

Washington Board of Selectmen's Meeting – Feb. 4, 2013

1. J. Huebner called the meeting to order at 6:50 pm. Attending for the Board were J. Huebner, S. Lennon and M. Case.
2. After leading the assembly in the Pledge of Allegiance, J. Huebner made a motion to accept the minutes from 1/28/13. M. Case seconded and the vote to accept the minutes was unanimous.
3. J. Huebner reported that he had received a revised proposal for installation of a commercial solar array in Town from E2Sol. M. Case mentioned that he had met with representatives of E2Sol last week in Washington and had shown them around the Town Hall site as they discussed potential locations for the solar array. He told the Board that E2Sol thought that the Town Hall roof would be an excellent site for the solar panels. A roof mount could generate more electricity than the Town buildings need. E2Sol suggested that we could sell the power to local schools or back to them.

J. Huebner said that a number of important questions need to be answered before the Town can make any decision on this. We need to know what our rate would be. We need to decide if we want to borrow money and own the system or use a power purchase agreement under which E2Sol would own the system and the Town would have no cost. In the long run which would be better for the Town? Washington would not get a tax benefit because as a municipality we are not tax payers. Discussion continued about whether we could lock in our cost at a lower rate, whether we could sell excess power back to the grid, or whether we should build a larger array and make some money for the Town. Most speakers agreed that we would not be able to do a roof mount at the highway garage as it is metal. It was suggested that we should talk to some other providers.

4. J. Huebner recognized Doreen Jewell of Bucksteep. D. Jewell told the Board that she wants to do a fundraiser at Bucksteep, including a band, and asked if she needed any additional permits to do so. J. Huebner confirmed that as Bucksteep already has a liquor license and an entertainment permit, she is covered legally with the Town and can go ahead with the event.
5. D. Spencer initiated a copyright discussion regarding the Town history book. He asked the Board to sign a copyright release form so that he could have Staples make a DVD to be uploaded to the Town web site. J. Huebner made a motion to sign the copyright release, observing that it had never been copyrighted in the first place. M. Case seconded and the motion passed unanimously. D. Spencer will bring the form to be signed next week.

6. D. Spencer asked if anyone can go to the meeting next week at Nessacus Middle School as he cannot be there. M. Case responded that he will be there as he is a member of the school committee. J. Huebner will also attend this meeting.
7. Acknowledging that many in attendance were there to discuss the rumors circulating about the use of Pugzee's Farm by military and police units for drills which may include shooting, J. Huebner asked a young woman her concerns. She in turn asked him for a copy of the minutes from 1/28 when this issue was first discussed before the Board. Several people asked for copies of the minutes as they were not yet posted on the Town web site. J. Huebner asked J. Nelson to send all minutes to F. Kennedy as soon as they were approved so that he could download them more quickly to the site.

M. Case offered to read aloud the relevant passage from the minutes and did so. After He finished reading the section, general discussion began. F. Kennedy asked how the land in question can be limited to use by military/police. He asked what laws apply to this. Another resident mentioned that some abutters have been asked if they want to sell their land and wondered what was going on. He asked why the police and military don't practice on their own ranges. B. Simmons told the Board that at the Conservation Committee meeting A. Shapiro never mentioned use of his land for military and police drills. They were told that blueberries and Christmas trees would be planted and that it would be a farm tended by veterans. They are abutters and are angry that they were never told about this current use of a portion of his land.

J. Huebner asked E. Bond, Chair of the Zoning Board of Appeals, if any violations of zoning have been committed. E. Bond replied that there have been no violations. It is private land. Many people in Town practice shooting on private land. This is a continuation of a common local practice. M. Case said the Town has issued no permits for this use and is not required to do so as it is private land. In response, a young woman quoted from the Town By-Laws that uses of private land are expressly prohibited when those uses are: offensive to the neighborhood, or hazardous to the community, or to the safety of the neighborhood. Excessive noise or noxious fumes are also expressly prohibited. D. Spencer stated that only if a home business is involved can these by-laws be invoked. Dick Grillon addressed the Board. He too objected to the unexpected use of the land. He thought the by-laws should pertain. M. Case said that A. Shapira is not charging police for use of his land so there is no commercial or business use involved.

Carol Kennedy asked that because A. Shapiro is not a resident are there limits on what he can do with the land. J. Huebner replied that he thought there were not. He will check with Counsel on any legal issues. He asked the Planning Board how they want to proceed, as this is their responsibility. If land usage has changed it goes to the Planning Board. M. Wiley, Planning Board Chair, said A. Shapiro needs a special permit for this usage. She is upset that the obstacle course just suddenly appeared with no notice to the Planning Board or to abutters. J. Huebner advised her that if she thinks there is a

violation of our bylaws from zoning or use perspective she should question A. Shapira directly. He suggested that she write him a letter and schedule a hearing. At the hearing she must explain what the residents' objections are and clarify what is actually going on on his property. Craig Willis mentioned that that M.Wiley can't vote for the Planning Board in this case as she is an abutter. C. Willis also can't vote. He works for A. Shapira. Ken Walls, Mary Jarvie and Don Gagnon are Planning Board members who can vote on this matter. So there is a quorum.

A young woman asked if the resident owner has to be there on premises for shooting on his property. She was concerned for the safety of children who might wander on to the property. She asked if it was fenced or posted. J. Huebner said that there must be construction guidelines that are enforceable. A. Shapira would be liable in the case of any accidents. He said that we think this is not a business, but we need the Planning Board to clarify this. We need to know if any kind of fee is being charged to the police units using the property. D. Spencer wondered if we should ask A. Shapira to attend a Selectmen's Meeting to hear people's concerns. J. Huebner said that the Board can't make any decisions in this matter. That is up to the Planning Board. K. Walls suggested that the Board should ask the Building Inspector what permits had been granted. We need to know what has been approved for Pugzee's Farm. The building inspector is our zoning enforcer. J. Huebner said that he will speak to Counsel this week. He believes that the best and most appropriate course of action is for the Planning Board to hold a hearing to clarify the facts. After speaking with Counsel, at next week's meeting the Board will decide on the Town's next action regarding this situation.

8. J. Huebner reported that Chief Breen has a damaged knee and will be laid up for a while. Jane Pytko will drive the school bus in his absence.
9. J. Huebner signed Beaver trapping permit number 15 for the USDA. Beavers on CSX land are causing more flooding on Upper Valley Road.
10. The Board addressed the following paperwork and issues:
 - a. Small Town Administrators' Meeting announcement for Feb. 25 at 9am. Board will not attend
 - b. Medical marijuana forum for municipalities on Feb. 27th, 1-4 . Board will not attend.
 - c. The Board has received an appeal notice for former employee Tom Soules' unemployment application. J. Hostetter confirmed that she has sent the paperwork along to C. Briggs. The Town will not contest Tom Soules application for unemployment.
 - d. The Board has received a letter from WMECO regarding our streetlighting inventory. They confirm that we have 2 streetlights. Information is included for reporting any streetlight not operating properly. This information is to be given to the Highway Department.

- e. Westfield Wild and Scenic has asked the Town to recommend any appropriate projects for work by their group. K. Walls will bring this request to the attention of the Conservation Commission this coming Thursday. He will attend the WW&S upcoming meeting and inquire for the Town about Eden Glen and Cross Place.
 - f. Management of Board of Health funds was discussed briefly. Handling of vendor fees received and payments made to BPHA were the topics. D. Parnell and J. Hostetter to work on this.
 - g. J. Huebner requested the CSX Property Damage claim form. J. Hostetter gave it to him to complete. The claim amount is \$35,000. The Claim Form will be sent via certified mail along with a letter written by Phil Clark describing the damage to Upper Valley Road. Photos of the damage will be included.
 - h. The Board received a notice of technical supplemental support available from BRPC for the DLTA grant. J. Huebner said that this is not relevant to the Town's needs as it concerns housing only.
 - i. We received a letter from WMECO requesting updated information on the Town wiring inspector. J. Hostetter completed the form and will return it to WMECO.
 - j. Notice was received from Westfield Wild and Scenic about a course covering methods for building over streams. D. Fish plans to attend.
 - k. Notice was received from BRPC that they will survey the condition of all of the Town's roads for \$2400.00. The Board will ask D. Fish next week if he is interested in this service.
 - l. A detailed mailing from Hampshire Council of Governments concerning their electrical cooperative was received by the Board. J. Huebner will read this and review with the Board next week.
 - m. A letter was received from WISP, Westfield River Watershed Invasive Species Partnership. They ask the Town if any residents may be interested in volunteering to help with identifying harmful insects or invasive plants in our community. This letter to be posted at Town Hall.
11. The Board asked D. Parnell for an accounting update. He told them that all paperwork has gone in to the state for review. We are waiting to get free cash certified. This is in process currently. The board, D. Parnell and D. Spencer discussed setting the STM date. They decided that the Special Town Meeting will be held on 2/25 at 7:30 pm. We can cancel and re-schedule if there is delay from the state. The warrant must be posted next Monday. There is no Select Board meeting on 2/18 as it is the Washington's Birthday holiday.
12. J. Huebner reminded C. Briggs that she must take the state's online ethics training. Administrative Assistants have to take this also. C. Briggs confirmed that she did get notice from unemployment about Tom Soules and will process the paperwork. J. Huebner told her that he will do a phone interview with the state if needed.

13. Details of the STM warrant were discussed as J. Hostetter needs data to write the warrant for the Special Town Meeting. D. Parnell said that he felt confident that the Town will have \$100,000.00 in free cash certified. There may be more money, but he is comfortable with this figure. It was agreed that we have to appropriate \$50,000.00 to Town Building Repair account from free cash to pay for the windows and doors. Then we must rescind the earlier decision to borrow. We must also appropriate \$7121.00 for windows and doors extras. The auditorium west wall repair will require \$10,000. All these will come from free cash. The Verizon pole bill will be \$8250.63 and will be charged to overlay and interest. The Chapel floor repair will cost \$2896.00. Some money might be available to partially cover this from the Chapel fund. Free cash will be used to cover employee medical billing at about \$6000.00. Becket Beach fee will be \$1000.00. The emergency generator and lights at \$2000.00 will be charged to the emergency management acct. or perhaps to the Highway account. Salary raises made but not included at the last STM will be: \$600.00 for accounting officer, \$ 400.00 for the transfer station operator, \$155.00 for the custodian. Any funds left in Free Cash can be transferred to the stabilization fund. Money in the machinery account can be transferred from usage account to the maintenance account. The administrative assistants account is estimated to need \$3000.00. The administrative group purchase will require \$961.00. Sons and Daughters account needs \$ 128.00. Treasurer's expense will need \$1200.00. We agreed to transfer from free cash for these last items. Town Clerk will also require more funds as we may have up to 3 elections this year. The Board will wait on Clerk's budget until June.

14. The issuance of Form 1099's was discussed by the Board and the Treasurer. We need a list of Town vendors for 1099's. We must get an updated W9 from each of them. J. Hostetter will send out requests to all vendors. Form 1099 must be given to anyone who earned more than \$600.00 from the Town last year. These would be non-employees.

15. J. Huebner made a motion to adjourn the meeting at 9:15 pm. S. Lennon seconded and the motion carried unanimously.

Approved: _____ Date: _____

Approved: _____

Approved: _____

Minutes written by J. Nelson