

Selectboard Meeting
October 24, 2011

Present: Noreen Suriner, Chair; Alan Vint, Clerk; Mitch Feldmesser
Duane Pease, Administrative Assistant

Meeting called to order at 7pm

Jane Thielen, Treasurer, was present to discuss the properties in Tax Title. She has \$1,300 left in her budget to proceed with the takings of the properties which include some land parcel of low value that can be taken by the Town without going through Land Court.

Alan told her he has talked to the Town's Tax Title attorney and for her to send them all to him. She should note the parcels of low value. The attorney will keep the Board informed as to the progress of the takings. The attorney will send letters to the current owners to see if he can set up a payment plan and, if that fails, would they be willing to sign the property over to the Town.

Noreen was concerned as to where the money would come from once Jane depleted her budget.

Alan said the return to the Town could be greater than the costs of taking the properties.

Jane reviewed the list of properties and noted some payments have been made since her meeting with the Board earlier. She will send the list to the attorney with the priorities being the property with homes on them.

Mitch questioned how long the process takes for the Town to take the property.

Jane said it depends on the status of the owner and property owned by a deceased owner takes longer as all of the heirs have to be notified.

Sherry Venditti, who was observing the meeting, wanted to know if the town could report the delinquent owners to the credit bureaus.

Jane advised the takings are regulated by State laws and she cannot report to the bureaus but liens are filed against the property in the Hampshire County Registry of Deeds.

Steve Harris, Communication Committee, spoke to the Board next to provide an update on the installation of the new DSL line. All the Town computers are now wired into the secure second line and the new wireless system should be ready in a few days. The wireless will be available throughout the Town Hall. The company that did the wiring will be back to remove all the old wiring and to move one connection and add another for the Treasurer's computer and phone.

Noreen then read Resolution requesting the Commonwealth move its primary to an earlier date; this will improve the military voting as the State Primary occurs 6 weeks before the General Election and it is very difficult to have the ballots sent to the troops and get them returned within the statutory time limit.

Alan motioned to accept, **Wally Smith** (meeting observer) 2nd, Board voted 3-0 in favor.

Skip Savery, Highway Superintendent, advised he was going to pave about 2,500' of River Road and the lower end of Cone Road using his Chapter 90 money and that Lane Construction will do the paving. Lane is the low bid that was submitted to the HCOG. Skip will be meeting with the Lane representative later in the week to review the scope of these jobs. He also wants to install new guard rail along the river bank on River Road. This was not possible before but since the hurricane and subsequent repairs the shoulder was built out and now it will support the guard rail.

Mitch motioned to approve the River Road work, Alan 2nd; vote was 3-0 in favor.

Alan told the Board he had contacted Pioneer Valley Planning Commission and spoke with Erica Johnson regarding any information PVPC may have on the status of the disputed Harry Pease Road in Middlefield. She was going to pass the request onto the proper person and they were going to get back him in a few days. And, also, the Historical Committee may have some information on the history of roads in Middlefield.

Noreen said she would be willing to contact the Historical Commission but noted it is very mixed as to what is meant by “shut up” in the closing or discontinuing of a road.

Mitch said it could cost the town either way.

Sherry Venditti said if one person is claiming it a public road and another adjacent landowner claims it is not a public road, why does the Town have to defend.

Alan told her the ramification to the Town not to defend is that the outcome may affect the Town and require the Town to spend money on a road that may or may not be a public road.

Noreen said the dispute is between two neighbors and should be settled between them.

Alan said it may not be that way, it may be deemed a road.

Noreen asked if the Board had seen a deed that shows Jamula has a right-of-way.

Alan said he has seen no documents that show a right-of-way. He has seen a 1982 Hampshire County map that shows Harry Pease Road as only being .81 miles long.

Noreen stated the 10/21/11 letter from Kopelman & Paige said that the Town Clerk should look through the road records for any additional information.

Maureen Sullivan, meeting attendee, said the Board still needs the information from PVPC.

Noreen also questioned if the Jamula’s had ever been asked for a copy of a deeded right-of-way.

Joe Kearns, Finance Chair and former Selectman, said the Town Meeting in 1984 voted to accept a list of the Town roads and prior to the meeting there was a tremendous amount of research done on the roads. That research may be with the Town Clerk and could help greatly.

Joe Kearns said there had been 2 actions subsequent to 1984 to abandon roads.

Alan noted the 1984 Town Meeting vote was 24-1 in favor of the list presented.

Joe Kearns also said the Registry of Deed has deeds of roads and that is also another place to look.

The Board received a letter from the State regarding the Cultural Council grant. **Noreen** motioned to accept the grant, Mitch 2nd; vote 3-0 in favor.

Joe Kearns said he has asked **Eric Weiss**, HMRC to come up with plans for the transfer station.

The next item discussed was the **privy issue**. **Alan** was not pleased with HCOG's interim Building Commissioner for Middlefield. HCOG still has not hired a full-time replacement for Paul Tacy and he feels the temporary hire is not going to work. The Town needs to act as there are ongoing code issues including this privy. He also noted the Town still hasn't paid its assessment.

Maureen Sullivan said the by-law definitions of a camp are very weak and if the language is not supported by a definition it is very hard to enforce. A request should be made to the Town Clerk for a copy of the 2002 by-law update.

Noreen felt HCOG should be given time to get its act together.

Mitch agreed with Noreen to give HCOG more time but suggested to only pay ½ of the assessment.

Noreen said she attended a Board of Health training program on Saturday.

A question arose on the indemnification of Town Officials and **Joe Kearns** said it must be voted on at a Town Meeting.

Finally, the Board authorized the Administrative Assistant to contact potential law firms for the possibility of hiring new Town Counsel.

Alan motioned to adjourn, Noreen 2nd; vote 3-0 to adjourn. Meeting adjourned at 9:20pm.

Minutes respectively submitted,

Duane Pease
Administrative Assistants

Minutes accepted with/without changes

Noreen Suriner, Chair

Alan Vint, Clerk

Mitch Feldmesser