bracebridge  
Administrative Secretary