

## Meeting of the Washington Board of Selectmen – January 27, 2014

1. J. Huebner called the meeting to order at 7:00pm. Attending for the Board were J. Huebner, M. Case and S. Lennon. R. Borgnis was videoing the meeting.
2. After leading the assembly in the Pledge of Allegiance, J. Huebner made a motion to approve the minutes from January 13, 2014. M. Case seconded and the vote to approve the minutes was unanimous.
3. J. Huebner asked R. Borgnis if there were showings scheduled of her videos and she said they are shown on request.
4. The Board discussed scheduling the remaining assessors' interviews. There are 3 candidates to be interviewed. They agreed to hold the interviews next Monday, February 3, starting at 6:00pm if M. Jarvie and K. Avalle from our assessor's office can be available at that time. The board asked J. Nelson to check with them.
5. J. Huebner reported that a resident of Peru contacted him and asked to address the Board this coming Monday, 2/3, about the issues they are having with a large-scale commercial wind turbine project proposed for their town by a developer. The speaker will provide background on the development of the project and its likely impact on Peru, and perhaps on some sections of Washington and neighboring towns. The Board agreed to have this representative from Peru speak. D. Spencer said that our wind by-laws do not cover large commercial wind projects. After some discussion it was agreed that we stand to gain valuable information from learning about Peru's experience. The Board hoped to attract a large number of residents to this meeting and asked the Administrative Assistants to get the word out by placing sandwich boards at Town Hall and the transfer station.
6. J. Huebner made a motion to accept the February Selectmen's Letter. M. Case seconded and the motion passed unanimously. J. Huebner noted that M. Case was recently elected chair of the Central Berkshire Regional School District.
7. Regarding the erroneous billing from the state Department of Unemployment Assurance (DUA) office for K. Sharp's claim from 2 years ago, both D. Parnell and G. Grogan told the Board that they had tried numerous times to contact the DUA to get the error cleared up, but were never able to reach anyone. J. Huebner said that he had had a similar experience. When he finally reached someone at DUA he was told that he had no authority to discuss this issue. He has since written a letter to the DUA documenting in great detail the history of the Town's payments and stating that we will not attempt to contact them again nor will we pay their bill. He suggested in his letter that if DUA wants to discuss the matter they call our Treasurer, G. Grogan

8. As the Board has still not received a response to its letter to Comer Contracting requesting reimbursement for the Town's \$ 7300.00 expenditure on material and labor to sand the incorrectly tarred roads along with a list of claims paid, J. Huebner spoke to Town Counsel about initiating legal action. On the recommendation of Counsel, a letter has been written, signed by all Board members and sent to Comer.
9. J. Huebner asked G. Grogan for an update on the claims we have submitted to our insurer, MIIA, for coverage of the damage to the Drugmand's property. G. Grogan told the Board that all claims have been submitted. J. Huebner noted that both the Drugmands and the Town have provided all necessary paperwork to the insurer at this point. G. Grogan has followed up several times with MIIA, but there have been no decisions made yet. He did tell MIIA that one of the tree replacement estimates have been withdrawn by the contractor, Canterbury Farms. P. Drugmand told the Board that the contractor decided that they had underbid the project and could not do the work at that price.

P. Drugmand asked the Board for clarification on the Town's position on covering the cost of their tree replacement. She had understood that the Town would pay for this, but recent statements by the Board indicate that payment may be negotiated. J. Huebner responded that only if MIIA denies coverage for the trees would the Town negotiate with her. P. Drugmand mentioned that the Town Tree warden had refused to sign the affidavit on the grounds that he hadn't been involved in the case. The Board asked D. Fish to sign the affidavit instead, as he had been involved in all aspects of the remediation. P. Drugmand stated that she disagreed with D. Fish's statement on the affidavit that some of the trees were rotted. J. Huebner said that D. Fish was representing what he heard from J. Bolduc and suggested that she ask Jeff Bolduc, the tree service contractor who removed the trees, if some of them were rotted. P. Drugmand stated that she wanted to be sure that all of the information given to MIIA is accurate. The Board agreed with her. She told the Board that she had sent many photos to the insurer.

P. Drugmand asked why some of the selectmen's minutes from September had not been posted on the Town web site yet. J. Huebner told her that in the transition of the web master's duties from Frank Kennedy to John Les and then to Jodi Hostetter there had been some delays due to both training time and continuing technical upgrades.

10. Responding to Accounting Officer Dan Parnell's inquiry, the Board agreed that he should get a quote from Vadar on the cost of extending our contract for another year.
11. Bill Cawley addressed the Board and told them that he was upset about the Town's policy of charging late fees on overdue taxes. His business had been bad lately and he missed a few excise tax payments for which the Tax Collector has now charged him a late fee. He felt that the Town should have called to remind him about the excise bills.

He believed that the Tax Collector should alert residents about any overdue taxes and help them to avoid punitive charges. J. Huebner reminded him that the Tax Collector is an elected official and that she sets her department's policies.

12. J. Huebner asked D. Fish about replacing a steel door at the transfer station. He said that he had spoken to M. Lampro about this and that he would get it done. She has about \$3000 left in her budget to pay for the door. D. Fish told the Board that Pittsfield wants to move a culvert pipe on Ashley Lake Road above ground to repair it. He has no objection to this, but the Conservation Commission must first approve it. He also told the Board that we will need a new plow truck. The one he uses now just needs too many repairs. The Board asked him to get quotes on a new truck. We can use some Ch. 90 money for a new truck, but can't use it for a new plow. He also said that he called the DCR about using another Bailey's Bridge to replace the Lower Sargeant bridge. They agreed to help us with this. B. Cawley complained to D. Fish about the Highway Department gates being left open at night. He recommended that the Town get an electronically controlled gate that uses a key card for entry and slides back and forth like the one in Becket. The Board stated that they have confidence that D. fish is doing all that is needed to protect the Town's property.
13. J. Huebner asked Jeff Sawtelle of the COA if he had been able to speak with Chief Breen about using the van for seniors' transportation. He had not done so yet. M. Case asked if transportation is a problem for Town seniors. J. Huebner suggested to J. Sawtelle that he ask the seniors their opinion on this issue.
14. Regarding the Washington Mountain Road (WMR) project, M. Case told the Board that there is no action on this currently, but that it is certainly in the Governor's budget. He was told that no action is expected until March. J. Huebner added that he had checked with Clete Cus of BRPC.
15. D. Fish told the Board that M. Lampro is looking for a new part time replacement at the Transfer Station. He has no estimate yet on a new bridge for Cross Place Road as he has no specs to use. He had spoken to P. Clark about the icing on WMR at the engineered culvert site. They are working together on the overall WMR culvert plan. He mentioned a rusted culvert pipe on Kirchner Road.
16. D. Spencer is gathering budget information for the Annual Town Meeting. He and the Board agreed to review the draft budget on March 10. We won't have state information much before that time. J. Huebner plans to schedule a Capital Assets meeting for February 24. Progress toward writing a Town business by-law will be on that agenda.
17. J. Sawtelle asked that the electrical outlets on the stage be checked for safety. He thinks they may not be grounded. The Board suggested he contact Ed Bond about this.

18. R. Borgnis mentioned that pervious tax collectors waived late payment fees for residents. J. Huebner said that he would speak with Belinda Phillips about this issue.
19. G. Grogan asked if the Town had a record of Mark Newton’s resignation letter. J. Huebner asked the Administrative Assistants to check their files, though the letter may have been filed in the Treasurer’s personnel files.
20. J. Huebner reported the following correspondence and news items:
  - a. Judging from the number of towns represented at a recent public health meeting at Berkshire Hills Country Club, the Berkshire Public Health Alliance (BPHA) will be adding new members and growing stronger.
  - b. J. Huebner will attend a Berkshire Regional Planning Commission (BRPC) dinner on 1/30 which will include a presentation on the Community Preservation Act.
  - c. Berkshire Medical Systems sent an update on its priority goals for the county in the areas of healthy weight and nutrition, teen pregnancy, tobacco use, substance abuse, mental health and motor vehicle accidents.
  - d. Town received the annual membership bill from BRPC in the amount of \$378.87.
  - e. Request for a donation from Elder Services.
  - f. Letter from a firm offering to possibly buy the Town’s tax liens. J. Huebner forwarded this to our Tax Accountant.
  - g. Letter from Western Mass. Electric detailing our roadway street light inventory. They confirm that we have two. D. Fish mentioned that he has been trying for a long time to get them to remove a badly rotted electric pole.
  - h. Chief Breen reported a few cars have recently slid off town roads on the light snow that has fallen. Speed seemed to have been a factor.
  - i. Received a municipal financial data book from the Senate. J. Huebner will review this.
  - j. No news from Pittsfield on the 5 acres for Town cemetery use.
  - k. Dalton has put up two new signs at the Kirchner Road entrance warning trucks of “weight restrictions ahead”. D. Fish will ask Roy Huntoon of Hinsdale to put up the same signs at the entrance on Route 8.
21. J. Huebner made a motion to adjourn the meeting at 8:21 pm. S. Lennon seconded and the vote to adjourn was unanimous.

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

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

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

Minutes written by J. Nelson