

MEETING MINUTES
Town of Heath
BOARD OF SELECTMEN
Community Hall
June 17, 2014

Called to order at 7:04 p.m. by Sheila Litchfield with Brian DeVriese and Kara Leistyna, Town Coordinator present.

Reviewed Agenda: Added to appointments: Jeff Simmons at 8:30 p.m. to discuss Ambulance Services. Minutes of 6/3/14 meeting will be reviewed at next scheduled meeting.

Update on Feasibility Study: Brian shared that they are planning a meeting. There was some concern expressed about impact on taxes. The committee will investigate alternatives – perhaps just a highway garage at this time and project the needs of the Town over the next 50 years. Grants may be available in the future and regionalization is becoming a topic of discussion in the county. A public, informational meeting will be held on July 22, 2014 at the Community Hall at 7 p.m. to discuss the project and concerns.

7:13 p.m. Margo Newton entered meeting and Chris Mattson and Sarah Hettlinger arrived shortly after.

Mail/ Email:

1. MMA Notice re: wireless telecom industry bill 2183
2. Memo from Accountant regarding year-end
3. Memo from Kara regarding Art Schwenger's service on CEDS
4. Email from Mike Smith regarding vehicle purchases
5. Announcement Iron Bridge Annual Dinner
6. Memo from Kara to Margo regarding battery theft
7. Email from Claire regarding purchase of wheel chair
8. Transfer Station Attendant training. Kara will attend.
9. FRCOG Planning Board meeting documents with CEDS
10. Info. from Regional Dog Control & Adoption Center. Sarah mentioned that the holding timeframe for a dog in Heath may differ from the facility's timeframe. She will talk with Hilma.
11. Acknowledgement letter from Ben Downing responding to a letter sent in support of changes to elevator rules.
12. Email from Doug Wilkins regarding Muni Complex
13. Franklin Tech call for electrical projects. Kara will see if the heat zone issue in Sawyer Hall can be handled by them.
14. Resignation from Bob Dane from ConCom. Selectmen voted to accept Bob's resignation with regrets.
15. Resignation from Jenna Day from Board of Health. Selectmen voted to accept Jenna's resignation with regrets.
16. Memo from Kara regarding Broadband Fiber activation at Sawyer Hall
17. Emails regarding Weather Station. Kara will look into what it will require of the Town regarding maintenance, hosting agreement. Kara will let Mike know to proceed and get an agreement to review. The Board is supportive of this but won't vote until the signing of a formal agreement.
18. Email from Jan Ameen regarding compactor and the new regulations of OSHA regarding door. Not a major problem, just an extra step for the attendant.
19. Email from Andrea Woods regarding elevator renewal for one more year
20. Email from Dana Johnson to Task Force Committee members

Other Separate Documents:

21. Dog Hearing and Laws documents
22. Town Coordinator Report

Animal Control Issue: This meeting has been called in order to prepare for a court filing in District Court regarding an ongoing dog issue in Town. Ed Grinnell is willing to appear in court on behalf of Heath. Discussed the steps in the process from filing to show cause hearing to arraignment, etc. and the possible judgment/outcomes.

7:42 p.m. Ed Grinnell entered meeting and Bill Lattrell entered shortly after.

The Town's goal is ensuring the resident complies with the laws of the town and state. If the court agrees to hear the case and the defendant fails to appear, they can issue a warrant for arrest. If they make a judgment and defendant defaults, it can lead to arrest. Ed feels he can represent the town without being accompanied by an officer – Ed shared that as Animal Control Officer, he is an officer of the law. Reviewed the long history of trying to get resident to comply. The Town has even waived prior fees/fines in an effort to encourage compliance. The failure to license dogs is against local bylaw and state law and whoever violates any provision of the Town of Heath bylaw or order of the Animal Control Officer for which no penalty is specified, may be penalized by indictment or on complaint brought in the district court.

Discussed Civil vs. Criminal offenses. Ed will research the differences as they may apply to this case. Also, whether non-compliance with a zoning bylaw is criminal or civil infraction? Perhaps non-compliance with the whole order is criminal? Discussed all the steps taken by the Town up to present in an effort to remedy the situation and encourage compliance. Owner has ignored orders, the dogs have been seen loose, they are not licensed, and there has been no proof of current rabies vaccination information offered. Now the Select Board will proceed with enforcement. Discussed possibly reinstating fees that were waived previously. Kara will prepare a complaint, a summary with supporting documents and a letter for the Board to sign for filing. Chris will bring to courthouse for review to make sure everything that is needed is included. Ed will review a draft and Kara has been authorized to seek Town Counsel advice on the matter and documentation. Once reviewed and finalized, Chris offered to file with the court. Once a date and time are scheduled, Ed will be notified for appearance. The Town has followed all steps in an effort to address the situation and owner remains non-compliant. If the dogs leave the property, they can be legally confiscated.

8:19 p.m. Jeff Simmons entered meeting and Ed Grinnell, Margo Newton, Chris Mattson, and Sarah Hettlinger left at 8:20 p.m.

Ambulance Services: Discussed changing EMS Service Zone Plan and MOU. Thinking a lot about improvement of services for Heath. The current plan is outdated and needs to be revised. Board can change ambulance services and it does not require adherence to procurement rules. Heath may contract with Charlemont and Colrain. Because response times need to be improved and the Service Zone Plan is outdated, Heath will send a letter to Hawley, Rowe and Charlemont explaining that although Heath would like to continue to work together, Heath would like to include Colrain in the plan. Kara provided a draft letter that was reviewed and edited. Goal is to implement the changes as soon as possible for the benefit of Heath residents.

On a motion by Brian DeVriese, and seconded by Bill Lattrell, the Board voted unanimously to sign letter to Charlemont, Hawley, and Rowe Select Boards regarding Heath's intention to make changes to the EMS Service Zone Plan and include Colrain as an ambulance provider.

On a motion by Brian DeVriese, and seconded by Bill Lattrell, the Board voted unanimously to authorize Jeff Simmons to draft a new EMS Service Zone Plan for Heath and new agreements with Colrain, Deerfield Valley, and Charlemont Ambulance Services.

9:05 p.m. Jeff Simmons left the meeting.

Town Coordinator Report:

- Heath School Graduation will take place Wednesday, June 18 at 6:30 p.m. Sheila will attend and award the Frank E. Carpenter Prize.
- Heath Herald deadline is July 10. Sheila is preparing an article regarding town funds to which people may contribute. Selectmen have been donating \$50 each year (personally) for the Frank E. Carpenter prize. This is one such fund that people may support. Heath may want to sign up for Valley Gives – a mode of on-line donation to support non-profit organizations to improve the quality of life for all in Franklin, Hampden and Hampshire counties.
- Cintas, the company that will provide uniforms for the highway personnel, can also provide mats for town buildings on a weekly basis. The Board authorized Kara to go ahead and order mat placement and replacement for Sawyer Hall and Community Hall. This will be especially helpful in the winter months when matting gets saturated with moisture, salt & sand.
- Injured On Duty weekly indemnity amount is currently \$500/week for any injured firefighter or police officer while on duty. Cabot Risk Strategies, the insurance company, offered a quote to increase the amount up to \$1,000/week should anyone be injured while on duty and require lost wages. The cost is an additional \$9,624 per year. This could be increased at a Special Town Meeting or for next budget season.

Annual Performance Review: Town Coordinator, Kara Leistyna

Other Business:

T.A.P. summary: The Dept. of Revenue's (DOR) Taxpayer Assistant Program (TAP) has offered a pilot program to assist the town in setting a tax rate in November rather than the usual December. In this way, tax bills may be prepared earlier rather than during the holiday season. Tax bills must be sent prior to January 1st. An initial meeting was held that was very effective. A timeframe for setting the rate was drafted with input from Assessors, Select Board, and the DOR. Kara will update FY15 budget calendar to reflect new target dates. DOR will monitor progress and offer support if goals are not met. Hopeful that T.A.P. and Bureau of Technical Assistance review process will help Heath make improvements in communication and processes handed by the Assessors and Tax Collector.

Transfer Station Compactor Project Update: Jan Ameen has offered to help with design of site for new compactor. Need to determine if the grade needs to be leveled. Need access to metals bin – perhaps raising it will help. Jan will offer her opinion. Kara will find out if the new compactor has been ordered.

North Cemetery Update: Still waiting to hear from Claire Rabbitt regarding deed. Kara will find out if it has been mowed yet.

STM Planning: The Board tentatively scheduled the next Special Town Meeting to be held on October 7, 2014 at the Community Hall. Possibly only the Municipal Building Complex will be addressed. There is also the bylaw revisions for the Town of Heath as well as WiredWest funding.

FY15 Appointments – Review. Kara will have final list prepared for next scheduled meeting.

Signed:

1. Bi-weekly Warrant
2. Carpenter Prize Certificate
3. MEMA Grant paperwork for EMPG grant
4. Vacation request
5. FRCOG Cooperative Purchasing authorization for FY15. *On a motion by Brian DeVriese, and seconded by Bill Lattrell, the Board voted unanimously to sign and participate in the FRCOG FY15 Cooperative Purchasing for bids & contracts.*

On a motion by Bill Lattrell and seconded by Sheila Litchfield, the Board voted unanimously to adjourn at 9:57 p.m.

Next meeting scheduled for July 1, 2014 at 7:00 p.m.

Respectfully submitted,

Kara Leistyna, Town Coordinator