

Approved
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June 20, 2012
SB Mtg.

Select Board Minutes

Wednesday, May 30, 2012

Present: Select Board Chair Doug Field, Paultette Leukhardt, Ron Coler
Interim Executive Administrator Mary Fitz-Gibbon

APPOINTMENTS:

Jamie Eckley: Main Street Traffic Issues

Jamie, a Main Street resident complained of motorcycles speeding, doing wheelies, and creating excessive noise on weekend days as they travel on Main Street. Ricki Carroll, Main Street, said that cars are sometimes speeding through town as well. Asked by Select Board member Ron Coler if there are times of special concern, R. Carroll said that weekend afternoons seem to be the worst. Nancy Hoff, Main Street business owner, expressed concern that some motorcycles as well as other vehicles that speed while coming through town on 116 are creating a dangerous situation in the middle of the village. She pointed out that there is lots of pedestrian traffic crossing back and forth across Main Street, on the weekends especially, and she is afraid that unless the traffic is slowed someone could get hurt. Betty Stewart, Bronson Avenue, said that the coverage should include Buckland Avenue as the motorcycles frequently travel back and forth along Buckland Avenue also. Doug Field reported that the police have been out monitoring other areas of town where issues of speeding have arisen and have had good results in those cases. Jamie E. feels the Police Dept. should be working the daytime shift on the weekends. Chair Doug Field said he agreed with the concerns about Main Street traffic. Paultette Leukhardt, Police Department liaison, said she will speak to Chief Droney about the concerns and scheduling. There was some discussion of the cost of purchasing a radar sign, asking the State to reduce the speed limit on the Main Street section of 116, and putting in crosswalks.

Personnel Board

Dave DeHerdt, Chair, reported that the Personnel Board has been meeting as a board of 3 members rather than with the full complement of 5 members called for in the by-laws. He requested that the Select Board appoint Beverly Chow, Cummington Road, as a fourth member of the Board. After a brief discussion with Beverly, who was present, a motion was made, seconded and passed to appoint Beverly, effective immediately, to the Personnel Board.

The Town is looking for someone willing to serve as the fifth voting member of the Personnel Board.

NEW BUSINESS:

Discussion of the Meaning of the Word "Deliberation" in the Open Meeting Law

Paullette Leukhardt, who had requested that this item be placed on the agenda, said that she had had a conversation with the Administrative Assistant about Select Board liaison assignments that had troubled her. She said that she was concerned that the Administrator had been part of a communication between Board members and that she had contacted the Attorney General's office about her concerns and what she described to them was called a serial communication by conduit. She then read from a 2011 judgment against the Select Board of the Town of Otis, describing it as a similar example.

Asked by Nancy Hoff, Spruce Corner Road, to explain her example, P. Leukhardt said that the violation occurs when a person who is a Select Board member talks to a person who is not a Select Board member and that non-member talks to another Select Board member.

Dave DeHerdt, Meadow Lane, said that if one person asks another "What do you think?" then that person asks another "What do you think?" it may constitute a serial deliberation by conduit.

Ron Coler said that as a new Select Board member he has been trying to get up to speed on the Open Meeting Law, that he had read the Otis case as well as others involving Selectboards, and that he read Otis differently. He said that he is concerned that there can be some ambiguity in interpreting the Open Meeting Law. He noted that there is an Open Meeting Law seminar being offered in Huntington in June and requested that notice be sent to all Town Boards and Committees encouraging as many as can to attend.

Doug Field reported that Town Clerk is working on setting up an additional Open Meeting Law training in town as well. He said that if the Board had erred the Board will remedy it.

Tree Cutting Behind Town Hall

Ricki Carroll, Main Street, asked if she could ask a question. Recognized for that purpose by the Chair, she asked how the Town had come to the decision to cut the trees behind Town Hall. Doug Field said that the Building Committee did, concerned that tree branches rubbing against the roof were causing leaks and some of the large trees close to the building were weak and put the Town Hall in danger. He said that to fell the very large trees the volunteers of, and working with, the Building Committee had needed to take down trees behind the largest ones as well.

R. Carroll said that she had also heard that the Building Committee was planning to put another door in, to provide direct access to the committee room and that she was opposed to the idea. P. Leukhardt said that she agreed and would like to ask the Building Committee to come to the next Select Board meeting.

Hazard Mitigation Grants Assistance

Doug Field said that he would talk to Tom Poissant to see if we might want to pursue the possibility of a High Hazard Dam mitigation project, for example, an automated alarm system.

FY12 budget transfers, end of fiscal year budget review

Looking at the expense report Paullette Leukhardt suggested that if the tree warden was not going to expend all the appropriated money in that account perhaps he could check with the Tree Committee to see if they want to spend the money on something.

Shelburne Senior Center contract

Doug Field reported that the contract is still being worked out and is not yet ready to sign.

OLD BUSINESS:

New FY13 FRCOG Building Inspector Program Contract

Doug Field said that while there is a new contract available to sign, he would like to see the one-year withdrawal notice reduced to 60 to 90 days. Paullette Leukhardt said that she would like to see it reduced to 30 days.

Paullette Leukhardt said that she would like to see the contract reviewed by someone other than Ashfield's Town Counsel. She said she would like to see it sent to Kopelman and Paige.

Sign Letter Informing Legislators of the ATM Vote on the Citizens Petition Regarding Citizens United

The Board looked at a sample letter. A motion was made, seconded and passed, to have a similar letter drawn up for each legislator, to be available for the Board to sign at the next meeting.

New Select Board Liaison Position Assignments

Doug Field read out the positions to be assigned as well as his notes on which ones had been discussed at the last meeting. Paullette Leukhardt suggested that liaison assignments be switched every six months. Ron Coler said that he thought that full year assignments were important.

Dave DeHerdt, Meadow Lane, said that rotating liaison assignments kept the liaison from becoming a booster of that board or committee rather than the person who should perform oversight.

Ricki Carroll, Main Street, suggested that the Select Board invite all committee and department heads to come to SB meeting to give quarterly reports.

LIAISON REPORTS:

Paullette Leukhardt: Police Department. Patrick Dronney needs a new desk, the one he has is very small and in poor condition.

Doug Field: Highway. Doug reports that Tom has sent out the material procurement bids.

Ron Coler: Town Hall Offices. Ron reports that he has met with the staff at Town Hall and is acquainting himself with policies and procedures. He asked Dave DeHerdt, Chair of the Personnel Board, when a new employee handbook will be ready. Dave DeHerdt said it would be ready by September at the latest.

Letter entered into Record

Chair Field referenced and incorporated into the record a letter presented to the Board by Deb Nicholson, Main Street.

Suzanne Corbet, Williamsburg Road, said that there are two letters and one HUD audit report on The Regional Housing Authority that should be at Town Hall but are not. Doug Field said that he will do some further checking on the matter.

A motion made, seconded, and passed, the meeting adjourned at 10:18 pm.

DOCUMENT LIST

SELECT BOARD MEETING MAY 30, 2012

1. FRCOG contract plumbing, gas, and wiring
2. Letter informing legislators of ATM Vote on Citizens Petition Citizens United
3. Senior Center Contract
4. Letter presented to the Board by Main St. resident Deb Nicholson