

Town of Rowe – FY2013
Board of Selectmen – Meeting Minutes
Wednesday, April 3, 2013 – 3:00pm
Rowe Town Hall

Call to Order: The meeting was called to order by Chairman Wilson at 3:00pm.

Present: Chairman Marilyn Wilson, Vice Chairman Paul McLatchy III, and Selectman Noel Abbott

Also Present: Town Coordinator Ellen Miller, Fire Chief Paul McLatchy Jr., Cindy Laffond, Ann Foshay, Jodi Brown and Loretta Dionne

Minutes: The following action was taken on meeting minutes:

- **March 25:** Approved (2/0/1) as written. [Selectman McLatchy abstained as he did not attend meeting]
- **March 27:** Unanimously (3/0/0) approved as written.

Mohawk Central Office Charges: School Committee member Cindy Laffond asked the Board if they had received communication from the Central Office asking for a town meeting warrant article for \$22,000 to pay for the increase in the Three District Regional Agreement signed last June by the School Committee. [\$133,257 was appropriated at the FY2013 Annual Town Meeting in May. The agreement signed in June was for an increased amount [exact amount unknown]. The Board informed Ms. Laffond that they have not received said request.

Fire Department: Fire Chief McLatchy reported to the Board that FD Captain John Lively resigned from the Fire Department due to family matters. He then recommended that Firefighter Brandon Sprague be appointed as a Lieutenant. The Selectboard voted unanimously, on the recommendation of Chief McLatchy, to appoint Brandon Sprague as Lieutenant of the Rowe Volunteer Fire Department. Chief McLatchy also informed the Board that Firefighter Carol Lively also resigned due to personal time constraints. The Fire Department now has the following officers:

Chief – Paul McLatchy, Jr.	Lieutenant – Bob Clancy
Deputy Chief – Dennis May	Lieutenant – Matt Crowningshield
Deputy – [vacant]	Lieutenant – Selmi Hyytinen
Captain – [vacant]	Lieutenant – Glenn White
Captain – [vacant]	Lieutenant – Brandon Sprague

School Demolition: Paul McLatchy Jr asked when the demolition of the school is going to take place, as he is concerned about possible run-off from the site. Chairman Wilson stated that she will contact Project Manager Dan Pallotta to ask that the demolition take place ASAP.

Dog Matter: A dog was apprehended last week (Friday evening, March 29th) in the area of Stone Road. The following email report was received from Animal Control Officer (ACO) Arthur Samuelson:

At 9:30pm on March 22 [sic 29], Jack Packard brought a brown pit bull to me whom he had caught breaking into people's houses on or around Stone Road. The dog had no tags, but was recognized as belonging to Lisa Bryant. I checked the registry of licenses and noted that there was no record of this dog either being issued a tag or receiving rabies shots. We saw this dog several times over the summer. He was very friendly and the kids loved him.

I attempted calling the owner using the phone number in the town directory, but there was no answer. Jack Packard told me he had gone by their house and saw no lights on. I called Police Officer Julie Shippee who said the dog has often been found running around and said she would alert me if she received notice from the owner that the dog was missing. She also mentioned that the dog had once attacked its owner.

I arranged for the dog to be fed and housed in a warm place and planned to meet Officer Shippee in the morning. Together, we brought the dog to the Bryant home, where two other dogs were sitting on the porch, but no one answered the door. I consulted with Select Board members Noel Abbott and Marilyn Wilson, how to handle the situation, and was told to bring the dog to the shelter. Office Shippee spoke with Police Chief Dandeneau who also

said to bring the dog to the Franklin County Regional Shelter in Turner's Falls, which I did. The Shelter will hold the dog for ten days and then put the dog up for adoption, if the dog is not claimed and shelter, town license, and rabies fees are not paid. Officer Shippee said she would leave a note at the Bryant home and possibly contact her after in the afternoon after Lisa had returned from work.

Resident Loretta Dionne attended this evening's meeting to discuss the matter with the Board. She is a volunteer at the regional dog facility. She stated that since Rowe does not belong to the regional facility, they had no right to bring the dog to the facility. Chairman Wilson reported that they had called ahead and were told they could bring the dog to the facility.

The matter now lies between the dog owner(s) and the regional facility. The owner(s) had informed the facility that they didn't want the dog back and asked that it be euthanized. The facility stated they will only do that if the owner(s) pay a \$300 fee. The owner(s) would not pay the fee, so the facility relented and said the owner(s) could have the dog back if they provided proof of rabies vaccination and licensing by the Town Clerk. The owner(s) are taking steps to get the dog licensed and will then pick up the dog. The facility also neutered the dog, which will be at no cost to the owner(s).

In any case, it is apparent that the town needs to take steps to find adequate housing for stray and/or nuisance dogs. Chairman Wilson will contact the regional dog facility to see what the cost will be for Rowe to join for the remainder of this fiscal year. The cost fiscal FY14 will be \$1000. A decision will be made at subsequent meeting. At the very least, a large cage should be purchased for the ACO to hold dogs temporarily.

Internal Borrowing: Town Accountant Jackie Cashin informed the Board that only town meeting can authorize internal borrowing of funds, and that the \$800,000 borrowed this year needs to be returned to the Stabilization Fund. The Select Board then voted unanimously (3/0/0) to authorize transferring \$800,000 from the Stabilization Fund to the General Fund. An article will need to be placed on the ATM warrant for authorization to transfer monies next year. Ms. Miller asked Ms. Cashin what MGL stipulated that town meeting approval was required, as she will need this information to prepare a warrant article. Ms. Cashin will research the matter and will also provide that form that is required to make such transfers.

Health Insurance Payment—Special Warrant: Ms. Miller reported that the monthly invoice to Hampshire County Group Insurance Trust was not paid as the invoice never came in the mail. It was due on March 31st. The grace period to pay invoice is today. A special warrant was done to pay the invoice and get the check in the mail today, along with a letter asking that the late fee of \$200 be waived as the town was not at fault for not paying an invoice that was never received. The Selectboard voted unanimously to approve warrant 13-21A for the insurance payment.

Verizon Tax Interest Refund—Special Warrant: The Select Board voted unanimously (3/0/0) to approve special warrant 13-20A to make an interest refund payment to Verizon. Verizon had been granted an abatement following an ATB (Appellate Tax Board) ruling on their Personal Property taxes in Massachusetts. A refund from the Town of Rowe had been paid to Verizon, but the interest on the taxes paid had not been refunded.

State Data Center: The MA Government Information Systems Association (MGISA) is holding a program in Marlborough on Thursday, April 25th, from 12noon to 3pm on State IT Service Offerings from the new Springfield Data Center. All three Selectmen and Ms. Miller plan to attend the free program.

Depot Street Bridge—MassDOT Project 606-911: A meeting was held at 11am this morning with MassDOT officials concerning Right-of-Way (ROW) matters needing action for the Depot Street Bridge project. Officials from Monroe also attended the meeting. It was stated that it would be better if Rowe could be the lead town in the matter, and that one town counsel be used for both towns—Kopelman and Paige, who has more experience in such matters—which should save both time and town funds. The bridge replacement is being paid for by state and federal funds; however, fees for title searches, appraisals, and legal work for temporary/permanent easements and the taking of the bridge by the two towns from TransCanada will be paid for by the two towns. Rowe needs three (3) parcel easements. Chapter 90 funds can be used for town expenses for the project. Ms. Miller has contacted Town Counsel Joel Bard concerning the matter, and is waiting to hear back from him. She will get an estimate from him as to what the legal fees may be so that DPW Supt. Jim Taylor can submit a project request to MassDOT for the c.90 funds. Once town meeting warrant article(s) are drafted they will be forwarded

to MassDOT. MassDOT will forward TransCanada contact information to Joel Bard at K&P. Dealings are with the Canadian home office. It is hoped that TransCanada will donate the bridge and the easements to the two towns. If the easements are donated, appraisals may not be required. If the town takes the bridge by eminent domain (2/3 vote required), it must be recorded with the Registry of Deeds within 30 days, and any payment due must be made within 60 days. Town Counsel will be asked if they recommend that someone from MassDOT be at the ATM. The construction schedule will be announced in September 2013. It is possible construction may not start until Spring 2014. In the meantime, the bridge can remain open for foot traffic only. [MassDOT has denied the request for snowmobile access.] Note: MassDOT noted that on the Monroe side the NEPA (National Environmental Policy Act) process needs to take place concerning a privately-owned parcel. Such action is not required on the Rowe side. This may slow the process up somewhat.

Annual Town Meeting: The Select Board voted unanimously (3/0/0) to have Town Counsel Joel Bard attend the ATM on May 13th. This will be especially helpful on discussions concerning the Depot Street Bridge project.

Ballot Questions: The Select Board voted unanimously (3/0/0) to submit the following two (2) ballot questions to the Town Clerk for the May 19th Annual Town Election:

QUESTION: Shall the Town of Rowe have its elected Treasurer become an appointed Treasurer of the town? Yes _____ No _____

QUESTION: Shall the Town of Rowe have its elected Tax Collector become an appointed Tax Collector of the town? Yes _____ No _____

Articles concerning both positions will be placed on the ATM warrant also. Both 3-year positions are up for election in May 2013, which means that the appointment of these positions—if passed by both the ATM and the town election—will not take effect until the 3-year terms expire (May 2016—or sooner if an incumbent resigns).

Moratoria on Industrial Wind Installations: Matter deferred indefinitely at this time.

Cell Towers: It was suggested that a “sense of the meeting” warrant article be added to the ATM warrant concerning interest in a possible cell tower(s) in Rowe. Selectman Abbott will research this further.

Certified Water Operator: Correspondence was received from MassDEP stating that the license of our Certified Water Operator (CWO) Bill Enzer (of Berkshire Enviro-Lab) has been surrendered. DEP states that town will need to identify a new CWO by April 25th, and the DEP so notified. A letter was also received from Bill Enzer stating that other individuals could be named our CWO. The letters will be forwarded to BOH and they will be asked to attend our next meeting on April 10th to take immediate action on the matter.

State Primary Election Warrant: The Select Board voted unanimously (3/0/0) to sign the Election Warrant for the April 30th State Primary.

School Building Committee Expenses: In response to an email to Tom Donaldson of MIIA asking for a determination on whether expenses of the SBC will be considered “loss of income” or will decrement from the blanket policy, Mr. Donaldson responded that any expenses going forward—after the hiring of the OPM and Architect—will decrement from the blanket policy. It was agreed to leave it up to the SBC if they want to continue using administrative support being provided by Premiere Staffing (Janice Boudreau) for taking meeting minutes, etc. [Note: Both Vice Chairman McLatchy and Ms. Miller stated that Ms. Boudreau has been doing a great job for the SBC.]

Administrative Assistant—Funds Needed: Ms. Miller reported that the line item for Sandy Daviau’s Administrative Assistant wages will be short this year. She estimates another \$2,000 will be needed. The main reason for the overage is the extra time required with the new payroll system. A Reserve Fund Transfer request for \$2000 will be prepared by Ms. Miller for Finance Committee action.

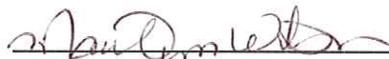
FY2014 Budget: The following budget items were discussed:

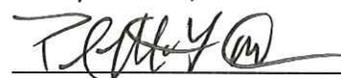
- **Municipal Audit:** BOS agreed to appropriate \$7,500 for FY2014, to be carried over into FY2015. An additional \$7,500 will be sought in FY2015, for a total of \$15,000 for a two-year (FY13/FY14) audit that year.
- **Administrative Assistant Wages:** Ms. Miller recommends that the line item be increased for FY2014 to \$13,000. BOS agreed to increase.
- **Treasurer Stipend Increase:** BOS agreed to defer increase at this time.
- **Municipal Center Custodian Wage:** Vice Chairman McLatchy's reported that he researched the hours being worked by the custodian. In FY2013 she average 6.0 hours per week. In light of this, he made a motion to reduce the budgeted hours for the custodian for FY2014 to 7.0 hours per week starting July 1, 2013. The motion failed for lack of a second. After some discussion it was voted unanimously (3/0/0) to budget the position for 8.0 hours per week for FY2014, for a total of \$6,620. The position is getting the 1.7% COLA increase from \$15.64 per hour this year to \$15.91/hour for FY14. [Note: The position has been budgeted for 8.0 hours per week since FY2011.]
- **Firefighter Reimbursements:** Chairman Wilson will research how other towns paying their volunteer firefighters. Historically they have been given an "expense reimbursement."
- **Park Operations/Maintenance:** Vice Chairman McLatchy made a motion to decrease the Park Ops/Maint line item for FY2014 by \$250 due to an expected savings in electricity costs because of the new solar panels placed on the DPW garage (credits are being given to the Park—the panels were placed on DPW garage because there was not enough surface area on Park headquarters building roof). The motion failed for lack of a second.
- **Park CIP Projects:** The Park Dept will be asked to attend next week's BOS meeting to discuss the sand replacement project (\$14,000) and the fireplace replacement project (\$9,100) they are asking for from the Capital Stabilization Fund.

Adjournment: The Selectboard voted unanimously (3/0/0) to adjourn the meeting at 5:53pm.

Respectfully submitted,
Ellen B. Miller
Town Coordinator

Approved:


Marilyn Wilson, Chairman


Paul McLatchy III, Vice Chairman


Noel Abbott

April 10, 2013

Date Approved

Attachments:

- Agenda
- Fire Dept resignation J Lively
- ACO email re dog matter
- Ballot Question notification memo to Town Clerk
- Certified Water Operation correspondence (2)
- MIIA (Tom Donaldson) email re SBC expenses