

## Meeting of the Washington Board of Selectmen – December 15, 2014

1. J. Huebner called the meeting to order at 7:00pm. Attending for the Board were J. Huebner, M. Case and S. Lennon.
2. After leading the meeting in the Pledge of Allegiance, J. Huebner made a motion to accept the minutes from December 8, 2014. M. Case seconded and the motion carried unanimously.
3. J. Huebner reported that he had received an email from Mark DeVylder of DOT regarding the Summit Hill Road bridge. He found that email unacceptable. In the email DOT is proposing to sharply reduce the bridge load limit to a level at which school buses, large snow plows and emergency vehicles would not be allowed to cross. Mr. DeVylder also said that he “was hopeful that they could start physical work in the spring.” In the reply letter he has written and which he read, J. Huebner said that we want DOT to begin immediate remediation on Summit Hill Bridge. Our citizens demand better than “wait until spring.”

J.Huebner also mentioned in his reply that we are still waiting after a month for DOT to grant permission for us to erect the temporary bridge on Becket Road to Middlefield. Phil Clark found the temporary bridge for us, but MassDOT has not taken the official steps necessary for us to put it in place. Meanwhile Middlefield residents are at great risk in the event of an emergency. J. Huebner expressed that he is “fed up” with this treatment from DOT. We will let our state representatives know. We are asking for immediate action. M. Case offered to hand carry the letter to Governor-Elect Charles Baker. J. Huebner made a motion that the Board sign the letter. M. Case seconded and the decision to sign was unanimous.

4. J. Huebner raised the ongoing issue with flooding from the Darcy home on Johnson Hill Road freezing on the road. Phil Clark said that he has arranged to meet with her on Wednesday. D. Fish added that the flooding is caused by plowing from both Heartwood's and Mrs. Darcey's driveways filling up the catch basin. The water has no place to go but out onto Johnson Hill Road.

D. Fish will contact the supplier and clarify the status of the new plow truck they are building for the Town. Phil Clark told the Board that he wants CSX to put up fencing in addition to the guard rails at the corner of Upper Valley Road and Summit Hill. J. Huebner said that he will send a note to this effect to CSX. FEMA told P. Clark that we will hear about Eden Glen before the end of the year. It was noted that the new governor is expected to release the final \$ 100,000,000 from the DOT budget shortly after he takes office.

5. J. Huebner will introduce P. Clark of Horizon Engineering to Holden as the Town's consulting engineer on the Cross Place Road culvert project. Holden Engineering has already been seen inspecting the area.
6. The Board will request that Richard Loveszy of Bucksteep, LLC and all of the various inspectors involved with certifications at that property appear before it at the January 5<sup>th</sup> meeting to update them on the status of Bucksteep. He will also ask the Planning Board to attend. He said that it appears that the new business proposed for Bucksteep is non-conforming.
7. Nat Karns, Director of the Berkshire Regional Planning Commission (BRPC) had been invited to address the meeting on the merits of the Town officially joining the pipeline working group at BRPC. J. Huebner has attended these meetings over the past 2.5 months representing Washington in order to learn about the challenges of

trying to influence the development of that project through the region. N. Karns began by saying that this has been an ad hoc working group of several Berkshire towns with shared interests in the pipeline's local impact. BRPC has been studying Kinder Morgan and the proposed pipeline process since last winter. The Commission has spent many man-hours on this research as interstate gas pipelines are heavily legalistic projects. They have posted much information on the BRPC web site. The Federal Energy Regulatory Commission (FERC) governs the project through a complex process which requires many filings and generates thousands of pages of documentation.

BRPC has brought an Attorney into these recent ad hoc meetings who worked with Richmond during the time several years ago when that town struggled with a pipeline intrusion. The attorney helped Richmond obtain serious concessions about the route. N. Karns stressed that the route for the Kinder Morgan pipeline can still change for the next year and a half. We have to stay on top of developments and be informed and ready to respond immediately if this happens.

The towns which have been attending the ad hoc meetings are being asked now to pay for this work on their behalf. The cost would be shared by the participating members. M. Case asked that the cost be apportioned by town size. Nat Karns said that for the rest of FY 2015 the cost will be relatively low. It might be about \$15,000 shared by the towns. They are re-thinking the cost. For the long run they are asking each town to put aside \$20,000 for the advisory service. BRPC may be able to tap some state money to offset a portion of the cost.

N. Karns said that it would be to our advantage to show Kinder Morgan that we are serious about our involvement and that they can't push us too far. The FERC process is not intended to be friendly to towns. It is industry friendly. We need to negotiate with Kinder

Morgan before the FERC process gets rolling. J. Huebner said that he believes we need legal and technical assistance for a seat at the Table with FERC. Pittsfield, Lenox, Richfield and Dalton are all committed to joining. BRPC expects to talk with the newly affected towns of Hancock, Cheshire, Windsor and Northfield about joining the working group and sharing the costs.

D. Spencer asked about the supply of natural gas. Is there a shortage or not? N. Karns replied that the Pioneer Valley has had shortages and moratoriums on new gas lines for a while. UMASS has been affected. New shortages have been reported for Franklin County. BRPC does not have figures on the supply issue at this time. S. Conners asked where the commission stands on the pipeline issue. Our representatives in Boston are opposed. N. Karns said that BRPC has not taken a position. BRPC must represent the interests of the communities. The member towns in the ad hoc group are all opposed.

8. At 7:45 J. Huebner suspended the Select Board meeting and the Special Town Meeting began as scheduled. Moderator Ed Bond gaveled the meeting to order and Town Clerk Allison Mikaniewicz took the minutes and recorded the details of votes on the 3 articles under consideration. Ed dissolved the meeting at 8:20.
9. J. Huebner called the Select Board meeting back to order at 8:21.
10. He commented briefly on the following items:
  - a. The Board received a check from Bucksteep LLC for a septic inspection. Forms from the Health Agent were included with the check.
  - b. P. Clark is to be paid from the Road and Bridge account for engineering for the Middlefield Road bridge.

- c. Information received from the state regarding changes in the regulations for funeral directing and embalming.
- d. Received the minutes from the November Westfield Wild and Scenic (WW&S) Meeting. The Board noted that the minutes mistakenly reported that Washington has received the FEMA money for Eden Glen. They asked Roy Bryan to get the WW&S minutes corrected regarding Eden Glen. WW&S will meet here at Town Hall on Thursday, 12/18 at 7:00pm.
- e. Received the Agenda for the Executive Board meeting of the Berkshire County Head Start Child Development Program.
- f. Received letter from the Town of Dalton to Shawn Armacost, Chair of the CBRSD school committee, protesting the school budget levy and supporting the closing of Berkshire Trail School in Cummington.
- g. Notice from the Town of Lee for a January 12 public hearing on an application to build a staircase off a deck at 170 High Street.
- h. Kent Lew volunteered to be our representative to Hampshire Council of Governments (HCOG) in the matter of our participation in their electricity bulk purchase program. J. Huebner made a motion to accept Kent Lew in this role. M. Case seconded and the motion passed unanimously.

11. At 8:45 J. Huebner made a motion to adjourn the meeting. S. Lennon seconded and the vote to adjourn was unanimous.

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

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

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

Minutes written by J. Nelson