

## Meeting of the Washington Board of Selectmen at Washington Town Hall

September 25, 2017

1. J. Huebner called the meeting to order at 7:00pm. . Attending for the Board were J. Huebner, T. Drugmand and R. Grillon. T. Drugmand was recording the meeting.
2. After leading the meeting in the Pledge of Allegiance J. Huebner made a motion to accept the minutes from 9/18/17. T. Drugmand seconded and the motion was accepted unanimously.
3. **Residents' Open Forum:** A new resident of 291 Summit Hill Road introduced herself to the Select Board members and told them that she was interested in learning about the Town. J. Huebner welcomed her and inquired if she might be interested in volunteering for any of our committee openings. She was not ready to make any decisions at present. J Huebner told her that we expect Summit Hill Bridge construction to be completed by November 4<sup>th</sup>.
4. **Board of Health:** Vera Cormier confirmed her decision to resign from the Board of Health. She will continue only until she has finished up the few projects she has under way. She told the Board that she has received a duplicate inspection check she was waiting for and that she needs to refund it. J. Huebner reminded all that there will be a free flu shot clinic held at Town Hall on October 16<sup>th</sup>.
5. **Assessors:** D. Spencer told the Board that Assessor Consultant Karen Avalor will talk to DOR about an excise tax on farm products and farm animals which has come to our attention and which might affect several of our residents, including himself and the L'Hotes. The farm excise rate is \$5.00 per \$1,000. This may become an article at the next Annual Town Meeting.

6. **Wildlife:** Ken Walls reported much bear activity on his property. He had also seen coyotes and foxes. He was concerned about possibly rabid foxes.
7. **Highway:** Tom Johnson told the Board that Foresight has not yet reported the results of its examination of the Middlefield Road bridge abutments. J. Huebner asked if they had checked out the foundation of the abutments. T. Johnson was not sure. Regarding the Summit Hill Road bridge, he reported that the rebar is in place. The bridge can't reopen before the work is entirely finished. At Eden Glen the water level is almost back up. We will have to put together a bid package for the upper Frost Road culvert design. We have had no response yet from DOT to our recent letter about Washington Mt. Road's potential rutting damage.

J. Huebner reported receiving the Eden Glen payroll report from Maxymillian for the period 9/9 to 9/15.

J. Huebner and T. Johnson briefly discussed the MassDOT bridge inspection reports sent to the Town by Francisca Heming of Division One in Lenox. The reports covered Lovers Lane Brook; New Lenox Road Mill Brook; Whitney Roaring Brook; and Middlefield Road Coles Brook. They agreed that further bridge work would have to be done.

8. **Virginia Lakes:** D. Spencer told the Board that he has scheduled three lawyers to come in at 7:00 pm on Wednesday night 9/27 to discuss the Town's objectives regarding the Virginia Lakes properties and to give us their estimates on the cost of the required legal work. K. Lew recommended setting milestones to structure the work and control the budget. We hope to get dollars per hour quotes.
9. **Police:** Chief Breen reported finding a trespasser at Bucksteep. The man said that he was from Hull, Mass and would not come back to Bucksteep. Chief Breen filled out a report on him which he will keep on file. T. Drugmand said that a friend reported seeing people walking around the

Bucksteep grounds. Chief Breen told the Board that he will not attend the Selectmen's meeting next week as he will be in Albany for medical treatment.

- 10. Letter from Shapira Attorney:** J. Huebner reported receiving a letter addressed to the attention of the Select Board from the law firm of Cain Hibbard & Myers representing Mr. Eyal Shapira. The letter was forwarded by the Board to Town Counsel. The letter was signed by Jocelyn A. McGrath. Attorney McGrath said that Mr. Shapira is now in possession of the most recent Select Board minutes and if he has any additional informational requests he will make a public records request. To facilitate communication he has provided his cell phone number as well as his best mailing address. That address is in Lenox, not Washington. The Select Board did not have this information prior to receiving this letter. Additionally, Attorney McGrath said that Mr. Shapira will write a letter to each abutter and share the same contact information with them.

Mr. Shapira anticipates a "respectful and professional" working relationship and encourages his neighbors to reach out to him with any questions or concerns.

- 11. Building Maintenance Coordinator:** Select Board member Tricia Drugmand told the Board that she had met briefly with Matt Thomas to review his job description, transfer building keys from Ed Bond, and show him where to set up building maintenance files in the conference room. T. Drugmand provided copies of her agenda for the meeting to the Select Board. J. Huebner made a motion to name Matt Thomas a Special Town employee. T. Drugmand seconded and the motion passed unanimously.

- 12. Borgnis Property Walk-Through:** J. Huebner reported that the walk-through of the 19 acres of Borgnis property on Frost Road took place as scheduled on Friday 9/22 at 11:00. The purpose of the site review was to identify any hazardous materials on the property. In addition to J. Huebner,

attending the inspection were: Select woman Tricia Drugmand, Town health Agent Charlie Kaniecki, Abutter Mr. Larry Wells, Conservation Commission Chair Michelle Lampro, and forester Thomas Anderson.

Mr. Anderson had submitted a cutting plan for the 19 acres at the request of property owner Maureen Borgnis. Mr. Wells, an abutter to the property in question, brought the plan to the Town's attention as he was concerned that the cutting might cause his well to be tainted. He was aware that the property adjacent to the nineteen acre property had been used as a land fill in the past. The Town issued a Cease and Desist order to Mr. Anderson on August 22 under Chapter 111, sections 122 and 150A. The site review revealed no hazardous waste on the property.

On September 25 the Select Board rescinded the Cease and Desist Order issued to Mr. Anderson. J. Huebner recommended to Mr. Wells that he have his water tested. He informed Becket Town Administrator Ed Gibson about the inspection as the old landfill was used by Becket. The Select Board agreed to table the issue.

**13. Broadband/WiredWest:** K. Lew told the Board that the survey crews working under contract to Westfield Gas & Electric had finished their survey of the Town's overhead wiring. They were establishing actual distance from the road with a range finder. Having finished their work in Windsor early they moved on to Washington right away with the result that we are now 3 weeks ahead of schedule in the design phase of our system.

S. Nelson told the Board that he and K. Lew attended a day long meeting of WiredWest member towns in Heath on Friday the 22<sup>nd</sup>. The challenges each town will face in accounting while managing their own networks under the MLP structure were among the topics raised. K. Lew said that we will need to figure out how to run our network as a business before we are operational. He observed that the WiredWest towns have to propose the way forward to the state as we are blazing a new trail.

**14. Town Hall Meeting with Lieutenant Governor Karyn Polito:** K. Lew told the Board that he had been informed by Last Mile Liaison Bill Ennen that Lt. Governor Polito would like to visit Town Hall Tuesday morning, September 26<sup>th</sup> to get an overview of our broadband project and to learn about the limitations and problems experienced today by residents' lacking true broadband. K. Lew assisted by Tricia Drugmand and Jodi Hostetter had already put together a diverse panel of residents eager to share their experiences. J. Huebner asked that a sandwich board be put out in front of Town hall notifying residents of the meeting.

**15. Monthly Select Board Letter:** J. Huebner made a motion to accept the October letter for Tracks. T. Drugmand seconded and the letter was approved unanimously.

**16. Brief Items:** The entire Select Board will attend the October 26<sup>th</sup> Berkshire County Selectmen's Association dinner. Lt. Governor Polito will be the dinner speaker at that event. We have been told to expect a letter from Pittsfield soon about the 5 acres of cemetery land. Tom Matuszco of Berkshire Regional Planning has told J. Huebner that our DLTA grant will be used to identify a procurement officer for the Town.

**17. Adjournment:** J. Huebner made a motion to adjourn the meeting at 8:20 pm. T. Drugmand seconded and the vote to adjourn was unanimous.

Accepted: \_\_\_\_\_ Date: \_\_\_\_\_

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Respectfully submitted, Jan Nelson