

**Select Board
Minutes
August 26, 2014**

Leverett Town Hall, 7 pm
Mully, David Detmold

Present: Rich, Peter, Julie, Lisa, Margie, JoAnn

FRTA

Jeff Singleton newly appointed rep. to the FRTA from Montague asked to meet with the Select Board (Roy Kimmel also present). Jeff talked a bit about the state-mandated comparative analysis of the transportation authority system. Jeff is interested in creating a revised Montague route system that would run more often and cheaper than the current system as well as make enhancements to route 23 which runs through Leverett. The board and Roy explained Leverett's issues with the current system which does not allow Leverett to belong to more than one transportation authority and the one we do belong to does not allow resident's access to Greenfield for appointments. A bill will be brought forward by Stan Rosenberg and Steve Kuklik to try to eliminate the statue stating that town's may only belong to one TA. Jeff's question for the board was if he is able to get the FRTA to provide paratransit service to Northampton would the town change from PVTA to FRTA. The answer was yes, depending on the cost. Jeff will continue his research and keep the board posted.

Dog hearing

Rich opened the dog hearing at 7:33 pm. Roberta Bryant, dog officer was the complainant. The owner was not able to be present so he sent a letter stating his views. Roberta stated that she received a call from Jones' neighbor that his dog was in her yard. Roberta went and picked up the dog and brought it to the kennel. She called him later and he picked up his dog and paid the fee. A month later a friend of hers picked up Jones' dog again and brought him to the kennel. Roberta states that she was teaching camp all day and was not able to call Jones until late afternoon. After her phone call he went to the kennel and picked up his dog without paying a second fee. Roberta felt that he was rude to her.

In his letter Jones stated that Roberta quoted two different amounts for the second pick up fee and that he asked her to send him an itemized bill. He still owes the town \$10 according to the Tax Collector, to whom the fees are paid.

The Select Board ordered that the dog be safely confined at all times whether in the house or tethered and that he call Roberta for an inspection once this is completed and that he pay the town the \$10 he still owes. If another hearing is ever required, his presence will also be necessary.

Dog hearing #2

Rich opened the hearing at 8:02 pm. A letter was received from the Pickell family stating that Brian was chased by the Tymkowiche dog. This is the third time they've had an issue with the neighbor's dogs and the second hearing with the board. The last hearing was in February 2014 at which time their dog was

ordered leashed or confined by fence at all times. The Pickell family stated that they do not feel safe in their yard or going out of their driveway. They also stated that the neighbor seems to be in denial that there is an issue. During none of the attacks did she ever go down the driveway to see everyone was okay. The Pickell family states that the two German Shepards are big and scary.

Diane Tymkowiche did not come to the hearing but sent a letter stating that the most recent attack was made by her son's German shepherd, not hers, who was the offender in the two previous attacks. She also stated that she did not believe that the daughter was ever bitten in the first attack.

The Select Board ordered that all dogs owned by the Tymkowiche family be kept in a chain-link enclosure at all times. When not in the enclosure they must all be on a leash and muzzled. The board stated that it is clear that the dog owner is not controlling her dogs, and that the neighbors should not be living in fear of her dogs. The issue of whether or not the daughter was bit is also irrelevant since her injury was a direct result of the dog chasing her and not being properly restrained by its owner. The board will give the Tymkowiche family two weeks to install an enclosure and will then send the dog officer to inspect it with a police officer. If a dog issue is brought to the Select Board about these dogs again they only have one option left—which is to order the dog(s) to death.

Fire Department

Fire Department members wrote a letter and asked to meet with the Select Board concerning the retirement of some of its members and the relationship of the Fire Dept. and the Select Board. The board reiterated their concerns about the aging department and the fact that there was no plan, or structure for the department going forward. Margie and Julie had received an email from John Moruzzi stating that he would rescind his resignation if certain conditions were met. Department members wanted to know from the board if they would allow the older members back on and under what circumstances. The board stated that fire fighters over the age of 65 would need a physical and that they would have to sign a release of pertinent medical information to the doctor performing the physical.

The board stated that they will continue to look into arrangements with other towns for services and that that did not mean an end to the current department, only stating that Leverett has a station that is fully equipped for shared use and call membership. There was a lengthy discussion about how long it takes to train a fire fighter in all aspects of the job. Stuart, who recently retired stated that he thought the Fire Department Study Committee (FDSC) came up with a solid plan including stating what the members do and what their goals are. The board encouraged the members to plan their future as a department and their goals for themselves in meeting the needs of the town and the department. Amy agreed that this was a good idea. The board also encouraged the fire fighters to use the FDSC members and report as a guide for planning to sell their plan to town meeting in the spring.

Business:

The minutes of Aug. 12 were accepted as amended.

Margie informed the board that she and Will were applying for a MASSWORKS grant for \$450,000. If the grant is received Will would be required to spend \$50,000 of his Chap. 90 money toward the project

which proposes major repairs to the Dudleyville Rd. Bridge. The board authorized Margie to apply for the grant on behalf of the town.

Motion: To accept state funding for the MASSWORKS project for Dudleyville Rd. Bridge reconstruction. Vote: 3-0 in favor.

The DOER sent an email suggesting that the town consider nominating Margie for the Leading By Example award sponsored by the DOER. Peter will send in a nomination.

The FCCIP called to say that Van Stoddard resigned as Leverett's rep. to the building program and to see if the board would appoint a new rep. The names of Robert Schmid and Don Putnam were bounced. Lisa or Margie will call to gauge interest.

Motion: To appoint Dillon Heroux as Transfer Station Attendant at the rate of \$13.89/hour. Vote: 3-0 in favor.

The Energy Com. sent George Lockwood to talk to Margie about the solar proposal brought forth by Rob McLuaghlin from Clean Energy Collective. Goerge reminded Margie that the town already saves 18% bidding for electricity with WMECo. Margie will wait to talk to Rob until after he sends more info on potential savings.

The board agreed that when meetings are held at the school that it should be the custodian's job, as part of setting up the gym, to also set up the hearing system. The system was not set up for the fiber meeting last week and people were upset.

Margie reported that John K. locked in heating oil last week at \$3.19/gallon for 17,000 gallons and that the retrofitted lighting at the school is done. A revised contract was signed.

The mail was reviewed.

Meeting adjourned: 10:34 pm