

SELECT BOARD MINUTES October 28, 2009

Present: Ted Murray and Dave DeHerdt

Town Administrator Maryellen Cranston

Approximately 50 residents

Meeting called to order 7:05 p.m.

Warrants – Warrant #9 was signed by October 26. (Vendor - \$41,742.68 and Payroll - \$18,739.09)

Agenda – As Chair, Ted Murray reviewed the meeting's agenda.

Minutes – Motion was made, and seconded, to approve the minutes of October 22 as amended. Vote was unanimous.

Appointments – Moderator, Buz Eisenberg, presented his nominations to fill the vacancies on the finance committee due to the resignations of Ted Murray and Kit Nylan.

Motion was made, and seconded, to accept the resignation of Kit Nylan from the finance committee with regret. Vote was unanimous.

Motion was made, and seconded, to appoint Janet Rogers to the unexpired term of Ted Murray on the finance committee subject to the acceptance of Ted Murray's resignation letter when Tom Ulrich returns. Vote was unanimous.

Motion was made, and seconded, to appoint Mary Link to the unexpired term of Kit Nylan on the finance committee. Vote was unanimous.

Motion was made, and seconded, to appoint Kit Nylan to the unexpired term of Ted Murray on the zoning board of appeals subject to the acceptance of Ted Murray's resignation letter when Tom Ulrich returns. Vote was unanimous.

Liaison Reports – Fire Chief Del Haskins and Police Sergeant Kristina Nunez discussed with the Board the need to write letters of support for proper funding of Shelburne Dispatch. The Shelburne Dispatch is long overdue for an upgrade of software and equipment. They are also short of adequate staffing. Del will provide Maryellen with a draft letter.

Police - Ted attended a police department meeting and met the officers. He will be meeting with Sgt. Nunez tomorrow.

Highway - Dave reviewed a number of highway issues that were discussed in his meeting with Highway Superintendent Tom Poissant. The list includes the following:

1. Trench Permitting
2. Chapter 90 Funding
3. The bad shape of Spruce Corner Road and Plainfield Road
4. Update and issues with the Belding Park Restoration

5. Sand and Sale for Private Contractors – Motion made and seconded, to amend the November 22, 1994 Winter, Sand and Salt Use by Private Contractors to read as follows:

“There will be a charge of cost plus 10%/load (approx. 1 ¼ yds.) to contractors serving Ashfield residents with a sand and salt mixture supplied by the Ashfield Highway Department with the understanding that materials are loaded by Highway Department employees only.”

Vote was unanimous.

6. Department Heads will be given the opportunity for input on changes to the Personnel Policies.
7. Gravel Roads
8. Ashfield Lake Dam – There needs to be clarity about the division of responsibility for the Dam as well as how that responsibility should be coordinated between the Emergency Management Director, Park Commission and Highway Department.
9. Unmaintained Roads – Maryellen will research the files for information regarding the possible use of a college student to research this issue.

Emergency Manager - Motion was made, and seconded, to appoint Doug Field as the Emergency Management Director for the Town of Ashfield. Vote was unanimous. Doug reviewed the area that would be impacted if the dam broke. Discussion occurred as to the possibility of drawing the lake down a couple of feet. Doug will check with state agencies to find out the protocol. Dave pointed out the importance of documenting everything relating to the dam.

FEMA Payment – The town received \$133,571.35 from FEMA for work related to the ice storm clean up. This money will be used to make a payment on the loan from Bank of Western Mass.

Telecommunications Committee – The Board reviewed a draft proposal of a charge for a telecommunications committee that would address the cell phone and broadband needs of Ashfield. The Board will appoint the committee at their next meeting.

Police Issue Letter – Responding to a citizen’s letter regarding the police presence at the October 5 select board meeting, Ted said that the officers were not paid. The officers were present due to concern about possible reaction to the issues surrounding John Svoboda. Ted will do some more research regarding how this could be dealt with in the future. Dave said it would have been better if the officers had been present in civilian clothes.

Election Issues – Maryellen is working with Mass Commission on Disabilities and the Elections office to have town hall assessed for accessibility as a polling place and municipal location. Dave said that he has read the law and all we need to offer is an alternative polling location for people with disabilities. He felt the fire station would be appropriate because people could drive right up to the door. Maryellen will have both locations as well as Sanderson assessed for accessibility as polling locations.

Email Policy – Maryellen discussed with the Board information she learned from a presentation she attended where public records were discussed. She will present a draft policy at a future meeting for review. This policy is necessary to address the issue of missing emails. Additionally Town Counsel has said that given how the select board has used emails, it is necessary to print them off and keep them.

Town Counsel Use – In order to keep town counsel costs down, the Board has said that emails should no longer be copied to her unless she is directly involved in the issue. Maryellen will include this in the email policy.

Public Forum – Discussion occurred on the best way to charge the park commission for the use of highway department equipment.

The Board will consider how to offer ongoing refresher courses on sexual harassment.

Discussion occurred on holding the election official accountable for violating the law.

Motion was made, and seconded, to go into executive session per MGL Chapter 39, S. 23B to discuss strategy with respect to pending litigation. The Board will not reconvene in open session. Roll call vote: Ted, aye; Dave, aye.

Meeting adjourned at 8:55 pm.

Respectfully submitted,

Town Administrator