

## **Town of Ashfield Select Board**

### **Meeting Minutes**

**September 16, 2013**

The Ashfield Select Board meeting was held on Monday September 16, 2013 at the Ashfield Town Hall. Tom Carter- Chair called the meeting to order at 7:00 P.M. There were four audio recorders and one video recorder in use during the meeting, there were approximately seven audience members in attendance.

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

**Executive Administrator:** Mary Fitz-Gibbon

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

Continuation of Pole Hearing meeting July 31, 2013 for Ludwig Road, Ludwig Branch Road, and West Road. It has been confirmed that all replies from abutters have been done. Paul Davis who is doing the Engineering design work for Verizon is present to answer questions. Also present is Helen Petkes from Ludwig Road. She expresses her concerns with the Board and with Davis who after a discussion decide to put of the plan in order for all parties involved (Petkas, Davis, WMECO, Verizon) to meet at the sight

**MOTION:** Carter makes a motion to put of the Ludwig Road petition plan off until October 21, 2013, seconded by Leukhardt. **VOTE:** Carter-aye, Leukhardt-aye. Passes

There were no concerns regarding the pole replacement on Ludwig Branch or West Road.

**MOTION:** Carter makes a motion to approve the Petition Plan for the poles on West Rd. and Ludwig Branch Rd, Seconded by Leukhardt. **VOTE:** Carter-aye, Leukhardt-aye. Passes

#### **APPOINTMENTS:**

Chief Droney from the APD brings forward a revised Police Policy 1.3.2 Use of Force. The Chief gives the Board red line Copies of the changes. (Document 1) The Chief explains that most of the changes are language issues and a few suggestions came from the Mass Police Chiefs Association.

**MOTION:** Leukhardt makes a motion to accept and approve the newly revised APD Police Policy 1.3.2 Use of Force, Seconded by Carter. **VOTE:** Carter-aye, Leukhardt-aye. Passes

Chief Droney expressed with the Board his concerns with the radio system for the Police Department. Over the last few months the portable radios have gotten really bad. Communication with dispatch is very difficult Officer Wilder stated she needed dispatch for an unattended death on Buckland Road and

was not able to communicate with them. Droney states this is a Public Safety issue as well as Police Officer issue. The Officers do not have use of their portable radios at the Sanderson Elementary School. After a discussion it was decided that Fitz-Gibbon would contact the FRCOG and the Chief would contact Tower Communications and get them to come out and see what they could do. Carter will also talk with Bob Deane at his meeting to see what he can do from his end.

The Chief is not ready to appoint a new Officer yet he is still conducting interviews

Sherry Scott Bronson Avenue Deed adjustment: The Board has a discussion with Scott regarding the lot on Bronson Ave. that the Town owns and uses now as a parking lot. A lot of different points are brought up as how to move forward with this property for example having it appraised and selling the property, maybe just clear some brush and make the parking lot bigger for off street parking. Leukhardt's not sure that changes can be made to a non-conforming lot, she suggests talking with the ZBA. Betty Stewart spoke in favor of leaving the parking lot just as it is. Stating that there are many people on the street that use this lot and really have to especially during the winter months. Leukhardt will contact the ZBA and the Planning Board for their input regarding this matter.

Kate Kerivan Bug Hill Rd. Reclassification of Parcel under Ch. 61, Town's right of first refusal: Kate presents the Board with maps of the property in question. Explaining to the Board the boundaries of the said property, the boundaries of the Farm, Her neighbors etc. She states she is selling the property to pay down her mortgage, which in turn will help her farm.

**MOTION:** Carter makes a motion to waive the Town's first right of refusal of Lot 69 Tax Map 7 5.183 Parcel on the East side, seconded by Leukhardt. **VOTE:** Carter-aye, Leukhardt-aye. Passes

MINUTES:

Minutes of July 15, 2013, July 31, 2013, September 12, 2013 and September 5, 2012:

Tabling Minutes of July 15, 2013, July 31, 2013 and September 12, 2013 until a full Board is present.

Leukhardt states the Minutes of September 5, 2012 have already been approved by the Board on September 27, 2012. Leukhardt would like to attach an addendum to Select Board minutes of September 27, 2012 to document the Select Board meeting minutes of September 5, 2012 being approved on September 27, 2012 **MOTION:** Leukhardt makes a motion to make an amendment, addendum 2, to the Select Board meeting minutes for September 27, 2012, documenting the approval of the September 5, 2012 meeting minutes, seconded by Carter. **VOTE:** Carter-aye, Leukhardt-aye. passes (document10)

**OLD BUSINESS:**

Leukhardt wanted Taylor to be advised that at the last meeting of 9/12/2013 in which she was not present that the board decided to have the Agenda part of the document list.

- A. *Replacement paperwork for Verizon job #9AD342, approved back on 12-14-2011: On December 14, 2011, the Board approved Verizon job #9AD342; however, the Board never signed the paperwork. The board signs the required paperwork from the said Verizon job.*
- B. *Attorney General notification of finding on Open Meeting Law violation complaint dated December 31, 2012: filed by Sherrill Jourdan on 12/31/12 the Attorney General upon their review found the Board did not violate the Open Meeting Law.*
- C. *Discussion on forming a Fall Festival Town Building Committee the Board is in favor the members would be Tom Carter-Chair of the SB, Sandy Lilly-Chair of Fall Festival Committee, Stuart Harris-Chair of Town Hall building Committee. MOTION: Carter makes a motion to appoint Tom Carter, Sandy Lilly, and Stuart Harris to the Fall Festival Town Building Committee for a term of 1 YR, seconded by Leukhardt. VOTE: Carter-aye, Leukhardt-aye. Passes*
- D. *Fall Festival Town Hall use Application: Leukhardt makes a motion to sign the Ashfield Fall Festival Town Hall use application for October 10-13, 2013 from 8:00 AM-6:00 PM, seconded by Carter. VOTE: Carter-aye, Leukhardt-aye. Passes application is signed.*
- E. *Select Board appointment of Daniel Lovett to the position of the 3rd Sewer Commissioner: Both Select Board members signed Letter. (document 2)*
- F. *FRCOG Accounting Contract to be signed: board will hold off signing contract Carter, will do some research ask a few more questions and report to the Board.*

**MAIL:**

*Free cash has been certified as of July 1, 2013 the Certified free cash amounts are as follows: General Fund \$322,614.00 and Sewer Enterprise Fund \$95,877.00. (document 3)*

*Town Hall inspection is complete new expiration date is July 22, 2014. (document 4)*

*Town Hall lift inspection paperwork is all in now just waiting for the State for an inspection.*

*Documentation from The ZBA who voted unanimously to issue a special permit to Summit Distributors at 244 Main Street also known as Nolans Neighbors to install a new canopy and gas pumps. (document 5)*

*Open Meeting Law complaint filed by Kachina Yuryan on or about July 5, 2013 is said to be ripe for review and the case will be closed if Ms. Yuryan did contact the AG by September 11, 2013. (document 6)*

*Open Meeting Law complaint filed by Suzanne Corbett on or about January 16, 2013. Letter stating Ms. Corbett is not requesting any further investigation and that she is withdrawing her complaint therefore the case is closed. (document 7)*

*Department of Veterans Services meeting October 10, 2013 at 19 Millers Falls Rd. Turners Falls MA @5:00 PM. Leukhardt will attend the meeting and Fitz-Gibbon will ask Wayne Farrell and Curt Pichette if they would like to attend as delegate Ashfield. (document 8)*

*MMA Fall Conference for Selectmen Saturday October 5, 2013 8:00AM to 2:00 PM in Franklin MA .*

**Public Comment:**

*Ricki Carroll speaks to the Board regarding the Lighting Committee and how she would like to start meeting again and having Jane Willis as a new member. Fitz-Gibbon will research the Committee to see if that board has been reappointed. The Lighting Committee members were Nancy Hoff, Ricki Carroll, and Anne Yuryan.*

*Carter makes a motion to adjourn, seconded by Leukhardt.*

*Adjourned at 9:20 PM*

**DOCUMENT LIST:**

- 1. APD Police Policy 1.3.2 Use of Force.*
- 2. Select Board appointment of Daniel Lovett to the position of the 3<sup>rd</sup> Sewer Commissioner*
- 3. Documentation of Free Cash General Fund \$322,614.00 and Sewer Enterprise Fund \$95,877.00.*
- 4. Town Hall inspection by Building Inspector*
- 5. Documentation from The ZBA who voted unanimously to issue a special permit to Nolan's to install a new canopy and gas pumps.*
- 6. Response letter regarding Open Meeting Law complaint filed by Kachina Yuryan on or about July 5, 2013*
- 7. Response letter regarding Open Meeting Law complaint filed by Suzanne Corbett on or about January 16, 2013*
- 8. Department of Veterans Services meeting October 10, 2013 at 19 Millers Falls Rd. Turners Falls MA @5:00 PM.*
- 9. Agenda for September 16, 2013 Select Board Meeting.*
- 10. Addendum to Select Board meeting minutes of September 27, 2012 presented by Leukhardt.*
- 11. Amended minutes of September 16, 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.**

