

Washington Board of Selectmen's Meeting – July 21, 2014

1. J. Huebner called the meeting to order at 7:00 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 for July 14, 2014. M. Case seconded and the vote to accept was unanimous.
3. J. Huebner asked P. Clark about the status of the Cross Place Road bridge. P. Clark said that it is our number one priority for repair. DOT has asked him for a structural report on the Bailey Bridge. Regarding fire truck access to the road, M. Case said that he had had a long talk with the Becket Fire Chief. He told M. Case that the small truck is fine crossing the bridge, but that he hasn't had time to test the large truck. The Board agreed that we have to press Becket to get this done as the residents of Cross Place are seriously concerned about adequate fire protection. J. Huebner asked P. Clark what we have to do to get a new Cross Place bridge (culvert) built. P. Clark replied that he has the report Westfield Wild & Scenic did and it is a good starting point. We need funds to finalize the hydrologic study and do the design work. We will have to write an RFP for this and put it out to bid. We may have to bond for the new bridge. It may be best to combine the Lower Valley and Lower Sargent culverts in with this bond and RFP effort. If so, we would need 3 hydrological studies. P. Clark pointed out that we also need construction design work for the Eden Glen culvert. The hydrologic design is done. He will do the construction design after we receive the FEMA funding. P. Clark added that there are 2 components to the Eden Glen mitigation – the gate and dredging. We should have no trouble getting an NOI for the gate, but the dredging will be a complex project. The Conservation Commission issued an emergency certificate to remove the dead tree from behind the dam immediately. J. Huebner will ask the Highway crew to do this. There was discussion of how the old Borgnis dump might be affecting the stream which flows into Eden Glen. P. Clark asked for approval to start with the engineering work to replace the gate at Eden Glen. J. Huebner made a motion to this effect. M. Case seconded the motion and the vote to approve was unanimous. P. Clark said that an emergency certificate has been issued for the culvert repair at the transfer station.
4. Regarding the recent damage to Frost Road, P. Clark said that repairs need to be done as soon as possible. The sand areas need to be paved over and the buckled pavement needs to be cut out and that area repaved. Also on the subject of the recent storm, K.

Walls reminded the Board that it was the dead tree which caused much of the recent problem. Without the dam and with all the water flowing through the much wider culvert, the problem should be solved. The dam was built for a mill down the road. He believes there is no reason it could not be removed.

5. J. Huebner asked P. Clark for the status of the road maintenance plan. P. Clark replied that he will continue to work with D. Fish on that. J. Huebner asked that it be completed by the next Planning Board meeting. He also asked P. Clark if there is a general rule D. Fish could use to determine the Town right of way as he works on the roads. P. Clark said that there is no simple answer to this. We need to research it for every road.
6. J. Huebner asked J. Hostetter for an update on Administrative activities. She replied that BOH agent Scott Krzanik will review the DEP form. The only change would be to take the Nursing home off the list of water sources. The Board signed a letter notifying DEP of this. J. Nelson will get her data from the phone call follow up to the Business Census to J. Hostetter. J. Nelson will also call BRPC about the OATA grant program for clarification on whether or not it would cover installation of a solar array on Town Hall roof. J. Huebner asked J. Hostetter for a timeline on her completion of the annual reports, the by-law work and the digitizing of records. J. Hostetter told the Board that there is a wedding scheduled for Bucksteep on September 6th. J. Huebner said that he will talk to Town Counsel about the situation at Bucksteep. The Buyer's lawyer was supposed to be at tonight's meeting to discuss the liquor license, but he did not show up. J. Huebner said that all permits must be in place, all inspections and any repairs completed and the Town must be certain that Family Unity International is a valid legal entity or there will be no wedding.
7. J. Huebner reported that the Scenic Byway dedication went well. The Town received good press from the event with an article and pictures in the Berkshire Eagle. M. Case was interviewed on WAMC, an NPR station. A reporter from 1Berkshire also covered the event. Many veterans were in attendance, including a Color Guard of Berkshire Viet Nam Veterans. Jan Huebner will send her pictures of the ceremony to J. Hostetter for posting on the Town web site. M. Case, Sen. Downing, Rep. Pignatelli and Rep. Paul Mark all spoke at the ceremony. The Board hopes to display the dedication banner which hung on the Old Town Hall in the auditorium.
8. Chief Breen told the Board that a DOT truck has been parked in the Town Hall lot for a few days. They asked him to investigate. The Chief also mentioned that he had gotten a

\$4,000 grant from MEMA for a trailer to use for transporting emergency management equipment. He will try for a second grant in October for emergency equipment. Bruce Augustine called and told him that it would be approved.

9. In response to residents' dissatisfaction with the state of Town roads, the Board has talked with BRPC about doing a study of the condition of all our roads. In addition to rating the roads' condition they would conduct a traffic study of Lower Sargent Road. The Board believes it is in the Town's best interest to do this. The cost will be \$3,300. J. Huebner made a motion to go ahead with the study. S. Lennon seconded and the motion passed unanimously. Chief Breen asked that roadway signage be included in the study. There are several places in Town where traffic signs need to be posted and have not been. Washington Mountain Road is one of these. DOT has said there are to be no passing lines on the road. So in winter we really need signage to that effect. J. Huebner will take these questions to BRPC.
10. Last week J. Huebner attended a meeting at BRPC on the Kinder Morgan pipeline which will cross most of the state and run through a corner of Washington in the state forest, though that route could be altered to impact more of the Town. Attorney Jeff Bernstein spoke at the meeting. He counseled Richmond on a previous pipeline. Dalton has voted in Town Meeting to oppose the pipeline. We will have to decide what strategy is in Washington's best interest – to block the pipeline or to sign a Host Community Agreement which would give us some chance to influence the route of the pipeline and to negotiate acceptable conditions of maintenance etc. Kinder Morgan can take the land it needs by eminent domain anyway if forced to do so. Detailed routing plans will start this fall and we need to decide on our position before then. J. Huebner asked Kinder Morgan to come in to Town Hall to brief residents and discuss our options. He will follow up on this. He will also share a document from BRPC on our legal rights with the Board.
11. K. Walls said that the owner of the clear cut land at Route 8 and Cross Place Road had been served an Enforcement Order by the Conservation Commission. He must hire a consultant to determine if any damage has been caused to Depot Brook and if so he must make repairs.
12. J. Huebner made a motion that the Board accept the Selectmen's FY 2014 Annual Report for publication in the Tracks. M. Case seconded and the letter was accepted unanimously.

13. J. Huebner sent a note to the Tax Collector about the list of delinquent taxes. He will put a discussion of the list on next week's agenda.
14. J. Huebner told D. Spencer that the small plow truck has died. D. Spencer said that it can take a few months to get another one. He said that D. Fish must get a detailed estimate on an existing 550. The cost could be close to \$60,000 without plow and sander. In the future we need plenty of notice before an old truck dies. The Board tabled further discussion of this matter until next Monday.
15. D. Spencer told the Board that the Finance Committee has a number of questions for the new owners of Bucksteep. Mr. Loveszy had mentioned payment in lieu of taxes to the Town. The Committee wants to discuss that further. We need to have a formal agreement on this. D. Spencer suggested that the Board speak to Counsel about this. Glenn Grogan gave the Board a cash flow analysis for the Town. The Committee would like to discuss the possibility of a second stabilization fund for the Highway Department. To do this they need a list of the Department's biggest assets. This would be major equipment only, with valuation of \$10,000 minimum. We would need current estimated value for each piece of equipment and estimated replacement cost.
16. Chief Breen reported that he had spoken with the family in the red house at the top of Frost Road, as requested by the Board. He had a good conversation with Tracy, the mother. Chief Breen reminded her that he had counseled her a couple of times about the children playing in the road and the disastrous result that could follow. He suggested putting up a fence and most importantly, keeping close watch over the children at all times. The Town had put up "children" warning signs on the road months ago, but that action cannot prevent a tragedy if the children are repeatedly allowed to play in the road. He mentioned that he had received a number of complaints about this from concerned residents. He told her that someone might call DSS about the danger to the children. She agreed with his warning and acted right away to move all toys, bikes etc. well back from the road. She and her mother meet further with him in his office tonight to discuss other measures they could take.
17. J. Huebner asked Chief Breen if he had learned anything about the possibility of having a weigh station for trucks using Washington Mountain Road. The Chief told him that he had called state police about this but they had not returned his calls. J. Huebner asked him to follow up on this.

18. J. Huebner opened discussion on the future of policing in Washington. All agreed that we need to continue having a police chief. He believed that the best solution for the Town is to have a Chief who focuses on community liaison, as Chief Breen is doing. The Chief should be involved with the safety of Town seniors and with emergency communications. He doesn't want a Chief who flags down speeders and writes tickets. We use the state police for that work now and will continue to do so. Both J. Huebner and M. Case stated that they are satisfied with the job Chief Breen is doing presently. S. Lennon also expressed his approval of the Job Chief Breen is doing now. J. Huebner said that the Board will review Chief Breen in another year. He will be on a year to year appointment basis. At budget time next year the Board will decide how to proceed based on Chief Breen's wishes and the Town's.

19. J. Huebner briefly reviewed the following:

- a. E. Bond has contacted the Town Hall door manufacturer and threatened a law suit if they do not respond to his complaints about our new doors.
- b. There will be a Metropolitan Planning Organization meeting in Lee on July 30. J. Huebner will attend.
- c. A letter received from BRPC requests appointment of an alternate delegate from the Town. Jan Nelson to respond.
- d. Notice received of a July 24 meeting of Westfield Wild and Scenic.
- e. There will be a Capitol meeting on August 18.

20. At 8:47 M. Case made a motion to adjourn, S. Lennon seconded the motion and the vote to adjourn was unanimous.

Approved: _____ Date: _____

Approved: _____

Approved: _____

Minutes written by J. Nelson

