

SELECTBOARD MINUTES
JUNE 2, 2014

Meeting opened at 5:30pm

Present: Alan Vint, Chair; Howard Knickerbocker, Clerk; David DiNicola
Duane Pease, Administrative Assistant (AA)

Attorney Judith Pickett from law firm of Brackett & Lucas (B&L) appeared before the Board to discuss the possibility of her firm representing the Town as Town Counsel. They currently represent 12 municipalities and also another 5 as Special Town Counsel. B&L represent Chester and Lanesboro in Western Mass. There are 4 attorneys in the firm and they handle all types of municipal law except Tax Title law. Their billing is done monthly in increments of .1 of an hour at the hourly rate of \$145. They do not currently work on a retainer basis but may be willing to try it for a couple of months to see how it goes. There was general discussion amongst the Board with her. The Board advised it is interested in a retainer/cap with a set annual fee. Among the various uses would be contract reviews, zoning issues, building and health issues. Pickett would be the point person for the Town to contact. Pickett was thanked for her coming to meet with the board.

Minutes were reviewed and approved with addition to the 9/16/13 minutes to correct the Committee listed as an Ad Hoc for By-laws be changed to document Preservation Committee. Motion by Alan, Howard 2nd; vote 3-0.

Mail reviewed and Eric Weiss had sent contract request for an extension of the Green Communities Grant for Alan to sign. This may or may not be necessary but it is a safeguard if the total funds are not expended by the end of June. Howard motioned to have Alan sign, Alan 2nd; vote 3-0. Also, contract from Allstate Fire for the kitchen hood and fire suppression system was in the mail. Howard motioned to have Alan sign; Alan 2nd; vote 3-0 and Alan signed the contract.

First item discussed was the Town Buildings. Kathy O'Brien, Town Hall maintenance person and Town "handy person" was present. The interior of the Town Hall is to be painted and Kathy advised the Middlefield Fair group had volunteered to paint the kitchen as they use it for their breakfasts. Kathy said she is not comfortable with any help working unsupervised. The kitchen walls have been washed and are ready for painting. There was discussion on

possibly hiring part-time help to aid in the painting on an “as needed” basis. The painting will start with the hall walls and eventually include painting the entire interior. The AA will place an ad in the Country Journal for this as well as possible outside work. There were questions regarding the workers’ compensation coverage if part-time employees were hired. Workers’ compensation premiums are based on payroll so this coverage would be extended to any part-time worker. Also, the handicap rails leading from the auditorium are in need of replacement as portions are either broken or missing. Kathy said she was not able to do this type of work and will see if she can get some estimates for the repairs. Alan said he has painted rocks in the lawns that should be removed to make mowing easier; this could also be done by the part-time help. The rocks have to be popped out and the holes filled after.

The Senior Center building was also discussed as there are repairs necessary for that building. The door lock needs to be replaced, Kathy advised she will attempt to find a person to replace the lock and repair the door as she can not do that. Howard advised a complete evaluation of the building is necessary and after the roof work is completed, he and Joe Kearns will create a list of repairs needed. The Playscape located outside the Senior Center needs some repairs and the material under it needs to be replaced. Dave advised there is one company that has the proper safety material needed, he will further investigate that.

Attorney Jerimia Pollard appeared before the Board as a possible candidate for Town Counsel. He currently represents 10 smaller towns in the area; he handles all aspects of municipal law and appears before all of the courts. He believes in preventative measures and the best work he has ever done, no one hears about because he has been able to solve the issues before they involve lawsuits. There was extensive discussion with the Board and Pollard regarding zoning issues, listing priorities and what each other expects of his services. He stated he does not do Town work to get rich and fields between 6-7 calls a day on a slow day from his various towns. His firm consists of 4 attorneys and he believes they are fair and consistent counsel. He believes his record is well established in the area. Pollard said he bills all his Towns on a retainer basis and if he has to go to court, his hourly rate is \$100 which is said is absurd in light of what other counsel charges. During the discussion he felt a fair retained for Middlefield would be \$5,000 per year for unlimited contact. The Board thanked him for his attendance.

Highway Superintendent, Skip Savory, told the Board Root Road is to be ground this week. He is waiting for a call back from Kathy at Mass DOT, Lenox, on the Skyline Trail reflector issue. Also, the culvert at the lower entrance to the Town hall will be replaced. The Highway Garage doors are scheduled to be replaced next week.

In Open Forum, the AA requested the Town Hall appointed employees be given July 5th off as the 4th falls on a Friday. He has checked with the involved employees and they will make arrangements to have there work completed prior to that Saturday. On a motion by Alan, Howard 2nd; vote 3-0 to allow day off.

Alan motioned to adjourn, Howard 2nd; vote 3-0 and meeting adjourned at 8:10pm.

Minutes respectively submitted by:

Duane Pease
Administrative Assistant

Minutes accepted with/without changes by:

Alan Vint, Chair

Howard Knickerbocker, Clerk

David DiNicola