

## SELECT BOARD MEETING July 28, 2010

Present: Dave DeHerdt, Doug Field, Norm Russell

**Minutes** A motion was made, seconded, and voted to accept the minutes of the June 23<sup>rd</sup> and June 30<sup>th</sup> open meetings.

**Appointments** Present: Rick Chandler, Sandra Lilly

Acting upon the request of the Board of Assessors, a motion was made, seconded, and voted to appoint Mark Graves to fill an existing vacancy on the Board of Assessors until the next annual election.

### **Old Business**

Assessors The Assessors spoke to the Board about the need to improve communication between the two boards. There have been several instances when the Assessors wished to have learned about some things sooner. Questions about software, etc Chandler was concerned that word get to the newspaper before they heard about it.

One of the concerns is the sharing of Nancy Dunne. The changes in Dunne's responsibilities in the town office are such that she's falling behind with her work in the Assessor's office. Chandler wondered how long this was going to continue (Dunne serving as temporary Town Clerk). He said he's looking at the long term solution. Field asked if it would be easier to find another person to cover the 6 hrs/week that Dunne usually devotes to Assessors work. Dunne has expressed concern about this herself. Deherdt thought it might be wise to go ahead and post the Assessor's Clerk position. Chandler thought maybe the Assessor's could make a few phone calls to find someone. Posting of the available Town Clerk position will be in a local paper and on the town's web site as soon as possible. Everyone is anxious to get this position filled.

Web site training The dates of August 2<sup>nd</sup> and 5<sup>th</sup> have been set for training of department heads in how to manage their sites on the web page. It is hoped that as many persons as possible can attend these meetings, as the intent is that each department or committee will be responsible for maintaining his/her own page.

Town hall Locks Field reported that it is possible to get locked into the meeting room downstairs. If the door becomes locked while a person is in the room, that person cannot get out without a key. [This room once served as the police station.] There is only one key and it is kept in town office along with keys to each of the other rooms in the basement [bathrooms and storage room]. Chandler said the Assessors have trouble with the lock to their office, too. But he didn't think one could get locked in.

### **Liaison Reports**

Police Department The chief reports that there is a mysterious problem with the Explorer. It is currently at the highway garage awaiting attention. Chief Cotton is encountering problems getting into certain data bases. He can't get into the one containing FID card information. He will have Virginia Wiswell service the system again to locate the problem. He has also found that some of the key operating services that go with the computer programs seem to be completely gone.

Fire Department The department has received a \$400.00 safer grant for which it did not apply. It can be used for training. The fire chief is checking into the source of this grant.

Highway Department Tom Poissant expects to finish cleaning up the downed trees and limbs, a result of the past storm, by this afternoon. Tom is working on specs for new truck.

Town Office Russell reported that Nancy Dunne is filling in admirably as temporary Town Clerk. She has been working with Janice Purinton to get required reports prepared and submitted. They're preparing for up-coming elections. Dunne is having problems getting persons to work the election. She has found the persons who have been helping are not available. DeHerdt said it may be time to find new people. He was sure that Dunne could deal with that.

Town Hall Committee Present: Wayne Gardner

A discussion of the proposed town hall steward position was renewed. Has the committee developed a charge? Russell said the initial charge is to have somebody to oversee use of the building. Gardner said the intent is to have someone available to make it very clear as to what the responsibilities of the users are and that the building is not to be abused. Gardner suggested that it would be helpful to have a list of persons to call if a problem arose. If the problem were a plumbing problem people would know who to call. A discussion of the procedure for securing permission to use town hall followed. Members present felt the potential user would continue the practice of obtaining the application from the Town Clerk, and get the appropriate signatures, etc prior to meeting with the Select Board.

The suggestion was made that it might be a good idea for the steward to be on site during events. Russell said sometimes at night after activities he has noticed the whole building is lit up long after the event is over. Field said that when police are on duty they leave lights on. He thought that was wise, especially if they had to bring someone into the building. But they don't light the whole building. After a recent event doors were left open and lights on. One time a window was left open causing a flood when it rained. The building steward could resolve this problem. After further discussion, Gardner was suggested as someone who could fill that role. He indicated that he was willing.

A motion was made, seconded, and voted to appoint Wayne Gardner as Town Hall Steward through the June 30<sup>th</sup> appointment period.

In other town hall business, Gardner reported that the committee is looking into the way town hall is heated. Currently there are two systems. There's no hot water in town hall. He also noted that there are storm windows for the rear section of the building. The committee is meeting twice a month: the first meeting is devoted to ADA issues and the second to general issues. There has been a donation of 3 handicap door closers that should solve a major problem with the lifts. At this time neither the fire department nor Sanderson qualify as alternative emergency locations. At both buildings the incline of the entry path is too steep.

Russell reported that Stuart Harris is working on a plan to re-design office space to make it ADA compliant. The committee is working on cost of the project. People would like to see town meetings held back in town hall which can't happen until the building in make compliant. There is money the floor preservation account that could be used to purchase materials.

Police Chief Search Committee Field reported that two applications have been received. August 20<sup>th</sup> is the cut-off date for acceptance of applications. DeHerdt said he has received an email from a committee member with some questions. What hours will the chief work? Is the position part-time or full-time? The town budgeted for full-time, but it could be part-time. Is there a probationary period? Field

thought a probation period is a good thing. Fellow Board members are in favor of a probationary period of at least six months.

Council on Aging The Board signed acceptance of a grant for funding that goes to the Senior Center in Shelburne Falls. Every town gets the grant but turns it over to the Senior Center. The local council would like to add 4 or 5 more members to its board.

Animal Control Warren Kirkpatrick submitted a request that he be given permission to cover for his counterpart in Goshen and Plainfield (mutual aide) while he is on vacation. This would be for two weeks. A motion was made, seconded, and voted to approve Warren Kirkpatrick's provision of Animal Control services to Goshen and Plainfield while the officer is on vacation.

Sewer Commission Information has received that the Sanderson Trustees (in charge of "the Field" on Buckland Road )and the Colsons, owners of cottage at 46A Buckland Rd, would like put in a sewer line to hook into the sewer line that serves Buckland Road. Permission is needed because part of the line will go through town land. The board would like this request in writing.

Website training In order that the website is a useful tool for the town, persons need to know how to post information. DeHerdt has put together a letter to send to the boards to notify them of the training sessions. He said it will take a while for people to get used to checking the website. DeHerdt felt, that at least initially, it should be the Board's responsibility to see that information on the website is kept up to date.

FRCOG The big buzz is the revised Open Meeting Law. It's intent is to make sure that everything is conducted in the open; nothing gets done behind closed doors. DeHerdt feels that there is nothing wrong with using emails to communicate. He disagrees with the AG on this issue. He thinks that forwarding an article of interest to other Board members would not be a violation. Election of officers for the FRCOG is coming up and will be on the state ballot. Bill Perlman is one of the persons who will be running for re-election.

### **Old Business**

Town Clerk job description Buckland Town Clerk, Janice Purinton sent up some job descriptions for Town Clerk , Town Administrator, and Administrative Assistant which DeHerdt said he finds very helpful . She also included a list (several sheets long) of Town Clerk responsibilities by state statute, and a narrative of the position historically. The Board was impressed with the number of responsibilities of the Town Clerk. Russell commented in previous job descriptions all of this was to be done in 7 hours! Buckland has a 40 hr. Town Administrator and a 30 hr. Town Clerk.

DeHerdt said he thought the Town Administrator position should be eliminated. By that he meant that what was needed is someone who takes the decisions of the board and follows through with them, but does not assist in making the decisions. DeHerdt proposed that the Buckland Administrative Assistant job description be used as a basis for this position, which he called Executive Assistant.

There was some discussion about whether the Town Clerk should be elected or appointed. John Nawrocki, who was present, commented that after long time Town Clerk Eleanor Ward left the position there had been a series of clerks who did not stay a long time. The reason for making the position appointed was to possibly find more qualified persons who would stay. But that hadn't worked. There had been several appointed persons who didn't last either. Perhaps the fact that they were expected

(and only paid) to do the job in 7 hours had something to do with this. This (elected or appointed) is a major decision that needs to be left alone for now.

Turning to hours for the positions, initial thoughts were that the Town Clerk needs at least 15 hours, and the Executive Assistant at least 19 hrs. This would be revisited several times during discussion. Russell would like the Executive Assistant to be present at Board meetings to give that person a better sense of what is going on. He also thought it would make sense for town office to be open when the Select Board is meeting. He wondered how that would work if the Executive Assistant was tied up with the Select Board meeting.

As discussion continued the Board began to consider that perhaps hours for Town Clerk might need to be 20 – 25, which meant it would be a benefited position. DeHerdt says he is convinced the Town Clerk position is the pillar of town hall and could eventually be full-time. With a Town Clerk, an Executive Assistant and another part-time assistant it should be possible for the town hall to be open whenever someone is here. A person at the counter to answer questions, etc, should serve to alleviate pressure and improve town hall function. The Board decided it needed to hold a meeting just to work on defining the positions and set a date of Tues, Aug 3 at 1:00 pm to finalize the job descriptions, postings.

Russell reported that he'd followed up on a letter from a former Town Administrator from Amherst. He learned the person could be available to assist the town at a rate of \$110.00 per hr.

Keys will be a topic on the August 11<sup>th</sup> agenda.

Communication confusion When town hall loses electricity, the fire station loses phone and computer service. It is necessary to run a line from the fire station generator into town hall to provide electricity so the phones and computers will work. Unfortunately, the location of the plug is in a locked office. Now that someone has to have a code to enter town hall, the fire chief needs to have the code so he can get into the room where the connection is. Russell was surprised to learn he is "the one" with the code; he needs to share this with the fire chief. A question was raised as to how such a hodge podge system came to be. General consensus is it happened when a new phone system was installed. The comment was made that this was the result of trying to save money by avoiding the cost of a standard system that more than one person knew how to use. Such is the situation now: no one seems to know how to make basic changes to update the system.

Note was made that the fire station is the emergency center and, as such, should be self-sufficient – not relying on town hall, especially for communication capabilities. The Board thought it important that the fire station have a phone line independent of town hall. Field reported that he is aware of the availability of a generator that would power both the fire station and town hall. He is looking into this. Regarding the phone situation, he thinks the mitigation grant could be used.

Letters A letter still needs to be sent to the Secretary of State regarding the temporary Town Clerk situation. A letter in response to the resignation of the Town Administrator needs to be prepared, as well. DeHerdt put those tasks in his to do pile.

Pole Hearing The hearing for installation of a utility pole on Bullitt Road was set for August 11, 2010 at 7:15 pm.

## **New Business**

Website A letter needs to be sent to the state advising that the Town has a website. DeHerdt will take care of this.

Open Meeting Law A question was raised about why the bulletin board box was locked. It's locked so unauthorized people can't take down notices that have been posted. The temporary Town Clerk has the key. Under the revised law, the FRCOG has to post notice of its meetings in every member town.

John Nawrocki, Ashfield Water District, said the District was aware that the town needed to make some changes to the notice board in order to be in compliance with the new regulations. In exchange for being allowed to post its notices on the board, the District was willing to provide a new board. This was a welcome offer, readily accepted. Nawrocki will contact Wayne Gardner regarding specifications. A motion was made, seconded, and voted to allow the Ashfield Water District to take the responsibility of providing an Open Meeting compliant notification board.

Possible Violation of Meeting Law A written complaint has been made that the current Select Board has been in violation of the Open Meeting Law on several occasions. The Board is unaware of any violations. It is thought that the complaint might be about what some people saw as a disciplinary meeting without notifying the employee. However, as was stated at the time, there was no disciplinary discussion; it was a financial issue that had to be discussed openly. The Board's response is, "take it to the AG." If this is the violation, it happened under the old Open Meeting Law, prior to the AG having authority to enforce. Another look will be taken at this issue at the next open Board meeting.

Police chief contract extension A motion was made, seconded, and voted to extend Chief Cotton's contract until August 29<sup>th</sup>.

Application for use of Town Hall The Ashfield Film Festival wishes to hold its event on September 25<sup>th</sup> from 8:00 am to 12:00 midnight. It anticipates a capacity crowd; there is an admission fee; popcorn will be available; Buz Eisenberg will be responsible for the lifts. Police and Fire chiefs have signed the application. Now that there is a town hall steward, he will need to be contacted. A motion was made to approve the application subject to conferring with the town hall steward.

Registrar of voters A motion was made, seconded, and voted to appoint Muriel Cranson as a Registrar of voters.

Nancy Dunne has become a US Citizen. Congratulations to her.

FRTA DeHerdt will serve on the advisory board.

## **Mail**

CoA – Colrain Selectmen sent a letter concerning changes in the Council on Aging. DeHerdt will scan the letter and forward it to Field and Russell for their review and discussion at the August 11 meeting.

Police - Receipt of letter regarding return of town equipment, a new master key, and the file of a decision of the ABC on serving an underage person at the Lake House was noted. Also needed is the password to a computer.

FRCOG - The Regional Planning Committee is seeking support from the town for its projects. DeHerdt responded, "Get us a bus up here!"

The planning committee reports that MassDOT has failed to act in a reasonable time to do something about the retaining walls along RT 116 in S. Ashfield which run along the South River.

The Middle Mile – There is \$700 million available to bring fiber optic cable to small towns. Currently a trunk runs up along Interstate 91. In the next step, cables are to be installed to the center of Town. From there cables will be in loops called horseshoes. Every residence will be no more than three miles away from such a horseshoe. This is the middle step. From these- eventually- in the final step, providers, such as Verizon, will then provide service to individual homes.

New Police patch - Samples of the new police patch were shown. They are being prepared by Sentury Uniform.

DCR - A letter was noted from the DCR (Department of Conservation and Recreation) touting its renewed vision for managing forested lands.

Volunteers needed - Most of the office staff will be on vacation next week. The Board would appreciate volunteers to man the town hall and counter area during regular open hours.

A motion was made, seconded, and voted to adjourn the open meeting and go into executive session for the purpose of discussing litigation. It will not return to open session.

Meeting adjourned at 9:35 pm.

Respectfully submitted,

Priscilla Phelps