

Meeting of the Washington Board of Selectmen – July 13, 2015

1. J. Huebner called the meeting to order at 7:05 PM. Attending for the Board were J. Huebner and M. Case.
2. After leading the meeting in the Pledge of Allegiance, J. Huebner made a motion to accept the minutes from June 29, 2015 as written. M. Case seconded and the minutes were approved unanimously. T. Drugmand asked for a copy of the minutes. J. Hostetter provided the signed documents to copy.
3. J. Huebner read aloud a letter written to the Board from Jan Nelson providing an update on her recovery. She has made progress but has not fully recovered. In addition J. Nelson requested easing back to work proposing hours to research the Resource Management Plan for October Mountain and the impact on the Little Red School house and writing up the minutes from the previous Board of Health meeting. J. Huebner will write a response.
4. M. Levernoch requested clarification on an article in the tracks about the Summit Hill Road Bridge replacement occurring this year. M. Levernoch said that he visited the site that there is writing on the road and asked if that project was starting soon and if the Board knew what the road marking meant. M. Case stated that C. Kennedy asked workman about marking she seen on Washington Mountain Road. She was told that the markings had meaning to the surveyor who created the marks. J. Huebner stated for the record the project was funded and the acting head of MA DOT District 1 had verbally committed to trying to get it done this year. M. Levernoch express his desire to have the bridge opened again as the detour takes him nine miles out of the way. M. Levernoch also expressed concern regarding the distance of the construction from his sister's well wondering if potential water contamination was considered in the planning. There was additional discussion on the project and the possibility that that pre-forms left over from the big dig could be used.
5. J. Huebner announced that Ken Walls accepted his appointment to the Conservation Commission.
6. D. Fish submitted for the Boards signature, three Chapter 90 fund request forms along with the corresponding punch list. If approved the funds would cover 7,000 feet of micro sealing on Frost Road, 6,100 feet of 1.5 inch overlay of Blotz Road and a guardrail mower. D. Fish also provided a brochure on the guardrail mower informing the Board that the Town will save \$30,000.00 using State contracts. The Board discussed the submissions and the amounts with D. Fish informing the Board that there could be \$100,000.00 remaining when all is completed.
7. D. Fish informed the Board that he compiled the list of driveways installed in town without a curb cut permit. The Board asked D. Fish to submit the list to the Building Inspector. There was some discussion without decision.
8. There was discussion without decision or action on the L'Hote property's impact on CSX and Lower Valley Road and the history of trapping permits obtained by CSX.

9. There was discussion without decision or action on concerns regarding dumping during off hours at the Transfer Station.
10. J. Huebner asked D. Fish for an update on mulch. D. Fish reported that the Highway Department hasn't generated any mulch yet. There was discussion possibly moving the pile somewhere other than the Transfer Station making it more accessible to residents. T. Drugmand asked if there was a timeline for chipping the pile previously on the Fish property, that she would like what was discussed with her neighbor completed and the business finalized. There was discussion with T. Drugmand stating that the Town just spent \$3,400.00 to a tree service and the Board asking D. Fish to take care of the pile this week. D. Fish reminded the Board that he is a tax paying resident who can keep what he likes on his property. The Board reminded D. Fish that the property is very visible, that some may consider his right an eye sore and complain.
11. There was additional discussion on the purchase of a guardrail mower with D. Fish stating that the old mover that was purchased in 1974, that it was not built to be used as a guardrail mower and because of that use it has become too expensive to maintain.
12. P. Kieper of Lower Sargent Road asked if the Board was going to do anything about the eye sore of junk cars being parked in front of B. Cawley house. He knows Mr. Cawley has a license but he should not be able to display vehicles roadside. P. Kieper also asked if Lower Sargent Road could be graded as grass is growing in and the weather is washing out the road. P. Kieper has mowed the side of road and offered to continue but the condition of the road is damaging his mower. P. Kieper also informed the Board that the Bridge Closed sign does not deter people from using the road. After discussion Mr. Kieper asked if he could take care of the road, if the Board would take the necessary steps to sign over the road if there is no intention of making it a through road again. Mr. Kieper said that it seems that a few dirt roads get all the attention that he pays taxes like everyone else but it seems he cannot get gravel and road attention. K. Walls suggested adding a Road Closed sign too. Chief Breen suggested the Road Closed sign also contain an arrow pointing down to indicate the point in which it was closed. After further discussion the Board asked D. Fish about scheduled maintenance for Lower Valley Road with D. Fish replying that the road was graded last year and it will be graded again this year. P. Kieper asked if the State was aware of the closure particularly the Chapter 90 department. J. Huebner replied that the State is aware and that they continue to inspect the Bridge despite the closure and reminded P. Kieper that the town did not vote to spend the money to fix it. P. Kieper asked if the town votes to abandon the road will he be able to fix the bridge himself so that he could access his property on the other side. There was further discussion on accessing his property with P. Kieper getting upset with D. Fish and expressing disappointment in comments made before leaving the room.
13. J. Huebner reported that he has not heard of anything new regarding the Summit Hill Road and that Washington Mountain road may not be done until next spring but we will not know for sure until the pre-construction conference is held. S. Nelson asked if we could request that they wait until next year. J. Huebner answered that the money has to be encumbered by October 31st and since it is left over money from the previous year, it may not be prudent to push it out, if it is done then we're sure it is done.

14. J. Huebner reported that the Town has not gotten a response back from Holden Engineering opening discussion on if the Town should cut them loose stating that Town Counsel stated that Holden could be held in breach of contract. There was discussion on Horizon Consulting Services taking over and the legality of hiring them. J. Huebner motioned to hold them in breach of contract. M. Case did not want to second the motion yet. He would like to explore recovery of funds first. After further discussion J. Huebner will ask Town Counsel draft a letter.
15. There was discussion about Eden Glen with P. Clark reporting that the project is moving forward that a rehabilitation plan is being created and he has a meeting with the Cadman family on Wednesday. M. Case asked to have the wooden walkway removed.
16. P. Clark submitted a report from Horizon Consulting Services, LLC regarding inspection of the culvert near the Little Red School house. The report listed the following three recommendations: weekly inspection of culvert and headwalls to identify changing conditions, removal of the temp patch and replace with hot mix asphalt paving and consideration to replacing the existing deteriorated wooden guiderail. The recommendations were discussed with P. Clark explaining that perm patch stays loose because it does not have a binding material and hot mix will harden preventing further washout especially if the road is not rebuilt until spring because the patch will need to last through summer, fall and winter. P. Clark also explained the reason for replacing guardrail is a liability. D. Fish did not agree with spending money on guiderails because it is a costly process and it will be done by the State. D. Fish also preferred not to touch the wooden rails currently in place because anything short of metal railings replacement will not be up to code and creates liability. There was discussion on state rails, water path and drainage. D. Fish reminded V. Cormier and B. Keyes that the State is going to replace all the culverts and guardrails with Washington Mountain is done. The Board decided to wait on the guiderails and asked D. Fish to force traffic to drive closer to the middle of the road by adding a barrel at either end of the wooden guardrail. There was discussion without decision on purchasing weighted barrels or using a ring overlay to weight down the barrels.
17. There was discussion on Hinsdale's plan for Kirchner Road with D. Fish informing the Board that the Hinsdale Superintendent wants to mill down five inches and add a two inch overlay but has not established a time frame yet. D. Fish also said that he suggested working together, to do it all at once. There was discussion on the Hinsdale Board of Selectmen with J. Huebner volunteering to reach out to the new chairman requesting cooperation.
18. The Board of Selectmen signed the Massachusetts Technology Collaborative Town's Confirmation of Consent To Grant Application by delegated MLP Cooperative. The Attachment B-3 lists Wired West as the MLP Cooperative and confirms that the Town has taken all steps required by the Town's by-laws. S. Nelson explained that some of the grant would pay for legal work by outside counsel so if the Cooperative is run by just the towns who contributed and for consulting to oversee the construction which is starting to be planned. There was discussion on the towns participating and the scheduling order with S. Nelson

reporting that out of the 32 eligible towns 25 to 28 are expected to pass the borrowing that work will start within the best cluster of towns making the best economic sense. There was discussion on Middlefield participating even though they did have the two separate votes to joins and Hinsdale's signing of the resolution a couple months ago when a Comcast deal fell through. S. Nelson said that there will be a lot of activity with MBI and Wired West within the next couple weeks that the Governor released 19 million a couple weeks ago. The new administration wants a budget submitted first rather than just issuing a check.

19. D. Fish reported that he needs to insert numbers to complete the Highway Department Maintenance Plan. After discussion J. Huebner asked that he complete the plan soon.
20. K. Lew requested signatures on multiple requests for transfers between town accounts totaling \$17,000.00. There was discussion on the transfers and the purpose or reasoning while the Board signed the forms. See the July 13, 2015 Finance Committee meeting minutes for transfer details.
21. K. Lew informed the Board of the Finance Committee recommendations for handling the Highway Department's overtime account proposing that D. Fish reports every two weeks to the Board how much overtime is charged and what it was for giving the Board the oversight. The Finance Committee will be tracking to create data for budget projections.
22. Reached out to other towns regarding Highway Superintendent salaries. There was discussion on towns used and the exclusion of Becket due to the size, larger crew, the Highway department has a secretary and the town has a manager. The Board did not think that the Town should change the position to a salary position, to keep it hourly. There was discussion on creating a comp time policy with M. Case stated that comp time is at time and a half and it builds up real quick and D. Spencer suggested establishing a limit and D. Fish stating that in the winter it is a 3 hour minimum for call outs and in the summer is a 2 hour minimum for a call out. There was additional discussion without decision and with K. Lew suggesting that legal counsel draft a policy to add to the current personnel policies.
23. J. Huebner requested from D. Parnell the amount of money paid to date to Holden Engineering.
24. J. Huebner notification from FERC (Federal Energy Regulatory Commission) that in October 2015 the pipeline will file a formal application that will reveal the final path. There was discussion on if considerations to the impact transportation of materials and large section of pipes will have on towns with J. Huebner stating that The Working Group is conducting an impact study and will issue a report and . Drugmand adding that residents can contact FERC directly. She also added that it would be a good idea to use one of the against the pipeline website for and outline. D. Spencer asked if property values are a concern of the Working Group. There was discussion on the huge compressor station in Windsor and the use of impact of chemicals and pesticides. J. Huebner announced that on Thursday night at Nesacuss School there is a meeting scheduled for property owners who could lose property as a result of the pipeline. J. Huebner will provide more information to residents in Tracks.

25. After discussion J. Huebner motioned to accept the Selectmen's Fiscal Year 2015 Annual Report submission sent earlier in the week by email. M. Case seconded the motion which passed by unanimous vote.
26. J. Hostetter reported that appointment letters will be going out and that the Transfer Station Attendant and Assistant Attendants are the only performance reviews remaining.
27. The Board entered into the record that residents will not be used as flagmen. M. Case stated that the order is to first use the local Police Department, State Police then the Sheriff's Department.
28. M. Case reported that Pittsfield's Veterans Agent budget was passed and that he gave J. Hostetter a packet of paperwork and keys to the Town Hall and Veterans agent file cabinet.
29. J. Huebner entered into the record receipt of a letter from the Hampshire Council of Governments introducing Lee Frankl as the new Deputy Director of Operations.
30. J. Huebner read a letter informing the Board that regretfully Superintendent Putnam is resigning for personal reasons. J. Huebner kept the letter and will draft a response on behalf of the Board. There was discussion on a replacement with D. Spencer asking if there will be search committee and M. Case stating that the CBRSD School Committee will be interviewing and that the Assistant Superintendent was hired with the qualifications that meet Superintendent level requirements.
31. J. Huebner read correspondence from the DEP informing the Town that the Westfield River Fluvial Geomorphic Assessment proposal was not recommended as one of the Water Quality Project Management Planning projects for 2015 that 12 applications were reviewed with five receiving grants.
32. J. Huebner entered into the record receipt of a letter from MA DOT announcing that a Chapter 90 payment voucher for \$73,000 has been submitted to the State Aid Section for the roller purchase.
33. MA DOT requested a review and signature of the Federal Highway System Non-discrimination Statement. J. Huebner retained the document to review.
34. J. Huebner read aloud a letter written to the Board from resident W. Rogers dated July 8th complementing the Highway Department's work and response time. J. Huebner gave the letter to D. Fish then asked that he share it with the Highway Crew and to send a response to Mr. Rogers.
35. J. Huebner entered into the record receipt of MIIA Rewards Flex Grant Program Application for Fiscal Year 2015 then asked J. Hostetter to forward the application to G. Grogan.
36. There was discussion on BRPC email containing a proposed business by-Law. J. Huebner will speak to M. Wiley to schedule a group discussion.

- 37. J. Huebner reporting on the State Budget said that if it is signed as written the town would benefit. Many items are level funded with an increase in Chapter 70 funds.
- 38. J. Huebner asked P. Clark for an update on the MASS Works Grant. P. Clark reported that the grant application is not due until August 24th and it cannot file early.
- 39. J. Hostetter reported that the survey portion of the USDA Audit is complete, that letters need to be written.
- 40. D. Weisbrod submitted to the Board on behalf of the Historical Commission a letter from Peter Niles of the DOT regarding the Summit Hill Bridge. The correspondence informed the Board that the bridge is on the list of the Nations Historical Places and asked for feedback on the replacement plans. After discussion the Board deciding to ask J. Nelson to research the bridge’s historical status. J. Huebner will contact J. Nelson.
- 41. J. Huebner asked V. Cormier and B. Keyes if they agreed that it was not necessary to schedule a BOH meeting soon. They agreed.
- 42. D. Hatch met with the Board asking for clarification on the business by-law question on the Annual Town Meeting Warrant. J. Huebner explained that would clarify what a home base business is and establishing requirement for obtaining variances from the Planning Board adding that the current by-law is vague and opened up to multiple interpretations. J. Huebner added that it also addressed business registration, should there be, how often and at what cost.
- 43. J. Huebner motioned to adjourn at 8:30 PM. M. Case seconded and the vote to adjourn passed unanimously.

Approved: _____ Date: _____

Approved: _____

Approved: _____

Respectfully submitted, Jodi Hostetter