

Town of Ashfield Select Board

Meeting Minutes

July 31, 2013

The Ashfield Select Board meeting was held on Monday July 31, 2013 at the Ashfield Town Hall. Tom Carter- Chair called the meeting to order at 7:00 P.M. There were five audio recorders and one video recorder in use during the meeting, there were approximately 40 + audience members in attendance.

Select Board Members: Tom Carter- Chair, Ron Coler-Vice Chair, Paultette Leukhardt

Executive Administrator: Mary Fitz-Gibbon

Scribe: Assistant Municipal Clerk: Lynn Taylor

Minutes of 7/15/2013 Leukhardt wanted more time to review. Board tables the minutes for further review.

Pole Hearings: Petition for Verizon job #6ABWZB Ludwig Road; Petition for Verizon job #6ABWZB-2 West Rd; Petition for Verizon job #6ABWZB-3 Ludwig Rd. Paul Davis Contractor from the Design Company hired by Verizon is present to inform the Board with three reasons the poles need to be replaced. 1. Verizon poles are now in a right of way and Verizon would like to bring them to the roadside avoiding the right of way. 2. Electric Company is looking to upgrade the lines and will need new taller poles. 3. The spans between the existing poles are to long we will be adding midline poles. Fitz-Gibbon stated that she had contact with Verizon and not all of the abutters had been contacted due to incorrect addresses, which meant the process would need to start over contacting abutters. The Board decided to recess the Pole Hearing until 9/16/13 in hopes that all abutters would then have been notified.

MOTION: Carter makes a motion to recess the pole hearing until the Select Board meeting of 9/16/2013, seconded by Coler. **VOTE:** Carter-aye, Coler-aye, Leukhardt-aye. Passes 3-0-0

Appointments:

Sherry Scott of Bronson Ave. is present with Dan Werner a surveyor that she has hired to survey her property on Bronson Ave. Werner has with him survey maps of Scott's property to discuss with the Board the boundary lines between Scott's property and the Towns parking lot. The board asked to have a copy of the maps e-mailed to them for further review and to meet with the Board again on 9/16/2013

*Town Hall Staff Ann Dunne, Lynn Taylor, Laura Blakesley, and Mary Fitz-Gibbon Document request issues, concerns, and staff request. Anne Dunne reads a letter drafted and signed by the four members of the Town Hall staff. **(document 1)** The letter that is read describes the types and amounts of document requests that are coming in from mainly three individuals Suzanne Corbett, Deb Nicholson, and Sherrill*

Jourdan which the Town Hall Staff feels is being done for no other purpose than to mire them down and defeat their attempts to get any of their other work done. The requests are insulting, abusive, incoherent, lengthy, and repetitive in nature. And appears to have a common thread involving the Select Board Member Poullette Leukhardt who has yet to disclose her affiliation and association with the three requesters which is an ethics issue. Ann also read two document requests one from Suzanne Corbett (**document 2**) and one from Deb Nicholson (**document 3**). The Staff letter closed by asking the Select Board for a written guidance on how to handle and process these public document requests. Mary Fitz-Gibbon spoke stating that Town Business is having to be put off in order to not only deal with the public document request, we also have to deal with the alleged Open Meeting Law Complaints from the same group of people. Carter at this time having seen from a raise of hands how many audience members were present for this issue opens the floor for people to speak. The following people spoke to the issue in support of the Town Hall Staff were as follows. Paul Monohan, Bill Perlman, Doug Mollison, Doug Cranson. Tiertza-leah Schwartz, Don Robinson, Ted Murray, Judy Haupt, Geoffrey Precourt, Buzz Eisenberg submitted a letter in support which was read by Ted Murray(**document 15**)Comments ranged from cease and desist, vote of no confidence with a Select Board member, asking Leukhardt to step down if she can't answer the questions being asked of her, can we get a restraining order against these people, Tiertza-leigh Schwartz wanted to make sure that issues regarding ethic violations do not get dropped "this is a very serious issue". Ron Coler stated that at the July 1, 2013 SB Meeting he presented a memorandum to the Board concerning a Public Ethical disclosure under the Conflict of Interest Law with Poullette Leukhardt as of now he still had not filed with the ethics commission. Leukhardt had "No Comment" on all the questions asked of her. At one point she said she would not speak until talking with Kopelman & Paige she said she did not want to hurt the Town. Doug Mollison spoke stating she had better be paying for Kopelman & Paige out of her own pocket book not the Towns! Carter commented that she would have to use her own attorney.

MOTION: Carter made a motion to work with Town Clerk to draft a form letter to be sent out when one of these request come just fill in the draft letter and file the request. It may read something like this(Dear so and so we in are in receipt of you request over the last thirty months very similar request have come in at this point the SB has authorized the Town Hall Staff to respond and field your request) **VOTE:** Carter-aye, Coler-aye, Leukhardt-abstain. Passes 2-0-1 Carter will work with the Staff ASAP to draft form letter.

Dave Newell, Finance Committee: Letter to Franklin Tech Superintendent: Dave present a letter drafted by himself to the Franklin County Tech. School (**Document 4**) asking him to take another look at a certain students enrollment for last year. After a short discussion, it is decided that Dave will work with Fitz-Gibbon to "sweeten up" the letter.

MOTION: Coler makes the motion for Fitz-Gibbon and Newell to work on the letter together and allowing the Chair of the Select Board to sign, Seconded by Leukhardt. **VOTE:** Carter-nay, Coler-aye, Leukhardt-aye Passes 2-1-0

Doug Field, EMD: Ashfield Multi-Hazard Mitigation Plan (sign) Field hands out a packet to the Board showing some of the changes to the plan. **(document 5)** Doug will meet with Mary to finish the plan and get it submitted.

Doug Field, EMD: Emergency Management Planning Grant (EMPG) Doug has a discussion with the Board pertaining to the grant. This grant is an in-kind grant we just have to do the paperwork and the grant is ours. Doug is looking to acquire 1. A Tablet 2. Cellular phone 3. GPS (if he receives this grant.)

MOTION: Leukhardt makes a motion to allow Doug Field to move forward in applying for the EMPG grant, Seconded by Coler. **VOTE:** Carter-aye, Coler-aye, Leukhardt-aye. Passes 3-0-0 Coler volunteers to help Doug with the grant paperwork if needed.

Old Business:

- a. Attorney general Extension to respond to complaint filed July 5, received by the Select Board on July 8, 2013.(document 6)
- b. Attorney general Extension to respond to complaint received by the Select Board on or about July 9, 2013(document 7)Carter reads both letters into the record
- c. Open meeting Law Complaint response to Kachina Yuryan complaint filed against the Select Board July 5, 2013 date of the alleged violation June 3, 2013.Carter reads the response into the record.(document 8)

MOTION: Carter makes a motion to send response to Kachina and accept amendment written by Town Counsel and amend the minutes of January 16, 2013 approved on June 3, 2013 unanimously, Seconded by Coler. **VOTE:** Carter-aye, Coler-aye, Leukhardt-aye. Passes 3-0-0

- d. Open Meeting Law Complaint response to Suzanne Corbett complaint filed against Select Board July 9, 2013, dated of the alleged violations January 16 and June 3, 2013.(document 9) Carter reads the response

MOTION: Coler makes the motion to accept, sign and send the response to Suzanne Corbett, Seconded by Leukhardt. **VOTE:** Carter-aye, Coler-aye, Leukhardt-aye. Passes 3-0-0

- e. Attorney General Office letters of response to Suzanne Corbett complaint filed with the AGO July 7, 2013regarding original complaint filed with the Select Board on or about May 14, 2013 by Suzanne Corbett, alleged violation dates April 8, 2013 and April 17, 2013.(document 10) Carter reads the letter.
- f. Attorney General Office letters of response to complaint filed with the AGO July 15, 2013 regarding original complaint filed with the Select Board on or about May 15, 2013 by Deborah Nicholson, alleged violation date is April 17, 2013.(document 11) Carter reads the letter.

New Business:

FY Appointments; Carole Groman, Cultural Council; Pat Thayer, Highland Ambulance Board of Directors. MOTION: Carter makes a motion to appoint Pat Thayer to highland Ambulance Board of directors and Carole Groman to the Cultural Council both 3 yr. terms, Seconded by Coler.

VOTE: Carter-aye, Coler-aye, Leukhardt-aye. Passes 3-0-0

Chapter 90 Reimbursement request (sign) (document 12); Chapter 90 Project Request (document 13) (sign 2 originals)

Liaison Reports:

Highway: *Carter said that Caterpillar would be bringing a new grader for the highway to try out it should be in Town by Friday. Poissant has the specs for the new grader pretty well set he would like to see the bids out by September 01, 2013.*

Police: *nothing to report other than the new police radar trailer is in Town.*

Fire: *V-TEC was in Town doing some repairs on the new truck.*

Carter let everyone know the Sherriff's department is painting Town Hall and the Fire Station. Carter thanked each and every person helping with the painting "they are doing a fabulous job".

Coler has been working on drafting a mowing easement with Phil Nolan for 20 Ft on the North side. Nine (document 14) Also Coler cannot seem to locate an easement for the dry hydrant. If this is the case he feels while working on the mowing easement, we should also make sure there is one for the dry hydrant. Coler will also be talking with Scott Decker regarding an easement.

Next Select Board Meeting Wednesday August 14, 2013 at 7:00pm

Coler makes the motion to adjourn, Seconded by Leukhardt. VOTE: Carter-aye, Coler-aye, Leukhardt-aye

Adjourned at 10:30 PM

Document List

- 1. Letter from Town Hall Staff dated July 31, 2013*
- 2. Copy of a document request from Suzanne Corbett*
- 3. Copy of a document request from Deborah Nicholson*
- 4. Draft letter to Superintendent of Franklin Tech. drafted by Dave Newell*
- 5. Ashfield Multi-Hazard Mitigation Plan*
- 6. Attorney general Extension to respond to complaint filed July 5, received by the Select Board on July 8, 2013.*

7. *Attorney general Extension to respond to complaint received by the Select Board on or about July 9, 2013*
8. *Open meeting Law Complaint response to Kachina Yuryan complaint filed against the Select Board July 5, 2013 date of the alleged violation June 3, 2013.*
9. *Open Meeting Law Complaint response to Suzanne Corbett complaint filed against Select Board July 9, 2013, dated of the alleged violations January 16 and June 3, 2013.*
10. *Attorney General Office letters of response to Suzanne Corbett complaint filed with the AGO July 7, 2013 regarding original complaint filed with the Select Board on or about May 14, 2013 by Suzanne Corbett, alleged violation dates April 8, 2013 and April 17, 2013.*
11. *Attorney General Office letters of response to complaint filed with the AGO July 15, 2013 regarding original complaint filed with the Select Board on or about May 15, 2013 by Deborah Nicholson, alleged violation date is April 17, 2013.*
12. *Chapter 90 Reimbursement request*
13. *Chapter 90 Project Request*
14. *Mowing & Access Easement*
15. *Letter of support from Buzz Eisenberg*
16. *Amended Minutes of July 31, 2013*

Note: These minutes were discussed, amended, and approved at the Select Board meeting dated 9/23/2013 and filed in the folder of the actual date of the said minutes.