

Selectboard Minutes
November 14, 2012

Meeting opened at 7:00pm

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

Assessors met with Selectboard regarding the Tax Classification on Fiscal Year 2013. The assessors recommended a single tax classification as there is only about 10% of tax payers, businesses, industry and personal property that would bear the increased cost of a dual classification. This would do little to reduce the residential tax rate. The tax rate for FY13 will be \$16.14 compared to \$15.78 last year. There was little discussion on the classification and on a motion by Noreen, 2nd by Alan; the vote was 3-0 to approve the single tax classification.

Warrants were approved and signed. Expenses: \$71,339.32; payroll: \$10,638.75

Minutes were approved on motion by Noreen, 2nd by Alan, vote 3-0.

Mail was reviewed. There was discussion regarding WMECO dragging their feet on the approval of the solar installation. The installer, Paradise, is becoming frustrated with the wait caused by WMECO. Eric Weiss, project coordinator, is doing the quarterly reports and submitting them to DOER.

Alan advised the Board he was taking a shortcut across unposted land as a member of the Conservation Commission when he observed an outhouse that he believes is being used on the Hudson property. He also saw a 2nd outhouse on the property and has taken photos of them both. He is to advise the Health Agent of his findings.

There was also a complaint about mouse droppings being found in the kitchen. There are open gaps at the bottom of the exterior door that is most likely allowing the mice to enter. Also, pot and pans have been reported as missing; it is felt that they are being borrowed and then not being returned to the kitchen.

The Planning Board (PB) has appointed Terry Crean as its representative to the Pioneer Valley Planning Commission. Alan volunteered to be the alternate and was approved by a PB vote. Alan wanted to make sure his appointment was done properly and asked the Board to nominate him. Noreen motioned, Mitch 2nd, vote was 3-0 to appoint Alan as alternate.

There was a general discussion and disagreement among the Board regarding the Harry Pease Road situation and the proposed Public Forum that was discussed in Executive Session with Town Counsel. It will be further discussed in detail in Executive Session.

Janine Savoy questioned why the General By-Laws have not been published, as required, every 5 years. According to Chapter 1, Section 6 it is the responsibility of the Selectmen to publish and distribute every 5 years. She also questioned why the Board has not appeared in Land Court to defend the suit that has been filed against the Town as well as many individuals. Only the Town Counsel has appeared on behalf of the Town. Janine stated the By-Laws only allow the Selectboard to settle any claims for a sum not to exceed \$100.

Marie Savoy urged the Board to go to court to see what is transpiring and not to rely on Town Counsel for their information. She said Town Counsel has not met deadlines set by the Court.

Marin Laurel-Paine said rumor has it that Attorney Lynch has proposed a settlement to the Town. The Board refused to get into what, if any, negotiations are ongoing but did state the Board is not negotiating away anyone's property.

Patricia Baker suggested the Board obtain transcripts of recent court proceedings so they can see what Town Counsel is doing and the Board must due its own due diligence in this matter. The biggest concern is for the Board to operate on false information; she does not recommend relying on Kopelman & Paige.

There was a discussion between Board member Mitch Feldmesser and Tim Pease regarding negotiations and how the Town has been handling the situation. At one point Mitch stated the prior Board didn't do its job and was the "bottom of the barrel" to which Tim took exception.

After order was restored, Marie Pease questioned why the Board was going into Executive Session and why the minutes were being posted late on the web site. The Executive Session reason was given and since the Board is meeting every other week, the minutes are being posted on that same schedule. After they are approved at the Board meeting the Administrative Assistant posts them the following Friday when he is in the office.

Noreen mentioned the need for a Special Town Meeting and Alan suggested the Board wait until January to address it.

The flag pole in front of the Town Hall was bent by the winds from storm Sandy and will have to be taken down and replaced.

Mitch later explained he was referring to the Selectboard members that ran for office and then resigned when he said the prior board was the "bottom of the barrel".

On a motion by Noreen to go into Executive Session to discuss the Harry Pease Road situation and possible resolutions and not to reconvene the regular Selectboard meeting, motion was 2nd by Alan. Vote was: Noreen, AYE; Alan, AYE, Mitch, AYE.
Meeting was adjourned at 8:08pm to go into Executive Session.

Minutes respectively submitted by:
Duane Pease, Administrative Assistant

Minutes accepted with/without changes:

Noreen Suriner, Chair

Alan Vint, Clerk

Mitch Feldmesser