

Board of Selectmen Minutes
Meeting – January 2, 2013

Present: Selectmen: Mark Gilmore, Elizabeth Clarke Absent: Carolyn Shores Ness
Town Administrator: Bernie Kubiak

The meeting was called to order at 6:30 pm.

Minutes: A motion was made by Ms. Clarke, seconded by Mr. Gilmore, and voted, to accept the minutes of December 19, 2012.

Public Comments: None

Selectmen's Comments/ Announcements: There is a vacancy on the Personnel Committee. Anyone interested should submit a letter of interest to the Selectmen.

Board of Health Comments/ Announcements: Mr. Gilmore reminded people to wash their hands.

Appearances before the Board/ Hearings:

Police Department: Present – Chief John Paciorek, Jr., Harry Ruddock, III, Michael Krusiewski

1. Acting upon the recommendation of the Chief, **Ms. Clarke made a motion, seconded by Mr. Gilmore, and unanimously voted, to appoint Officers Harry Ruddock, III and Michael Krusiewski as Sergeants in the department.**
2. Certificate of Appreciation – Mr. Gilmore, on behalf of the Board of Selectmen presented Michael Krusiewski with a Certificate of Appreciation for the outstanding job he did running the department while the Town went through the process of finding a new Police Chief. Officer Krusiewski thanked the Board for putting its trust in him.
3. Photocopier – **Ms. Clarke made a motion, seconded by Mr. Gilmore, and unanimously voted, to approve the request of the Police Department for a new photocopier.**

Petition for zoning change: Present – Robert Decker, III

Mr. Decker is interested in “correcting” a problem that was created when the Town made some zoning changes to create a Central Village District a few years ago. The first area of concern is along North Main Street from Captain Lathrop to the dry bridge. He would like to see the area rezoned as Central Village. He other concern is that to the west of North Main Street, between the residential/ agricultural area and the railroad tracks is a strip of land that is currently zoned as commercial. The problem is that there is no access to that area. It could be included in an overlay district which would permit commercial traffic over the residential area to access the property. The Board, having heard this request will pass it on to the Planning Board for further investigation.

Mr. Decker mentioned that the ZBA is looking for a full member and an alternate.

Discussion/ Decision Items:

Permit renewals – Ms. Clarke made a motion, seconded by Mr. Gilmore, and unanimously voted, to approve the permit renewals, as listed.

Requests for comments: APR – The Franklin Land Trust has requested an opinion from the Conservation Commission and other town departments on putting an Agricultural Preservation Restriction on some farmland at the base of Mt. Sugarloaf. During discussion Mr. Kubiak mentioned that the property owners are having discussions with the Land Trust, a Trust for Public Lands, and an interested developer to see what would work best for them. The property, currently used as farmland, is only moderately important for preservation as open space, using a formula

developed at the recently held charrette. Located where it is, isolated from other farmland, it could be suitable for cluster housing. Some interest has been shown in using it for recreational purposes. If it is preserved as agricultural land, use would be limited to agricultural activities. It is, also likely that the Town would be asked to contribute toward the purchase of the development rights.

The Board is willing to consider possible use within the Central Village Zoning, but does not see it as a high priority for agricultural preservation. Ms. Clarke will prepare a response to the request.

Zoning Change – Whately Road – The Board discussed a request from the Planning Board for a reaction to a proposed change in zoning from residential/agricultural to commercial for a portion of Whately Road. Ms. Clarke commented that it did have some attractive commercial attributes, but she felt rezoning should be considered as part of long range planning for the Town, not “spot zoning” upon the request of a single property owner.

The largest portion is owned by W.D.Cowls. Cinda Jones seeks to broaden the possible uses for the Cowls parcel with its proximity to RT I-91. Most of the land is wooded and wetlands. There is some commercial use (UPS and Sitterly) in the portion under consideration. After looking at various maps and considering the limited commercial spaces currently available, it seemed that this was a significant request that the Board should pay attention to. Mr. Kubiak will contact Mr. Waite, chair of the Planning Board, to arrange to have some Planning Board members attend a BOS meeting where this could be discussed further. A tentative date is January 16th.

Reserve Fund Transfer – A request has been received from Mary Stokarski, the Treasurer/Collector, for an increase to her staff payroll account to cover the cost of a change in the job description of the Assistant Treasurer/Collector. The increase of \$1.60/hr. would increase the payroll cost by \$3,340.00 for the balance of the fiscal budget. **Ms. Clarke made a motion, seconded by Mr. Gilmore, and unanimously voted, to approve the request.**

Request for support – The Town of Montague plans to submit an application to the National Park Service for identifying a historic battlefield from the King Philips War. Contiguous towns are being asked to submit letters of support. The Board was in favor of having Mr. Kubiak prepare a letter.

Tobacco Regulations – While in the process of preparing revised Tobacco Regulations, Ms. Clarke noted that some communities have included no smoking perimeters around such places as playgrounds. There was also comment that no smoking areas would also include marijuana as well as tobacco.

Monday meeting – The Board will meet at 6:00 pm, prior to an Ambulance discussion in Sunderland at 7:00 pm to discuss a request for a performance review of the Police Chief. The Chief has been asked to prepare a document explaining what he’s doing and what he plans to do.

A motion was made to adjourn the meeting with the signing of the warrant.

Respectfully submitted,

Priscilla Phelps

Attachments: Permit renewals