

Meeting of the Washington Board of Selectmen – July 28, 2014

1. J. Huebner called the meeting to order at 7:02 pm. Present 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 approve the minutes from July 21, 2014. M. Case seconded the motion and the vote to approve was unanimous.
3. J. Huebner made a motion to approve the monthly Selectmen's Letter. M. Case seconded and the vote to accept the letter was unanimous.
4. Mr. Koffler of Lover's Lane asked the Board about the continued flooding of his yard after the recent series of storms. J. Huebner said that he had been at Eden Glen that morning and that D. Fish and Tom had been working on clearing debris. Mr. Koffler wondered about the status of the work we have proposed to FEMA. J. Huebner told him that we are fairly certain that we will receive some federal money toward repairs to the dam and culvert. We have an engineering study ready for the project. Work will start after we receive funding. Mr. Koffler asked about removing the upper structure on the dam which seems to trap debris and to contribute to the flooding. J. Huebner told him that we are working at replacing the gate on the dam. It is unclear if removing the upper structure will really help as it prevents the large debris from being pulled into the culvert. M. Case added that making any change to the dam right now would involve about 6 state and federal agencies and would probably slow down progress toward receiving the FEMA funding.
5. J. Huebner said that he had received a copy of a "Boil Water" letter from the DEP to the owners of Bucksteep informing them that they are not in compliance with clean drinking water standards and must continue to boil water until they do comply. He checked on a possible conflict of interest created by the Town Counsel and Family Unity's Counsel working for the

same law firm and was told that there is no conflict because both attorneys are special town employees. Assessor Consultant Karen Avalle said that Bucksteep is still on the tax rolls until they provide proof of their non-profit status and complete the required paperwork. She is not sure how Family Unity could operate their proposed profit making business within the non-profit shell. She said she doesn't have enough information to make a decision on this at present.

J. Huebner said that our health agent knows what permits have to be applied for at Bucksteep. Inspections by our fire chief, electrical, plumbing and building Inspectors are required in addition to those of the Health Agent. E. Bond mentioned that the new owners of Bucksteep must apply to the Planning Board for a Special Permit because they are changing a pre-existing non-conforming usage to another non-conforming usage. Sean Conners added that we need to see the 501-c3 non-profit certification. J. Huebner said that he had checked into the possibility of the Town entering into a PILOT relationship with Family Unity and learned that we cannot. Such arrangements are only legal between two municipalities. S. Conners disagreed and said that he knows of examples of this. J. Huebner asked him to get further information to the Board for consideration. He suggested that the Mass Association of Assessors might be able to help with this. S. Conners said that Bucksteep has about 2 years of weddings booked now. J. Huebner said that he will contact Mr. Loveszy of Family Unity to advise him of the information he needs to provide to the Town about his business and to remind him about required inspections and compliance with Town by-laws.

6. K. Walls of the Conservation Commission told the Board that water is over Upper Valley Road presently, but that it will go down as it drains under the tracks. He suggested that the state needs to install a bigger drain on Rt. 8 at the entrance to the Town Park. D. Fish said that the state knows about it. They were there to inspect the flooding. P. Clark told the Board that the land owner who did the logging at Route 8 and Depot Brook has until Aug

10 to comply with the Conservation Commission's Enforcement Order for a consultant's evaluation on damage to the brook.

7. E. Bond addressed the Board regarding issues with the Town Park. He said that D. Fish takes care of mowing and clean up when he can, but there is a pressing need for more residents to get involved with Park upkeep. Ed said that he has used up all of his favors in getting free work done at the park by local contractors. He told the Board that he is retiring as the park commissioner after 30 years. In his files he has the entire history of what was done to build the park to what it is today. He mentioned that Jane Pytko does the sign board on Rt. 8 at the edge of the park. Dave Drugmand has been his reliable second in command at the park.

Ed said that there have been complaints about the park bathrooms. RJ Peltier maintained the bathrooms initially but no one assumed that responsibility on a continuing basis. Winterizing was not done and the pipes froze up. There was no park clean-up day this year because he was on vacation in California. The Hoot and Pumpkin Walk need to be carried on. The park needs new blood. Ernie Lampron has offered to fix the bathrooms. Ed advised that he remove the plumbing fixtures before removing the wall. The Park is budgeted at \$2500 per year. Dave Fish suggested that we do not fix the bathrooms if we have no one to maintain them year round. M. Case said that the two White Wolf porta- johns we have now are fine. K. Walls suggested a letter in Tracks to ask for residents to help in the park. Ed gave a memo to the Board regarding Campora Construction and the status of work on the Town Hall doors. The doors have all been fixed except for the front door. Campora has ordered parts and will install them.

8. J. Huebner asked D. Fish about the status of Eden Glen. He replied that it was stabilized. He did some clearing on his own time. He was willing to give Mr. Koffler a hand on his property. Mr. Koffler said he would be glad to have some assistance. The Board told D. Fish that with the resident's

permission he could go ahead. Regarding the small plow truck, D. Fish told the board that he had gotten an estimate on the repairs from a professional. D. Fish believed that the repairs were going to be too costly to be worthwhile. If the head gaskets needed to be replaced the estimate would be \$ 12,000. The estimate without the head gaskets was \$6500. The cost of a new truck would be about \$100,000. J. Huebner told him that we don't have enough in Chapter 90 funds to subsidize the cost of the new large plow truck in addition to another small one. The Board recommended that we repair the small truck. J. Huebner said that we need to communicate this information to the Finance Committee.

9. J. Huebner told D. Fish that the signed contracts for the PASER study of Town roads had been sent to Berkshire Regional Planning. They will include the roadside signage recommendations which were requested by Chief Breen in their study. D. Fish told the Board that he had the BRPC manual on dirt road maintenance and tries to find time to study it. A resident who lives opposite the entrance to Bucksteep on Washington Mountain Road told D. Fish that she struggles with the runoff from Bucksteep. She tried to contain it with a berm, but needs help. J. Huebner asked if the maintenance plan is done yet. P. Clark told him that the recent storms had interrupted work on that, but they will get back to it. He said that we need to get the transfer station culvert cleaned out as soon as possible. D. Fish will fill out grant applications for "Dangerous Curve" signage. The Board encouraged him to apply for signs for every curve in Town.
10. J. Huebner reported that there was no news on the pipeline. He will continue to try to get Kinder Morgan to speak to Town residents about this controversial project. There is also no progress with the cemetery land from Pittsfield. On 9/30 there will be an economic development summit meeting in Chicopee. He received a letter from HCOG regarding a regional legislative summit coming up in November. J. Huebner will attend a Metropolitan Planning Organization meeting in Lee next week. He received a letter from state Senator Downing which acknowledged the Board's letter

to him supporting the efforts of WiredWest to provide the last mile solution to the challenge of bringing broadband to the region's homes and businesses. Senator Downing's letter included an update on the status the \$50,000,000 last mile funding from the state soon to be reported out of committee. Also received by the Board was a package of information from Berkshire Regional Health Association. Included in the package was a warning on contaminated packaged fresh vegetables from Mexico, more data on mosquito borne diseases and information on "Matter of Balance" workshops offered to area COA's. The Board would like Jeff Sawtelle to follow up on this.

11.J. Huebner asked P. Clark what would be involved in doing a survey of just a section of Schulze Road to settle complaints of encroachment. He responded that it would be very costly. We would have to do research to determine what the original development was. Then we would establish the field information and see if it agreed with the survey of the road. We would locate the pins and compare that with the original plan and the road now. Mrs. Coyle of Schulze Road told the Board that she is not concerned with encroachment. She just wants a way to mark where the drainage ditches are when they fill with snow so that no one drives into one of them. She also wants the Town to involve residents in any road widening plans.

12.J. Hostetter told the Board that she plans to take the Temporary Food Safety training offered by BCBOHA in Pittsfield on August 25. As a member of the Town Board of Health there will be no charge. S. Lennon plans to take the course also. J. Huebner thanked J. Hostetter for submitting the Business Census Survey spreadsheet and asked her to send an electronic copy to the Board. The Board also expressed their appreciation for the building inspection update report. There were only 6 building permits issued this year and all were for minor work. J. Huebner said that the Planning Board will meet jointly with the Select Board and the Finance Committee on August 18. He confirmed to J. Hostetter that the Town will continue to bill Hinsdale \$4500 for plowing. She told him that she will have

the Annual Reports for FY 2010, 2011 and 2012 completed in the next few weeks. J. Huebner asked her to send the Board a draft of all the reports for proofing. He also asked her to get the monthly Selectmen's letter off to Lisa for the Tracks right away. J. Hostetter is scanning the older Town records now and will continue to advance through the years until the job is done.

13.J. Huebner asked P. Clark if he had received the RFP which he had sent to him. P. Clark responded that he had received the document, but had not reviewed it yet.

14.J. Huebner asked what we can do to stabilize the road sides. Sean Conners asked if we need a compactor to stabilize the shoulders. Several people suggested that D. Fish use larger stone as rip rap in ditches. We would need to dig the ditches first. Regarding testing the ability of the Becket large fire truck to pass over the Cross Place Bailey Bridge, Dave Fish told the Board that he had spoken to the fire chief twice with no response. J. J. Huebner signed the annual contract from the DEP for transfer station management. Michelle Lampro was named the transfer station manager for the contract. The contract was notarized by the Town Clerk.

15.Tax Collector Belinda Phillips asked the Board whether we should garnish wages of Town employees who are behind in tax payments. She said this was done in the past. J. Huebner said that since precedent has been established, we will have to continue that policy. B. Phillips also inquired about an appropriate interest rate for late payment. No decision was made on this matter. There was discussion of what to do with the Borgnis land above the Frost Road dam. No taxes have been paid on that parcel for years. As it was the site of an old dump, there is concern that it has contaminated the stream that runs down to the dam.

16.Dan Parnell told the Board that he is testing the CIC program. He has the Chart of Accounts ready to go, but that will have to wait until the software is ready. We will need to remain on Vadar for most of FY2015. We will

close out Vadar in FY2015 if the new software works. The Board asked D. Parnell if he would have a problem if the Board was not to meet on 8/4. He said this is a slow time of year for him and it would not be a problem at all. There are no big warrants to process. J. Huebner made a motion that the Select Board not meet on Monday, August 4. M. Case seconded the motion and it passed unanimously.

17.J. Huebner made a motion that the Select Board meeting adjourn at 8:47pm. S. Lennon seconded and the vote to adjourn was unanimous.

Approved: _____ Date: _____

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Minutes written by J. Nelson