

SELECTBOARD MINUTES – September 22, 2010

Present: Dave DeHerdt, Doug Field, Norm Russell

Meeting called to order at 7:08 PM

Request for use of town hall: Present: Steve _____, Chairman

The Historic Commission (HC) requested use of town hall on Saturday, October 16, from 2-4 pm; attendance – 25, admission fee – yes, serving food – y. Since this is an Ashfield entity there would be no fee.

Steve explained that the HC will be conducting a walking tour of downtown Ashfield to observe frame timber construction in several buildings, including the steeple on town hall. The plan is to take small groups up into the steeple to observe the “awesome” timber framework. Town Hall Steward, Wayne Gardner said some planking would be needed and some areas roped off at the very top to address safety concerns. Other tours conducted have been to look at timber framed barns in town. A motion was made, seconded, and following discussion voted to permit use of town hall by the Historic Commission.

New Town Hall Use Application Form A motion was made, seconded and voted to accept the new form to be used when applying to use town hall. Thanks go to Ted Murray and the Town Hall Committee for putting together this new form. Note was made that for re-occurring use it would not be necessary to submit the whole form, just the signature/check-off page.

Police Reserve Officer Candidate Present: John Cotton, Dwayne Beauchasne

Chief Cotton presented Duane Beauchasne as a candidate for a position on the department as a part-time reserve officer. Beauchasne lives in Montague, has worked as a reserve officer in Bernardston for six (6) years, and has received training through the Sheriff’s Association Law Enforcement Division .

When asked about what he deemed as the 3 most critical parts of his training he responded that knowing the local people and communicating with them was key. Training through the Academy and Sheriff’s Association were also important. He said a lot could be learned in books, but hands-on was where the most important things were learned. What was his understanding of doing the job entail? Basically, keeping the public safe. What did he think made him a good police officer? Beauchasne replied he was a people person. He thought having good communication was the main thing. It’s not about chasing down the bad guys.

Comment was made that he had hair. Most of the young officers seem by the Board seemed to have military buzz cuts. As DeHerdt put it, “ Since [young people] have the ability to grow hair, why wouldn’t they?”

Field asked about the defensive driving course listed on the resume. Beauchasne explained what the program was, commenting that he had received much of his training through the Sheriff's Department. As an example of Sheriff's programs, a brief description of the iris scanning program sponsored by that department was given. This is one more method of identifying a child, should there be a need.

What was unique about a small town from his point of view? He said a small town is more personal. Having a country background, he was comfortable with loose cows and horse calls. He liked being able to take time to socialize. He has worked in Montague, where it's very busy and people don't want to talk to police officers. In a small town like Bernardston, where he has worked, officers could do more socializing.

How would he protect the civil rights of individuals, while also protecting himself and respecting the rights of others? He responded an officer had to keep a cool, level head. Talking to people in a calm manner is the way to get things done. Regarding the chain of command, he said the town sets the policies; if he has a question he follows the chain, in this case the Chief. A comment was made by someone in the room that there was only one link in the chain.

Note was made by DeHerd that the town is coming out of a difficult period. When asked what he would do to help the town move past this, he said he felt talking to people would help. He didn't want people to be intimidated, he hoped they would be comfortable talking to him. How does he see himself with regard to honesty, integrity, and humility? This seemed to be difficult to put into words. DeHerd said when an officer walks out in uniform with badge and all some people are intimidated. Beauchasne saw himself as being truthful, as he saw no point in being anything other than truthful. He felt he conducted himself in a non-threatening manner. A follow-up to this was a discussion of how he would handle traffic stops and work with other emergency services departments.

Following this period of questioning, a motion was made, seconded and voted to appoint Dwayne Beauchasne to the Ashfield Police Department, subject to a six (6) month probationary period.

Executive sessions minutes

Motion made, seconded, and voted to accept the executive meeting minutes of 9/15.

Wind Energy Advisory Committee Charge

Russell presented his proposed charge to this committee:

Whereas the Town of Ashfield lacks a zoning by-law regarding wind turbine; and application has been made for wind speed information gathering towers; and various groups and businesses have interest in placing turbines in this town; and as the stated policy of the executive boards of this town are to encourage wind energy generation; and hundreds of citizens of town have gathered to hear information regarding wind turbines;

it is clear the town requires a comprehensive by-law regarding placement of wind turbine towers and facilities.

Therefore, the Select Board elects to establish a Wind Siting By-Law Advisory Committee. The charge to the committee shall be to collect all pertinent information on wind turbine facilities and to propose a by-law that will fairly and comprehensively answer to concerns of the town as to health, safety, and tranquility of citizens without prejudice against technology that will benefit the environment and help insure sustainable energy supplies.

Motion was made to establish a wind turbine siting advisory committee with a charge as read. It was seconded and discussion followed.

David Kulp asked why the Select Board was forming this committee when the Planning Board was already doing this. DeHerdt said by doing this the result could be two by-laws that were a little different, thus creating some choices. Someone commented that having two groups working on the same thing might seem redundant. Kulp requested that the Select Board and Planning Board work co-operatively.

Russell further explained that if the bill becomes law it will be the Select boards responsibility to create this committee which will supercede the Planning Board. It was also noted that there are certain requirements for the composition of the committee that includes members of the Planning Board, Zoning Board of Appeals and Conservation Commission. The drafting committee (the one about to be charged) will be composed of persons who have knowledge and interest but are probably not on any committee or board now and may not be on the final siting committee that will be charged with enforcing the by-law.

The Board is confident that through this process, while there may be some heated discussions, etc, as is the Ashfield tradition, in the end a fair by-law that will pass judicial muster will emerge. It will have to withstand challenges.

Following discussion the vote was unanimous in favor. The matter of a number of spots on the committee was raised. Five was an acceptable number.

Street Lighting Committee - No report – Field said the committee will be meeting next week.

Assistant Clerk – Nothing will done about this position until the Assistant Administrator position has been filled. Russell said there is a little confusion about hours – there has been a temporary increase in hours. Normally it is an 11 hr job, currently it’s more like a 19 hr job.

Assistant Administrator Position - Russell reported that about 6 applications have been received. They will be reviewed next week by Ted Murray, Anne Yuryan , and Nancy Dunne. It is hoped that a decision will be made by the end of the first week in October.

Wired West - Present – David Kulp

Kulp reported that the town voted to participate in an organization to bring broadband internet service to the whole town. It turns out there are 47 towns in Berkshire/ Franklin/ Hampshire County that are underserved in terms of broadband access. Kulp is on the steering committee. In July the state received \$72 million in federal stimulus money. Over the summer there has been work and a decision has been made to create a municipal co-operative that is a legal entity that can raise money and has bonding authority.

To explain the current situation, Kulp said the state has a program (called the “middle mile”) to bring fiber optic /broadband capability to the center of town and to core anchor institutions, such as the school. Wired West is to bring the service the final distance to homes in much the same way an electrical service was brought to homes in the last century.

It has been discovered that there already exists the legislation needed to form the co-operative organization. It was created to allow municipal lighting plants in municipalities to bring electricity to homes. The legislation has been changed to allow municipalities to form co-operatives that allow bonding. The decision is that the right thing to do is to form a municipal lighting co-operative. To do so the town will need to have two votes taken at two different town meetings at least two months apart. Votes have to pass by 2/3. Wired West will help prepare the warrant article.

There will be a financial commitment, a modest fee of \$1,000 - \$2,000 for the town to join the co-operative. Currently there is no additional cost to the town. The other source of revenues would come from the end user.

Another item needed is authorization from the town permitting the utility companies to release pole data to Wired West.

Posting of meeting – formal policy

David Kulp requested there be an item on next meetings agenda to present a formal policy for posting notices. He is willing to draft said policy that meets the criteria of the Open Meeting Law.

At this point (8:35 pm) the meeting was paused to address a situation outside town hall – an accident. Someone drove off the road severely damaging Norn Russell’s car. When things calmed a bit the meeting was called back to order at 8:43 pm.

NEW BUSINESS

Extension of Police Chief Contract

A motion was made, seconded, and voted to extend the Police Chief’s contract by another 30 days - until October 26th. (using DeHerdt’s thumb and figner method.)

Special Town Meeting

The anticipated special town meeting date was moved to sometime in November. Time is needed to allow the Finance Committee and Town Counsel to review proposed warrant articles and to allow 14 days of posting. The Moderator might need to look at the warrant, too.

Notice still has to be mailed to every registered voter that town meetings and voting will take place at Town Hall. This needs to be done before the November elections.

Animal Control Warren Kirkpatrick, the Animal Control Officer, is requesting permission to bring delinquent owners to court, as is the procedure. However, in reviewing the material submitted, the Board was unable to determine how many cases this would be.

In March a cap was voted on fees that could be charged to a household for dogs that remained unregistered after the grace period. DeHerdt has heard from persons seeking relief from the fees. Some requests seemed reasonable as there can be extenuating circumstances. There has been some confusion as some persons have paid the registration fee, but not the penalty, and have had their checks returned. The Board said it would like to hear from persons who for one reason or another have not licensed their dogs. A motion was made, seconded, and voted that a waiver would be considered to provide relief from the delinquent penalty.

LIAISON REPORTS

Police Department - The computers are back on line. State data bases are now being accessed. A new officer has been appointed.

Fire Department - The Chief is still working on getting a phone line.

Highway Department - Starting to stake out the park.

Emergency Manager - Field reported the inspection report is due tomorrow. The donated generator is up at the town barn being checked out. It will be connected to the propane tank.

Town Office - The next round of CDBG grants is available. A public hearing needs to be scheduled to review the community development strategy plan previously submitted to remove items accomplished and consider items remain and add new items. A list of items was read. The hearing could be held just prior to a regular Board meeting. Notice of the meeting needs to be posted 7 days in advance.

Police Chief Search - Field reported that there have been 17 applications submitted. The committee expects to conducting initial interviews by the middle of October.

Pole Hearing - Verizon requests another pole hearing re: placing a second pole on Bullitt Road. It appears to be across the road from one recently approved. A date of October 6, 2010 at 7:00 pm was set.

Council on Aging - A motion was made, seconded , and voted to accept with regret the resignation of Anthony (Tony) Virgilio as an alternate from the Council of Aging.

Town Office - Auditors Report

The Board reviewed a letter of response to the Auditor's report of it's findings and suggestions for improvement as prepared by Nancy Dunne. Russell read the letter. Items included department turnover forms being made in triplicate; working on collecting taxes going back to 1992; implementing GAS-B #45; internal audits of departments; prompt turn over of department receipts; Assessor's minutes don't contain necessary information.

Monitors - Dunne's monitor is beginning to die.

Printer - The Tax Collector's printer dies. She is currently using one from the Police Department.

New Administrator - A phone will be needed for that person. Request to sign the job description for office records.

Schools - An e-mail was received indicating an increase in the school transportation contract; following be a second canceling the earlier notice. Calculations were done wrong. Smith Voc. Students - we have enough students to fill one van, plus one student that travels in the van with the Hawley students.

Mail

Request for emails

Dept of Telecommunication & Cable

Bill from Paul Swem for computer repairs

Halloween - Ashfield Lions Club will sponsor the Rag Shag Parade Police will lead and Fire Department will follow. There will be no costume judging. Cider & donuts will be served in the Fire house. Lions Club will have \$1,000,000 insurance coverage for the event.

Motion made, seconded and voted to adjourn at 9:45 PM.