

Selectboard Meeting
February 21, 2012

Meeting called to order at 7:03pm

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

Warrants were reviewed and approved; payroll: \$9,969.92; expenses: \$29,835.34

Minutes were approved with one change on motion by Mitch, Noreen 2nd, vote 2-0 with Alan abstaining as he was not present at last meeting.

Steve Harris and Leanne Every were present representing the Communication Committee (CC) to further explain the GIS system they have proposed to put on the Town web-site. The contract was awarded to Cartographic Associates by the State and in the 2nd phase Middlefield is being mapped. There was extended discussion on the benefits for each Town department as well as the users of the Town web-site.

Sherri Venditti relayed that she had spoken with the Assistant Director of the Mass GIS and was told the project was funded by Homeland Security and the State issued all of the contracts for the project. It is possible that the 911 system will be using it down the road. When she questioned the cost of the Town usage fee, he suggested she obtain a copy of the agreement and he would be willing to look at it. Sherri also mentioned there is a learning curve and the GIS is not easy to use at first. Also, the State maps do not give the measurements of lot lines on the parcels.

Alan felt the GIS would be of benefit to the Conservation Committee when identifying wetlands, etc.

Steve will obtain the proposal and review it, then report back to the Board.

The next item was the letter received from **Kim Baker** on January 23, 2012 in response to a noise complaint filed against him by Jay Swift. The Board acknowledged receipt of his letter which states the allegations are untrue, baseless and conspiratorial. Mr. Baker fears this complaint will restrict his business this year and prevent him from getting a license in subsequent years. To avoid any misrepresentations in the future, the Board, on a motion by Alan, 2nd by Mitch, voted 3-0 to attach a copy of Mr. Baker's letter to the minutes of this meeting.

The letter from **Attorney Ilana Quirk**, Kopelman & Paige, was discussed next. This letter was in response to a request to interpret the By-Law that states that all businesses in Town need to have a permit issued by the Selectmen. Her opinion is that the By-Law is used to simply require a business to register so the Town will be fully aware of the

location, type and management. To her knowledge, merely requiring a business to register with the Selectboard does not sharply conflict with the State Statutes. She recommends if it is the Board's intent to merely use the By-Law to require registration of a business it be amended to make the registration requirement clear and to specify the information that is required when registration occurs. If the intent is to regulate business and to permit or deny permission to operate in Town, Quirk recommends the Board articulate the rational basis or bases for this provision and identify the jurisdictional basis for its adoption and that the provision be amended to include approval criteria for granting and denying relief.

Alan felt the permitting would be a public safety issue so the Town would know of any potential hazards.

Mitch also thought it would help the Assessors in determining who would owe personal property taxes on their business equipment.

There was a general discussion on the Harry Pease Road issue and a letter the Board had received from Mr. Jamula's forester. He stated he could not gain access to the property due to the locked gates across the road. However, there is access to the property from Alderman Road. Any further discussion of the Jamula/road issue will take place in a future Executive Session.

The Board expressed its deepest sorrow to **Skip Savery** for his profound loss in the untimely death of his daughter. Noreen had gone to the Town Garage to express concerns to the workers and brought food to Skip's home.

Mitch has drafted a response to Brian Janik regarding the complaint he had previously made against Skip. It will be sent as an email to him.

Alan stated he had previously discussed the issue with Mr. Janik as well.

Health Agent, **Jackie Duda** submitted a list of recommendations of improvements that should be made to the Town Hall kitchen. Among them: there needs to be a dedicated hand wash sink, a culinary sink and wooden surfaces need to be removed or covered with a non-porous material. Jackie suggests locking the kitchen and providing keys to the users rather than leaving it wide open to anyone that enters the building.

In the discussion that followed, it was learned \$10,000 had been left by a former resident for kitchen improvements and has been carried over from year-to-year. Also, perhaps a group of volunteers could be found to work in cleaning up the kitchen in the meantime.

Joe Kearns, said he could re-hang the missing door and Jackie would make up a plan for maintaining the kitchen.

The Business License Application was discussed and recommendation that a disclaimer be added stating that the license/permit is not an approval of the business, but an acknowledgement of the business.

Finally, the Board addressed some of the open appointments. The Dog/Animal Control Officer appointment is vacant and on a motion by Noreen, 2nd by Alan, voted 3-0, the Administrative Assistant is to contact Bob Jackman to see if he would be interested in interviewing for the position. Mr. Jackman is the Animal Control Office in Chester and Huntington and appears to have all the equipment needed to perform this service. The open positions on the CDC, PVPC and Recreation Committee are to be put in the paper to see if any residents are interested in applying.

The Inspector General's February 14th letter was discussed and is attached to the minutes.

Noreen motioned to adjourn, Mitch 2nd, vote was 3-0 and meeting was adjourned at 9:45pm.

Minutes respectively submitted by:

Duane Pease
Administrative Assistant

Minutes approved with/without changes

Noreen Suriner, Chair

Alan Vint, Clerk

Mitch Feldmesser