

Town of Washington Board of Selectmen's Meeting – December 2, 2013

1. J. Huebner called the meeting to order at 7:00 pm. He mentioned for the record that R. Borgnis is videotaping the meeting. Attending for the Board were J. Huebner, M. Case and S. Lennon.
2. After leading the assembly in the Pledge of Allegiance, J. Huebner made a motion to accept the minutes from November 25, 2013. M. Case seconded and the vote to accept the minutes was unanimous.
3. K. Walls mentioned to the Board that DOT will be meeting with the Conservation Commission tomorrow night at 7:00pm to discuss culvert repairs and other issues related to Washington Mountain Road reconstruction.
4. J. Huebner told the Board that he had drafted a second letter to Comer Contracting detailing the Town's complaints about the company's unacceptable job chip sealing the Town's roads, our demand that the situation be remedied and that we be reimbursed for the work of our Highway department in trying to minimize the tar damage to residents' vehicles. There has been no response from Comer to our first letter which was sent on October 21, 2013. J. Huebner reported that he had spoken with Town Counsel, Jeremia Pollard, before writing this second letter and on Counsel's advice included a statement that if they did not agree to our conditions for remediating their shoddy work, the Town would pursue its case with their bonding company. All Board members signed this letter.
5. A resident of Washington Mountain Road (WMR) asked the Board if snow fencing would be put up on that road as had been promised at an earlier meeting. He said that snow fencing had been put up on the section across from the Old Town Hall, but not on the larger field south of the Lew's home. Highway Superintendent D. Fish assured the resident that the fencing will be put up shortly.
6. J. Huebner reported that he had received a draft of the culvert maintenance plan required by DOT. D. Fish told the Board that he had just received his copy and had not been able to review it in detail yet. From what he had read though, he wondered if it might be too stringent in some requirements. One of these is the requirement that he inventory all Town culverts each year. J. Huebner made the point that once the first inventory is written up, he will only have to update the document annually, not re-write

it. All he will have to do is track the changes. He will need to get DOT approval before beginning any work beyond emergency response. After emergency culvert work, he will have to report the details to DOT. Part of the Notice of Intent (NOI), which is still being written, is to get blanket approval for the overall plan.

Another concern was the requirement to take a log of areas adversely affected by beaver activity. P. Clark, author of the culvert maintenance plan, clarified that D. Fish will still be able to deal with beaver flooding damage under the standard trapping permit which we use now. P. Clark said that routine maintenance issues will be covered by the NOI. Anything beyond that will require additional approvals. J. Huebner asked that he revise the maintenance plan text to clarify this point about trapping procedure.

J. Huebner asked P. Clark about the status of the NOI and why it is taking so long to complete. P. Clark assured the Board that he is in touch with the contractor working on the NOI. He has focused her work on detailing the normal maintenance routines. Anything beyond these will require a separate NOI. This is not a departure from what we do right now. He recommended that we prioritize our maintenance projects and coordinate with the budgeting process. J. Huebner suggested to D. Fish that he initiate the plan starting March 1, 2014.

D. Fish asked the Board if he should submit the culvert maintenance plan to Mark Moore at DOT right away. J. Huebner responded that it doesn't need approval immediately. We should review in greater detail and make needed revisions. He added that he objected to the required process for removing materials from culverts. This could be very costly to the Town. According to the plan, anything removed from a culvert has to get profiled in detail. A licensed remover has to be used, not just the Town's crew. Phil Clark said that we have to identify the waste streams that we normally have as part of the NOI. Are we talking about Beaver sticks or hazardous materials? This should be clarified in the NOI. P. Clark will work on getting this defined. He mentioned the meeting with DOT and the Conservation Commission tomorrow evening on the NOI details for the 2 largest culverts on WMR. He said that Dec. 19th would be a good date for the public hearing. Legal notice will have to be published in the Berkshire Eagle. He has the NOI documents for the meeting. DOT hopes to get the culverts done at the same time as the road paving.

D. Fish told the Board that he has had no word from Westfield Wild & Scenic (WWS) on a plan for the Cross Place Road permanent bridge. J. Huebner asked him to call WWS to inquire about funding and meeting. He told D. Fish that he still needs to get estimated

cost for the new bridge on Cross Place Road. D. Fish responded that he needs to get information on the required bridge size before he can get a reliable quote.

7. J. Huebner briefly left the meeting to answer a phone call from Ms. Loomis about her request that the Town take possession of her North Lake property. J. Huebner thanked her and explained that we have to do this at Annual Town Meeting which will take place in a few months. She will be notified of the Town's decision.
8. J. Huebner mentioned that he had received two public notices from the Town of Lee Planning Board regarding public hearings. One concerns tree removal on Meadow Street and the other an application to operate a leased commercial kitchen. These notices will be posted in the hallway. Also to be posted was an announcement from WWS of a meeting to be held at Notchview Reservation on November 21 at 6:30 pm. J. Huebner reported no developments on either the Pittsfield cemetery land or on the Blotz Road weight limits.
9. J. Hostetter told the Board that she had spoken with J. Iles about his work for the Town. He agreed to send her an estimate on the work to be done updating the Town's computer virus protection and software updates. She also mentioned that she received the ABCC permit application from Bucksteep last week. The Board must make a decision to award or deny the permit by December 31st. She will review the job descriptions for the personnel manual submitted to her to date and inform the Board which are still missing. D. Parnell told the Board that he is working on the auditor job description and estimating fair payment for the position. He is trying to describe all of the auditing action areas in order to get a comprehensive description of the work. He is also still trying to get the books closed. That must take precedence. J. Huebner told him that we may need to have a special town meeting at the end of February to discuss North Lake and some other issues. D. Parnell said that we should have free cash certified by that time.
10. J. Nelson told the Board that Berkshire Regional Health Alliance (BRHA) has contacted the Town about hosting a presentation on winter health safety. They would like to do the presentation during a COA meeting. The Board was in favor of going forward with this and suggested that the meeting catered. J. Nelson will coordinate with Jeff Sawtell of the COA and BRHA on this event.
11. Regarding fees and other revenues from Board of Health activities, J. Huebner told D. Parnell that the Board needs to have an accounting. D. Parnell said that he has

accumulated all fees collected in a revolving account. We won't continue to have a revolving balance at the end of the year.

12. G. Grogan told the Board that he had received all of the forms from MIIA for the Towns' claim regarding remediation of the damage at the Drugmand's property. J. Huebner asked him to confirm with MIIA the details of our reimbursement on the claim. We expect that MIIA will reimburse us for all of the professional services the Town contracted for such as tree work, forester etc. The Board does object to having to purchase new trees for the property. He asked G. Grogan to inquire if MIIA would cover this cost. The Drugmands have submitted estimates on new trees from several nurseries. G. Grogan told the Board that MIIA needs the actual date of the loss. D. Fish will get this information from his records for the Treasurer. G. Grogan gave the Board copies of the claims on road tar damage.
13. Mike Parsons addressed the Board on the delay he experienced with our Planning Board's process. He submitted plans the Planning Board for approval to move a lot line on a parcel located on Lovers Lane for the new owner of the property. This subdivision had already been approved. Three lots have been sold. However, the Planning Board did not have a quorum and could not help him. They told him to come back in December. He just needs the Town Clerk to sign off. The Board recalled looking at his plans. One line went through a little pond. He was requesting approval to move the plot line out of the pond. The Board apologized for the delay and suggested that it might be time to make a change to an appointed Planning Board.
14. The Board discussed North Lake and the need to decide what to do with the property. M. Case voiced his opposition to donating the land to The Nature Conservancy. This would take the land off our tax rolls. The Board examined plot plans provided by the assessors. A little more than half of the plots are owned by the Town. The owners of 6 or 7 of the plots are in arrears. With possession of all of the plots we would have building lots of marketable size.
15. J. Huebner reported that Frank Kennedy had resigned from the Cultural Council. As there are 5 members of the Council now, the Board saw no reason to appoint another member at this time. M. Case observed that the Chapel Commission is required to have a Board member on it and offered to fill that post. J. Huebner made a motion to appoint M. Case to the Chapel Commission. S. Lennon seconded the motion and the vote to approve was unanimous.

16. Chief Breen reported that he and D. Fish drove to the dealer in Marlborough, Mass. and returned safely to Washington with our new school bus. They required the assistance of Mass. Highway along the route, but made the trip home safely despite the delay. Chief Breen also mentioned that over the last four weeks on several occasions he has discovered the Town Hall left unlocked at night and the alarm off. J. Huebner asked him to post a large notice inside the front door reminding people to be sure the doors are locked securely and instructing them on how to do this.

17. J. Huebner made a motion to adjourn the meeting at 8:32pm. S. Lennon seconded and the vote to adjourn was unanimous.

Approved: _____ Date: _____

Approved: _____

Approved: _____

Minutes written by J. Nelson