

Selectboard Minutes
April 30, 2012

Meeting opened at 7:03pm

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

Warrants were reviewed and approved. Payroll: 411,206.89; Expenses: \$6,751.04

Minutes of 4/23/12 meeting were reviewed. Mitch and Noreen felt Alan's statement in the minutes regarding Articles 14 & 15 were inappropriate and should be struck. In the heated discussion that followed, Mitch also felt Robert's Rules of Order should also be followed. Alan stated nowhere in Mass General Laws or the Selectboard Handbook does it refer to Robert's Rules. Alan objected to the removal of his statement and reiterated he felt the whole Board did not have an understanding of these articles and therefore should not recommend them to the Town. Mitch motioned to remove the statement, Noreen 2nd; vote was 2-1 with Alan objecting. Alan said he will pursue the issue as it is inappropriate to remove the statement.

Mail was reviewed, it was noted there is a Mass Broadband meeting in Pittsfield on May 8th.

The Board approved the use of the auditorium by the Historical Society on June 5th.

The minutes of the March 22nd meeting were reviewed and Alan and Mitch submitted paragraphs to be substituted in the minutes. Alan motioned to allow the substitution, Mitch 2nd; vote was 2-0 with Noreen abstaining.

Matt Radwich and Ron Radwich presented letters to the Board stating that if the Fire Chief's position became open, they would like to be considered for the position.

Marie Pease questioned when the 3/22 minutes would be available and why the minutes are posted late. She felt the people sued in the recent lawsuit are not getting proper service from the Town. Also, Marie brought up an issue at the March 5th meeting about a conversation Noreen had in the Post Office parking lot and discussed an Executive Session with a resident. This was not noted in the March 5th minutes.

Mitch explained the process of posting the minutes and that they are usually 2 weeks behind as they are approved the next week and then posted by the end of the week. He also agreed with Marie that Selectboard members should not discuss anything that occurs during an Executive Session.

Alan said the Town has 20 days to respond to the lawsuit filed by Stephen Harris, Gita Jozsef and Michael Jamula. The suit is related to the Harry Pease Road issue.

Noreen asked Mitch if he had a private email Town Counsel will not send any private communications to his business email. Also, the Board needs to know what they need to do. She did send the lawsuit to the insurance company, MIIA.

Alan said Kopelman & Paige was sent a copy of the suit by Attorney Lynch

Noreen said she would contact K&P as she has other issues to speak with them about. When questioned as to the issues, Noreen advised she wanted to know if there were any issues with a Town employee suing the Town. She knew it was not a conflict of interest but wanted to make sure there were no other issues. Mitch felt the employee does have a right to sue.

Alan said there is no fee to speak with Len Kopelman but if it goes beyond Len she will need the whole board approval. There is also a question about the Production of Documents that are part of the suit.

Sherri Venditti wanted to know if the suit can be made public when the Townspeople vote on this matter. She was advised the suit is public information. Also, she said a March meeting indicated there would be a series of Warrant Articles that would be voted on at the Annual Town Meeting regarding the road.

Noreen said it was decided there were enough articles on the warrant for the Annual Town Meeting that a Special Town Meeting would be held. Alan added once the Citizen's Petition was presented the articles considered for the STM were no longer relevant.

Wally Smith questioned the appointment of a Dog Officer. He said a gentleman from Middlefield had applied, he knows the people, has a kennel so he could handle quarantines and is right in town so he would be close when people called with complaints. He felt the Board should give him a chance.

Noreen responded to Marie Pease's earlier statement about her conversation in the Post Office parking lot. She had a discussion with Myrtle Richardson about Harry Pease Road but felt she was stating her opinion and not giving information about the Executive Session. She said she would be more careful in the future.

Alan suggested a policy of taping the Selectboard Meetings in the future so all the information would be accurate. Sherri Venditti said it would also aid the meeting minutes.

Alan said sometimes there is "overload" and perhaps taping could be used for the complex and heated issues.

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

Minutes respectively submitted by:

Duane Pease
Administrative Assistant

Minutes accepted with/without changes

Noreen Suriner, Chair

Alan Vint, Clerk

Mitch Feldmesser