

SELECT BOARD MINUTES - November 3, 2010

Present: Dave DeHerdt, Doug Field, Norm Russell, Mary Fitz-Gibbon

Meeting called to order at 7:05 PM

Minutes of October 27, 2010 Accepted as amended.

OLD BUSINESS

Delinquent Dog Owners - DeHerdt has learned there are 6 unlicensed dogs remaining, 4 of which do not have current rabies certifications. He plans to contact these owners. Russell spoke of what to do next. He said a lot of towns publish a list of names of persons who owe taxes. He suggested publishing a "list of shame" rather than sending persons to court. Field said one year the town had a veterinarian come to the transfer station to give rabies shots, another year it was done at the fire station. There were some problems at the fire station, as people brought their dogs inside. DeHerdt spoke of an alternative for persons who were experiencing financial difficulties. His fellow board members suggested he wait to see what happens when he makes the phone calls, and, as Russell suggested, he mention publishing names.

IT Proposals - The town has been having problems with its computer system(s). This is getting expensive. DeHerdt said the first thing that needs to be done is to decide what we want to accomplish. One thing is to make sure the security is tight - that there are no electronic back doors, that the computers are secure from unauthorized use. Russell spoke of a need for them (the computers) to be coordinated so that they all work together well. Another concern is the security of the internet connection. Right now it's downstairs in the furnace room. It needs to be kept as uninterrupted as possible. Finally, DeHerdt is concerned about the age of the system. We need to be sure the hardware is current so it can handle the new software and updates, and also check the backup capabilities. A good backup is stored off site. Right now the town's backup is at the fire department in a very insecure place. He thought it would be a good idea to have an IT person provide an idea of what should be done. Then an RFP could be prepared and firms invited to submit proposals (with pricing) on how to remedy the situation, so that the result is a smoothly operating system.

Wind siting advisory committee - Another person interested in being on this committee has been heard from. Conservation Commission has put forth Patricia Libby's as its representative; Anne Yuryan will represent the ZBA; and the Planning Board will appoint someone at its meeting. All interested persons will be invited to a meeting at which additional members will be appointed.

Russell said in forming the committee the Board should be mindful of persons who might have a financial stake in this endeavor. Possibly some questions could be asked to remind potential members of this aspect (possible conflict).

WMECO Disclosure Agreement - Fitz-Gibbon said she contacted WMECO at the beginning of the week. People there are looking into the request. In the meantime she has heard from

David Kulp, who will be providing her with a contact name and information. Once she has that she will continue with the process.

Mass Broadband Institute – Sometime ago the Board received communication listing where the “middle mile” would reach. That list got put aside; now that there is a need to look at the proposed sites to determine whether these are good sites the list needs to be found. Fitz-Gibbon said the office had no luck finding the proposed list of sites; she will ask that the list be sent again.

Field said someone told him they turned on their DSL the other day and it came up “Verizon Broadband.” He asked if anyone else had seen that message. He said it was someone right on Hawley Rd. He also said DSL was installed at the Bullitt Foundation last week. Someone commented about the Trustees of Reservation having some clout with the phone company.

Voluntary tax donation – Following up on last meeting’s conversation, Assessors’ Clerk, Faye Whitney spoke to Don Gorton at DOR regarding the legality of allowing voluntary donations to be added to the tax bill for the benefit of the library. To do so would require a statutory authorization through the state legislature - a homerule process. So the answer is, no, unless we wish to pursue this. The question that needs to be considered is whether the Library Trustees could consider such a donation as a town appropriation, a concern of theirs being that the town appropriation did not meet the levels required by the state to keep the library certified. If monies raised this way would only be considered a donation, then there would be no reason to pursue this. Fitz-Gibbon will contact the Library regarding this.

Police Search Committee – Town Counsel is available to meet with the committee next Monday (11/8). The Board will be available to meet with Counsel and the committee at 7:PM on November 8th at town hall. Fitz-Gibbon will check to be sure that the search committee has a meeting already posted. The only item on the agenda will be discussion with Counsel regarding interviewing candidates. DeHerdt said this meeting wouldn’t meet the requirements for it to be an executive session.

NEW BUSINESS

Free Cash – Certification has been received. General Fund amount: \$171,585.00
Sewer Enterprise Fund : \$141,597.00

DeHerdt had expected the General Fund free cash to be higher, but he has learned from discussion with the tax collector that there was a delay with some highway information, so it didn’t get included.

Public Records Requests – Because the statute regarding release of public information has a time table, DeHerdt proposed that protocol for requesting same be in writing (not e-mail) to the Public Records Custodian at Town Hall. He stated that the request needs to be as specific as possible so that the documents can be located quickly and also so that the custodian can determine what documents fall within the perimeters requested. He also noted that the statute requires that the requested information be provided in the “most convenient and least expensive form.” That form might be an electronic pdf file. It was suggested that a notice that the request has been received be sent. Discussion followed about posting a form for people to use and the posting of the law pertaining to public records so that people know what is required.

NEW BUSINESS

Fall Festival Issues- DeHerdt said that he would like to invite the Fall Festival Committee to discuss some issues that came up. He has invited Sandy Lilly, who has responded she's willing to come but would like to know what areas would be discussed. He then asked fellow board members for their thoughts.

The first issue mentioned was Dogs. Field said he saw several dogs, even though the policy is no dogs. He mentioned an incident a few years ago where an individual was injured in a fall in which a dog was involved. Comments were made about dogs being kept off Main Street during Fall Festival.

Another issue would be to find a way to detour thru-traffic, possibly using Creamery Road to bypass the center of town. Since Main Street is a state highway, this might require permission from MassDOT.

Russell had questions about how vendors are selected so to avoid competing groups. He mentioned face painting. Apparently someone set up a spot in front of Elmer's even though the preschool was doing face painting at another location.

Another thing is policies for contacting health and building inspectors. People need to know that the building inspector is going to inspect tents over a certain size and the health inspector is going to check out food service. Vendors need to be aware of this.

A question was asked about policy regarding the purchase of supplies by the vendors. Would they have to be purchased from within Ashfield? Other questions involved insurance. With the size of the crowd things are bound to happen; does the town have insurance on town facilities? And what about activities on private property? Parking is also something to talk about. Field suggested getting the Trustees of Sanderson to allow parking on the old school grounds. Maybe run a shuttle from parking areas, for a small fee.

Fund raising matters were mentioned. A donation box for town hall projects was suggested. Everyone laughed at the suggestion of a Sunday raffle. [Apparently there were some problems?]

Opening the dump (transfer station) another day during the week – Field reported that he has people asking when the dump is going to be open again during the week. The transfer station used to be open on Thursdays when Bud Howes was alive. Some information regarding cost, benefits, and staffing need to be considered.

Police Chief Search Committee – DeHerdt had a letter of resignation from Suzanne Corbett, in which she stated she had done all she could on the committee. The Board chose to take the matter under advisement.

MAIL

FRCOG - A letter from the FRCOG brought up a brief discussion of how the FRCOG came to be as a regional organization when the county system in the western end of the state was disbanded. Someone asked if Ashfield had to belong. The decision to join was made by the town. How many services provided by the FRCOG which the town elects to take advantage of can vary, depending upon need. The numbers of ways in which the FRCOG is helpful to the

member towns were noted including: provision of training, procurement of items (such as highway materials), the building inspector program, health inspections, and such things as research on broadband issues.

One of the things we're finding out now is that the Franklin Council of Governments is being used as a model for other councils that have not been as successful.

DeHerdt said one consideration is how one feels about regionalization. He gave the following example. In regionalization everyone puts something into the pot to be shared. Some people feel if they put a certain amount into the pot they should get that amount back. With regionalization it doesn't work that way. Sometimes someone else gets a bigger share of the pot; you might not get back as much as you put in, other times you might get more. Field said that is like the ambulance service. Ashfield pays the same amount as Plainfield for ambulance service, yet last year Plainfield had only 26 runs, while Ashfield had over 100. Russell said Conway had its own ambulance service; he thought it saved a lot of money. But Field said Conway couldn't provide the same level of service as the Ashfield-Plainfield arrangement.

Among the many items available from the FCROG was a comparison of wages and salaries paid by member towns for services, which the Board looked at briefly. There is always a lot of information.

Senior Center – An invitation, received via e-mail, from the Senior Center notifies of the presentation of a Mosaic in Shelburne Falls depicting life in west county towns. The presentation is November 6th, at 4: PM. These mosaic panels, prepared by students from the regions schools, were funded by several grants. It was suggested that this is something that should be posted on the web site where more people might see of it.

Mitigation Grant - According to Field Homeland Security is the source of a mitigation grant of \$10,000 to clean the spillway at the lake. There are a lot of trees growing in the spillway that could be problematic in the event of some sort of emergency. He said that Bill and Tom were aware of the grant and had looked at it two or three years ago, now neither seems to know where the application paperwork is. If the town wishes to participate the deadline for submitting an application is within days.

Note was made that there is a lengthy conduit through which information must travel to eventually at the town. By the time it gets to the town, the time for reacting to it is short. It originates at the federal level, passes on to the state, then to the FRCOG, before finally arriving at the town where the project to be undertaken is located. The FRCOG does have persons who can assist with the application process.

Thank you to Country Pie - Country Pie provided food for the election workers without charge. This was very much appreciated. This was a well attended election, with a turnout of 880 persons (67% of registered voters).

Open Meeting Law - The open meeting law has a provision that allows the Attorney General to make rulings to clarify provisions of it. Apparently the AG has passed a regulation that allows towns to satisfy the 48 hr posting by using their web sites. Bob Dean, from the FRCOG, has detailed information about this. Fitz-Gibbon will check into this. FRCOG has obtained permission to do this so the towns no longer have to post FRCOG meetings. This poses some questions such as, how does one certify that the 48 hour requirement has been met? The law provides that the Town Clerk is responsible for keeping a record of postings; does this mean the

Town Clerk would be the person responsible for posting meeting notices on the web? This adds to the already busy Town Clerk's responsibilities.

Liaison Reports - Will be included every other week, unless there is something to report.

Next meeting will be a joint meeting with the Police Search Committee, if everything works out, followed by the regular meeting on November 10th.

Steve Hershel, campaign manager for **Paul Marks** was present to thank everyone for support. Marks will be booking round table discussions. Persons may contact him at:
vote.paulmarks.com

Street Lighting committee - Present: Ricki Carroll

Ricki is trying to get her committee together. She requested permission to add another member, Anne Yuryan. She also asked if meetings have to be held at town hall. DeHerdt said he doesn't think there's a requirement that meetings be held in a public place. People need to know a meeting is going to take place, so the posting should be made. Ricki said she doesn't think anyone on the committee has been sworn in.

In a roll call vote, taken at 8:45 PM, the board unanimously voted to adjourn the open meeting and go into executive session to discuss deployment of security personnel or devices and _____ and will not reconvene in open session.

Respectfully submitted,

Priscilla Phelps