

## Washington Board of Selectmen's Minutes — February 11, 2013

1. J. Huebner called the meeting to order at 7:00 pm. Attending for the Board were J. Huebner and Shaun Lennon.
2. J. Huebner made a motion to accept the minutes of 2/4/2013. S. Lennon seconded and the minutes were accepted unanimously.
3. J. Huebner reported receiving a request for proposals from the state for the 2013 Local Public Health Mini- Grants. This is an initiative of the state Department of Public Health in collaboration with the Massachusetts Association of Health Boards. Single municipal Boards of Health may apply for grants up to \$500. J. Huebner suggested that the Town should apply for \$500 to help cover necessary costs resulting from our membership in the Berkshire Regional Health Alliance. He asked J. Nelson to complete the grant application.
4. D. Fish updated the Board on activities at the Highway Department. The crew was able to get through the past week's heavy snow storm by putting chains on the trucks to get all Town roads plowed and sanded. J. Huebner told D. Fish that we have received an offer from the Berkshire Regional Planning Commission (BRPC) to survey the condition of all roads in the Town for \$2400.00. As part of the project they would suggest needed repairs and estimate their costs. A Senior Planner would interview D. Fish, inspect the roads, take field notes and write a report. J. Huebner asked D. Fish for his opinion on how useful this project would be for the Town. D. Fish agreed that the report might help us prioritize use of our Chapter 90 funds. It might also help with grant applications. J. Huebner asked D. Fish to call BRPC to discuss further.

J. Huebner discussed our 2014-2017 Transportation Improvement Program (TIP) input request form with D. Fish. J. Huebner had asked Clete Cus at BRPC if the Town was to ask for less money for the Mountain Road repairs would we be more likely to be funded. He received no response to this question. J. Huebner observed that the Town had been pushed to the back of the line for TIP funds each year for many years. D. Fish agreed and added that part of the problem is that we are tied to Dalton and Becket in requesting TIP funds, as both of these towns contain part of the Mountain Road. We are also classified in the road reconstruction category which involves total reconstruction and drainage work. He estimated that the cost of this would likely be over \$15 million. We don't want to get dropped from the state's TIP list in any event. J. Huebner will work with D. Fish to get our funding application into the Mass. Highway Department by March 4.

5. K. Walls asked the Board for an update on the situation regarding A. Shapira's use of his property, Pugzee's Farm, for a rumored shooting range. J. Huebner reported that he had spoken with A. Shapira about this question. A. Shapira said that he has a personal shooting range which he uses for target practice. This is did not require any

construction. It does not change anything in the use of his property. J. Huebner said that based on this information, the Town has no basis on which to charge him with any violation. M. Wiley, Chair of the Planning Board, expressed the opinion that it is not a personal shooting range if he invites others to come use the property. She was advised of this by her personal attorney. J. Huebner suggested that she and the Planning Board can create a by-law to limit the number of people allowed to use the property at a time. T. Drugman stated that she believed our by-laws, as they stand, prohibit this shooting range.

K. Walls stated that he spoke with Paul Green , the Town's building inspector, earlier. P. Green showed him the original plan for the obstacle course at Pugzee's Farm. He wrote the permit based on this plan. The plan looks like a typical high school track course. P. Green told him that he never saw what was to be constructed on the course. K. Walls is a member of the Conservation Commission (ConComm) and walked the course when the ConComm inspected it. One feature of the obstacle course was in a buffer zone. They pointed that out and A. Shapira corrected it right away. In K. Walls opinion A. Shapira has gone by the book.

Discussion between attendees and the Board continued with many participating. It was mentioned that a cement pad has been poured for shooting, but no one has seen it. Mr. Shapira may also be building a pool. Several people mentioned the potential for noise if a large number of people use the property. Also mentioned was the potential for significant traffic to the Farm. Warren Hastings asked if our by-laws address noise and traffic. He wondered how we could know what the limits are to these potential nuisances. J. Huebner asked the Planning Board members present if they had developed specific noise limitations. If we could measure the noise then we could determine if there had been a violation. With a written complaint the building inspector could then investigate and act if a violation was confirmed.

J. Huebner said that A. Shapira certainly does not have a license to do whatever he feels like. However, as long as he stays within the law, there is nothing actionable. T. Drugmond mentioned that he should have talked to neighbors about his plans for the property. Two abutters have had issues with him, she said. The Board replied that no one has yet complained about how he treated them. T. Drugmond said that he has wrongly posted on public land. His surveyor put the postings there. M.Wiley complained to the Board that at last week's Selectmen's meeting someone called someone else a hysterical woman. She said that this was clearly sexual harassment. J. Huebner did not hear that exchange, but agreed with her that such behavior was not acceptable.

J. Huebner reported that he had not talked with town counsel yet. He believed that the Town had no basis for complaint. K. Walls asked M.Wiley if she had heard any noise from Pugzee's Farm. She replied that she had heard heavy equipment being operated all summer, but nothing since then. She did not complain over the summer. J. Huebner

urged her to speak to Mr. Shapira. If she has gotten legal opinion that he is in violation of our by-laws she should pursue it. T. Drugmond voiced her fear that he may run a business there. She told the Board that she represented a small group of people who can't speak for themselves. M. Lampro asked if he built the obstacle course where the farm was supposed to be. Chief Breen said he'd gotten many calls about rumors of a shooting range at Pugzee's Farm. He told people that to his best knowledge A. Shapira is breaking no laws at this time. No firearm laws are being broken. He asked that the Board send a letter to him asking him to come to their meeting to clear up all the rumors. The Board concluded discussion of Pugzee's Farm at this point to move on with other items on the evening's agenda.

6. J. Huebner asked D.Spencer about the UMASS Keystone Program in conservation and forestry management. He said he had tried to interest K. Walls of the Conservation Commission in this a while ago.
7. J. Huebner said a resident had reported that a window in the old town hall was broken. He informed E. Bond who will get it fixed.
9. J. Huebner asked Chief Breen if he had been able to get keys made for the Town Hall closet where the emergency radio is to be kept or if he had procured a lock box to secure the radio in the closet. Chief Breen replied that due to his disabling knee injury he had not. He reported he had been working on settling the veterans' issues. He noted that Blotz Rd. has weight limits posted on the bridge only. He and the Board agreed that signs should be posted at both ends of the road rather than just on the bridge. J. Huebner to call Dalton and Hinsdale on this issue.
10. Regarding ownership of the new emergency lighting equipment and generator, A. Mikaniewicz told the Board that the Town, not the fire department, is the owner. She told D. Spencer that it belonged in the emergency equipment budget.
12. J. Huebner asked A. Mikaniewicz to write a paragraph for the Tracks explaining that residents can get help from J. Hostetter, whom she has cross-trained, on many licensing and permit issues on nights when she is unable to be at Town Hall. She will list just what items Jodi can cover. Most residents are unaware that they can come to Jodi for assistance on routine items usually handled by the Town Clerk.
13. J. Huebner asked D. Parnell for an update on the free cash status. D.Parnell said that although he has filed all the required forms with the state, he still has no word. He suspects that last week's snow storm set back processing at the DOR a bit. The issue is how the state will interpret balances from past years. If it is not clear that we will have the information we need before the 25<sup>th</sup>, we will have to re-schedule the Special Town Meeting. If we have to delay that will increase the interest we owe on the Verizon poles settlement.

12. D. Parnell reported that the CIC municipal software project didn't get the second round of funding needed to complete development. There will be another round in September but the outcome is uncertain. J. Huebner agreed that the Town will need to budget for new accounting software this year. D. Parnell will take the state accounting system course in Needham.
13. J. Huebner checked with the Viner Brothers about their status with regard to purchasing Mapleview at public auction. They informed him that they are still interested in the property.
14. D. Spencer reported that he has received the budget from CBRSD. That budget will be about \$800,000. Proposed work will be done on the Waconnah auditorium. Public hearing will be the 28<sup>th</sup> . There is a new finance person at Waconnah.
15. J. Huebner reported having no reply from CSX to our recent claim and letter about repairs to Upper Valley Road. The Annual Report will be completed when we receive certification of our accounting by the state. A final edit to the personnel handbook is being completed by the Administrative Assistants to include all existing job descriptions.
16. D. Spencer told the Board that he had reviewed the STM budget sheet and made modifications. An important question is whether or not we can keep Building Maintenance account level. Capital improvements will be in Building Repairs. Administration will be increased to \$19, 300. The Selectmen's expense account will be increased. The STM warrant is attached to these minutes. The warrant will be posted tonight by Constable Shaun Lennon due to Chief Breen's knee injury.
17. C. Briggs was reminded about completing the online ethics training and conflict of interest training.
18. The Waconnah guidance newsletter is to be posted on the bulletin board at town hall.
19. J. Huebner read an invitation to the Board to attend local government legislative breakfast meetings in March. J. Huebner may attend.
20. J. Huebner announced that there will be no Selectmen's meeting on Presidents' Day, Feb. 18. The Finance Committee will meet in 3 weeks.
21. J. Huebner called for adjournment at 8:47 pm. S. Lennon seconded and the meeting adjourned unanintusly.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

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(minutes written by J. Nelson)