

Town of Ashfield
Select Board Meeting Minutes
June 13, 2016

A Select Board Meeting was held at the Ashfield Town Hall in the Committee Room on June 13, 2016 at 6:30 PM. Previous SB meeting was held on May 31, 2016. There were two audio recorders at the meeting. Approximately 10-30 audience members were present at the meeting.

Select Board: Chair - Todd Olanyk, Ron Coler, and Tom Carter

Interim Town Administrator: Kayce Warren

Chair Olanyk called meeting to order at 6:35 pm.

Coler noted that the Finance Committee awaited the amount to be requested on Article # of the Special Town Meeting (STM) Warrant. Chair Olanyk moved discussion of that item on the Agenda (Document 1).

DISCUSSION/DECISION ITEMS

A. STM Warrant – Article 7 – Salary Study Amount

Chair Olanyk noted that the Town received two responses to the request for quotes, one from UMass Boston Edward J. Collins Center for Public Management with a price estimate of \$10,500, and the second from DI Jacobs Consulting with an estimate of \$5,000. Warren stated that there was a clerical error apparent in DI Jacobs estimate in that he miscalculated based on the number of positions. After she discussed it with Jacobs, she advised the Select Board that Jacob's estimate of \$5,000 would increase, but would not be more than \$10,000. She also said that some of the positions could be termed "temporary" (i.e., life guards), which may not require as in-depth evaluation, saving the town money. Carter noted that the Collins Center proposal did not include travel expenses and was higher than he expected. Carter thought that the responses to the request for an estimate were more in-depth than Ashfield necessarily needed. Carter is interested having a sound base by which to "reset" pay rates, but not go overboard. There was general

discussion on the need to control the costs by paring down the requirements in a forthcoming Request for Proposal (RFP). Coler suggested that the Select Board should consider the \$12,000 recommendation by the Interim Town Administrator to obtain a more careful review of the positions.

Carter made a motion to request \$10,000 for the salary study, Chair Olanyk seconded the motion and invited further discussion.

Coler stated that the Select Board should request \$12,000 and control the costs through the RFP. He was concerned about having enough money to complete the work. Chair Olanyk and Carter stated that the Town should pare requirements in the RFP to cut costs. Warren noted that if the Town does more of the initial work (drafting job descriptions and such), that will save money. She also reminded everyone that any funds *not* expended would revert back to Free Cash. Carter stated that by appropriating less, that in itself would limit the parameters of the study.

Chair Olanyk called the vote for the motion on the floor; **VOTE – unan. (3-0-0)**.

Coler will make the motion on Article #7 Motion to reflect “up to \$10,000,” per the vote of the Select Board.

APPOINTMENTS WITH THE SELECT BOARD:

There were no appointments scheduled with the Select Board.

MINUTES:

- 05-23-2016

Coler made a motion to accept the minutes of May 23, 2015, as written, Carter seconded; **VOTE (2-0-1) Chair Olanyk abstained.** (Document 2)

- 05-31-2016

While reviewing the minutes of May 31, 2016, Chair Olanyk stated that he had notes of a vote of (2-0-0) of the Select Board to accept the TAP agreement. Carter stated that the Board of Assessors actually accepted the TAP with the Division of Local Services and that the Select Board only

needed to be notified for the classification hearing. Chair Olanyk recalled that the Select Board was in favor. Carter stated that he thought the Assessors asked the Select Board to support it.

Carter made a motion to accept the minutes of May 31, 2016, with the clarification noted in the second paragraph of page two, adding the statement at the end of the paragraph to read “Select Board supports the TAP program;” Chair Olanyk seconded; **VOTE (2-0-1) Coler abstained.** (Document 3)

Warren briefly explained the Galvin Contract. She noted that Jason Galvin executed it electronically. Having not facilitated that type of signature on a contract in the past, she discussed it with Andrea Woods (FRCOG Chief Procurement Officer) and told that typically FRCOG Counsel advises that if both parties agree that an electronic signature is acceptable, the contract can be executed in that manner.

The Moderator called the Special Town Meeting to order at 7:03 pm. The Select Board remained in session during the meeting.

B. Authorized Signatory on contracts/agreements

Chair Olanyk noted that the Select Board briefly discussed this at a previous meeting. Warren explained that acting as authorized signatory on contracts, state, federal, supplies and services, etc., are part of the duties of a Chief Procurement Officer. That person generally monitors contracts as part of the overall procurement procedures. Having the Chief Procurement Officer able to sign contracts expedites necessary purchasing, however, the Select Board typically signs larger contracts such as building repairs. The Chief Procurement Officers will generally sign those types of contracts as well, certifying the review of the contractual terms and procurement. Chair Olanyk asked what threshold Warren considered reasonable for request to act as authorized signatory. She replied that within a certain bidding threshold would be reasonable such as \$10,000 to \$34,999. He asked where the decision-making process includes the Select Board if that authorization was granted. She explained that though procurements are overseen by the Chief Procurement Officer (CPO), the Select Board would be kept apprised of them. She also noted that this would allow for more centralization of

procurement. Coler agrees that centralization would be useful, but wants to preserve the autonomy of the various departments to purchase based on their individual needs. He is concerned about the time burden on the Administrator. Carter noted that there needs to be some departmental oversight for budget administration.

Carter made a motion to give the Chief Procurement Officer signatory authority for routine supplies and services of \$5,000 or less.

Coler requested clarification as to what that signatory authority was relative to—all departments, town hall? Carter noted routine supplies and services, things like copier contracts, and other items of that nature. Coler and Carter discussed what types of purchases constituted “routine”. General consensus was purchase amounts up to \$5,000, contracts such as copier contracts, service contracts, supplies—office supplies and other regularly used items. Warren noted that she would not need to monitor every purchase, but it would be useful to know about larger ones. Carter noted that there needed to be communication to the departments and Coler agreed. Warren has discussed purchases (equipment and such) with the Highway Superintendent, as an example of beginning that larger conversation. She explained that she wants to make sure that department heads are fulfilling procurement requirements using available state contracts and local (i.e., FRCOG) cooperative purchasing collaborations.

Chair Olanyk reminded the members that there was a motion on the floor. Coler seconded.

Coler wondered what the Town had done when the previous Town Manager, David Dan. Carter did not remember. Chair Olanyk called the motion to give the Chief Procurement Officer signatory authority for routine supplies and services up to \$5,000 for vote. **VOTE (3-0-0); unanimous.**

Coler asked Warren to explain what the message about procurement has been to the other departments—Belding Library, the Sewer Department, etc.—he hasn’t seen an email detailing procedures. He asked whether Warren had talked to department heads about procurement. Warren responded that she had discussed procurement individually, but had not sent out a memo. Coler noted that dissemination of the information needed to be done in a collaborative manner. Coler asked Warren to send a memo, but

suggested that she circulate it to the Select Board for comment since Coler wanted it to be written with a particular emphasis. Coler would like to receive it for review before the next meeting on July 11th.

C. Galvin Roof & Repointing Contract for signature

The Select Board has the first seven pages of the contract for review as the rest of it, explained Warren, is the procurement documentation, as required by the state for that type of contract. Warren noted again that Galvin executed the contract electronically. She asked whether it was acceptable by the Select Board. Olanyk noted that during the Select Board's initial discussion of this contract Coler was not in attendance. Carter explained that the Select Board wanted the \$25,000 appropriated by Town Meeting expended first and then have the library donation fund used. The Select Board signed the contract. (Document 4)

D. Community Compact – Solid Waste and Site Cleanup Priorities

Warren explained that the draft scope of work for Select Board review to fulfill the Community Compact and the Executive Office of Administration and Finance requirements to receive a grant of \$20,000 for Solid Waste and Site Cleanup includes the budget and timeline. Both budget and timeline were determined cooperatively by both Jeff Thelen at Tight & Bond, Kathleen Casey from Hilltown Resource Management Collaborative (HRMC), and Tom Poissant based on the needs of the Corrective Action Alternatives Analysis (CAAA) approved by Massachusetts Department of Environmental Protection and the Select Board's input throughout the past several months. This scope must be sent to the Pam Kocher at A&F by tomorrow for their approval and after that, the Town needs to execute the state contract for the grant by the end of the week. Chair Olanyk noted the \$41,000 price tag for all the activities including Corrective Action Design (CAD) at \$24,300 and best management practices at a cost of \$4,100. Two additional elements are the Landfill Monitoring at a cost of \$7,000 and Wetlands Permitting at \$5,000. The Select Board discussed the CAD, noting that the survey seems high—Carter asked whether it was a hard number and Warren stated she thought it was—and that it most likely included topographical data. Chair Olanyk asked whether construction of a

retention wall was part of the redesign in the CAD narrative. Warren noted that there was the possibility that DEP would want the Town to allow the capability of moving compactors to be more accessible by users. Olanyk asked whether this design included improvements to traffic flow; Warren stated that the goal would be to incorporate some of those design elements. Coler stated that he imagined the old demolition dump area would be an ideal place to put the recycling bins so they are easier to use. He's concerned about constructing retention walls. Coler asked if the Highway Superintendent was aware of the schedules detailed in this proposal and whether the Highway Department will be able to complete some of the work. Warren stated that Superintendent Poissant had reviewed this and was planning to assign some of the work to the Highway crew.

Warren asked for the Select Board to designate authority to sign the grant contract to facilitate execution before June 30, 2016, and administrate the grant.

Chair Olanyk made a motion to authorize Warren to sign this contract, with a friendly amendment from Carter to add once the scope has been approved, and Carter seconded. There was further discussion by the Select Board.

Coler asked for clarification that this was the just the Community Compact Grant Agreement or engineering services needed to be signed before the end of the fiscal year. Warren note that it just the state contract agreement. He asked whether we needed to go bid. Warren stated that Tighe & Bond will perform design services for the development of the CAD. Carter asked how the funds would be paid out and whether the state was giving the town any additional DEP expertise. Warren stated that Tighe & Bond would coordinate with DEP. Coler asked whether this was a spend then get reimbursement type grant. Warren thought it was, but would request clarification. Chair Olanyk called the motion on the table for vote. **VOTE (3-0-0); unanimous.** (Document 5)

E. Select Board Priorities & Liaisons

Olanyk advised that there were a number of big projects on the table right now.

Carter noted that the first thing to settle is the Town Administrator position. He reminded the Select Board that he'd been designated to discuss the position with Warren, after asking her if she was interested in serving permanently, but that both their work schedules conflicted. Coler asked whether Warren had been approached about the position and Carter confirmed she had expressed interest.

Carter made a motion to extend the Interim Town Administrator's contract for up to 30 days, Coler seconded. **VOTE (3-0-0) Unanimous.**

Chair Olanyk listed the following items as priorities:

- Town Administrator
- Broadband
- Dam & Retention Wall
- Transfer Station
- Personnel Manual

Coler reminded everyone that the Personnel Manual needed to be completed. Warren recalled that Town Counsel had received the first 20 pages of the manual and MacNicol noted verbally that she thought it should be streamlined in order to not over interpret the law and that if the remainder of the manual was written in the same manner, it should be pared down before MacNicol reviewed it. Warren stated that the Chair of Personnel Board, Priscilla Phelps, would like to be notified when the manual is sent to Town Counsel for review. Warren asked whether the Select Board wanted to meet with Personnel Board. Carter noted that he was the Select Board member on the Personnel Board. Coler noted that the second half of the manual will be similar to the first and if the Select Board doesn't get her feedback before sending the second half out it will delay action. Carter agreed with Coler, he would prefer not to get too carried away on the second half. The Select Board would like to have written comments from Town Counsel. They would like to revisit the first half with Town Counsel's comments in mind prior to sending the second half. They would also like to review the manual themselves before discussing with Personnel Board. Warren will check to see if she has an email with MacNicol's comments.

Carter asked whether the Select Board wanted him to continue representing them on the Personnel Board. Coler and Olanyk would prefer he continue. Chair Olanyk also noted that if a joint meeting would be beneficial, he thought the Select Board should do that.

Coler noted that it's a big priorities list. Carter stated that he didn't want anything else to fall through the cracks. Chair Olanyk reminded the Select Board that the library is being taken care of by the Library Trustees; not on Select Board list.

Other priority items noted:

- Town Hall

Chair Olanyk asked if this would be put on the back burner. Carter noted that funds should be set aside for it. Carter stated that the Dodson building would have been a good location for Town Offices. Carter thought putting a million dollars into Town Hall would be a high price, and Chair Olanyk added that it seemed irresponsible in a community of 1,800 people. Chair Olanyk reminded everyone that when a new fire truck comes, it would be sticking out of the Fire Department building—further complicating space issues faced by the Town.

- Steeple

Carter noted that it had taken five years to save enough money to fix the tower that the Town Hall Steeple is on. He asked if there was a contractor to repair the steeple. Warren noted that she was given David Vreeland as a contact to review the repair list, but had not located contact information. She will follow up, sending an email and request review of the list and hopefully recommend a course of action.

- Broadband

Carter noted that Broadband will suck a lot of oxygen out of the room, so to speak. Warren advised the Select Board that there will be a meeting with MBI on Thursday, June 16, 2016, at 9:30 am to outline the steps to participate in the accelerated Readiness

project. Joe Markarian, David Kulp, Ted Murray, MBI officials, and Carter will be there. Coler asked whether Carter was going to continue to be the Liaison to that group/activity. Carter wants to maintain a grasp on the financing and timeline, whereas Coler just wants to be apprised of the status. Chair Olanyk stated that amongst the numerous emails on the subject, the Hingham funding option seemed the most reasonable. Legislation has not been approved to allow other towns to use that model, but the proposal for towns to be able to use State House Notes for a 10-year period, rather than the five-year time frame (in place now) could be approved at the end of the session at the end of the July. Markarian developed a draft financial model for everyone to use as part of the discussion at the meeting on Thursday.

- Financial Policies

Warren reported that Finance Committee met with Joe Markarian. Markarian has drafted policies for their review. They have not finished their review or met to formally discuss them yet.

Warren asked for clarification on the projects that individual board members have been involved with in the past. Ron dealt with invasive weeds and the Dam, whereas Chair Olanyk worked on Transfer Station and Highway activities; Carter focused on Broadband and Town Hall. She suggested that in terms of facilitating the projects they are familiar with, that liaison communication should stay in place. The Select Board could then discuss the various projects or priorities at their meetings. Coler would prefer not to be inundated with information, so individual members focusing on their projects and reporting back the Select Board will keep that from happening.

Carter asked whether Highway Superintendent Poissant had begun the process to hire a replacement for Pantermehl. Warren and Poissant have not discussed it recently, as the Superintendent has been busy with highway projects like tree work. Warren's understanding was that the Superintendent was utilizing a temporary person to fill in at the moment. The Select Board would prefer that a hiring process begin as soon as possible to fill the position. Warren was instructed to circle back with him about that hire.

Carter asked about the status of the town office move. Warren reported that the plan is to move the Treasurer/Collector and Assessors Clerk into the Select Board office, and then shifting the Town Accountant into what is now the Treasurer's office. There was further discussion on the staff response to the proposed change, directing traffic flow using signage and educating the public, and the need to clean up the public spaces of the Town Hall.

Chair Olanyk wondered whether digitization would accomplish clearing out of space. Warren reported that it will be expensive, however with the changes to the Public Records law beginning January 1, 2017, she believes that the Town will have to consider funding a records retention/management system in the near future. Warren told the Select Board that the FY2017 community compact should be available after July 1st. She asked them to consider further compact options for the Town. Warren had asked Linda Dunlavy if she would approach Senior Deputy Commissioner of Local Services for consideration of records management as a possible commitment for FY2017. There was some discussion about whether any area communities are tackling the records-management issue. Warren noted that there are a couple towns that have appropriated funds to purchase records-management systems, but did not know details. Before anything else, town departments should dispose of all the records allowable, then proceed with more investigation of records management.

Chair Olanyk noted that the Select Board eliminated of the liaison system because with a Town Administrator in place, communication should cycle through the Administrator. Coler suggested that the Select Board members continue to act in the role of "point-person" to provide a communication conduit with the Select Board. He noted that he himself was inundated with information, so agreed that the Administrator should facilitate information between the Select Board and departments, however the members should provide assistance and support to departments and committees. Warren was directed to send project information such as anything pertaining to the Dam to Ron, for instance. Coler asked that the Select Board consider who the Administrator should go to for any concerns that come up. Carter noted that the Administrator can always go to the Chair. The Select Board agreed that the Chair would support and advise the Administrator directly.

Warren recounted for the Select Board the list of priorities discussed:

- Town Administrator Position
- Broadband
- Dam & Retention Wall
- Personnel Manual
- Transfer Station
- Town Hall Steeple
- Town Hall offices
- Financial Policies
- Records Management

The Select Board discussed prioritizing in a scaled manner, i.e., Tier 1, Tier 2, Tier 3. Proposed prioritization might be:

- Tier 1 – Town Administrator, Broadband,
- Tier 2 – D am & Retention Wall, Transfer Station
- Tier 3 – Personnel Manual, Steeple

F. Appointments

The Select Board would like Warren to talk to Town Counsel, Donna MacNicol, for clarification about the difference between appointed full and part-time officials and employees. She was instructed to fine tune the list based on MacNicol's input. (Document 6)

G. By-Law discussion and approach – Large-scale, industrial construction projects

Coler talked to Joe Strzegowski from the Conway Planning Board for an update on the Attorney General's (AG) review of the proposed large-scale industrial/commercial bylaw recently passed by Conway Town Meeting. Strzegowsk expects to get the AG's review by mid-July, so Coler suggested that this discussion be bumped to end of July or early August.

2. INTERIM TOWN ADMINISTRATOR'S REPORT (Document 5)

Warren asked the Select Board if anyone else wanted to attend the Franklin County Selectmen's Association Quarterly Meeting scheduled for June 30, 2016, at the Mohawk Park Pub & Restaurant. Coler had a conflict, so could not attend. Carter would also like to go, so Warren was asked to RSVP.

FRCOG has bicycle parking racks available if the Town would like to get some. Chair Olanyk asked whether Warren had approached the park trustees at the upper park. The Library Trustees are interested according to Carter.

Warren reported that the Town received the final executed Broadband Planning Assistance Grant. David Kulp will keep the Select Board advised of progress.

Warren reported that she discussed using a regional approach to federal Broadband Grants with FRCOG Director, Linda Dunlavy, as noted earlier.

As mentioned before, Warren told the Select Board that she had attended a meeting of the Franklin County Administrators and a Small Town Administrators Meeting, both of which covered similar topics as listed below:

Changes to zoning statutes that might conflict with municipal bylaws, as seen in the excerpt included in the packet. These proposed zoning changes will alleviate the housing shortage facing the eastern part of the state. The Select Board acknowledged that it seemed to be something of a homogenization of zoning regulations by the state, leaving towns with little or no control. Warren was asked to research the issue and presenting a position letter for the Select Board to send to the Legislature.

Changes to the Public Records Law will need to begin to be addressed in the near future. Warren will continue to discuss with the Town Clerk and colleagues to share with the Select Board.

Approval of the Municipal Modernization bill, with some changes, may occur by the end of the Legislative Session at the end of July.

Changes to OSHA standards requiring towns to be compliant may be approved later this year, which could be expensive.

Warren noted that an email with the update on the progress of the Invasive Weeds project had been forwarded to the Select Board and thanked Coler for keeping everyone up-to-date.

Warren provided the draft Franklin Regional Multi-Agency Coordination Center and Memorandum of Understanding for review prior to the next meeting. The Select Board is tentatively scheduled to have Dan Nietsche from

FRCOG discuss it at the next meeting. Chair Olanyk is concerned that the Town's resources are stretched thin; this would further strain them. There was some discussion about why another agreement needed to be signed.

Warren provided copies of the final draft legislation for the Mohawk Trail Woodlands Partnership along with a draft copy of a support letter written by Hawley. The MTWP would like the Town's support for the legislation. Carter still has reservations about it, particularly since the State continues to underfund regional school transportation. He commended the preservation of the land, but questioned whether the woodlands are being fairly taxed, particularly for land that is not in Conservation Restriction now. It may be more expensive for landowners. Coler recalled that there were sustainable economic development programs, as well as preservation in the MTWP plan. After further discussion, Chair Olanyk directed Warren to find out if the legislation had been filed, whether this a letter of support for the legislation, whether that support letter obligates the town to opting into the group, or could the Town opt-in later. If she receives sufficient information from Peggy Sloan, she was directed to add the support letter to the next agenda.

Carter asked about the bicycle tour. Warren advised the Select Board that the Berkshire to Boston Bicycling Tour will be traveling through town on September 15, 2016, and that she has asked the Highway Superintendent, Police Chief, and Fire Chief for input and/or concerns.

3. MAIL (Document 7)

4. LIAISON

5. PUBLIC COMMENT

Wayne Wickland questioned the amount of money spent on administrative costs by MBI and by MTRSD on administrative costs. The community seems to receive little benefit from either group and expenses continue to increase. This MTWP proposal might result high costs, but a similar situation lack of good management. Wickland agreed with Carter about the possible costs to individuals and towns to participate in the MTWP.

6. * ITEMS NOT REASONABLY ANTICIPATED BY THE CHAIR 48 HOURS IN ADVANCE OF THE MEETING

Warren received a Chapter 90 Reimbursement Request from the Highway Superintendent for signature by the Select Board \$332,838.30, which was subsequently signed. (Document 8)

7. UPCOMING MEETINGS

Coler noted that he had a conflict with the next scheduled meeting of June 27th. Warren asked if the Select Board could meet on the 29th. The Select Board agreed to meet on Wednesday, June 29th.

Warren was asked to add smaller trash bags as an item to the next agenda by Coler. He explained that he had been approached by an elderly resident to investigate, had discussed it with the Highway Superintendent and gathered some information before mentioning it to the Select Board. Warren was asked to obtain revenue and expense data for the discussion.

8. ADJOURN

Coler made a motion to adjourn at 9:58 pm, Carter seconded, **VOTE (3-0-0), Unanimous.**