

**Town of Ashfield**  
**Select Board Minutes**

**July 14, 2014**

The Ashfield Select Board meeting was held on Monday June 30, 2014 at the Ashfield Town Hall at 7:00 P.M. There were approximately 40 audience members in attendance. There were 6 audio recorders and 1 video recorder in use.

**Previous Select Board meeting was June 30, 2014.**

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

**Executive Administrator:** Mary Fitz-Gibbon

**Assistant Municipal Clerk/Scribe:** Lynn Taylor

Meeting was called to order by Tom Carter-Chair at 7:00 P.M.

Agenda for 7/14/2014 (**document 1**)

**Payroll and Vendor Warrants:**

Payroll Warrant WP14-28 dated July 16, 2014(**Document 2**)

Vendor Warrant W14-28 dated July 16, 2014(**Document 3**)

Vendor Warrant W15-02 dated July 16, 2014 (**Document 4**)

Payroll Warrant WP15-02 dated July 16, 2014 (**Document 5**)

**Minutes:**

SB Minutes 6/16/2014 **MOTION:** Coler makes a motion to approve and accept the minutes of 6/16/2014 as submitted, seconded by Olanyk. **VOTE: 3-0-0 (Document 6)**

SB Minutes of 6/30/2014 **MOTION:** Olanyk makes a motion to approve and accept the minutes of 6/30/2014 as amended, seconded by Coler. **VOTE: 2-0-1 (RC) (Document 7)**

**Appointments:**

Review of Public Document request and Open Meeting Law Complaints, discussion with staff: There is a lengthy discussion starting by Carter explaining

that he had met with the Town Hall staff last week regarding the overwhelming amount of document requests and OML complaints, which are being filed by the same few residents as back in July 2013. Since January 2014 there have been 27 requests all made by 3 individuals. This problem is forming a bottleneck in the Town Hall Offices its time the Board figure out what to do. These requests are also being sent to Fire Dept. BOH, and Assessors. These requests are costing the Town lots of money and staffing time, and the everyday needs of running the Town are being pushed aside in order to process these requests in a timely fashion. Paul Monohan a Town resident suggested it may be time for an investigation into this whole issue, a little “push back” from the Town maybe is warranted these request and OML complaints are harassing, insulting, degrading to the Town employees. Bill Perlman agrees it is harassment and an abuse of process; however, it is legal what they are doing. Ricki Carroll question the Board as to why back when Paullette Leukhardt was on the Board and she volunteered to scan minutes she was not allowed to. Carroll stated we would not be in this situation if that had been done, you could “just push a button” to do these requests. This is not the case these requests are much more in-depth and no way could every document in Town Hall be scanned and put on the computer. One suggestion put on the table by Select Board was hiring someone to strictly do OML’S and document requests. Another suggestion was to charge the requestors a larger deposit up front and return any overage as needed. It was decided to investigate a little further to see what could be done. **MOTION:** Coler makes a motion to appoint the Chair to explore opportunities and try to get a handle on this issue for the next SB meeting, and set the date of the STM being September 8, 2014, seconded by Olanyk. **VOTE: 3-0-0**

### **New Business:**

#### **Appointments effective July 15, 2015 (Document 8)**

- a. FRCOG Representative- Mary Fitz-Gibbon, AWWTP Emergency Backup Operators Dan Fleuriel, Alan Nichols, APD New Officer- James Bernier Auxiliary Officers- Betty Lesure, Kyle Walker, Scribe for Con Com- Anne Maddocks. All for a term of one Year. **MOTION:** Coler makes a motion to appoint the list of appointments as drafted by Town Clerk for the Term of one Year, seconded by Olanyk. **VOTE:** 3-0-0
- b. UMASS Flood Mitigation Participation(**Document 9**) Town will participate in research project via Doug Field EMD answering the questioner
- c. Discuss Kinder Morgan presentation offer and schedule: Fitz-Gibbon has not yet heard back from kinder Morgan regarding a presentation they would like

to have in Town. The Board informed Fitz-Gibbon when in contact with Kinder Morgan tell them the Board will want 7-10 days' notice prior to the presentation. Also, inform them that Ashfield residents will also want to present at that meeting. July 24, 2014 there will be a presentation from Kinder Morgan at GCC in Greenfield.

**Old Business:**

- a. Police Chief Job Description: Board reviews two versions of the Police Chief Job description. **(Document 10 & 11)** Ricki Carroll from the Personnel Board said they reviewed at their meeting and found it difficult to try to combine the two versions. Ricki was asked if the Police Chief had been spoken with on this matter, Chief Wilder was present and stated she had not seen anyone from the PB. It is decided the SB will meet on 7/21/2014 to review and discuss further. Coler will not be at that meeting, he will have a memorandum with his ideas available for that meeting.
- b. Pipeline Response letters: Olanyk drafted 4 letters one to Senator Benjamin Downing**(Document 12)**State Representative Stephen Kulik **(Document 13)**, Congressman Richard Neal**(Document 14)**, Mr. Allen Fore Kinder Morgan Energy Partners LP **(Document 15)** Olanyk reads the letters into the record. The letter to Kinder Morgan will be cc to Richard Neal, Ben Downing, and Steven Kulik. The Select Board signs letters. Delta Kearney requested that the letter sent to Kinder Morgan also be cc to Governor Deval Patrick. **MOTION:** Olanyk makes a motion to cc Governor Deval Patrick on the letter being sent to Kinder Morgan from the Ashfield Select Board, seconded by Coler. **VOTE** 3-0-0
- c. FRCOG Mohawk Trail Woodlands Partnership Advisory Committee community representative appointment request: **(Document 16)** The Board will bring back to the July 21, 2014 SB meeting.

**Next SB Meeting: July 21, 2014 @ 7:00 P.M.**

SB will also need to sign the Tighe & Bond contract and the Woodlands partnership as well as review the Police Chief Job description on July 21, 2014

**Liaison Reports:** NONE

**Mail:**

- A letter from Town Counsel to the AG'S Office correcting errors having to do with dates. **(Document 17)**

- A letter from town Counsel to AG'S Office correcting a date on complaint from Deb Nicholson. **(Document 18)**

-A letter from the Division of Open Governments to Suzanne from 3/25/2014. **(Document 19)**

-A letter verifying the sale of Nexamp to New Gen Capital in Hadley (solar farm) Carter reads the notification letter **(Document 20)**

Fitz-Gibbon informs that Town Hall was hooked up to the fiber optics on Friday the 11<sup>th</sup>.

**Public Comment:** NONE

Board needs to resign the contract for Smith Branch Rd.

**Executive Session:**

The Board will enter into Executive Session to discuss strategy with respect to ongoing litigation, Michael F. Curtis v Town of Ashfield, as discussion in open meeting may have a detrimental effect on the litigating position of the public body and the Chair so declares. The Chair announces the Board will NOT be reconvening in open session. **Roll Call Olanyk-aye, Coler-aye, and Carter-aye 3-0-0**

**Document List**

1. Agenda for 7/14/2014
2. Payroll Warrant WP14-28 dated July 16, 2014
3. Vendor Warrant W14-28 dated July 16, 2014
4. Vendor Warrant W15-02 dated July 16, 2014
5. Payroll Warrant WP15-02 dated July 16, 2014
6. SB Minutes 6/16/2014
7. SB Minutes of 6/30/2014
8. Appointments effective July 15, 2015 as drafted by Town Clerk
9. UMASS Flood Mitigation Participation
10. Draft Version 1 Police Chief job description
11. Draft Version 2 Police Chief job description
12. Letter to Senator Benjamin Downing
13. Letter to State Representative Stephen Kulik

14. Letter to Congressman Richard Neal
15. Letter to Mr. Allen Fore Kinder Morgan Energy Partners LP
16. FRCOG Mohawk Trail Woodlands Partnership Advisory Committee community representative appointment request
17. A letter from Town Counsel to the AG'S Office correcting errors having to do with dates
18. A letter from Town Counsel to AG'S Office correcting a date on complaint from Deb Nicholson
19. A letter from the Division of Open Governments to Suzanne from 3/25/2014.
20. A letter verifying the sale of Nexamp to New Gen Capital in Hadley(solar farm)
- 21.

Note: These minutes were discussed, amended, and approved at the Select Board meeting dated 7/28/2014 and filed in the folder of the actual date of the said minutes

APPROVED AS AMENDED 7/28/2014 3-0-0