Town of Rowe - FY 2014
Board of Selectmen - Minutes
Wednesday, July 31, 2013 - 3:00 pm
Rowe Town Hall

Call to Order: The meeting was called to order by Select Board Chair Marilyn Wilson at 3:04 pm.

Present: Select Board Chair Marilyn Wilson, Vice-Chair Susan Gleason, Select Board Member Noel Abbott, Secretary Janice Boudreau

Audience: M. Arlen Andognini, Prue Berry, Anne Besgen, K. Peter Besgen, Marilyn Beval, Diane Bronccacio, Joanne Brown, Lisa Danek Burke, Earl Carlow, Myra Carlow, Heidi Cousineau, Maryann Dykeman, Doris Fensky, Kenneth Fensky, Anne Foshay, Rosey Gordon, Ron Gordon, Dorothy Kalaus, Warren Kalaus , Cindy Laffond, Mary Lenth, Bill Loomis, John Magnago, Paul McLatchy, III, Ellen Miller, Ellynn Packard, Judith Pierce, Robin Reed, J.A. Rich IV, Karen Sovieke, Mitchell Sovieke, Kris Swenson, Christine Tower, Douglas Wilson, Wayne Zavotka,

Minutes:

Minutes Signed: The approved Minutes of 6/19/13, 7/3/13 and 7/17/13 were signed.

Minutes July 25, 2013: Following review and discussion Marilyn Wilson made a motion to accept the Minutes of July 25, 2013 with amendments. The motion, seconded by Susan Gleason, was unanimously accepted. 3/0/0

Old Business:

a./ Moody Consulting Invoice: Chair Wilson reported that she had consulted Town Counsel with regards to paying the $ 4000.00 final invoice to Moody Consulting. Since services and licenses remained unfulfilled, and there was no written contract on record, She referenced MA General Law: 30b Section 17: "(a) All contracts in the amount of five thousand dollars or more shall be in writing, and the governmental body shall make no payment for a supply or service rendered prior to the execution of such contract."

Motion Regarding Moody Consulting Invoice: A motion was made by Marilyn Wilson not to pay the final installment of $ 4000.00 using MA General Law 30b Section 17 as reference. The motion, seconded by Susan Gleason was unanimously accepted. 3/0/0

b./ IT Update: Chair Wilson reported that Northeast IT Systems were able to pass through the Town server's firewall and were waiting for validation of licensing legitimacy to activate the third system server. When entry to the server occurs a complete systems analysis can be made and report produced. Still needed are upgraded backup systems replacing antiquated tape system replacement and more extensive virus and spam protection.

c./ Town Treasurer: Marilyn Wilson reported speaking with the Applicant for the Treasurer position and that she had decided to accept the Treasurer position. Kris Nartowicz will start next week at the current Treasurer stipend amount. Chair Wilson said that out of 26 towns in western MA, Rowe was third from the bottom in regards to the pay offered the Treasurer position. It was agreed to further look into the stipend compensation for the Treasurer.

d./ Statement from Rowe Select Board to Baystate Medical Center re: Decrease in Services: Marilyn read a proposed letter to be sent to the Recorder Newspaper and the President and CEO of Baystate Medical Services. Noel Abbott requested the addition of mention of the role time plays in the treatment of life-threatening medical emergencies and its affect on medical outcomes. It was agreed to revise the letter for review and signing at the next meeting.

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e./ Grant of Easements and Bill of Sale: Attorney Katherine Klien of Kopelman and Paige requested Select Board to sign documents related to the Depot Street Bridge to acceptance to a Bill of Sale and acceptance to a Grant of Easements from TransCanada. Select Board Members reviewed a 'quitclaim covenants' from TransCanada Hydro Northeast Inc. to Town of Rowe and a 'Bill of Sale' for the amount of $ 1.00 transferring right, title and interest to that portion of Depot Street Bridge a grant of easements. It was noted the attorney recommended putting money aside in perpetuity in the event the owner, in the quitclaim that is under water, come forward. Noel Abbott noted that in accepting the 'quitclaim' deed the Town was accepting the good and potentially bad consequences.

Motion to Sign Documents: Chair Wilson made a motion to sign the documents related to the 'quitclaim covenants' from TransCanada Hydro Northeast Inc. to Town of Rowe and a 'Bill of Sale' for the amount of $ 1.00 transferring right, title and interest to that portion of Depot Street Bridge a grant of easements. The motion, seconded by Susan Gleason, was unanimously accepted.

New Business:

a./ Scott Sawyer Letter from IRS: Chair Wilson reported the Town received a notice from the Internal Revenue Service (IRS) that the required filing of the IRS 1099 Forms for service transactions paid to independent contractors for calendar year 2010 were not filed. Research uncovered he was paid for the service but had not correctly filed documents with some wrong amounts and some missing vendors. It was unclear if any penalties would apply. In the future, it was agreed the Treasurer should file the 1099s.

b./ John Magnango: Veterans Flag Holder for Ceremonies: John Magnango reported that he is working on updating the 2007 three cemetery veterans list and noticed many grave sites did not have proper veterans flag holders. He presented an example of the holder and asked the Select Board to approve the purchase of 30 flag holders at the amount of $ 24.50 per holder plus shipping and handling.

Motion to Approve Purchase: Following discussion, Chair Wilson made a motion to authorize purchase of 30 Veteran Grave Flag Holders spending up to $ 900.00. The motion, seconded by Susan Gleason was unanimously accepted. 3/0/0

Discussion ensued and it was agreed the funds for the veteran flag holders could come from the Cemetery Commission Account, the Memorial Fund Account or would reallocate funds if needed.

Executive Session:

At 3:40 Marilyn Wilson called an Executive Session: To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session provided, however, that notification may be waived upon written agreement of the parties.

The roll call vote to convene into Executive Session at 3:40 pm. and reconvene into Open Session following the Executive Session was as follows:

Chair Wilson:	aye
Vice Chair Gleason:	aye
Selectman Abbott:	aye

The Executive Session meeting reconvened into Open Session at 4:32 pm.

Warrants: The warrants were reviewed and signed.

Audience:

Several citizens asked about the placement of Town employee Ellen Miller on Administrative Leave and specifics concerning the prior Executive Session. Chair Wilson explained that the details could not be revealed as dictated by Town Counsel to follow proper legal protocol.

Ellen Miller, present in the audience, had asked the Select Board to have a postponement to her hearing with them concerning matters related to her placement on Administrative Leave to be discussed in an Executive Session. In a prior correspondence with the Select Board She requested legal representation to be present at the hearing and reported her Attorney John Gates next available dates were August 27, 28 or 29, 2013. Chair Wilson agreed to have Attorney Gates arrange the meeting with Rowe Town Counsel.

Prue Berry asked who would perform Town Coordinator tasks in her absence and Chair Wilson said that she and Sandy Daviau would be available to cover duties.

Adjournment: Seeing no further business Marilyn Wilson made a motion to adjourn. The motion, seconded by Noel Abbott, was unanimously accepted at 5:00 pm.

Respectfully Submitted,

Janice Boudreau
Secretary

Approval Date: August 9, 2013

Approved:

Marilyn Wilson, Chair

Susan Gleason, Vice-Chair

Noel R. Abbott

Attachments:

- Agenda 07/31/13
- Notice from IRS regarding non filing of 1099 for calendar year 2010
- John Magnano report on Veteran's Grave Flag Holders
- Acceptance to a Bill of Sale re: Monroe Bridge
- Grant of Easements from TransCanada re: Monroe Bridge and related documents
- Meeting Audience Sign In Sheet