

**Board of Selectmen Meeting** - Tuesday, October 8, 2013. --- 7:09 pm.  
116 Main Road, Tyringham

Board members present – Christopher Johnson, Peter Curtin and Gerard Miller  
Others in attendance- Leslie Beebe, Molly Curtin-Schaefer and Joe Delmolino  
Jeremia Pollard, Town Counsel, Clinton & Marsha Martin, Mark & April Curtin, Jim &  
Eugenie Fawcett, Penny Wein, Joseph Janis, Charles Slater Jr., Holly Ketron

**LEGAL COUNSEL:**

Jeremia Pollard was in to discuss his services of legal counsel for the town. Mr. Pollard charges Tyringham a flat fee with no contract. The stipend fee is \$5,500.00 per year. He takes the proactive (preventative law approach) to municipal issues rather than the reactive. He stated the reactive approach is very costly to municipalities and his firm does not bill. Molly and Jeremia have many conversations about relevant issues to nip the issue in the bud before it becomes a problem. It was agreed that Chairmans of the Board or Committee may contact Jeremia Pollard for legal counsel and that the Chairman may designate someone to call on his/her behalf. Jeremia Pollard will draw up a “general guide lines” document for the Board to review.

**APPOINTMENTS:**

Gerard Miller made a motion to appoint Peter Charpentier to the Police Commission, Gail Charpentier to the Board of Appeals and Stephen Rubin & Gail Charpentier to the Cultural Counsel. Peter Curtin, seconded, no opposition.

**CEMETERY FENCE:**

The bid packet for the Restoration of the Cemetery Fence, the Notice of Intent for the Town Hall bank project, Notice of Intent for the Webster Road culvert work were reviewed by the Board.

**Internet pole:** A discussion ensued about the proposed pole to be erected on Jerusalem Road. This site was determined to be the most beneficial erected in the area of 99 Jerusalem Road. The residents along Main Road from approximately Santerella toward the Tyringham/Lee line could have received wireless signal. This Board feels the Town should not pay for the installation of this pole. (In April of this year the Board agreed to put the pole in and Wi-Spring would put the electric in) The prices the town received from private contractors for this pole ranges from \$6,500.00 to \$8,200.00. Holly Ketron discussed the makeup of the Broadband Committee and their role moving internet issues and reception forward. She further discussed the limitations to some residents whom will not be able to receive the wireless signal from Wi-Spring. It was discussed that a metal tower would need a special permit from the Planning Board thru the fixed wireless by-law in town. Mrs. Fawcett asked the location of the pole. Leslie Beebe stated it was just South of their residence- there is a marked stake with a flag in the town right-of-way. Mr. Fawcett asked what the height of the pole would be and Christopher Johnson stated 70 feet. Peter Curtin stated he felt that Wi-Spring did not

do their homework on this issue and the ball is in their court to move forward with the pole. He felt the town should not use tax dollars to put in the pole.

**Highway Department:** It was decided to track the cost of work done to Town Roads and projects. This includes; vehicles, labor and materials. Mimi can extract this information from the highway dept. time cards and Leslie's bill sheet.

- Les was asked about the plan to find a location for the trucks for the upcoming winter season. He will look into a location in Lee that may be available. He will also try **not** to create any diesel exhaust chemical fumes in the highway garage (as the fumes funnel right up the stairs and into the first floor of the town hall. The elders are in the building 3 days per week along with Srgt. Holian, Molly & Mimi and they are all exposed to these diesel fuel pollutants that are classified by the EPA and known as probable human carcinogens.)
- Les will gather information pertaining to call time, overtime and standby rates that other towns use for policy. The Board asked this item be placed on the next agenda for discussion.
- Les needs to purchase tires for the backhoe"
- The tractor is still out for repair and the part to fix it has not been located yet.

**LAKESIDE DRIVE PLOWING:** A discussion ensued about work completed to date on Lakeside Drive. Chris Johnson stated Lakeside Drive looked good with the work that has been completed to date. Gerard Miller stated he also felt the work performed to date looked good to him. Peter L. Curtin made a motion to plow, sand, and grade Lakeside Drive as in the past and have the association pay a stipend for this service to the Town. No second, motion failed.

The road repairs to date are - all brush was cut on each side of the road to the chicken coop, the road was bulldozed, and gravel was brought in. The last issue is the ledge in the road just past the chicken coop. It was agreed that the Highway Dept. will plow to the chicken coop on a temporary basis and if they do not feel comfortable proceeding past Naventi's driveway, they do not have to. The Highway Dept. will notify one of the following if they are not going plow past Naventi's: William DeSantis Sr. or Jr. or Joseph Janis.

**FIRE COMPANY:** Charles Slater had an agreement to be signed by Chairman Christopher Johnson – #1 - DoD Firefighting Program Cooperative Agreement between the Mass Dept. of Conservation and Recreation, Bureau of Forest Fire Control and Forestry #2 Federal Escsec Personal Property Cooperative Agreement between the Massachusetts Dept. of Conservation and Recreation, Bureau of Forest Fire Control and Forestry. Charles Slater asked about 2 radios that Jim Curtin did not return. He asked the Board to look into this. He will have to purchase radios if the radios are not Fire Company property.

There will be an "All Boards Meeting" - October 24, 2013 6:30 PM- we will provide finger food, coffee, cider etc. A discussion ensued regarding the agenda items. It was decided to give each board/committee five minutes to discuss relevant issues. The Board of Selectmen will discuss issues that are pertinent at this time.

The Housing Commission needs to update the Board on the School House and its possible use as Affordable Housing. They will attend the next meeting.

**Propane Bid:**

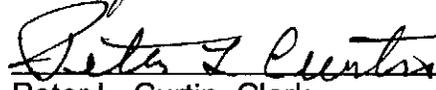
We had three bids on propane:

- Ameri-Gas .65 per gallon over the local area index
- Clifford Propane bid \$2.05 per gallon thru April 2014
- Brown Oil bid \$1.99 for the heating season

Chris Johnson made a motion to accept Brown Oil's bid of \$1.99 per gallon for the season, Gerard Miller, seconded- no opposition. We will have Ameri-Gas pick up the tank at the school house. The Town owns the underground tank at the Town Hall (which runs the generator).

Meeting adjourned at 9:05 p.m.

  
\_\_\_\_\_  
Christopher Johnson, Chairman

  
\_\_\_\_\_  
Peter L. Curtin, Clerk

  
\_\_\_\_\_  
Gerard Miller, Member

10/8/13

Sign In  
Premia Pollard, Jan Lane

Clinton & Marsha Martin

Mark & April Curtin

Jim & Eugénie Fawcett

JOE DELMOLINO

Les Beebe

Benny Wein

Joseph Janis

Charles Slater Jr.

Halley Ketrone

John L. Curtin