

9/14/11
approved
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**SELECT BOARD MEETING
AUGUST 11, 2011**

The meeting was called to order at 5:00 PM

Present: Select Board – Norm Russell, Doug Field, Poullette Leukhardt
Interim Executive Administrator – Mary Fitz-Gibbon

Mr. Russell announced this meeting has a short agenda: to take actions necessary for the Town to join WiredWest and to take a look at an audit.

WiredWest Present: David Kulp

Preliminary discussion: Mr. Russell said Town Council had a couple of minor comments:

- 1.) Bylaws section 4.15, the MGL Chapter 39, section 23B, the Open Meeting Law, and Chapter 30A, sections 18 – 25.
- 2.) The instructions from WiredWest state Selectmen should appoint the municipal lighting plant as a Town department, then appoint a manager, etc. However, the Certificate of Votes does not designate the lighting plant as a Town department. Mr. Russell thought the Board should stick with the wording of the votes, for the time being.

Mr. Kulp said WiredWest wasn't concerned about whether or not the lighting plant was a Town department. He reminded that the Board, acting on bad advice, through a series of votes created a Municipal Lighting Plant Board, which, as it turns out, was not necessary, and are now null and void.

Mr. Russell noted he was satisfied that previous changes suggested by council were incorporated into the document that the Board was about to approve and sign.

Motions/Votes

1. Ms. Leukhardt moved that David Kulp be designated as manager of the municipal light plant. Mr. Field seconded. The vote was unanimous in favor.
2. Ms. Leukhardt made a motion that the municipal light plant join WiredWest Communications Corporation, referred to as "WiredWest." Mr. Field seconded. The vote was unanimous in favor.
3. Ms. Leukhardt moved that the Board designate David Kulp as its delegate to WiredWest. Mr. Field seconded. The vote was unanimous in favor.
4. Ms. Leukhardt moved that the Board designate Andy Smith as its alternate delegate to Wired West. Mr. Field seconded. The vote was unanimous in favor.
5. Ms. Leukhardt moved that the manager be authorized to execute all documents necessary to effectuate the purposes of these votes; and, any previous actions taken by the manager which are consistent with the purposes of these votes are hereby ratified. Mr. Field seconded the motion. The vote was unanimous.

The votes having been taken, Mr. Russell then stated that he would sign the official document. He stated, "I further certify that the above votes were taken at a meeting open to the public; notice stating place, time, and date was filed with the Town Clerk; a copy posted in the office of the Town Clerk or on

an official bulletin board at least 48 hours (excluding Saturday and Sunday) prior to such meeting and remained so posted at the time of the meeting, in compliance with applicable law.

"In connection with the votes taken, no deliberation was taken in private or in executive session outside of the official meeting. The record was or will be made available to the public, in accordance with applicable law." He then signed in the appropriate place.

At the top of the document was one additional certification which he also signed, after reading into the record: "I, Norman L. Russell, Chair of the Select Board of Ashfield, certify that the meeting of the Board was held on August 11, 2011, at which all members of the Board were notified and a quorum was present and acting throughout. (3-0)"

Ms. Fitz-Gibbon will provide the certified warrant articles and certified votes to accompany the just accomplished votes.

Wireless Broadband (GAW) On his way out, Mr. Kulp paused to advise the Board that GAW, the wireless broadband company that received \$40,000 to pursue service in Ashfield, is backpedaling in its plans, upon discovery of a longstanding bylaw that limits height of towers in town to 80 feet. This bylaw appeared when the Town was trying to manage plans for cable TV. When he called to inquire, he was told they'd get back to him.

FY'10 Audit The report from the auditors on the Town's handling of its finances during FY'10 has arrived. The Board members, along with the accountants, treasurer, and other persons involved in managing the funds now need to review the report. A "representation letter" has been provided for the Board to sign and return, once it has been reviewed, and accepted or questioned. Also provided is a management letter with suggestions for implementation which will be considered.

School Repair projects Mr. Field reported that he'd attended last night's school committee meeting, at which the motion to be voted for funding of the project was discussed. He was surprised that the motion before the committee included the total cost of all the projects – over 8 million dollars. Each Town will vote on a motion specific to it; for Ashfield the total amount will be \$ 212,000 for its share of the Mohawk repairs.

Special Town Meeting (STM) A vote needs to be taken within 60 days for Ashfield's share of the school project. Since there are several other items that also need to be brought before the Town, a date most likely before the end of September seems likely. Potential articles include funding for a veteran who lives in Town, the vocational budget, a solar bylaw, and acceptance of a "stretch code" bylaw with regard to the building code.

Inspections Ms. Fitz-Gibbon reported that on Wednesday she received word that there will an inspection of town buildings on Monday. Mr. Russell said this is very short notice, and he wants it postponed to another time. Ms. Fitz-Gibbon has been trying to reach the Building Inspector to make arrangements.

Personnel Board Ms. Leukhardt said the Personnel Board is working on a job description for the clerk's position held by Nancy Intres. The Personnel Board plans to have the Select Board take a look at it before moving to the next step, that of posting the position.

Town Hall renovation project Ms. Fitz-Gibbon reported that the installation of alarms and lighting in the soon to be police station have been scheduled. She said the Chief does not plan to move until the air exchanger is in place. The Board directed Ms. Fitz-Gibbon to contact Mary Quigley and/or Stuart Harris about what to purchase. Questions were asked about dehumidifiers. It is thought that the right air exchanger will resolve the moisture problem without the need for an additional dehumidifying unit.

There being no further business before the Board, a motion was made, seconded, and voted to adjourn at 6:14 PM.

Respectfully submitted,
Priscilla Phelps