

Shutesbury Board of Selectmen  
Meeting Minutes  
November 29, 2005

Members Present: Chairman Rebecca Torres and Debra Pichanick.

Absent: Joseph Jacobs

Also Present: Town Administrator David Dann and Leslie Bracebridge, recording.

Meeting called to order at 7:08 P.M.

Unanimously approved the November 15, 2005 meeting minutes with a clarification that Lisa Olszewski will be able to begin local Police Officer training on December 21, 2005.

Unanimously approved the November 22, 2005 meeting minutes as written.

Appointments

**Police Chief Harding:**

- Trying to secure funding for an “AED” (**Automatic External Defibrillator**) for the Elementary School. Two cruisers have AED’s and the Fire Department has one. Shutesbury and Leverett will do combined trainings on AED use.
- Discussed firearms licensing procedures.

**In Chief Harding’s presence, Shutesbury Athletic Club’s incoming President Mark Snow, incoming Treasurer Mary Vlach, Vice President John Puffer and new Board Member Paul Danielovich:**

- Discussed the new 8<sup>th</sup> concept on the Memorandum of Agreement, concerning required written requests to the Police Chief to stay open until 1 A.M. for Friday “Karaoke” nights. In March of 2005 the requests to stay open late stopped. The 8<sup>th</sup> concept specifies that **the Club must submit written requests to stay open until 1 A.M for the monthly Karaoke night.**
- “The Athletic Club will respond to the town in a timely manner.” Will be added to **Memorandum of Agreement Number 6.**
- Only for the rare special case, such as a play-off football game, **Chief Harding agreed to try receiving short notice requests by telephone** from the Club, to stay open beyond regular hours with less than the regularly required 10 days written notice. Those verbal requests would be followed with a written request.
- **Chief Harding will deliver to the Club** written authorizations to stay open late.
- Club members were asked to check in regularly with the Board of Selectmen and the Police Chief in order to **maintain strong communication.**
- **President Mark Snow will also serve as Club Manager.**
- The Club plans to ask **students from the University’s Hotel and Restaurant Management program** for help and input on how to better run the Club as a business. The students would get credit in place of payments from the Club.

Selectmen met with Baker Road resident Blaire Robey, who works at the Amherst Survival Center’s “Free Store” and on Amherst’s annual “Trash to Treasure” event. Blaire said that she would like to serve as Shutesbury’s Recycling Coordinator on a trial basis. **Selectmen unanimously voted to appoint “Blaire” (Phyllis) Robey as Shutesbury’s Recycling Coordinator.**

**Neighbors of 210 Leverett Road met with Selectmen and Chief Harding:**

- Spoke of evidence of **commercial activity at 207 Leverett Road.**
- Could the Building Inspector review the activity at the 207 Leverett Road residence to **see if it requires a Special Permit?**
- **The Police Department has logged multiple complaints related to the activity.**
- **At the 1999 court hearing**, held for the purpose of determining if a special permit is needed to operate a business out of this home, the Building Inspector reported that he had driven by 207 Leverett Road and had seen no evidence of commercial activity. Therefore, the case to require a special permit was dismissed. The neighbors said they had not been notified of the hearing and that they would have spoken of commercial activity if they had known of the hearing date. Following that 1999 court hearing, the Building Inspector offered to help with an appeal of the court clerk's decision if he could have access to Shutesbury's Legal Counsel; he warned that it would be expensive.
- The neighbors request that **if the Building Inspector goes to another hearing concerning the need for a special permit**, that he refers to the Shutesbury Police log for complaints that have been made. Neighbors also requested that abutters be notified of the hearing so that they can also be present.
- Resident of 207 Leverett Road, **Kevin Slusser says he cleans his own rugs.**
- **Mr. Slusser has been identified as an offender of Shutesbury's unregistered vehicles bylaw** and will receive a notice from the town.
- **Selectmen can only use legally permissible methods to address the concerns raised by neighbors.** They cannot enter the house.
- **There could be more outside activity in the busy spring season.**
- In the warm weather, when it would be nice to have windows open, **neighbors often have to close their windows due to noise at 207 Leverett Road.**

**Select Board agreed to touch base with Legal Counsel and with the Building Inspector to determine what might be done in response to the concerns raised.**

Topics

- A. Selectmen received the **November 26 Town Administrator's report.**
- B. Agreed to hold an **All Boards meeting on January 17, 2006.**
- C. Reviewed and signed a letter to Charles and Thomas Clark informing them of **the December 27, 7:30 P.M. public hearing scheduled for the Clarks' Class III license renewal.** David distributed a document from the Department of Environmental Protection (DEP) that summarizes requirements for small quantity generators of hazardous waste. In the past, DEP has visited Clarks' Auto Salvage and found the business to be in compliance with DEP regulations.
- D.1. **Unanimously voted to approve the proposed charge of a renewed Energy Committee as prepared by Mark Tuominen and David Dann. (Addendum #1)**
- D.2. **Unanimously voted to classify members of the Energy Committee as Special Municipal Employees.** David will begin contacting a list of possible volunteers to serve on the committee.

### Select Board Action Items

1. **Unanimously voted to sign payroll warrants totaling \$75,128.24 and vendor warrants totaling \$59,569.33.**
2. See start of these minutes
3. **Unanimously voted to sign the Memorandum of Agreement with the Athletic Club** after it is amended as discussed during appointment with Club members.
4. Selectmen signed a revised **letter to the residents of 155 Leverett Road confirming the residents' intention to install a driveway by April 2006.**

### New Topics

1. **Unanimously voted to sign the LA-7 Recap sheet submitted by Administrative Assessor Kenneth Holmberg listing a total valuation of \$191,815,200.00.**
2. Debra reported the Ethics Commission advised her against potential membership on any Lake Wyola Lodge study committee. Debra will communicate with the Ethics Commission on the advisability of her serving as one of Shutesbury's representatives to the Massachusetts Department of Conservation and Recreation Lake Wyola and Ruggles Pond State Parks Citizens' Advisory Committee.
3. Selectmen received a gift from Emelia Bennett of a framed photo of, and a poem about the cast iron lion that sits on the front lawn of the Lake Wyola Lodge. Mrs. Bennett's wish is that both might hang in the Select Board meeting room. Leslie wrote a note of thanks on behalf of the Board to Mrs. Bennett.

### Walk-Ins

#### **Board of Health Chairman and Dam Management Committee Chairman William Elliott:**

1. A letter will be sent from the Select Board to the brother of former 102 Leonard Road resident Barr Ashcraft, concerning the disposition of the many unregistered vehicles left on the property following his death.
2. Engineer Morris Root must do a little more work, before the Lake Wyola Dam boring contractor comes in to start borings next week.

Unanimously **voted to adjourn at 9:55 P.M.**

Respectfully submitted,

Leslie Bracebridge  
Administrative Secretary

#### Addendum #1: **Energy Committee**

The purpose of the committee is to study and recommend energy conservation policies and projects to the Select Board. In addition, the committee will provide recommendations to the town on related energy issues and provide assistance/education to residents on how families and individuals can implement renewable energy and conservation efficiency measures in their homes and daily lives.