

Town of Ashfield Select Board

Meeting Minutes

June 3, 2013

The Select Board meeting was held on Monday June 3, 2013 at the Ashfield Town Hall. The meeting was called to order by Tom Carter-Chair at 7:00 P.M. There were 5 audio recorders in use. Approximately 13 audience members were in attendance.

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

Executive Administrator: Mary Fitz-Gibbon

Scribe: Assistant Municipal Clerk Lynn Taylor

WARRANTS:

Review and sign Payroll Warrant WP13-25 Dated June 3, 2013 (Document 1)

Review and sign Vendor Warrant W13-25 Dated June 3, 2013 (Document 2)

Appointments:

Chief Droney APD: Follow up to Town meeting and FY 14 Budget issues. A lengthy discussion was had regarding the way things went at Town Meeting with the Police Department budget. Chief Droney wrote a letter on May 6, 2013 in response to Town Meeting (Document 3) Droney wants to clarify that at budget time he provided the documentation to back up his requests that the Boards asked him to provide. A discussion was also centered on the purchase of a speed monitoring unit for the Police Department. The Board expressed interest in purchasing this piece of equipment and asked the Chief to get some quotes for next week's meeting. The Chief will look into a MIIA grant that the Department may be able to use also. The Chief gave the Board a list of reappointments of Reserve Officers that he is requesting. (Document 4) Leukhardt will be getting copies of job descriptions from the Personnel Board for the Police Department as the Chief stated that he did not have any.

Discussion of net-metering energy contract: Nancy Hoff, Todd Olanyk from the Sewer Commission, Brian Clark Green Communities were present as well as Geoffrey Rogers from Hampshire Council of Governments, John Murphy from Nexamp. Both Rogers and Murphy gave a presentation to the Board as to how net-metering works. The Board had a draft of the contract which has already been sent to Town Counsel for review.(document 5) The Board asked Fitz-Gibbon to put some "heat" on Town Counsel in order to have a public hearing in a couple weeks regarding this project.

Minutes:

MOTION: Coler makes a motion to accept the minutes of January 16, 2013 as amended, seconded by Leukhardt. **VOTE:** Coler –aye, Leukhardt-aye, Carter-abst. Passes 2-0-1

MOTION: Coler makes a motion to accept the minutes of January 9, 2013 as amended, seconded by Leukhardt. **VOTE:** Coler-aye, Leukhardt-aye, Carter-abst. Passes 2-0-1

MOTION: Coler makes a motion to accept the minutes of January 2, 2013 as amended, seconded by Leukhardt. **VOTE:** Coler-aye, Leukhardt-aye, Carter-abst. Passes 2-0-1

MOTION: Carter makes a motion to accept the minutes of February 27, 2013 as amended, seconded by Coler. **VOTE:** Carter-aye, Coler-aye, Leukhardt-aye. Passes 3-0-0

MOTION: Carter makes a motion to accept the minutes of May 20, 2013 as amended, seconded by Coler. **VOTE:** Carter-aye, Coler-aye, Leukhardt-aye. Passes 3-0-0

OLD BUSSINESS:

Town Hall Use Application with Insurance wording changes: The Board reviews the changes on the application Fitz-Gibbon states the new wording comes directly from MIIA.

MOTION: Carter makes a motion to approve the final version of the Town Hall use application, seconded by Coler. **VOTE:** Carter-aye, Leukhardt-aye, Coler-aye. Passes 3-0-0 (document 16)

Town Common agreement and care: Fitz-Gibbon has not yet contacted the Franklin Land Trust regarding the care for the Town Common. Carter stated he would contact the Franklin Land Trust he asked Fitz-Gibbon to e-mail him The Contract with the Land trust. Moved until meeting of June 10, 2013.

Schedule of Executive Session Minutes: Fitz-Gibbon states there are 26 sets of minutes in the safe for review. After a short discussion the Board agrees to put this off until mid-July for review.

Short discussion regarding June 24, 2013 meeting with Boards and Committees. Fitz-Gibbon has not yet sent an e-mail she will do so tonight after the meeting to give the Boards and Committees time to prepare.

NEW BUSINESS:

Review response to Open meeting Law complaint date May 4, 2013, date of alleged violation is 4/8/2013, 4/17/2013, Subject of the complaint is Town of Ashfield, specifically Select Board Chair Tom Carter, and members Ron Coler, Poullette Leukhardt, filed by Suzanne Corbett.

Discussion: Coler feels that Town Counsel's signature needs to also be on the response to the OML Complaint as this response was written by her. Leukhardt had two other issues she expressed. One is changing Selectmen to Select Board, the other change the wording in paragraph four. Leukhardt agrees the entire Board approved the minutes of April 8, 2013, however after listening to the recording feels that the summary of the discussion with Kachina Yuryan is not accurate. Coler and Carter feel that the minutes are accurate based on being present at the actual meeting seeing and hearing the dialog. (Document 6)

MOTION: Carter makes a motion to amend the minutes of April 8, 2013 adding Kachina Yuryan's letter dated April 5, 2013 to the document list, seconded by Coler. **VOTE:** Carter-aye, Leukhardt-aye, Coler-aye. Passes 3-0-0

MOTION: Coler makes a motion to approve the complaint to Suzanne Corbett as amended and authorize the Select Board Chair to co-sign the letter on alleged violation of April 8, 2013 and April 17, 2013, seconded by Carter. **VOTE:** Carter-aye, Leukhardt-no, Coler-aye. Passes 2-1-0 (document 6)

Review response to Open Meeting Law complaint dated May 15, 2013, date of alleged violation April 17, 2013, subject of the complaint being the Town of Ashfield Select Board, specifically Select Board Chair Tom Carter, filed by Deb Nicholson.

Discussion: Coler feels that Town Counsels signature needs to also be on the response as this response was written by her. Leukhardt had two other issues she expressed. One is changing Selectmen to Select Board, the other change the wording in paragraph four. Leukhardt agrees the entire Board approved the minutes of April 8, 2013, however after listening to the recording feels that the summary of the discussion with Kachina Yuryan is not accurate. Coler and Carter feel that the minutes are accurate based on being present at the actual meeting seeing and hearing the dialog (document 7)

MOTION: Carter makes a motion to approve the letter to Deb Nicholson as amended and authorize the Select Board Chair to co-sign the letter on alleged violation of April 17, 2013, seconded by Coler. **VOTE:** Carter-aye, Leukhardt-no, Coler-aye. Passes 2-1-0

Memorandum of Agreement by and Between Hampshire Council of Governments and Hampshire Communication System Oversight Committee and users of the Hampshire County Emergency Communication System. Moved to June 10, 2013 meeting Fitz-Gibbon will contact Bill Perlman to attend.

Memorandum of agreement by and between Franklin Regional Council of Governments and the Franklin County Emergency Communication System oversight Committee and users of the Franklin County Emergency Communication System. Moved to June 10, 2013 Meeting Fitz-Gibbon will contact Bill Perlman to attend

Contract Authorized Signatory Standard Contract Form to enable the Hilltown Resource management Cooperative Administrator to apply for grants with Mass. Department of Environmental Protection on behalf of Ashfield. Signed by Tom Carter Will also need to sign again in front of a Notary Carter will be in on Tuesday to sign with Ann Dunne.

Permission to Contract: by Highway Superintendent with FRCOG Procurement for Products and Services.

MOTION: Leukhardt makes a motion to sign contract with FRCOG for the Highway superintendent to contract with FRCOG Procurement for products and services, seconded by Coler. **VOTE:** Carter-aye, Leukhardt-aye, Coler-aye. Passes 3-0-0

Coler expressed concerns regarding him being asked to be a representative to MTRSD Long Range Planning Committee. After the OML seminar he would like to have a vote for this position.

MOTION: Carter makes a motion to appoint Ron Coler as a representative to the MTRSD Long Range Planning Committee, seconded by Leukhardt. **VOTE:** Carter-aye, Leukhardt-aye, Coler-aye. Passes 3-0-0

LIAISON REPORTS:

Highway Carter spoke with Tom Poissant regarding the empty part time position left open by the fulltime hiring of Luke Pantermehl. Poissant made to be clear with the Board about replacing the part time position, the Board indicated they were fine with a part time hire. Poissant is also doing some research in regards to summer help.

Ashfield Fire Assoc. was awarded a \$4,200.00 Anonymous gift to be used to purchase scott packs.

Coler has a brief discussion regarding the Select Board meeting at the Dam and the retaining wall at Old Sanderson. After attending the OML Seminar in Greenfield Coler walked the areas in question and feels they are very much handicapped accessible. They can drive their vehicle to both sites. The Board will pencil in the date of June 29, 2013 @9:00 A. M. for a Saturday meeting.

Coler met with the Town Hall Staff on Monday giving the employees a copy of their job descriptions for review and make any edits they felt necessary. He asked them to return in a couple weeks.

MAIL:

Letter from Double Edge Theatre (document 8)

Invite to Budge Litchfield's retirement party (document 9)

E-Mail from EMD Doug Field regarding his new assistant (document 10)

Selectmen's Assoc. Meeting June 20, 2013

MOTION: Coler makes a motion to adjourn, seconded by Leukhardt. **VOTE:** Carter-aye, Leukhardt-aye, Coler-aye. Passes 3-0-0

Adjourned at 11:45 P.M.

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Document List

1. Payroll Warrant-WP13-25 Dated June 3, 2013
2. Vendor Warrant-W13-25 Dated June 3, 2013
3. Letter from Chief Droney of Ashfield PD
4. List of Reserve Officer appointments from Chief Droney

5. Information packet regarding net-metering
6. Letter to Suzanne Corbett regarding alleged OML violation, violation dates April 8, 2013 & April 17, 2013.
7. Letter to Deb Nicholson regarding alleged OML Violation, violation date April 8, 2013.
8. Letter from Double Edge Theatre
9. Invitation to Budge Litchfield's retirement party.
10. E- mail from EMD Doug Field regarding his choice for a new assistant.
11. Amended minutes of 01/02/2013
12. Amended minutes of 01/09/2013
13. Amended minutes of 01/16/2013 & E-mail regarding 01/16/2013 minutes
14. Amended minutes of 02/27/2013
15. Amended minutes of 05/20/2013
16. Town Hall use application insurance wording for review
17. Amended minutes of 6/3/2013

NOTE: These draft minutes were discussed, amended, and approved at the Select Board meeting dated _6/10/2013_ and filed in the folder of actual date of said minutes