

Town of Rowe – FY2012
Board of Selectmen - Minutes
Wednesday, May 23, 2012 – 7:00pm
Rowe Town Hall

Call to Order: The meeting was called to order by Chairman Abbott at 7:00pm.

Present: Chairman Noel Abbott and Selectmen Paul McLatchy III and Marilyn Wilson
Audience of Citizens: Approximately 10 citizens in attendance.

Organization of the Board: The Selectboard voted unanimously (3/0/0) to retain Noel Abbott as chairman for the ensuing year. It was agreed that it was not necessary to elect a Vice Chairman.

Election Worker Appointments: Kris Swenson questioned the board why she was not appointed as an election worker as recommended by the Town Clerk. Chairman Abbott explained that as Ms. Swenson had recently mailed a letter to townspeople concerning the upcoming annual town election listing the candidates she recommended be elected, that he believed this disqualified her from working at the polls. He stated it was important to avoid even the appearance of any possible conflict of interest. Even with integrity if the election results ended up with a one vote difference, the results could be questioned. The Selectmen were unanimous in their decision to not appoint Ms. Swenson.

Minutes: The Selectboard committed to getting all minutes reviewed and approved in a more timely manner once we are caught up. At Chairman Abbott's suggestion a meeting may be posted to focus on reviewing/approving minutes. Perhaps all minutes will be made available via Google groups, or similar process.

Website Information: The recent Internal Control Review and the 2007 DOR Financial Management Review will be placed on the town's website.

Police Dept – MIRCS/CJIS Systems: Chairman Abbott stated that he had emailed Police Chief Dandeneau inquiring on the status of officer training needed to get the recently installed MIRCS/CJIS system up and running. He is awaiting answer.

Movie to be Filmed at Pelham Lake Park: Application form has been sent to filmmaker, but has not been returned yet.

FRCOG Accounting Services:

- **Memorandum of Agreement:** The Selectboard voted unanimously (3/0/0) to enter into a Memorandum of Agreement for the use of Accounting Software by and between the Franklin Regional Council of Governments and the Town of Rowe at a cost of \$1,000 for the period July 1, 2012 through June 30, 2013. The agreement is subject to automatic annual renewal for two additional fiscal years unless terminated in writing by either party; and recalculation of the annual fee will be conducted annually and notification of compensation costs for the next fiscal year will be provided to the Town no later than March 15. The town will also pay a one-time fee estimated to be between \$3,000 and \$5,000 (but will be based on actual costs) for the cost of installation of Fundware® general ledger and accounts payable software modules and for the conversion of the Town's accounting system to the new Fundware® system.
- **Accounting Services Agreement:** The Selectboard voted unanimously (3/0/0) to enter into a Professional Municipal Accounting Services Agreement by and between the Franklin Regional Council of Governments and the Town of Rowe for the period July 1, 2012 through June 30, 2013 for an assessment of \$22,078 based on the assumption that the Town of Rowe will received an average ten (10) hours of service per week beginning on July 1, 2012. Selectman Abbott has requested that Bob Dean, Technology Director of FRCOG, do an informal six month audit of actual time utilized. If the actual time use points towards an average of less than 10 hours a week, he requested that the Town be billed for fewer hours at a lower cost.

Audit: The Selectboard voted unanimously (3/0/0) to have a financial audit completed for the fiscal year ending June 30, 2012.

BJ's Membership: Chairman Abbott will prepare a draft response to the Inspector General concerning the town's BJ's membership.

Siemens Contract – Amendment #1: Ms. Miller reported that town counsel has reviewed Amendment #1 and recommends it be approved/signed by the Selectboard. Selectman Wilson stated that she would like to review the original contract before approving the amendment. Ms. Miller will email the original contract to BOS.

Electricity Contracts: The town's current 3-year contract with NEXtera Energy expires June 30, 2012. Geoff Rogers of Hampshire Power is coming to the next Selectboard meeting to present two options: A fixed price contract and a real time contract (with variable pricing according to changes in the market). Ms. Miller was asked to have him email by next Tuesday copies of generic fixed and real time contracts so that the Selectboard can review the wording beforehand.

Ratification of Capital Expenditure Exclusion Ballot Question: Correspondence has been sent to Governor Patrick requesting that he have special legislation enacted ratifying the following question that was on the May 19th annual town election ballot, as it was inadvertently left off of the town election warrant:

Shall the Town of Rowe be allowed to assess, per GL c. 59, s. 21C (1 ½), an additional \$320,000 in real estate and personal property taxes for the purpose of paying down in full the Sun Trust ESCO Master Equipment Lease for the fiscal year beginning July 1st, 2012?

Results: Yes: 91, No: 67, Blanks: 25

Ms. Miller will contact Rep. Gailanne Cariddi's office to get Rep. Cariddi and Sen. Benjamin Downing's signatures on the letter, and to have them forward it to Gov. Patrick.

OML Violations: Two additional Open Meeting Law violation complaints were received from Lisa Danek-Burke. Chairman Abbott is awaiting word from the Attorney General's Office concerning these complaints. He did state that two complaints concerning emails he and Selectman Clancy had sent to the entire School Committee, the entire BOS, the Superintendent, Business Manager, Rowe School Principal, and the Mohawk facilities manager were in fact in violation of the OML. Chair Abbott has responded to the AG's office acknowledging these violations, and these actions will be discontinued. He also stated that while technically these actions were a violation of the OML, the communications in question about the Rowe School Pay Phone and a driveway paving project to a wide distribution list were made with no intention of violating OML. The other complaints were related to he and Selectman McLatchy both being present at School Committee meetings. As no deliberations took place between them at these meetings he believes that there is no violation and is awaiting confirmation from the AG's office.

School Payphone: An invoice for service for the month of June 2012 was received today. The phone (which does not work) is going to be removed. Ms. Miller was instructed to not pay the bill. Other options are being pursued.

STM: The Selectboard will meet on May 30th to approve the warrant for the June 13th Special Town Meeting.

Green Communities Grant Contract: The Selectboard voted unanimously (3/0/0) to have Chairman Abbott sign the Green Communities grant contract in the amount of \$135,725. Ms. Miller will forward the contract documents to the DOER once completed.

Bid Awards: Bids were received from FRCOG for Diesel, Gasoline and #2 Heating Oil (attached). The Selectboard voted unanimously (3/0/0) to award the following contracts for FY2013:

- **Diesel:** Dennis K. Burke – fixed prices of \$3.55/gallon
- **Gasoline:** Dennis K. Burke – fixed price of \$3.34/gallon

Heating oil contract will not be awarded at this time. There are still approximately 2,000 gallons left on this year's contract with Sandri that will be held over until December 30, 2012. There will be a storage fee of 5¢ per gallon per month.

Request from Rowe Historical Society: An email was received from Bev DenOuden of the Rowe Historical Society requesting use of parking areas by the town hall during their Rail Fan event on Sunday, July 8th. The Selectboard voted unanimously (3/0/0) to grant permission for parking for the event on the south side of the town hall and the area by the town garage.

Jersey Barriers on King's Highway Bridge: Selectman Wilson asked DPW Supt. Jim Taylor if anything could be done about the jersey barriers on the southwest side of the King's Highway bridge. Mr. Taylor stated they were there for safety reasons. He will look at the area and see what can be done.

Question Concerning Forensic Financial Audit: Cindy Laffond stated she is still awaiting an answer that Chairman Abbott was getting in writing from town counsel concerning the Dec 2011 town meeting vote appropriating funds for a "forensic financial audit". Rather than a forensic financial audit, an Internal Control Review was performed. Chairman Abbott stated he had not heard yet from town counsel, but will follow up with him.

Police Log: The police log is now being emailed to the Selectboard members. Chief Dandeneau will be requested to email the log to Ms. Miller also.

FCCIP Permit Fees: Ms. Miller will email an article to Paul McLatchy for the next Goal Post informing Rowe property owners that effective July 1, 2012 they will be responsible for paying for their building permits (building, wiring, plumbing and gas).

Ed May Retirement Party: Another notice will be put in the Goal Post for the Retirement Party for Ed May on Saturday, June 23rd. The town will pay for Ed & Kathy May's chicken barbeque tickets.

Meeting Schedule: For the months of June and July the Selectboard agreed to meet on alternate Tuesday evenings at 6:00pm. August meetings are undecided at this time.

Old Home Day Committee: The Selectboard voted unanimously to appoint Paul McLatchy III to the Old Home Day Committee.

Warrants: Treasury Warrant W25 and Payroll Warrant P24 were unanimously (3/0/0) approved for payment.

Adjournment: The Selectboard voted unanimously (3/0/0) to adjourn the meeting at 10:24pm.

Respectfully submitted,

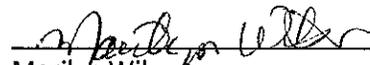
Ellen B. Miller
Town Coordinator

Approved:



Noel R. Abbott, Chairman

Paul McLatchy III



Marilyn Wilson

July 3, 2012 (signed
Date Approved July 9, 2012)

Attachments:

- Agenda
- FRCOG Memorandum of Agreement
- FRCOG Accounting Services Agreement
- Siemens Contract – Amendment #1
- Letter to Gov. Patrick requesting ratification of affirmative ballot vote
- Green Communities \$135,725 Grant Contract
- Diesel, Gasoline, Heating Oil bids
- Rowe Historical Society parking request