

## Meeting of the Washington Board of Selectmen – July 14, 2014

1. J. Huebner called the meeting to order at 7:00 pm. Attending for the Board were J. Huebner and M. Case.
2. After leading the assembly in the Pledge of Allegiance, J. Huebner made a motion to accept the minutes of July 7, 2014. M. Case seconded and the vote to accept the minutes was unanimous.
3. The Board opened the floor for residents' business. Dawn Hoyle, a 37 year resident of Town living on Schulze Road, opened discussion of the DPW's work on that road. She read into the record a statement critical of the highway crew's work. That statement is attached to these minutes along with accompanying photos. She stated that in her opinion the prior DPW crew had done a much more professional job of maintaining the roadway. She said that she and many of her neighbors thought the current DPW's work has damaged the road. Poorly planned drainage has caused ruts, weakened or felled trees, flooded yards and fields. The height and pitch of the road has been altered to its detriment. The Road has been unnecessarily widened to 25' in some stretches. She felt that 17' would have been adequate for two cars to pass each other. The extra width has changed the rural appearance of the road and will cause the Town extra expense to maintain, especially in the winter. Plows have done much damage to the shoulders of the road in winter. She believed that residents' property values have been damaged by the DPW's work.

Other residents of Schulze Road in attendance agreed with Dawn Hoyle's statement. Another resident added that people are driving much faster on the wider road. Another complained that he had lost 2 feet of lawn as a result of the widening. He complained that D. Fish had widened the road without any permit to do so and without the Board's knowledge. J. Huebner advised D. Fish to consider the impact of his work on the

appearance of the roads. Henceforth D. Fish is to ask the Board's permission before widening any Town roads. D. Fish agreed to do so. D. Fish said that they had put down 25 loads of gravel, installed a new culvert pipe and only widened the roads so that cars can pass safely. M. Case told D. Fish that he has a little more clean-up to do on Schulze Road, but stated his belief that D. Fish and the crew worked very hard on all Town roads. J. Huebner agreed with M. Case and added that the DPW does the best they can with what they have.

4. A former DPW employee told the Board that he believed people should have a say in the road boundaries. He asked why taxes on vacant land had increased so steeply this year. J. Huebner replied that this rise was mandated statewide by DOR. It was not the Town's doing. The resident recommended that D. Fish make a crown in all the dirt roads and grade twice a year instead of once. He should not continue to just dump gravel on the roads. He observed that West Branch Road had deteriorated and asked if it was going to be closed. D. Fish replied that it was closed in Winter. The resident also mentioned that he thought Lower Sergeant Road bridge was in good shape and that it was much used. He recommended we post signs limiting weight to 3 tons. J. Huebner said that perhaps we should do a traffic study to determine how often it is used before working on the bridge or closing it down altogether. The state has listed it as unsafe. It will be very costly to rebuild. The resident also mentioned that the transfer station house and bathrooms needed repairs and painting. J. Huebner told him that plans were being made to repair the bathrooms and that this had been discussed in earlier meetings. He asked J. Hostetter to put this on the Parks Commission agenda.
5. A resident of Upper Sergeant Road asked if the DPW could remove the concrete blocks placed there to prevent people from getting stuck in the snow. They interfere with access to repair power lines when an outage occurs. D. Fish agreed to remove the concrete blocks.

6. J. Huebner mentioned that there will be a meeting at Eden Glen on the 17<sup>th</sup> with FEMA and MEMA at 11:30. Our application has been recommended for funding by MEMA to FEMA. A resident suggested that we just get rid of the dam. J. Huebner replied that if we did so all of the homes below it would flood.
  
7. J. Huebner asked D. Fish if he had taken hoisting training. He replied that he had done so. D. Fish told the Board that the small plow truck is out of service. He got an estimate from GRS Equipment Services in Chesterfield of from \$1200 to \$1500 for labor to repair it, not including the head gasket (which it probably needs). Additionally, parts would cost from \$2,000 to \$3,000. It is a 2007 model with 6,000 hours of service on it. Its current value is \$6,000. He had mentioned to the Board in the past that this vehicle was due to be replaced. J. Huebner said that he will put this issue on the agenda for next week. D. fish also told the Board that he had spoken with the Becket Fire Department about getting trucks over the Cross Place Road Baily Bridge. The highway superintendent told him that they had never actually tried to get a truck over the bridge. That had been a rumor. D. Fish asked him to do a trial run over the bridge and to report the results back to him. The Board asked him to follow up on this. He also mentioned that he had not received the Notice of Intent on the Eden Glen dam and gate. He had no news from P. Clark on the road maintenance plan.
  
8. At 7:45 J. Huebner suspended the Selectmen's Meeting and called to order the scheduled public hearing per MGL Chapter 166 Section 22 regarding a petition by WMECO to install 600' of underground power cable along Beach Road. Jim Marko, the WMECO representative, introduced himself and told the Board that the property owner at Pugzees Farm requested that WMECO bury power lines which will connect to the home he is building on Beach Road off of Washington Mountain Road. The lines will connect underground to the Petricca Tower. Eyal Shapira, the owner of Pugzees Farm, maintains that section of Beach Road under agreement with the Town. The abutters, Roy and Barbara Wiley were in attendance. J. Marko

assured them that the lines would not be visible at all. The work will be done when Mr. Shapira is ready to build. It will be 200AMP service. WMECO submitted a site plan along with their request for this hearing. J. Marko also assured the Board that the electrical work would in no way require digging up the newly paved Washington Mountain Road. The Wileys told the Board that they were satisfied with the plan as presented by WMECO.

9. At 7:55 pm J. Huebner adjourned the WMECO public hearing and called the Selectmen's meeting back to order.

10. Attorney Vinette addressed the Board and introduced himself as representing Bucksteep, LLC, the new owners of Judge Sacco's former property, in their pursuit of a liquor license. He told the Board that the new owner, Family Unity International of Staten Island, New York, is a non-profit which provides counseling services to individuals and their families on the autism spectrum. He mentioned that he had also been involved with CIT in Lee, another organization assisting autistic people. Attorney Vinette told the Board that Family Unity plans to continue with the wedding business as conducted by the Saccos in order to generate revenue to support their work with the autistic population. Thus there will be a profit-making enterprise within the non-profit framework.

J. Huebner pointed out that the non-profit status of the new owner will cost the Town much needed tax revenue. Attorney Vinette acknowledged this. E. Bond, Chair of the Zoning Board of Appeals, told the attorney that a special permit will be needed to proceed with business at Bucksteep as described. The nature of the business is being changed. Attorney Vinette said that he will return next week with all the paperwork for the liquor license transfer. He introduced the new owner of Bucksteep, Richard Loveszy and his son Rafael. Mr. Loveszy said that they will serve both children and adults with autism. He wants to be a good neighbor to the Town. The initial activity at the facility will be a summer camp.

Questioned by the Finance Committee, Mr. Loveszy said that he depends on fund-raising for his operating capital. J. Huebner asked him who was on his board. Mr. Loveszy mentioned that board members included several ministers, professors, educators and others. D. Spencer observed that this move from Staten Island to Bucksteep is a big leap for the organization. Mr. Loveszy told him that he has a great deal of volunteer support. His wife is a professional clinician and the organization conducts over 600 family counseling sessions per year. J. Huebner reminded him that new inspections of the facilities by the Board of Health will be needed before he can begin to operate at the Bucksteep site. Mr. Loveszy told the Board that his company may do some hiring for kitchen staff, house keepers, grounds keepers and general maintenance. J. Huebner thanked him for coming to introduce himself to the Board.

11. J. Huebner reported that he plans to attend a meeting on the Kinder-Morgan pipeline at Berkshire Regional Planning. He learned that the company has already surveyed the route the proposed pipeline would take along New Lenox Road and across a corner of Town in the state forest. From this point the pipeline would zig-zag across Dalton. Dalton has voted to stop the pipeline. He has asked representatives of Kinder-Morgan to attend our meeting next week to discuss the situation.
12. J. Huebner also reported that the landowner who did the extensive logging at Route 8 and Depot Brook has been given an Order of Conditions by the Conservation Commission and must do the remediation work they require at that location.
13. D. fish told the Board that the new culvert pipe he ordered to repair the one that collapsed at the entrance to the Transfer station was delivered today. When he has finished installing that he will re-pave the driveway up to the transfer station entrance. J. Huebner told him that he must place

warning signs on Frost Road where the pavement was damaged by the last storm. He agreed to do so.

14.J. Huebner presented Chief Breen with his Certificate of Appointment as Inspector of Animals from the Mass Department of Agricultural Resources. Chief Breen told the Board that he had responded to the recent threat made against D. Fish by an angry resident. He also told the Board that he has had a number of complaints recently by residents concerned about the safety of the young children who live in the red house at the top of Frost Road. He has visited with the parents there three times now and warned them about the danger to their children if they are not kept out of the road. However, the children continue to play at the edge of the road or on it, now riding tricycles. Several residents spoke up at the meeting and voiced their fears about this situation. Chief Breen asked the Board how he should proceed in light of the parents' failure to take measures to protect the children. J. Huebner pointed out that he is a state Mandatory Reporter of child endangerment. He advised Chief Breen to visit the parents again, to tell them this and also that he has also received many complaints about their children continuing to play in the road.

15.J. Huebner gave J. Hostetter the annual Board of Health notice from DEP and asked her to complete the form. He mentioned that the nursing home should be de-listed. He asked J. Nelson to give the results of her Business Census phone calls to her.

16.J. Huebner said that he had received an email about Hurley's gravel pit. Ken Walls told him that the pit is scheduled to be inspected by the Planning Board this month.

17. J. Huebner reported that the Town had received a check in the amount of \$93,866.92 from the City of Pittsfield as payment in lieu of taxes for their watershed rights.

18. The Board thanked K. Walls for his research on the staggered terms on the Conservation Committee and asked him to give the results to J. Hostetter.
- 19.D. Parnell told the Board that we had best renew our contract with Vadar for another year. The cost of this is \$3000. The CSC still has not gotten their municipal accounting software in shape for him to test. Director Rebecca Krause-Hardie told him that it will be another couple of weeks. Vadar is threatening to un-install their software if we don't renew. They would completely remove all of the Town's accounting data. The Board agreed that we have to renew with Vadar. D. Parnell also reminded them that he has had a number of serious computer failures lately. John Les recommended a new computer. The Board also agreed to this purchase.
- 20.J. Huebner opened discussion of preparations for the Iraq and Afghanistan Veterans Scenic Byway dedication coming up on Saturday, 7/19 at 11:00 at the Old Town Hall. D. Fish said that he had secured a 12x12 canopy tent. He will transport the COA tables, and the podium up to the Old Town Hall. He has already installed the posts for the plaques. S. Lennon will be responsible for traffic and parking at the event. Jan Huebner will take pictures and provide an easel to display the plaque. M. Case has gotten the flags. He has also taken care of water, juice and cups. On the morning of the 19<sup>th</sup> he will go to B.J.'s for snack food. J. Nelson proposed hanging a 5' by 2' banner announcing the dedication ceremony over the Old Town Hall door. The banner could be displayed later in the auditorium. The cost would be \$55. J. Huebner made a motion to purchase the banner. M. Case seconded the motion and it passed unanimously. J. Nelson will pick up the banner on Thursday. She will contact E. Bond about hanging it.

21.J. Huebner briefly reviewed the following:

- a. We received notice from CBRSD of vacancies to be filled on the school committee at the November 4 election. There are no vacancies from Washington.

- b. Town of Dalton Board of Appeals notices of permits granted to Warren Farms Solar LLC, Cumberland Farms and Dalton Solar LLC.
- c. There is no news on Cross Place Road permanent bridge or the transfer of cemetery land from Pittsfield.
- d. J. Huebner will volunteer to serve on the Metropolitan Planning Organization to protect our interest in the 2018 reconstruction of Washington Mountain Road at the next meeting to be held in Lee on July 30 at 5:30.
- e. There will be a public hearing on passenger rail transportation at the Great Barrington Fire House on 7/23 at 6:00. And on 8/6 in Pittsfield.

22. The Board conducted J. Hostetter's review.

23. J. Huebner made a motion to adjourn at 9:10pm. M. Case seconded and the motion to adjourn was unanimous.

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

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

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Minutes written by J. Nelson