

Voted and approved 12-28-2010

BOARD OF SELECTMEN'S MEETING
Tuesday, November 23, 2010
7:00 PM at Town Hall Meeting Room

Present: Michael Phelan, Chairman
Douglas Blanchard, Vice Chairman
David McDougall
Jess Dods
Ann Roy

Also Present: Diana Schindler, Town Administrator

PLEDGE OF ALLEGIANCE

Call to Order

SCHEDULED APPOINTMENTS

At the beginning of the meeting Chairman Dods announced his resignation as Chair due to time conditions and constraints of his profession.

MOTION: To accept Jess Dods resignation as Chair. (PHELAN, ROY)

Voted and approved 5-0

MOTION: To nominate Michael Phelan as Chair. (DODS, ROY)

Voted and approved 5-0

7:00 P.M. DAVID SILVERNAIL, POLICE CHIEF RE: Staffing

Chairman Phelan stated to Ms. Schindler the Board asked for numbers from the last meeting. Ms. Schindler said she believes Chief Silvernail had brought those in.

Chief Silvernail explained to the Board the numbers in his wage line. He stated last year Over Time was \$34,348, the year before it was \$31,000. The cost for a new officer on base pay is \$48,730, added to that, the cost of average expectation of overtime per officer would be under 5,000 = to \$53,730 for minimum cost of an officer if they participate in overtime. Chairman Phelan asked what the cost of the two part time officers is. Chief replied minimal cost of \$14,000; there are two eight hour shifts on weekends where the part time officers cover for the year. The difference between the part time officer rate, if he were working in entire position of full time \$36,811, base pay would be \$48,730 there is a difference of \$11,919 between hourly part time and full time. Chairman asked if they had replaced the two part time officers yet. Chief stated no. Chairman asked if they can make up some of that money for the part time officer for the full officer. Chief said full time officer takes vacation, personal and sick time. It would not be practical to think that they could run a department without part time officers, they need the part time to run staff, it is becoming difficult to retain a part time officer in a full time position.

The Board asked if they added a full time officer what the savings of overtime are. Chief replied they would save the \$14,000. The 5,000 is an average, he took 34,000 divided by seven officers, some officers have more court time and investigations, there are many fluctuations to determine the number of calls they are going to have a year, that will include arrests, court time, investigation time, when he does the budget in Jan-Feb he looks at the last three years and determine what they spent in overtime and get an average.

The first year of the new officer they are not going to get anything from him, the officers are getting a stipend for EMTs, currently there are two officers, and there will be three. Chairman asked where they are going to get the funds from. The Board asked if they can get it from the Ambulance Fund. The board asked Fire Chief, Steve Hyde, to join the discussion.

Police chief stated the cost of the stipends totals 6,000 and it will be 9,000 with the third officer. The question becomes to find enough money to put an officer on; and if they can take money from the ambulance fund to fund the officers who assist the fire dept. Chief Hyde stated as EMT they are not doing much as first responders, he stated they could be used to do that. Chief Silvernail stated that has happened in the past where an officer has assisted the fire dept. Chief Silvernail stated this would help EMT services through out, he is ok with that in the event that Chief Hyde does not have EMTs. He does not see that as a problem, he thinks it is a good situation.

Selectman Dods spoke about regionalization, to regionalize dispatch. Chief Silvernail stated your not going to have someone manning the station, when that happens the town will lose the computers thru the state, those computers have to be manned constantly, it would mean that they would bring someone in to man the window, to take in walk in complaints; the town has expectation that someone is going to be there. If they have someone in the cell the dispatchers watch that prisoner, there are many services that the dispatchers provide emergency and non emergency. Selectman Dods asked has he considered the idea of the town of Southampton sold services to Westhampton. Chief stated we can reach out to see if they are interested. Chief Silvernail stated in the past when they discussed regionalization before with other chiefs they were not satisfied.

Chairman Phelan stated the first question are they likely to put an officer on now and how do they get the 10,000 from the ambulance fund to the police department wage for officers with EMT certifications for assisting the fire department.

MOTION: To fund 10,000 from Ambulance Fund to police Department wages for the stipends of EMT officers to reimburse for EMT certified officers.

MOTION: To put an article on town meeting warrant for the transfer from Ambulance Fund to Police Department wages. (MCDOUGALL, DODS)

Voted and approved 5-0

Chairman asked do they want to fund an officer now with free cash or try an override.

MOTION: to put an article on town meeting warrant to take \$25,000 from free cash for a full time police officer. (BLANCHARD, ROY)

Voted and approved 5-0

The Select Board asked Ms. Schindler to put the articles on the warrant as separate articles.

stated one of the things he is hopeful when they review the budget they can look at local appropriations, they know the school will come up with 18000. The free cash is 176000,

I. APPROVAL OF MINUTES

March 2, 2010

MOTION: To approve March 2, 2010 as written. (BLANCHARD, ROY)

Voted and approved 5-0

II. SIGNATURES

- Payroll Warrant #P11-22 \$222,866.16 & Bill Warrant 0.00

MOTION: To approve payroll warrant #P11-22 \$222,866.16. (BLANCHARD, DODS)

Voted and approved 5-0

- PCF's –nothing at this time

II. TOWN ADMINISTRATOR'S REPORT

See attached-Nothing at this time

III. OTHER BUSINESS/ANNOUNCEMENTS

Upcoming Events/Meetings

- November 30th December 14th and 30th Select Board regular meeting Town Hall Meeting Room
- December 14th Special Town Meeting Norris School

IV. ACTION LIST

V. DISCUSSION ITEMS

New Town Hall:

Ms. Schindler stated she has not heard in terms of a date as to when they will be moving in; they are waiting for phone wires to be grounded for the elevator to be tested. Selectman Blanchard asked if she has a plan. Selectman Blanchard asked if she received bids for moving. She stated yes they received three quotes. She has a number for the budget that she would like to present. Ms. Schindler further stated Ed Cauley was correct regarding the prevailing wage. She further stated the bids stayed under \$5,000. Ms. Schindler stated she needs the Building Inspector to give her a date. She stated the staff and she thought they could close for a couple of days for the move. Chairman Phelan asked the Board to pick a date.

Ms. Schindler asked the Board if they received an email that went out regarding the sound in the meeting room. The architect suggested getting acoustic panels; she suggested taking the funds out of the Charter money to pay for the panels. The cost for moving and cost for panels are 5,000 each.

Chairman Phelan asked Ms. Schindler if the 20,000 has been spent yet for furnishings and asked who is approving the expenditures. Ms. Schindler stated nothing was approved yet, and she purchased a projector. She also stated it is the town's priority to purchase file cabinets and storage equipment. She anticipates holding the 20,000 until they are in the new town hall. The file cabinets are a priority. Chairman Phelan asked if she was going to bid out the contract. She stated WB Mason is on the state contract, and she received a furniture list from them. Chairman Phelan suggested getting used file cabinets. Ms. Schindler stated the objective is to wait until they are required to use that money, unless they want to amend that article for moving.

Special Town Meeting Warrant Review (see attachment)

Article 1 is the budget and **Article 2** no money involved.

Article 3:

MOTION: To put 30,000 into the restricted stabilization account. (DODS, ROY)
Voted and approved 5-0

Article 4:

MOTION: To put 20,000 into the all purpose stabilization account.
(MCDOUGALL, DODS) Voted and approved 5-0

The remainder to hold 10,000 free cash savings.

Article 5: To see if the Town will vote to (a) raise, appropriate, transfer from available funds, accept gifts or borrow the sum of Fifteen Thousand Five Hundred and 00/100 (\$15,500.00) Dollars for the purpose of acquiring, for conservation and passive recreation purposes, a conservation restriction in that property known as Howland Property located at 82 Brickyard Road Extension, consisting of 9 acres, more or less, as shown on Assessor's Map 29, Parcel 31, and for the purpose of paying the costs and expenses associated with such acquisition; and (b) authorize the Town Treasurer, with the approval of the Board of Selectmen, in order to meet such appropriation, to borrow in accordance with Chapter 44, Section 7 of the General Laws as amended or any other enabling authority, and to issue bonds or notes therefore; and (c) authorize the Town to acquire a conservation restriction, by negotiated purchase, eminent domain or otherwise, for conservation and passive recreation purposes subject to the protections of Article 97 of the Amendments of the Massachusetts Constitution, upon such terms and conditions as the Conservation Commission, with the approval of the Board of Selectmen, shall determine to be appropriate, and that said interests in said property be conveyed to the Town, under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, as it may hereafter be amended, and other Massachusetts statutes relating to conservation, to be managed and controlled by the Conservation Commission; and (d) authorize the Board of Selectmen, the Conservation Commission and/or Town officers to take all related actions necessary or appropriate to carry out this acquisition, or take any other action relative thereto.

2/3rds vote required.

MOTION: To approve article 5. (MCDOUGALL, DODS)
Voted and approved 5-0

Article 6: To see if the Town will vote to transfer the sum of \$40,000 from the Ambulance Fees account to the EMT Training Wages account to fund EMS/Ambulance related expenses; or take any other action relative thereto.

MOTION: To approve article 6. (MCDOUGALL, DODS)
Voted and approved 5-0

Article 7: To see if the Town will vote to transfer the sum of \$175,000 from the Ambulance Account to fund the Capital Improvement budget for FY2011 as follows: \$175,000 for the purchase of a new ambulance; or take any other action relative thereto.

Discussion:

Selectman Dods stated he understand there is a replacement period of time for an ambulance, we have one that is nine years old and another that is two years old. Ms. Schindler stated it has been approved by the capital improvement committee but they did not have enough to fund it. Selectman Dods asked when would the town need to buy an ambulance giving the usage and rate of year. Chief Hyde replied they buy them at nine years old.

Selectman Blanchard stated he is in favor of this, a couple of cycles ago when they bought the fire truck they did say after that there would be no expenditure until they have a full time person in the fire department. Chief Hyde stated Monday – Friday they do have full time coverage at the fire Station, they have four people. Chief Hyde stated the average response time is ten minutes.

Selectman Dods asked if there was a way to amend the article and say “not to purchase an ambulance for seven years”. Chairman Phelan said the ambulance they are replacing has 48,000 mileage on it, these are diesel and asked why is the town paying extra for diesel if they cannot run it to 100,000 mileage.

Chairman Phelan further stated the town should slow down the ambulance purchases and increase personnel. Chief Hyde stated the established ambulance fund is to support ambulance purchases. Chairman Phelan explained they talked about that last time and they asked him for a plan and they were not aware the plan was implemented until now, now he has implemented the plan and he does not believe any of the board members have seen that plan. Selectman McDougall stated he did tell us. Ms. Schindler stated it was part of his goals and objectives.

MOTION: To approve article 7. (BLANCHARD, DODS)

Voted and approved 5-0

To notify the Capital Improvement Committee 2015-2017 to plan for a purchase of ambulance

Article 8: To see if the Town will vote to raise, appropriate, transfer from available funds, accept gifts or borrow, a sum not to exceed \$8,500; said sum to be expended by and under the direction of the Board of Selectmen, for the costs of an investment grade energy audit to be conducted by Siemens Industry, Inc. for the purpose of developing an energy infrastructure and renewable energy program under which the Town would purchase infrastructure improvements including but not limited to heating and ventilation, lighting and controls, energy management systems, insulation, equipment, materials and supplies for the Town-owned buildings, under which the funds to pay for these items will ultimately come from grants, rebates and savings derived from energy conservation measures, for a

period of up to a twenty (20) year Energy Savings Performance Contract between the Town and Siemens Industry, Inc.; or take any other action relative thereto.

MOTION: To approve article as written. (DODS, BLANCHARD)
Voted and approved 5-0

Article 9: To see if the Town will vote to authorize the Board of Selectmen to enter into an investment grade energy audit agreement as may be necessary to carry out the purposes of Article 7; or take any other action relative thereto.

Article 9 goes with article 8

MOTION: To approve article 9. (DODS, MCDOUGALL)
Voted and approved 5-0

Article 10: To see if the Town will vote to adopt the following resolution:

Resolution to Seek Lower Electric Rates in a Competitive Electricity Market

Whereas, the Commonwealth of Massachusetts, by enacting Chapter 164 of the Acts of 1997, has established a competitive marketplace through deregulation and restructuring of the electric utility industry; and

Whereas, citizens of the Town of Southampton in Hampshire County have substantial economic, environmental, and social interests at stake; and

Whereas, Southampton's residential and business consumers are interested in reducing their electricity rates;

Be it therefore resolved, that the Town Meeting of Southampton grant the Board of Selectmen authority to develop and participate in a contract, or contracts, for power supply and other related services, independently, or in joint action with other municipalities. If such contracts are to be approved, individual consumers would retain the option not to participate and to choose any alternative for service they desire; and

Be it further resolved, that the Board of Selectmen will appoint a representative for a county-wide committee to oversee such joint action.

Or take any other action relative thereto.

Ms. Schindler stated Ken will be here to talk with the board next week about the Resolution. Chairman Phelan stated they can pass over it if they do not like it.

MOTION: To approve article 10. (DODS, ROY)
Voted and approved 5-0

Article 11: To see if the Town will vote to transfer from Free Cash the sum of \$226.87 to pay W.B. Mason for a Fiscal Year 2009 invoice, in accordance with MGL Chapter 44, Section 64 – Appropriation to Pay Certain Unpaid Bills of Previous Years; or take any other action relative thereto.

9/10th vote required.

MOTION: To approve article 11. (BLANCHARD, DODS)

Voted and approved 5-0

Ms. Schindler informed the board she asked Town Counsel to review the warrant that requires 2/3 votes.

Selectman McDougall asked Ms. Schindler if she spoke with the Moderator. She did not; she will send him a copy of the warrant.

Article 12: To see if the Town will vote to transfer the sum of \$28,403.24 from Free Cash to fund FY2011 Non-Union Wage Increase; or take any other action relative thereto.

Discussion:

Selectman McDougall stated he thought they went over this article last week.

Ms. Schindler explained scenarios she did a budget that showed the rep she found, the real number is 28,403. That is retro. She is not sure administrative how it can be done; she further stated this does not include fire or police.

Chairman Phelan stated he maintains not granting raises because they are in the middle of negotiations. Selectman Dods stated that is why he requested executive session. Selectman McDougall suggested giving raises to non union personnel taking out the department heads and contractual employees. Selectman Blanchard asked if they have enough money to do this during this difficult time, how much jeopardy is this going to put the town in.

Selectman Dods stated he was in favor of granting wages, his concerns is will this impact the negotiations. The Board discussed they stated in the past when they are able to give raises they would do so.

Chairman Phelan explained they should not talk about no raises they had a policy there is nothing in stabilization and now the capital has shot out the door, he would put 50,000 into capital and the other into free cash. They need 150,000 annually they only have 100,000. There was a discussion about going for an override and regionalizing.

Plan One:

28,000 Retro raises, Ms. Schindler asked if they would increase by 2,000 for the Fire dept. 30,000

Plan Two:

14,000 Partial no department heads, fund retro raises excluded department heads

Plan Three:
No retro active

MOTION: To fund the non union wage increase back to July for a total of 17,000 without the department head. (MCDOUGALL, DODS)

Additional discussion:
Selectwoman Roy stated she would like to see a plan with the department heads included. Selectman Blanchard agrees.
Selectman Dods and McDougall withdrew their motion

MOTION: To include all department heads and non department heads and to include the fire department for 30 retro for non union employees.
(ROY, MCDOUGALL) Voted and approved 4-1
Chairman Phelan nay

Ms. Schindler stated they need to sign there is a separate signature page, she will make the changes and adjustments and will send out in the morning and then it will be posted on Monday.

Article 13 and Article 14 will be added, 25,000 to put on for police office and 10,000 from Ambulance Funds to Police Wages.

Selectman Phelan recommended to put money into Winter Roads in anticipation for Chemical Needs. Ed Cauley (in audience) stated the estimate based on the market for chemicals such as gas, he said he was short 10,000 in fuel last year. He did not budget an anticipated increase for fuel. His deficit last year was 45,000 to 50,000.

MOTION: for Articles for 5,000 for moving expenses and 5,000 for technology out of free cash not to exceed and to have two separate articles. (MCDOUGALL, BLANCHARD) Voted and approved 5-0

MOTION: For an article for 33,000 from Free Cash to Winter Roads account for salt. (DODS, ROY) Voted and approved 5-0

176,000	Free Cash
-30,000	Restricted Stabilization
-20,000	All Purpose Stabilization
-33,000	Winter Roads
-30,000	Wages
-10,000	savings
-5,000	Technology
-5,000	Moving Expense
-25,000	Police Officer
-8,500	Energy Audit
<u>-226.87</u>	<u>WB Mason invoice</u>
9273.13	

VI. OPEN TIME FOR PUBLIC

Fire Chief

Selectman Blanchard announced they started negotiations with the Fire Chief Contract and stated they need to address it. Selectman Blanchard apologized to the Chief for the delay in getting this contract completed, he also asked if he would at it on the 30th.

Ed Cauley updated the Board on the parking lot at the New Town Hall. He also updated them on the Personnel Policy Procedures Training on Sexual Harassment; he would like to know if they have scheduled that and would like to do one class soon, they are long overdue. He also informed them the Drug and Alcohol Policy needs to be updated. He is working on that. Ms. Schindler stated she spoke with Pat Cantor, Town Counsel who stated they will do the trainings for free, she was trying to coordinate with the all Board Meeting. The all board meeting was scheduled for December 14th that has been postponed to February.

Ms. Schindler also spoke with the postmaster regarding the post office boxes.

Selectman Blanchard Thanked Selectman Dods on behalf of the board for being Chair.

TIMES ARE SUBJECT TO CHANGE, THIS MEETING WILL BE ELECTRONICALLY RECORDED

VII. EXECUTIVE SESSION M.G.L. # list Topic and reason-nothing scheduled at this time

MOTION: To adjourn meeting (BLANCHARD, DODS)

Voted and approved 5-0

Having no further business, the meeting was adjourned at 0:00 P.M.

Respectfully submitted
Regina Shea-Sullivan
Administrative Assistant