

SELECT BOARD MEETING  
Minutes – July 25, 2012

**Present:** Select men: Doug Field, Ron Coler, Paullette Leukhardt  
Interim Executive Assistant: Mary Fitz-Gibbon

The meeting was called to order at 7:02 pm.

**Minutes:** A motion was made by Ms. Leukhardt, seconded by Mr. Coler, and voted, to accept the minutes of the June 13, 2012 meeting as amended. A motion was made by Mr. Coler, seconded by Ms. Leukhardt, and voted, to accept the minutes of June 26, 2012.

**Personnel Board:** Present: Dave DeHerdt

Mr. DeHerdt reported that the Personnel Board (PB) advertised the position of Executive Administrator in both *the Recorder* and *the Daily Hampshire Gazette*. 5 applications were received. The board has conducted initial interviews, narrowing the selection down to two. He presented the Select Board with the packets for the two individuals, including the questions that were asked in the interviews. It is now the Select Board's (SB) turn to review the applications. The SB may set a date and publicly interview one or both. Mr. Field opened the two envelopes and announced the names: Joyce Boudreau of Heath and Mary Fitz-Gibbon of Ashfield. The Board will schedule interviews at a time when all three board members can be present. Redacted copies of the candidates' information will be prepared for the minutes.

Mr. DeHerdt said the other issue he wanted to discuss is time cards. The PB is trying to determine how many hours some positions actually require. He knows that some people actually work more hours than they record on their time sheets. They feel like they have to volunteer the overage. If people regularly work more hours than the position calls for, the reason this is happening needs to be determined. This may be true of town hall workers where in recent times positions were combined, then taken apart again, possibly not allocating enough time for some positions, or too much for others. Ann Dunne, Town Clerk, spoke to say that it's difficult to determine over a short term because of the cyclical nature of work in some positions. She suggested looking at time needed for various positions be done for at least a year. She said, in her case, years in which there are state and federal elections she is busier than in other times. Mr. DeHerdt agreed saying it might turn out that it would be less expensive to pay overtime, rather than increase the hours of a position.

Mr. Coler would like to see job descriptions so that he can begin to understand what everyone who works in town office does. He was interested in how responsibilities were distributed.

**Road Issues:** Present: Sherry Jordan

Ms. Jordan had several issues to discuss re: Rte. 116 between Spruce Corners and the Plainfield line. She asked about paving and about trees that need to be removed, citing safety concerns. She also asked about a culvert on Pleasant St. Mr. Field explained that Pleasant St. is a federal road, as is Williamsburg Road, and monies to fix that road come from the federal government. It is a concern, but the work will

be done when federal money is received to do it. On the other issues, Mr. Field advised speaking to the Highway superintendent. The tree committee has to be consulted about the trees. Her final concern is the lack of visibility at the intersection of Rte.112 and 116 near the school. *Mass DOT* has been contacted about the situation.

**Street Lighting:** Present: Ricki Carroll

Speaking for herself and not as a member of the Street Light Committee, Ms. Carroll reported that some lights on Main Street have been replaced with very bright lights. She would like them turned off saying that this is light pollution and also a hazard for persons trying to see while driving through the area (too much light). She said there are covers that could direct the light down rather than spraying the light all over into areas where it is not needed (or desired).. She doesn't think we need to have lights on all night long, either. Her attention was focused on the situation at this time because WMECO has recently changed the bulbs on Main Street. She said she knows that the power company has the capability to put lights on timers and also to use solar energy, but they haven't.

After discussion it was recommended that the lighting committee convene a meeting so that interested/concerned persons could attend and prepare a recommendation, which is recorded in the committee's minutes. A proposal should then appear before the Board for approval and action. The proposal should include a listing of which lights should be turned off, and which should remain on. Ms. Carroll would especially like the light in front of Eleanor Ward's house turned off.

Mr. Field has been looking on-line and found solar lights. The ones he looked into are on 7 foot poles, use LED bulbs, and come on dusk to dawn. He's wondering if these lights would be appropriate for Main Street. He plans to approach the Green Committee with this information as he thinks that is the appropriate place for this to be considered. He also suggested the light in front of town Hall that lights the flag be turned off and two ground lights be installed to light the flag.

Notice of a discussion about street lights, with the potential of a Select Board vote to take some action, will be posted and placed on the agenda sometime after the Lighting committee has met.

**FCRH&RDA:** Mr. Field reported that he has learned from Robin Sherman, director of the housing program, that she wishes to know how the Town feels about a situation where a property in the zero % interest program which is being sold as a hardship.[ In such a case the funds loaned might not be repaid, either in part or completely. ] Mr. Coler said the request was being made in a generic way to learn what the Town's policy is. Will it approve an investigation to determine that there is a hardship? He would like to know more about the history of this. Has this happened in the past? If so, how did the Town handle it?

In response to Coler's questioning what Select people have done in the past, Fitz-Gibbon makes mention of one case and that involved the Ashfield House (AH). Select Board members Field and Leukhardt mention they recall Robin Sherman telling the Select Board the money for the Ashfield House grant was

from a different funding source not the same program/grant money being referenced for the contract being discussed at this meeting regarding forgiveness and hardship.

Ms. Leukhardt indicates due diligence suggests to her to send this contract to Kopelman & Paige, PC (K&P) for review out of town (Greenfield). (Town Counsel represents FRCOG and members of FRCOG and Housing Authority sit on each other's boards). She thought K&P did a really good job with the last contract. Field (Chair) indicates this is a draft contract and would want to have the final contract reviewed by an attorney not the draft contract.

Mr. Field asked Ms. Sherman who the person was and how much was involved. She told him she couldn't tell him that. Mr. Coler reminded that this is confidential information. According to Mr. Field, Greenfield has this type of grant. Ms. Fitz-Gibbon reported that the housing authority charges a 24% management fee; the Greenfield grant has a 10% fee. She also said several towns are questioning the new agreement. The plan is for several towns that have questions to have counsel look over the agreement. Ms. Leukhardt stressed the need to have "a clean" look at this; her recommendation was to use K&P. Her concern is that some of the same people sit on both the FCRH&RDA and FRCOG boards. It appears they use the same counsel as does the Town. Leukhardt says this is a little too close for her. She prefers a little distance by taking the contract out of town to another attorney.

Mr. Coler said it is a good idea to look around and see what's out there. He agreed the Greenfield program should be looked at. He did say that if there is interest in changing Town Counsel the process of obtaining bids should be followed. He would like to know who the legal reviewer of the document was. The issue was tabled for the time being and will be continued at a future meeting.

**FRTA Advisory Board Representative for FY'13: Mr. Coler made a motion, seconded by Mr. Field, and voted, that Ms. Leukhardt will be the Town's representative to FRTA. Meetings are quarterly, with the next one scheduled for September 20, 2012.**

**On-line Building Inspector program:** Mr. Coler and Ms. Leukhardt attended a training to learn how the on-line program for submitting building permits works. They said that Assessors could obtain passwords that would allow them to view permits. Ms. Lilly, an Assessor, said the Assessors are notified on permits that are issued, and they, in turn, send their contracted people from Mayflower out to assess the project once the project is complete. The Assessors interest is in measurements to additions, improvements that change the property value for taxation purposes.

**NEW BUSINESS:**

**Green Energy Park:** Mr. Field reported that Mr. Roberts of Roberts Brothers Lumber Co. has proposed creating an energy park on 480 acres of property he owns in Ashfield. He is requesting a letter of support from the Select board to get 3phase service from the Ashfield Substation to the Plainfield Substation. Mr. Field said it would be a benefit to both Ashfield and Plainfield in the event that one of

the substations goes down. This would also make possible the gasification project that Mr. Roberts wants to install. Caterpillar is also on board with this.

Mr. Coler said he is in favor of the sustainable energy model and the 3phase capability makes sense to him. However, he feels the best place for this discussion is with the Green Community Committee. This issue should go to that body and that is where the request should be coming from. He said that committee has a mandate from the state to look into alternate forms of energy. Mr. Field suggested inviting the Green Committee to attend a Board meeting to discuss the proposal and possibly issue a joint letter of support.

There was some discussion of where Mr. Roberts intended for this park to be. Mr. Field said some of the land is big open mowing. Mr. Coler said there seems to be mention of greenhouses which can be annoying due to lighting, depending where they are located. He said there was mention of housing developments.

**Highway Pick-up bids:** Ten packets containing the bid specs for a new pick-up were distributed and three returned. Mr. Field and Highway superintendent Tom Poissant opened the bids earlier today. They were: Bedard Brothers - \$23,110.00, McAdams - \$25,450, Dillon Chevrolet - \$28,490. After discussion a motion was made by Ms. Leukhardt, seconded by Mr. Coler, and voted, to accept Mr. Poissant's recommendation of the Bedard bid of \$23,110.00.

**Chapter 90** money has been released. Ashfield's amount is \$295,565. Mr. Poissant plans to spend most of it (\$288,190) for blacktop oil and stone provided by All-States Asphalt. **A motion was made by Mr. Coler, seconded by Ms. Leukhardt, and voted, to approve the expenditure as submitted.**

**Animal Control Officer:** Ms. Fitz-Gibbon reported that the Animal control Officer, Warren Kirkpatrick wished to advise the Board that he will be covering for the animal control Officer in a neighboring town for about a week. He likes to let the Board know when he's providing "mutual aide."

There has been a follow-up to the complaint from Mr. Thayer regarding the dogs on South Warger Road. Mr. Kirkpatrick has paid a visit, advising that any additional problems with the dogs running freely will result in court action.

**Liaison Reports:**

**Fire Department – 1.)** Paint is peeling off the building on the back side. The building committee will be asked if it is responsible for buildings other than town hall. Painting can be done through the Sheriff's department. **2.)** There is a need to increase the electrical capacity in the fire station. The Fire chief will be directed to get a quote from the electrician (Poissant) and follow-up by approaching the Green Community Committee to see if it has funds for this project. **3.)** The fire pond at Sanderson will be filled this Saturday with water trucked from the lake to the site. Betty Stewart, sitting in the audience, had concerns about lowering the water level in the lake.

**Police Department** - The Chief will be out for medical leave in August. Mr. Coler is waiting for Chief Droney to get back to him about picking up the desk he has selected. The new cruiser is expected this week.

**Town Hall** – Mr. Coler has met with the office staff; they talked about time and operational procedures.

**FRCOG- Inspector program** - Mr. Coler attended his first meeting. Ms. Leukhardt went with him.

**Highway Department** – Mr. Field reported that the new highway truck is back down at International again. There are serious problems with the ignition systems on the trucks.

**Council on Aging** – Mr. Field reported that the agreement is just about set up. The position of Interim Director has been posted. In-house applicants will be given first consideration.

**Announcement** - Representative Steve Kulik will be at Gloria Pacoso's next Sunday from 4-6.

**Open Meeting Complaint** – Another Open Meeting Law Complaint has been received from Suzanne Corbett. The complaint needs to be responded to by August 8<sup>th</sup> and in Suzanne's hands by August 14<sup>th</sup>. There was discussion about how to get a letter delivered within the timeframe as changes in the routing of Ashfield mail have made it harder to predict Postal Service delivery dates. A meeting will be posted for August 1, 2012 just in order to respond to this issue.

**Other items:**

Some time ago Erica Travis inquired of the Board about conducting yoga on the town common during the Farmer's Market. Mr. Coler reported he had heard in a round-about way that she was still waiting for a response. There is a question about whether this massage therapy is an appropriate activity for a farmer's market. Mr. Coler has tried to contact Ms. Travis to suggest she check with the Farmer's Market organizer. He hasn't heard back.

E-mail from Deb Nicholson at the Ashfield House dated July 22<sup>nd</sup>. Mr. Coler read the e-mail. Ms. Leukhardt had a second e-mail that clarifies what was meant by the earlier e-mail. Mr. Coler read a portion of this one, however it was equally confusing. Ms. Fitz-Gibbon said, first of all this was really a request to the Board of Health. Secondly, no documents such as those requested exist. There is no sign-up sheet, etc. The only persons who would have had any involvement would be two office employees and the IT person who was called to help retrieve some information from a thumb drive (which was unsuccessful).

Ms. Fitz-Gibbon spoke to the concern of being put in the uncomfortable position of being asked to provide information that should not be tracked in the first place. This discussion continued with the point being made that town office employees are important resources of information for the various committees, however, they abide by ethical standards with regard to managing information. Betty Stewart, who is not a BOH member, reported that at the BOH meeting last evening the Board voted to seek legal counsel on this request.

Mr. Field said there is another e-mail from Mr. Hawkins (Building Inspector). "As far as what is going on over at the corner (Ashfield House), it's going to be fixed." Mr. Field reported that there is an order that the violations must be corrected no later than August 10<sup>th</sup>. Mr. Coler said this issue should not even be at this meeting. Whatever must be done has to be done by the 10<sup>th</sup>. Then, if it's not done, it goes to housing court. There is a process, and the health agent knows the process and is trying to follow it.

Apparently, the crux of the current problem at the Ashfield House is that a tenant had been complaining to others about an odor, but never brought the complaint to the BOH. If she had, it would have been looked into. There is a sill under one portion of the building that is rotten and needs to be replaced.

There has been a complaint about someone spraying the vegetation along the guard-rails on town roads. It turns out that the highway department was spraying Round-up to kill poison ivy that has really gotten out of control. Somebody complained saying that the vegetation is still poisonous after treatment. The spraying has stopped. Mr. Kippen is working with the highway department to make a solution that will kill the poison ivy without harming anything else. Ms. Carroll reported that in the 1990's Mass DOT agreed not to use Round-up. Betty Stewart says she has a recipe that kills poison ivy. The ingredients are: vinegar, salt, detergent, and water.

Rt 116 - According to Mr. Field, in 2007 a group of people found some sort of endangered fish in the brook being worked on. For the past two weeks people have been sitting in the brook trying to find this fish. The replacement of the retaining wall project which is ready to go is being held up by this fish.

**Minutes** - The matter of making the preparation of minutes a priority was discussed. There is money in the budget to hire someone to do this. Priscilla Phelps, who has done them in the past will be asked if she will get the minutes caught up.

A motion to adjourn was made by Mr. Coler, seconded by Ms. Leukhardt, and passed. The meeting adjourned at 10:10 pm.

Respectfully submitted,  
Priscilla Phelps

**Document List:**

Agenda for July 25 2012  
Open Meeting Law Violation Complaint  
FRTA Advisory Board letter  
Roberts Bros. Lumber Co. Inc., Sustainable Rural Community Project Proposal  
Email Correspondence  
Franklin County Regional Housing & Redevelopment Authority Agreement; FCRHA: Appendix C  
Report to the FRCOG from the Edward Collins Jr. Center for Public Management

Town of Ashfield Highway Dept. Memorandum  
Pick-up Truck purchase Bids and Chapter 90 Project Request  
Email list of roads for resurfacing  
Mass DOT Project Requests  
Employment Applications

Approved as amended  
3-0-0  
7/1/13