

SELECTBOARD MINUTES  
OCTOBER 28, 2014

Meeting opened at 6:02pm

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

Bob Hoynoski, Emergency Management Director, met with the Board to request the Chair sign a MEMA grant application. He explained this grant is provided through the State for emergency management planning. After a brief discussion, Howard motioned to allow Alan to sign, Alan 2<sup>nd</sup>, vote 3-0 and grant was signed.

Warrants were reviewed and signed. Expenses: \$186,875.74;m Payroll: \$10,708.51

Hampshire Council of Governments is sponsoring a Legislative Meeting on November 15<sup>th</sup> so area Selectboards can meet with their State Representative and Senators.

Michael Brighetti questioned if anything was being done about the property owned by Ricky Beckett. He has a trailer and an outhouse on the property. Sherri Venditti advised the property has been recently posted. Alan advised the Building Commissioner (BC) has been pursuing this as well as other properties in town. There was further discussion on status of these properties. The trailer that had been on Clark Wright Road has been moved out and the ZBA is currently dealing with the "car" issue. Terry Crean, ZBA Chair, advised the property owner has filed an application for a Special Permit to store the vehicles, the application has not been acted on to date. The BC and Health Agent have been active in pursuing these issues.

Highway Superintendent, Skip Savery, told the Selectboard (S/B) he attended the last Selectboard meeting in Washington to discuss the status of the closed bridge on Middlefield Road. Washington has hired an engineer for designing the bridge replacement. They are aware of the need to have an approved architect do the design as to not delay the process any longer than necessary. Skip has volunteered his assistance in replacing the bridge. The State funding under Chapter 85 for bridge repairs is at least 2 years out and the Town is requesting funding for replacement through a Special Town meeting. Alan has contacted the Town's Senator and Representative to aid in obtaining funding as quickly as possible. The bridge being closed impacts Middlefield residents more than those living in Washington as there is a safety and time issue for Mutual Aid in case of a fire as well as a delayed response for ambulance service getting an injured/ill party to a hospital in case of an medical emergency.

Skip also advised the Board he will be replacing the Chester Road bridge guardrail that was hit by a car last week. He will place barrels before the guardrail to warn drivers of the narrowing of the bridge, he had discussed with the State engineer the need for signage

before the bridge and was told the bridge was still wide enough and warning signs were not needed. He now has ordered signs that will be erected when they are received.

Skip has ordered his salt for the winter. Also, he will be having a discussion the other towns that use the boom mower as it had quite a bit of damage when it was returned to him. In the future, he will make sure the mower is returned to Middlefield before being assigned to another town to use. This way he can inspect and charge for any damage.

He also obtained the splash guard for the kitchen, this will be installed between the hand wash and prep sinks. He also moved the stove back into position.

Dave questioned how he reviewed the bills and invoices he submits for payment. Skip told him he checks each slip against the invoice before submitting them for payment.

Town Clerk, Marge Batorski, told the Board she has the By-Laws ready to be submitted to the Attorney General's office for approval.

Update on Senior Center: repairs are proceeding; new slate roof has been installed, some painting has been done on the exterior and copper gutters are in place.

Next item discussed was the Town flag. Middlefield does not have a Town flag and prior attempts to produce one have not been successful. Alan suggested there be a contest for designing a flag with a \$200 prize for the chosen design. There was continued discussion regarding the flag and how it would represent Middlefield. There is a lot of history in Town and that could be incorporated into the flag. It was decided that the final judging would be held during the Annual Variety Show which is held in February. On a motion by Howard, Alan 2<sup>nd</sup>; vote 3-0, it authorized a \$200 dollar prize to be given the winner. The prize money will come from the Selectboard's expenses.

Next discussion regarded the Assessor's use of Town Counsel. Sherri Venditti questioned why there was discussion at a previous S/B meeting of a matter that the Board said was privileged and continued to discuss without any further knowledge being stated. Alan said anything that may compromise the Town in potential litigation is considered privileged and this is an ongoing situation. When asked where the Town stands, Alan said it was hard to say. Howard said they are trying to find a mechanism to solve the problem and that the lawyers have spoken with each other. Sherri said there needs to be a credible threat and thought what was previously discussed was a new issue. After the explanations were stated, Ms. Venditti apologized for her initial queries

Alan said there are many issues in Town that have the potential for a law suit being filed, including, but not limited to Zoning issues.

Dave questioned the property that abuts the Crean's and wanted to know what the Assessors had assessed the property as, a garage, a shed? There was extensive discussion regarding the Hudson property and Alan explained it is currently being used illegally and illegal use is never legal. This building should have never been allowed by the ZBA at

the time the previous owner's requested building it, but it was approved for use as a barn not as a dwelling. Judy Hoag, ZBA member, advised the ZBA had received a request from the Hudson's to withdraw their request without prejudice but the ZBA will not grant that request. The Hudson's have not reimbursed the ZBA for the legal costs incurred to date and a letter has been sent to them requesting reimbursement. Currently, the legal costs are approximately \$910.

Dave felt there should be some way to reach common ground on some of these issues. Alan explained this S/B has been diligently trying to enforce the Town By-Laws and to make a difference. Howard said the Board hopes the Town supports them in this effort. Most who ignore the rules are trying to use it to their advantage.

Alan feels if the Town spends a little money now in enforcing the By-laws, it can avoid future problems and a compromise can be the wrong way to go for the future.

Dave still felt the Assessor's assessment of the building was inconsistent, the Town would be on higher ground. Sherri said it is not the assessor's job to categorize the property but to inspect it to the best of their ability, if they see a kitchen, bathroom, etc. They do not determine the legality of the building.

Joe Kearns advised that the Transfer Station has been inspected and this was paid for by HRMC. The Town will be receiving a copy of the report as well as one being sent to DEP.

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

It was noted that the next Board meeting had not been scheduled, Alan Motioned to reconvene, Howard 2<sup>nd</sup>; vote 3-0 and meeting reconvened at 8:11pm

S/B meetings scheduled for November 10<sup>th</sup> and 24<sup>th</sup>.

Alan then motioned to adjourn, Howard 2<sup>nd</sup>; vote 3-0 and meeting adjourned at 8:12pm

Minutes respectively submitted by:

Duane Pease  
Administrative Assistant

Minutes accepted with/without changes by:

Alan Vint, Chair

Howard Knickerbocker, Clerk

David DiNicola

