

Selectmen's minutes of meeting October 1, 2018

Members present: Mark Newman, Brian O'Rourke, George Riley, Fred Ventresco
Dolores Harasyko, Admin. Asst.

Called to order at 7:03 p.m.

Meeting is being recorded

Board of Health members Roger Kohler, Kim Spring, Victor Hryckvich whom is also the Town Sanitarian, along with Zoning Code Enforcement Officer Eric Munson present to discuss camper/trailer violations. Fred presented an update on the camper/trailer violations. Registered letters have been sent to most of the violators, we are having a problem identifying one of the campers. Mr. Munson has had a response from one of them and they will be meeting with him later this week to remove the campers. One of the violators has refused to pick up his registered letter 3 times. Mark suggested using an outside enforcement professional to go after the violators. Ralph has discussed our situation with her and she is very effective. Victor Hryckvich has visited all the camp sites but doesn't feel we can throw them off their property unless there is a well or septic issue. He feels if they have a self contained water source and septic system with a generator then they should be ok. Nina Carr sited that it is a clear violation of our bylaw. Victor visited the New Hartford Road site and saw no health issues. This is the site we are having a hard time determining exactly who it is. Ralph asked Mr. Munson to review the special permit process for living in a camper. Mr. Munson responded that per our bylaw the only way to live in a camper is to get a special permit from the Board of Selectmen and that permit is only issued for one year at a time. The only reason for issuing this permit to live in the camper is while building your home. None of the campers in question have a special permit or a building permit. Kim Spring responded that there is a proper inspection process that the Board of Health has been left out of by the Town Sanitarian. Roger Kohler reviewed the process to the best of his knowledge. Mr. Munson explained that the owner would need to go to the Planning Board, Conservation Commission and Board of Health before any permits are issued. Roger reviewed the situation with Tri Town Health, they said there are two routes we can take, one is to go at it as a minimum housing issue and the other is from a lack of a Title 5. Roger will follow up with them. He feels we need to get guidance from an expert. Brian would like to move forward with the court system to resolve this issue. Once we have a process in place we can move

forward with any new complaints also. The Selectmen directed Fred to contact Town Council to move this process forward. Victor stated that there are a lot more campers being lived in than we know. Brian responded to Victor that as the Board of Health agent and Town Sanitarian it is his responsibility to report them to the town.

Roger Kohler in representing the Planning Board. They held their Public Hearing for the Solar Photovoltaic bylaw. They all voted in favor to move forward with the bylaw.

Discussed appointing Michael Johnson as the Assistant Emergency Management Director. Fred stated there were no residency requirements for this appointment. Motion by Brian, second by Mark, passed unanimously to appoint Michael Johnson as the Assistant Emergency Management Director.

Motion by Mark, second by Brian to re appoint Theresa Sphohnholz to the Cultural Council.

Mark provided highway department updates:

The dirt roads took a major hit from the recent heavy rains. They had to close a section of Hammertown Road due to a washout, may be from a beaver dam that let go. The water is still flowing to fast to work on it. Cold Spring Road is moving along, should be done by the end of next week. Discussed the Rugg Bridge (Route 57 bridge). The bridge will be closed from Oct. 8 to Oct. 12 for deck repairs. We will use the River Road detour. The new garage building is progressing rabidly. Repairs are happening on Town Hill Road by All States. Our DPW will be black top patching the rough areas with major potholes. The black top plants usually close the beginning of November so they will try to get as much done as possible. They are prioritizing the potholes on Route 57 and Route 183.

Rita Kasky present to express her concerns with Silverbrook Road. It is deteriorating due to the mud, she got stuck and fell in the mud. It is especially bad by her driveway. She does not feel safe. Mark responded that they do have a plan to work on her road but they have to prioritize their work. Rita asked about the plan for the highway department for the upcoming winter season. Mark responded that they do not a have resolution yet, once they have a resolution they will put their plan out there in the Sandisfield Times and on the website.

Discussed River Road, Brian reviewed that River Road is actually a 2 way road. Bill Price described one area that is too narrow to be a 2 lane road. Discussed whether we need to place the stop lights on River Road for the week the bridge is being repaired.

George reviewed complaints regarding the crushed driveway culvert on Dodd Road which is creating a problem on the road. The resident is refusing to repair it. Fred will draft a letter and send it by certified mail to the resident.

Selectmen's updates:

Mark continues to stay on top of the Highway Department work.

Brian continues to work with Heather Bellows from the Berkshire Eagle on articles regarding Route 57. He reviewed the meeting the board is attending involving a 5 town coalition which will be held in New Marlborough regarding Route 57. There is some news of money available for prep work which would have to be done before any paving.

George continues to work on the Green Communities designation issues.

Jeff Bye and John Skripin representing the Broadband Committee. Jeff stated that he was hoping to have more news but they are still waiting for the action plan from MBI. They are hoping to get an updated version later this week. They are looking at two different proposals. They are waiting for USDA Funding, Crocker should hear from the USDA in the next 6-8 months. The town of Tolland is moving forward and not waiting for the USDA funding for the shortfall. They are committing town funding for it. Brian asked what happens in 6-8 months if Crocker doesn't get the funding, are we back to square one again. Jeff responded that at that point we would have to go back and review the plan. Brian asked if it would make more sense for us to move forward and commit to covering the shortfall of \$990,000 and hope that Crocker will do their due diligence. George is very concerned that if we continue on our current course that we will be the last town in Massachusetts served. George referred to the Sept. 9 selectmen's meeting at which Jeff said Whip City is only an ISP and that they do not own any of the infrastructure. George read several articles from other towns and newspapers regarding Whip City. George feels we are approaching this as an all or nothing. He feels that we can contract some of the components of running the network. There are more flexible options that need to be looked into. Jeff responded that the state has already done the bid solicitations and that there were only 3 bids. Our biggest problem is we have the most road miles with the lowest house density. Discussed cost per house for

hookup and the monthly cost. George reviewed the process the Town of Shutesbury went through, they are also a rural community and have moved forward successfully. Discussed response from the community, the Broadband Committee only received three responses. Jeff said at this time Fiber Connect is not eligible for state money. Nina Carr suggested that George consider becoming and ex officio member of the Broadband Committee. George feels there needs to be more negotiations going on. Jeff said that the negotiations happen after the proposal stage. They have to follow the process of the Flexible Grant Program. Discussed committing 1,000,000 towards the project. Jeff explained the depth of research they have done to get the best and final proposal. Mark said at this point they would like the Broadband Committee to come back next week with the action plan and at that time we will discuss the commitment and possibly change some plans.

Town Administrator updates:

Fred worked with John Burrows and Ralph Morrison on a grant for the renewal of the Hazard Mitigation Plan. It is a 25% match which can be in kind which they feel they have already met with staff work. The grant is for \$25,000/

Future agenda items:

Next weeks meeting will be on Tuesday and will start with the Tax Classification Hearing. We will discuss a residents complaints on Lower West St.

Nina Carr asked if anyone has contacted an exterminator for the Community Center. There is a serious mouse infestation there and she has to clean up before the playgroup gets there. Fred will follow up on this.

She also asked about the cardboard compactor. Fred responded that he has not yet heard the results of the grant award, he will follow up on this.

Steve Rubenstein complained about the street light at Yanner Park which was supposed to be turned off. It was turned off but is now back on. Fred will follow up on this.

Kathy Burrows thanked Simon Winchester for taking care of the mowing of the front area of Center Cemetery.

Mail reviewed

Warrants reviewed and signed

Meeting adjourned at 8:50 p.m.

Mark Newman

Brian O'Rourke

George Riley