

**Town of Warwick
Selectboard
January 30, 2017
Minutes**

Members present: Dawn Magi, Lawrence Pruyne, James Erviti

Others present: Town Coordinator David Young, Town Secretary Rosa Fratangelo, Highway Superintendent Larry Delaney, Highway worker Brian Hubbard, Treasurer Beth Gilgun, Personnel Committee member George Day, Rita McConville, Finance Committee member Steve Ruggiero, Jon Calcari, Jared Robinson (*Athol Daily News*)

I. Call to Order

Chair Magi called the meeting to order at 6:00 pm in the Town Hall.

II. Minutes

Erviti MOVED to approve the minutes of January 3, 2017 as printed. Pruyne SECONDED. Motion CARRIED 3-0-0.
--

III. Presentations and Discussions

- 1. Public Records and RAO Appointment**—Young said that the Board needs to appoint a Records Access Officer (RAO) due to the new Public records laws that went into effect January 1st. He said that it should be someone who is in Town Hall daily to open mail and respond to Email and therefore recommended that he be appointed and add it to his job description. Young said that requests are attempts to get answers but must be for existing documents. Finance Committee member Steve Ruggiero said that because the Town Clerk is the keeper of records that Town Clerk Rosa Fratangelo should be appointed. Young said that he is better at determining what is and is not important and that if the Board chooses to appoint the Town Clerk it would prove to be a mistake. Treasurer and Assessor's Clerk Beth Gilgun said that she thought Young should be appointed.

When asked by Erviti how she felt about the matter, Fratangelo said that she felt capable of serving as RAO and of creating a procedural guide as he had mentioned. She pointed out that a "Super RAO" can be appointed to oversee everything and said that she would like to be appointed the secondary person for when Young is on vacation, to handle any requests in his absence and as a way to learn more and be able to better serve the Town.

Erviti said that it would be good to have another person to learn the job over time and though the Town Clerk should be able to establish the procedures. Pruyne said that there needs to be a process in place for the next people to fill the positions. Erviti inquired when receipt of mail is determined; the consensus was that it is when the piece of mail is actually opened rather than

when it shows up in the mailbox. Erviti asked for a legal opinion on the definition of “receipt” as it applies to receipt of mail. Pruyne suggested the matter be tabled for now and revisited at a future meeting. The Town Clerk is the default RAO unless The Board appoints different or additional RAO’s.

- 2. Recreation Committee Appointment**—Young said that at present there is one sworn-in, active member of the Recreation Committee. He said that Rita McConville is active and wants to be appointed to the Rec Committee.

Pruyne MOVED to appoint Rita McConville to the Recreation Committee for a term ending June 30, 2017. Erviti SECONDED. Motion CARRIED 3-0-0.

McConville was sworn in by the Town Clerk.

- 3. Update on Town Forest Management and Planned Timber Harvest**—Young said that the Town Forest Committee has hired licensed Massachusetts forester Mike Mauri to mark trees and file a cutting plan for the Wendell Road Town Forest. He noted that it has been about 15 years since the last timber harvest and estimated a \$15,000.00 in revenue from sale of the timber which is offered for sale through a bid process. Young said that the logging needs to be carried out during the winter months.
- 4. Appointment to PVRSD District Agreement/Consolidation Study (Heart) Committee**—Young said that Dawn Magi and Sue O’Reilly McRae have volunteered to serve on the committee, and that a third person is still needed for appointment to the committee.

Pruyne MOVED to appoint Dawn Magi and Sue O’Reilly McRae to represent Warwick on the PVRSD Heart Committee. Erviti SECONDED. Motion CARRIED 3-0-0.

- 5. Cell Phones**—Young said that the Broadband Committee will meet on Monday, February 6th. He said that the committee has been reviewing past surveys, may possibly create a new survey and attempt to identify where service currently exists in town.
- 6. Discuss Funding for Culvert Replacement**—Highway Superintendent Larry Delaney said that he has applied for a \$25,000.00 grant to hire an engineering firm for culvert replacement. He noted that only two projects will be selected, and said that the State is looking to establish a training project where other towns go on site to see how the new regulations will work. Delaney said that additional assistance will be available but that there have been no details on either the nature or the monetary value of such assistance. Young said that there are 486 culverts in town.
- 7. Public Hearing on Revised Personnel Policy**—Magi opened the public hearing for the revised personnel policy. Highway worker Brian Hubbard asked why vacation days need to be accrued. Magi said it was a safeguard against taking vacation before it is earned, because as it

stands now someone can be hired, work the 6-month probationary period, go past July 1st then quit and take vacation days as if they had worked a full year. Erviti said that it was important to make clear and understand that vacation days are not being taken away, that nothing earned would be taken away, as the proposed change would take effect July 2, 2017 and not affect FY 17 vacation days.

Personnel Committee member George Day said that he liked the changes to the grievance process, and that it is now written plainly that specific steps must be followed. He inquired as to why the work week is Thursday to Wednesday; Gilgun explained that this it is this way due to it being our pay period, the needs of the payroll company and the timing of Selectboard signing the warrants.

Day had a question about the wording under VI. Employment Practices, A Hiring on page 11. He proposed that after the word “advertise” in the sixth sentence to strike the word “locally” and replace it with “for a minimum of 3 days in at least one locally published daily newspaper”. He said that in order to seek out the best candidates posting in newspapers reaches more people and can broaden the pool of applicants. Rita McConville suggested using the phrase “public media” instead of “locally published daily newspapers”.

Hubbard asked about compensatory time as outlined on page 16. The current cap is 60 hours and he stated that this was not enough hours. Young suggested doubling the time to 120 hours. Both Erviti and Pruyne felt it was a good idea to have a cap. Hubbard also asked about an item on page 31 about firearms; it was agreed to add the word “unlawful” before “possession of firearms or explosives during work hours”.

At 7:14 p.m. Pruyne MOVED to close the hearing. Erviti SECONDED. Motion CARRIED 3-0-0.

It was determined that deliberation and action by the Selectboard will occur at a future meeting.

8. **Update on DLTA Priorities per Warwick Planning Board**—Young said that the Planning Board responded to FRCOG on the Division of Local Technical Assistance (DLTA) priorities.

Pruyne MOVED that the Selectboard request assistance for DLTA. Erviti SECONDED. Motion CARRIED 3-0-0.

9. **WiredWest Refunds**—Young said that he had received his refund and that he was offering assistance to anyone who requests it.

10. **Transfer Station 3rd Party Inspection Report**—Young said that the Transfer Station Commission would be meeting soon to discuss the corrective actions based on the third party inspection report. He said that the clutter at the Transfer Station needs to be cleaned up and not allowed to become so cluttered in the future. Young said that the Selectboard needed to deal with the report and work on the root of the problem.

Pruyne MOVED to authorize Dawn Magi as Selectboard Chair to sign off on the third party inspection report to the DEP. Erviti SECONDED. Motion CARRIED 3-0-0.

11. Contributory Insurance Anticipated Shortfall—Young said that there is an anticipated shortfall of about \$13,000.00 in the contributory insurance line item of the FY 17 budget. He explained that there are more eligible employees are taking health insurance. Young said that the Accountant wants to have the Finance Committee meet to do a Reserve Fund transfer before the bill is paid, but Town Counsel's legal opinion is that as a labor related bill it must be paid now. He said that a premium increase of 9.4% is expected for FY 18 and noted that employees pay 25% while the Town pays 75%.

12. Selectboard Reports—Erviti said that he was disturbed by the President stating we cannot accept any immigrants into this country from certain countries. He said that this is totally un-American and asked that the Selectboard send a letter to the proper person or persons to convey this view, if they deem it appropriate. Pruyne said that the letter would have to be from the Selectboard alone and not from the Town as a whole.

Pruyne MOVED that the Selectboard draft a letter to be sent to the appropriate federal and state officials voicing the sentiments regarding the President's ban on refugees entering the United States. Erviti SECONDED. Motion CARRIED 2-0-1: Pruyne and Erviti – AYE; Magi - ABSTAIN

Pruyne said that he had received a request from a resident to consult with the Board and send a letter to State representatives voicing displeasure at the decision to ignore questions on usage and distribution of marijuana and the legislature's undercutting the decision of the voters. There was a consensus of the Board to have this placed on a future agenda.

Magi said that FRCOG passed its FY 18 budget. She said that representatives from the four towns in the PVRSD met to discuss ways to keep costs down at the schools without affecting education. She said the committee is looking to think more creatively about ways to cut the budget and also re-do the district agreement. Magi noted that while enrollment decreases the costs do not. Young said that they need to find a way to be sustainable.

13. Coordinator Report—Young said that the snow and ice budget would be placed on the agenda for the next meeting.

14. Public Comment—None.

15. New and Other Business Unanticipated at Time of Meeting Posting—None.

IV. Adjournment

At 7:47 p.m., Pruyne MOVED to adjourn. Erviti SECONDED. Motion CARRIED 3-0-0.

Documents consulted at this meeting:

- *Draft Minutes of Selectboard meeting of January 3, 2017
- *Coordinator Reports dated December 29, 2016 and January 26, 2017
- *Email from Tom Wyatt dated January 10, 2017 Re: Survey Monkey Results 10.26.2015
- *Email from Warwick Conservation Commission dated January 4, 2017 Re: Funding Available for Culvert Replacement
- *Contract between Forester Michael Mauri and the Town of Warwick
- *Draft Town of Warwick Personnel Policy endorsed by Council July 2016