

Shutesbury Board of Selectmen June 18, 2013 Meeting Minutes

Members present: Chairwoman Elaine Puleo and members Al Springer and April Stein.

Also Present: Town Administrator Rebecca Torres, Administrative Secretary Leslie Bracebridge recording.

Individuals who were present for their separate Auxiliary Police Officer interviews and then left:

Benjamin Peters and William O'Neil Jr.

Present for Auxiliary Officer interviews, Fire Chief's policy for fire station access, and review of lab results from O'Reilly, Talbot & Okun Associates Inc., for soils at Fire Station: Fire Chief and Emergency Management Director Walter Tibbetts (arrived at 7 PM and left at 8:12 PM).

Meeting opened at 6:38 P.M. at the Shutesbury Town Hall

Appointments

Police Chief Harding: By the end of July Sean Sawicki will likely be working independently. Once Sean is on his own it would be possible to take on one Auxiliary Officer. In the presence of Fire Chief Tibbetts, Chief Harding introduced 2 candidates both interested in becoming Auxiliary Police Officers:

1. Benjamin R. Peters, 305 Locks Pond Rd., Shutesbury.

- Benjamin was born in Amherst, and briefly worked for his father as a painter after high school.
- Next he enrolled at Holyoke Community College (HCC) as a criminal justice major. Once Ben graduates from HCC he expects to transfer to Westfield State for completion of his Bachelor's Degree. Ben states that he won't stop there; he enjoys teaching and wants a Masters Degree in the field so that he can become a field training officer and/or teach at the community college level, while continuing his life career goal as a police officer. Ben reports that he loves his school and classes and wants to share his appreciation of the same learning experiences that he is now having with future students.
- Shortly after starting school Benjamin started working for IPC International Corporation which provides security at the Holyoke Mall. (Benjamin worked with Shutesbury's Officer Soto for a period of time at the Holyoke Mall.)
- Ben recently moved to Shutesbury and is "renting to own" his home near Lake Wyola. He hopes to raise a future family here.
- Ben feels it would be a really good opportunity for him to work in town and know the people, and learn their individual concerns.
- In response to a Select Board interview request to share an experience that Ben didn't think that he had handled the way he would have liked to, Ben replied that when he started with IPC 2 years ago, didn't have the communication skills that he has now developed. He felt that he had one blanket response to situations whereas now he has learned to treat the customers as individuals and communicate with them individually. Ben feels that he has learned a lot from his IPC experiences.
- What would Benjamin bring to the Shutesbury position? Ben replied that he would bring professionalism, kindness and communication skills; addressing people individually.
- When asked if he had any questions for the Selectmen, Ben asked what they would like him to bring to the town: Al advised, not to raise his voice with regular communications, unless required for commanding situations. Ben responded that in his security work, since he cannot arrest, he has to find other ways to communicate; he has to be resourceful. Mall customers have to be handled sensibly in addressing the Mall's weekend evenings' young peoples' loitering policy. "To get respect, you have to give respect." He recommended and security is now checking ID's for age right at the bus stop, before unattended young people even enter the mall.

2. William O'Neil Jr., 2 Comins Road, Hadley:

- William's grandfather was Chief of Police at UMass and his father currently works at UMass.
- William went through the Intermittent Reserve Academy (244 hours) at Springfield Technical Community College and is currently working as a Constable in Amherst.
- William had his own lawn care business with 45 lawns.
- William's ultimate goal would be to stay and work in one department, perhaps as a canine officer.
- William's biggest challenge is getting into a department because he needs experience.
- To the interview question, "What is your strength?" William answered that he works well with others, takes direction, and works well independently. In a challenging situation, William would deescalate the situation by listening and resolving the problem as easily and quietly as possible.
- To the Select Board question: "What is one of the most challenging situations in a small town like Shutesbury?" William responded: "Under-age drinking, and breaking into barns at night."
- April listed dogs and domestic violence as 2 important calls in Shutesbury.
- William received domestic violence training in the Academy. William's training included de-escalating the situation and calling child services if children are involved. Dogs are not one of the top trainings at the Academy.
- Chief Harding described a hypothetical event where one dog left its owner's property and bit an individual who was on his own property and asked William what he would do. William responded that he would take a statement, but was not certain what would happen next. Chief Harding coached through such things as getting emergency medical services if needed, talking with the dog's owner, contacting the Dog Officer, checking for the dog's current rabies vaccination, as the primary concern would be for the injury.
- William did not take the Civil Service exam offered last week, but plans to take the exam to be offered in November.
- William was asked if he had questions for the Selectmen. William wondered if he got an Auxiliary Officer position how busy he might be.
 - Chief Harding explained that Auxiliary officers work with qualified officers.
 - Auxiliary officers need to work one time per week.
 - The time is spent getting to know the people in town. People in town pay our salaries. In Shutesbury there is a lot more time to put into individual calls.
 - Communication skills are important.
- Chief Harding stated that joining the Marines would open doors to future employment careers in law enforcement. William responded that he did not think joining the Marines was for him.

Selectmen apologized for being so late for **Chief Tibbetts' 7 PM appointment**; Chief Tibbetts responded that he found the Auxiliary officer interviews interesting: In the presence of Police Chief Harding, discussion concerned a policy newly written by Chief Tibbetts regarding access to the Fire Station:

- Chief Tibbetts: When asked by his Fire Fighters for clarity on who should have access to the Fire Station, he realized there was no written policy, so Chief Tibbetts wrote a policy that he thought would cover all bases:
 - The building has sensitive materials, and expensive equipment to protect.
 - Past problems with doors being left unlocked, have been resolved by keeping the station locked, and with only a few known people knowing the lock combination.
- Becky: Access to the Fire Station and access to every building in town was passed down to her when she became Town Administrator. She has always had access to the Highway Garage, the school, the old town hall, the library, the town hall, the school shed and to the Fire Station since she

started her work as Town Administrator. Why does the Fire Chief no longer want the Town Administrator to have access?

- Access changes to the Fire Station have been changed periodically. When Becky asked Walter for the most recent change, she did not get it, and Walter did not bring up any issues, or concerns to her.
- Walter wrote the policy and gave it to the Select Board for review.
- Walter: Recollects that up until the soil contamination clean-up, the position of Town Administrator never had access to the Fire Station:
 - Emergency personnel are the only people who need access.
 - Limiting access makes it easier to keep the building secure.
 - Typically others don't need access and should plan ahead.
 - Wonders what reasons others than emergency personnel need access?
- Becky: Recollected a plumbing issue that came up when Walter was on vacation. Becky said that the one person who lost access to the Fire Station with the new policy is the Town Administrator.
 - Prior to this year Walter took month long vacations in the winter and needs for access arise.
- Walter: Fire fighters who had access to the building alerted Becky to the plumbing problem for her part in making the plumbing repair happen. Walter feels that situation is covered by the policy and doesn't see any situation that isn't covered under the policy.
- Becky and Walter: Reviewed an example when Becky had knocked on the door to the Fire Station and Deputy Chief Emerson gave access to the Fire Station to O'Reilly, Talbot & Okun Engineer John Henry and Becky. John typically notified Walter, but had not done so in this case. Walter was alarmed to drive up to the building to find the doors open. Though it was fine for John Henry to be there, Walter wants to know in advance when the building is opened to others.
- Walter:
 - Likes to be present or have someone present when service technicians are in the Fire Station.
 - The Highway Superintendent always notifies Walter in advance for entry in the building.
 - The Police Department can always have access to the building.
 - Walter made a policy because fire fighters wanted to know what to do in certain situations.
- Chief Harding: Always gets prior notice when someone needs access to the Police Department.
 - As a department head Tom feels it is important to have a policy. Things could happen when Becky is not here and this policy addresses it.
- Becky: The Police Department is always closed, but there is no plumbing and little reason for access. The Police Department office is just like Walter's office which the code never gave access to. Police and Fire are not comparable.
- Walter: The policy limits access to the Fire Station to Police and Fire. Walter doesn't see a situation that the policy does not cover.
- April: As a department head, Walter is "juggling many things." April suggests trying the policy for a while and if doesn't work, revisit it. We all live and work together. April recognizes that this is a change in access for Becky but doesn't feel it's done with ill intent. It is not as personal as it feels.
- Becky feels all confidential information is in Walter's locked office.
- Elaine: There is also expensive equipment.
 - It's not about Becky personally.
 - Restricting access helps the Fire Chief keep responsible for what and who is in the building.
 - Elaine didn't feel comfortable when she knew where the key to the Church was, she doesn't feel comfortable being in the Fire Station for meetings when Walter is called away from the meetings, and she doesn't feel comfortable in the school without school personnel.
 - From an emergency management standpoint, the fewer people having the code, the better.

- While Becky has had access; it's the position, not Becky. If the position changes hands even more people have keys and codes.
- Becky: Feels Walter should have mentioned that he had concerns to her before submitting an official policy, especially since the issue came up twice but was not addressed.
- April: The process was off.
- Walter: Once people get the code, he doesn't know who else it may be given to.
 - He took time in writing this.
 - It doesn't keep anyone from getting in; if need be, than here's the process.

A motion was made and seconded and unanimously voted to approve the policy for access to the Fire Station. If the policy becomes a problem then the policy will be revisited.

Discussion of Auxiliary Police Officer interviews: There was a general agreement that the first candidate presented himself better than the second candidate and the first candidate has much more experience also. At present there are no set openings in the Police Department, and there are costs beyond training time associated with auxiliary officers. Chief Harding will keep other town officials updated relative to any Police Department personnel changes.

Topics

1. **Discuss Fire Chief's proposed policy for fire station access: See appointments above.**
2. **Review lab results from O'Reilly, Talbot & Okun / fire station: June 19, 2013 DRAFT Immediate Response Action (IRA) Status Report – 2 for Shutesbury Fire Station with Chief Tibbetts present:**

- When we first started (excavation) the question came up: If (gasoline) is under there (the fire station) will it come out and re-contaminate the replacement soils?
- Elaine: Under the fire station it (in-situ chemical oxidation – “ISCO”) is working.
- Will we be asked to do another excavation or chemical injection outside?
- Becky cautions ISCO injections in the proximity to the wetlands might require a whole different permitting.
- Becky recommends the next step is to meet with the Department of Environmental Protection (DEP). DEP is waiting for the IRA. After they read the report, then we will get their response to the acceptability of this.
- The numbers in the parking lot have gotten worse. It could be purging from under the Fire Station.
- We have another 6 months where we might see some reduction in the numbers.
- DEP might say, “Don't do anything.”

Selectmen unanimously approved the Review DRAFT of the Immediate Response Action Status Report – 2 of the Shutesbury Fire Station – RTN 1-16996 as prepared by O'Reilly Talbot & Okun Associates, In..

3. **Review letter from Lake Wyola Advisory Committee (LWAC):**

- Lake Wyola Association (LWA) President David Green recently caught Becky and asked if the Selectmen had received a letter from the LWAC.
- At this point, April realized that Bob Thompson had attempted to charge her with writing the letter regarding his concerns. April never agreed to write the letter. We think it was concerning posting swimming rules at the state park.
- Does it make sense to write a letter regarding swimming rules when the park is state property?
- Becky will ask David Green for what he felt were the important details of the proposed letter.

Select Board Action Items

1. **Selectmen unanimously voted to approve the June 4, 2013 meeting minutes as written.**
2. **Selectmen unanimously voted to approve and sign:**

- a. **A special event notification Form for the July 27 Lake Wyola Association (LWA) Beer & Wine Tasting, and retrospectively for the LWA June 16 Pancake Breakfast.**
- b. **A one-day liquor license for the July 27 LWA Beer and Wine Tasting.**
- c. **A Spear Library request for a list of Library sponsored events, some of which will occur on other town property than the library.**

Topics the Chairman Could Not Reasonably Have Anticipated

1. **Very small spill at the Highway Department:** Fire Chief Tibbetts put together an invoice for clean-up in the amount of \$114.
2. The PAF's should be signed for **July 1**. Selectmen agreed to meet on June 28 at 8 AM to approve the Personnel Action Forms for FY '14.
3. In conjunction with approving the June 4 meeting minutes Selectmen asked for updates on:
 - The town would have to put out an RFP to lease the property behind town hall for a cell tower.
 - Becky spoke with Sustainable Strategies 2050 President Rayomand "Rayo": Rayo is supposed to get certification of the \$100/SREC (Solar Renewable Energy Contract) rate, but there are new regulations coming out which will increase the value of SREC's so they may be re-negotiating the rate of SREC's. Becky told Rayo that the Select Board is most comfortable with the income formula with a 5-year review for assessing the value of a solar farm. Rayo can use that information to keep moving forward with his business plan.

The Select Board **adjourned at 9:00(?) P.M.**

Respectfully submitted,

Leslie Bracebridge
Administrative Secretary