

Approved as amended
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SB 2-25-13

Town of Ashfield - Select Board

Meeting Minutes

February 6, 2013

The Select Board meeting was held on Wednesday February 6, 2013 at the Ashfield Town Hall. The meeting was called to order at 7:01 p.m. by Paullette Leukhardt. There were four recorders in use. Approximately twelve audience members were present.

Select Board – Paullette Leukhardt, Ron Coler, Tom Carter

Executive Administrator – Mary Fitz-Gibbon

Finance Committee - Ted Murray (Chair), Janet Rodgers, Ricki Carroll, Tom Schreiber

Board Reorganization

Paullette Leukhardt nominated Tom Carter, seconded by Ron Coler. Carter accepted the nomination. **Unanimous vote of the board in the affirmative.** Carter stated that he is a “recycled member” of the Select Board and stated that he appreciated the support. Carter stated that he fully intends to move the meetings along and will do so by having citizens make appointments and keeping comments limited for the end of meeting.

Vice Chair or Clerk – Leukhardt stated that according to Kopelman and Paige, P.C. there should be a chair, vice and clerk. Discussion ensued on how to structure. **MOTION:** Coler made a motion that Leukhardt be Vice Chair seconded by Carter. **Carter- Aye, Coler- Aye, Leukhardt-Abstained**

Carter brought to the attention of the Select Board that he won't be available next week.

Liaisons to departments with town employees (police, fire, town hall and highway) Leukhardt gave a description of how it has been working and said that it works well to have a member of the Select Board to have contact with. Coler stated that he feels like it is good especially with the three year rotating system. Carter to become highway department liaison so it won't disturb the current system until May.

Signing of Warrants - Currently notice is received on Friday and warrants are available through the weekend and board members come in by early Monday morning. Questions come to the next meeting for discussion. Coler stated that it works well. Carter stated that he wants the warrants signed in the presence of the entire board at the meeting and that no one person has the authority unless they are acting as a board. Carter suggested that the meetings move to Monday nights for regular business and stay on Wednesday evening through the budget season to meet with the finance committee.

Leukhardt stated that she wanted to still look at the warrants over the weekend as she found it helpful

to take time. Mary Fitz-Gibbon to find out if the warrant can be emailed to members. **MOTION:** A motion was made by Carter to make Monday night the regular business meeting for the Select Board, seconded by Coler. *Carter – Aye, Leukhardt – Aye, Coler- Aye*

Appointment

Emily Robertson - School Committee. Ms. Robertson brought up the Public Hearing in two weeks at Mohawk and mentioned that this is a difficult budget season. For three years the school committee has been using what they have available from the revolving funds and other accounts. Overall assessment increase to towns of 2 ½ percent. The state decided that Ashfield will pay \$93,000 more than last year and that this number is based on assessed values and income numbers from 2010. Ms. Robertson explained the enrollment will be under 1000 and that the district pays the charter schools. Carter agreed with Emily that the charter school numbers should be on the information passed out at town meeting. Emily Robertson shared that Green Repair grant, debt exclusion projects came in under budget at \$96,000 less than what was approved. Public Hearing on the budget is on Wednesday February 20, 2013 (School Committee). Carter thanked Emily for her hard work and asked to extend that to the other school committee member Poppy Doyle.

Computer and technology concerns

Coler spoke of current electronic media issues and stated that by law the town is responsible for developing a policy and system that ensures that government records are created, maintained, disseminated and destroyed in a manner consistent with transparency and accountability requirements. Coler then asked Paul Swem to speak regarding the subject. Paul spoke regarding current systems in the town hall. Paul recommended network infrastructure and a server that would start to bring Ashfield closer to compliance with current laws. When fiber optic is available it would probably be able to tie in the Highway department. Paul spoke regarding an offsite back up location and not a cloud system. HANDOUT... Rough soft numbers to install server and two work stations would cost approx... \$12-\$15,000. Leukhardt stated that chief of police is worried about records on his current computer. Leukhardt spoke of moving the police onto the old Assessors server until July 1, 2013.

David Kulp spoke regarding the potential of a Technology Committee and that committee reviewing the plans and having input. The proposed Technology Committee has a mission statement but no official members. It is taking two committees and consolidating them into one (website committee and telecommunications committee). Carter requested that this topic be put on the agenda for 2/18 with a list of the people and the mission statement with the objective of appointing the committee. Coler also requested that the appointment form for Town Clerk be completed as well.

Other Finance Committee Discussion

Finance Committee was approached about finding money to keep the sidewalks cleared and to keep people out of the roadways. It was found that the sidewalks are considered seasonal and do not fall under the responsibility of the town.

Leukhardt suggested taking all departments' IT needs and creating one line item on the budget.

Old Business

Completion of Information for 1-22-13 Executive Session (did not take place). Leukhardt and Coler explained the situation in detail that led to the alleged Open Meeting Law violation. Leukhardt called the Attorney General's office and said the suggestion made to her was to discuss the situation at an open meeting. Mary Fitz-Gibbon requested an extension to respond until February 14, 2013 since the Select Board is reorganizing; a written extension will follow in the mail. Leukhardt said the notice should have been posted as an Open Meeting with an Executive Session listed including the reason for going into executive session. Carter read email correspondence from Town Counsel with suggested response to the Open Meeting Law Violation Complaint. Coler and Leukhardt both agreed that no open meeting or executive session meeting was held and such statement should be included in the response and that in the future the meeting would be posted according to directions elicited from the Attorney General's Office by Leukhardt's call. Mary to send the response to Town Counsel with changes and Carter will sign. **MOTION:** Leukhardt made a motion that with the changes made the document will be signed by Carter, seconded by Coler. *Carter-Aye, Leukhardt – Aye, Coler- Aye*

Minutes

Discussion on past minutes and moving forward with minutes including document lists. Board agreed that basic minutes would be best with small synopses of discussions. Past minutes have been given to Priscilla Phelps and Jennifer Morse for completion. Jennifer Morse plans on attending meetings in the future. Leukhardt would like to see the minutes done timely and placed on the internet so the public can have access to them. Coler stated that he felt that more money and hours are needed to keep the minutes up to date to adhere to public requests.

November 28, 2012 Minutes - document list needed - tabled

December 5, 2012 - Coler grammar and changes to wording. Document list needed - tabled

Documents/Mail

Letter from Heath Board of Selectmen RE: School occupancy data inaccuracies

Letter from Attorney General – dated January 30th, OML complaint referring to Sherrill Jourdan complaint – October 24, 2012. Response was sent to Sherry Jourdan with town counsel support though

Leukhardt did not sign due to a conflict. AG is reviewing the complaint at this time, no further action needed on behalf of the board at this time.

OML complaint from January 14, 2013 – Suzanne Corbett - Complaint regarding meeting minute records missing from the town binder. Mary requested a verbal extension and is waiting for a written extension. Mary to forward to town counsel for comment and to be tabled to 2/18 meeting.

Other Discussion

Carter asked if there was a need for a Special Town Meeting. Discussion implied that the police department, legal expenses money needed... Put on the agenda for 2/18 warrant articles and possible dates.

Old Business

Liquor Licensing Renewal Certification 2013 (two copies) - *Signed by All Board Members*

District Local Technical Assistance (DLTA) funding response from FRCOG - Discussion on which topics should be forwarded to FRCOG as Ashfield top choices. Five choices were decided on and Mary will forward to FRCOG... 1. Regional Fire District 2. Zoning Bylaws 3. Downtown or Village Center Master Plan 4. Housing Production Plan 5. Open Space and Recreation Plans

Annual Report 2012 - Draft copy given to other members and will be brought to the next meeting. Discussion on Open Meeting Law Violation Complaints and the citizens who filed. Leukhardt stated that she would not feel comfortable citing names and stated that she is not disputing the facts being correct. Carter understood her feeling but also stated that the people who are filing these complaints want complete transparency. Coler said that he thought he did a reasonable job and asked that everyone take the time to read it over and come back with comments.

Citizen's Comments

Bill Perlman - Comments on the Select Board being attacked by three people in town and the concern that other boards are also being attacked along with FRCOG and the Ashfield House, LLC. It is hard to stop, it is a disservice to the town and county, someone wants the Ashfield House and this is a huge problem. What is the cost of this to the town, need that figure at town meeting... asking the council of governments to put together the same information.

Frank Wickland - Informational Services - be cautious who the town deals with.

Glad to see that everyone is moving forward. Townspeople need to be more involved.

A motion was made and seconded to adjourn the meeting at 11:15 p.m. - *Unanimous*

Submitted by:

Jennifer Morse

February 11, 2013

Document List for 2-6-13 Minutes

- MTRSD 2013-2014 School Budget Proposal (Ashfield)
- District Local Technical Assistance (DLTA) funding response to FRCOG
- 2013 Liquor Licensing Renewal Certification
- Memo from Paul Swem, Ashfield IT Consultant RE: IT overview for FY14 Budget
- Letter from Heath Board of Selectmen RE: School Occupancy data inaccuracies
- Draft Report of the Select Board for Annual Town Report
- Draft Response to Open Meeting Law (OML) Complaint from Deborah Nicholson, filed January 22, 2013 alleging a violation by the Select Board on January 22, 2013.
- Open Meeting Law (OML) Complaint filed by Suzanne Corbett, January 14, 2013, alleging a violation by the Select Board.
- Letter from the Office of the Attorney General, dated January 30, 2013 RE: complaint from Sherrill Jourdan dated December 31, 2012 regarding Select Board response (November 29, 2012) to an original complaint filed by Sherrill Jourdan (October 24, 2012) alleging a violation by Douglas Field, Chair, Select Board at the September 27, 2012 Select Board meeting
- Approved Minutes for 2-6-13: Draft with corrections as approved