

Selectboard Meeting
October 17, 2011

Present: Noreen Suriner, Chair; Alan Vint, Clerk; Mitch Feldmesser
Duane Pease, Administrative Assistant

Meeting called to order at 7pm.

Jackie Duda, Health Agent, was present to discuss items she had submitted to board prior to meeting. She also had questions regarding what to do with checks she received and how to obtain tax forms needed for her pay. She was advised checks were to be given to treasurer and tax forms could also be obtained from treasurer.

Terry Crean was in attendance to discuss long-standing issue he has with a neighbor's privy that is literally on his property line. He had discussed this issue with his neighbor when the neighbor first moved in 3 years ago and nothing has been done to correct the situation. He also brought this issue before the prior Selectboard and received no solution. He feels this diminishes the value of his land as the outhouse is very visible on his property line. He also worries that it may have standing if it is there long enough with no action taken against it.

Jackie stated that per Title V, the board of Health can approve or disapprove of privies in the Town.

Wally Smith was also spoke to the issue; he said the previous owners went through the Zoning board of Appeals seeking to build a garage/barn to house equipment needed for them to operate their tree farm. They were a local couple and had no intentions of ever converting the building into a residence. Once the property was sold to the current owners and converted into a "weekend" retreat, the privy was built. There has never been an occupancy permit issued for the building and there is no water source on site.

Jackie said she can speak with the owners or send them a certified letter with a "cease and desist" order. Any action she takes has to be a Title V issue for her to act. If the issue concerns the building, that would be under the building commissioner's jurisdiction.

Noreen said there are many privies in town as a number of people own land and only use it sporadically and perhaps the Town should have some regulations on privies.

Terry said the owner did not need a building permit to construct it as it is less than 125 square feet.

Jackie asked Terry if the privy met set-back regulations if that would satisfy him.

Terry said it would and that the owner was up yesterday and he had a conversation with him about moving the privy and it went well. Terry told the owner he would be happy if he could move the privy and gave him a year to move it.

Alan said this is a town-wide issue and the BOH needs to deal with issues as they come up and not put it off.

Jackie suggested the BOH establish regulations and installation rules regarding privies.

Alan added they would have to also consider the set-backs in the Zoning By-Laws.

Mitch felt Jackie should send a letter to the owner outlining Terry's conversation the previous day with the owner.

Alan said that anything that is done needs to apply universally to all the privies in town.

Noreen added that the BOH should decide on what the policy is and then send the letter.

Maureen Sullivan, who was in attendance, said the by-law regarding camping was revised in 2002 and limited it to 21 days per year.

The Board will review the By-Law to see how it may apply to this situation.

Jackie next brought up the issue of the kitchen; she had never made a statement that she was going to close the kitchen. And she does not have the

power to do something like that. That authority is with the BOH. She stated the kitchen needs improvement, it can be upgraded by proper cleaning and sanitation, providing and labeling sanitizing cleaners and blocking mouse access. She is willing to give Serve-Safe training to the users and also meet with the users to provide proper cleaning methods.

Noreen said the functions depend a lot on volunteers and there needs to be better cleaning of the kitchen after the event.

Jackie would like the Board to review her memo and she will come back at a later date to further discuss. Also, she has organized all the files according to road listings and the ones that had no names or numbers are filed in the front of that particular road.

Erica Johnson of Pioneer Valley Planning Commission (PVPC) came in to speak to the Board regarding the 2012 Block Grant strategy and provided a handout with the priorities for Middlefield. This application is has to be sent to Boston by December 16th. The highest priority item is the roof at the Senior Center; the architect has already inspected it and found the building to be in good shape, he also did some minor repairs to the roof to keep water from entering the building.

Noreen requested the Transfer Station be moved to the very high priority category.

Erica said the projects listed in the very high are the ones being pushed for funding in the next round of funding.

Maureen Sullivan said a number of grants don't seem to fit Middlefield or Middlefield does not qualify due to income average.

Erica explained that Middlefield is part of the 4 town group that makes one application for funding; this benefits Middlefield as the average income in town is high and the other towns help to bring the average down. 51% have to be in the low to moderate income to obtain grant funds.

The Board will review the project list and make recommendations to PVPC, Erica will then e-mail the new document back to the Board.

She said there needs to be some “pie-in-the-sky” projects when she submits here request. She also added, others in her office may do it different as they write for different types of grants.

Alan asked if it would be better if the list were condensed to 5 or 6 projects.

Erica responded that she has seen lists with as many as 30 items and some with as few as 6 and both have obtained grant money.

The next person to speak with the Board was **Leanne Every** of the Communication Committee. She gave a brief update on the progress of the wiring for the computers, it is going well and the panel has been installed. All the equipment has been received and will be installed once the wiring is completed.

Highway Superintendent, **Skip Savory**, said he spoke with the State Police about the parking at the intersection of Alderman and Chester Roads and they can issue tickets to any vehicle parking within 20’ of an intersection. The State Police would be the ones to ticket vehicles as Middlefield does not a means in place to collect fines.

Also, **Skip** advised the river bank on River Road has been repaired in the 2 most critical areas and the highway crew has set 2 more basins. He also plans on paving portions of River and Cone Roads before the asphalt plants close for the winter.

Skip has been running the loader without a thermostat as the head gasket needs to be replaced. He is afraid once he starts to tear down the engine he will keep finding additional repairs will be needed. The loader is a 1993 with 16,000 hours on it. He would like to replace it this year with a John Deere loader that can be obtained using the State bid. He could use some of his Chapter 90 monies to pay for the loader under the lease to own program over 2 or 3 years.

Mitch questioned the finance rate of the lease and Skip advised it was 3% through John Deere Credit.

Alan asked **Joe Kearns**, Finance Chair, if he had an opinion on which would be best, 2 or 3 years. Joe said he would let Skip decide as he is the one who knows what can be afforded and still maintain the road..

All Board members were in agreement that Skip will obtain the Chapter 90 figures from the State and come back to next week's meeting to further discuss.

Skip also said he had arranged for the oil burner at the Senior Center to be cleaned and wanted to know if the Board wanted all the burners cleaned. This is usually done on a yearly basis to keep them as efficient as possible. The Board agreed all the burners should be cleaned in an effort to conserve as much fuel as possible.

Warrants were reviewed and approved; Expenses: \$14,505.03 and Payroll: \$11,790.18.

Minutes of the 10/3 and 10/11 Selectboard meeting were approved 3-0.

Last item discussed was a certified letter received from Janine Savoy regarding health and building issues with a neighbor. This letter will be referred to the BOH Health Agent and the Hampshire Council of Government building commissioner for then to address the complaints.

Alan brought up the road/driveway right-of-way issue involving these neighbors; he has not seen documentation that the right-of-way is not through the Savoy property but to the right of it. Also, the Town voted in 1984 to accept a list of roads and only .81 of a mile of Harry Pease Road was accepted starting at Town Hill Road.

Mitch felt the blanket vote may not be legal.

Maureen Sullivan suggested the Board contact the PVPC as they have the expertise and may be able to help the Town in this situation with Harry Pease Road.

Also, the Board requested the Administrative Assistant prepare a letter for the attorney representing Mr. Jamula in his pursuit of declaring the road a Town road.

Noreen motioned to adjourn the meeting, Mitch 2nd; vote was 3-0 in favor. Meeting adjourned at 9:45pm.

Minutes respectively submitted,
Duane Pease
Administrative Assistant

Minutes accepted with/without changes:

Noreen Suriner, Chair

Alan Vint, Clerk

Mitch Feldmesser