

Meeting of the Middlefield Selectboard held at town hall on May 14, 2012

The meeting was called to order at 7:04 PM. Present: Noreen Suriner, Alan Vint, Mitch Feldmesser (7:09). Admin. Asst. Duane Pease absent.

~ Copies of (4) pages of citizen's petition received for BOS file, originals had been submitted to Town Clerk.

~ Warrants

Signed warrant #WP23 dated 5/14/12, \$3455.85

Signed warrant #12W37 dated 5/14/12, \$15219.51

~ Review of draft minutes for BOS meeting of 5/7/12

Mitch moved to strike items 1 and 2 on page 3 as they were audience statements of personal perceptions from the Annual Town Meeting and not material to the issues the Board was then considering. Noreen seconded. Voted: All in favor. Discussion about MA Open Meeting Law requirements for minutes; Minutes should provide a summary of each issue discussed, not a transcript, and must be made available on request within 10 days whether approved or not. Noreen moved to approve minutes for BOS meeting of 5/7/12 as amended. All in favor.

~ Inspector General's report/response

Tabled until next BOS meeting by unanimous consent.

~ Mail/Email protocol

Noreen expressed concern about mail being taken home from the post office rather than brought directly to the office. All agreed that is not good practice and should be avoided. Noreen also stated that mail addressed to a specific individual or officer should only be opened by the addressee unless the addressee gives permission otherwise. Alan felt that it was okay for any Selectboard member to open mail addressed to any Selectboard member..

~ Ray Gero submitted his letter of resignation (with attachments) from his post as Veteran's Agent effective 5/14/12. Resignation accepted by unanimous consent. Mr Gero stated he wanted the document and attachments to be put in the Veteran's Affairs file by the Town Clerk. At the end of the meeting Mr Gero took the documents without allowing for copies to be made for the Selectboard's file.

~ Eric Weiss contacted Noreen about how to proceed on the town hall solar project bid. Noreen will ask Eric to email a summary of how he plans to go forward so everyone is clear on the specifics before the Board gives a go ahead to the RFP.

~ Noreen moved to give Town Counsel (K&P) permission to provide privileged documents and correspondence related to the Harry Pease Rd issue to MIIA counsel Nancy Frankel Pelletier. All in favor.

Meeting of the Middlefield Selectboard held at town hall on May 14, 2012

~ Alan moved to form a Capitol Planning Committee to outline long term expenditures. Motion died.

~ Mitch suggested the "Open Forum" portion of Selectboard meetings be reserved for items that could be addressed in a limited amount of time, ie: about 15 minutes. Issues requiring more time to explore or deal with should be put on the agenda. All agreed.

~ Discussion of forming committees for capitol planning, by-laws review, and personnel policy should be put on the agenda for the next BOS meeting.

~ Noreen would like the Board to look into establishing goals and management plans for town forests. Towards that end she would like to take advantage of the guidance offered by the state Forest Service. All in favor, Noreen will pursue.

~ Citizen's petition for resignation of individuals
Noreen discussed the matter with Town Counsel. Counsel advised that serving the town in either an elected or appointed capacity does not abrogate an individual's First Amendment rights. Counsel also advised that being a claimant in a lawsuit involving the town is not grounds for removal from office and to do so may leave the town open to additional litigation.

~ Open Forum

David Edwards expressed concern about the security of documents related to the road litigation. Noreen advised that, in consultation with Town Counsel, the Board has implemented measures to ensure confidentiality is maintained. Among them; the Selectboard filing cabinets are kept locked except when in use by authorized individuals and privileged electronic communication does not go through the town's server. Alan and Noreen use their personal email addresses for this purpose. Confidential correspondence is given to Mitch in hard copy as his personal email address is also used for business.

Janine Savoy expressed concern about security of information in the Board of Assessors office. Alan advised that the BOA is an independently elected body and, as such, is outside the purview of the BOS.

Gary Wheeler would like to pursue a recall provision.

Marie Pease suggested Steve Harris be relieved of his appointment to the Communications Committee because of his participation in the road lawsuit. Noreen and Alan advised that Steve had made a tremendous contribution to the town by his work on the committee and, provided that safeguards are in place to secure privileged documents, it would not be appropriate to relieve him of his duties for exercising his 1st Amendment rights.

Janine Savoy expressed concern about Steve Harris working on the GIS mapping project. Noreen will look into what role Steve is or isn't playing in that project.

Meeting of the Middlefield Selectboard held at town hall on May 14, 2012

Patricia Baker disagreed with Town Counsel's advice regarding dismissal from a volunteer position and the potential for damages.

8:48 PM BOS meeting suspended to convene BOH meeting

8:48 PM BOH meeting opened

Noreen presented MA Dept of Public Health Mini Grant Application for Board approval as the filing deadline is near. Potential grant is for \$500 to fund materials for the BOH Agent. Noreen moved to apply for the grant. All in favor.

8:50 BOH meeting adjourned.

8:51 BOS meeting re-convened

~ Noreen moved to go into Executive Session to discuss road litigation strategy, the Board will not return to public session afterwards. Mitch seconded.

Vote: Noreen, Aye; Alan, Aye; Mitch, Aye. Vote 3-0

Public session of BOS meeting adjourned at 8:52 PM

Respectfully submitted,

Sherri Venditti