

Voted and approved 12-28-2010

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

**Present:** Michael Phelan, Chairman  
Jess Dods  
Ann Roy

**Absent:** Douglas Blanchard, Vice Chairman  
David McDougall

**Also Present:** Diana Schindler, Town Administrator

**PLEDGE OF ALLEGIANCE**

Call to Order

**SCHEDULED APPOINTMENTS**

Chairman Phelan announced the Special Town Meeting will be held December 14, 2010 at the Norris School.

**7:00 P.M. FINANCE COMMITTEE Re: Review Special Town Meeting Warrant Articles and Recommendations**

Present: Bob Blanchette, John Martin, Jim Fleming, and Derek Geser

**ARTICLE 1:** To see if the Town will vote to raise and appropriate monies as identified in the Town's omnibus budget, as attached, for such fiscal year; or take any other action relative thereto.

Selectman Phelan stated that budget includes the wages for non union town employees of \$30,403, we are asking for a lesser amount of \$22,561 from free cash because they have a credit from vocational tuition.

The Finance Committee discussed this last week and they voted against the article 4 nays -1 abstention, they do not think the money is available, he understands the free cash was certified at \$176,543. Mr. Blanchette asked the Town Administrator is some was allocated for regional school. She stated no.

This warrant with the 16 articles when added up money from free cash reduces free cash to nothing; it is under the 50,000 amount. They already have 223,000 allocated in this budget at the annual town meeting, every amount they had is going to increase the 223 to 253, and it is going to reduce our 176. The articles that they read state government should expect another cut with state aid. As much as they would like to support the non union employees given the budget scenario they cannot. They recommend no on this article.

John Martin stated if they give this to the employees knowing the police department is still in negotiations and may not have received wage increases. Chairman Phelan stated he voted against the article in final forum. He further stated they can pass over if they choose at town meeting. Ms. Schindler stated they would have to amend the article. There are three lines in there besides the wages, the assessors map, regional school addition and reduction to vocational tuition.

The Finance Committee voted against the wage increase, they did not vote against the other increases. Chairman Phelan stated the alternative is to amend the article, if they voted to amend that article at town meeting dropping the wage increase the budget could stand the way it is. If they do not vote the wages in article one they would not have to vote on article 2.

The Finance Committee asked if they were standing alone on this issue or if the Select Board feels otherwise to argue their position now, that is what they are there for. Selectwoman Roy stated we are short two members right now. Selectman Dods stated in the beginning, he was for a percentage of an increase and would do whatever they can to promote the moral. Chairman Phelan stated the taxes go up 2 ½ percent and we give raises at 3% the money has to come from somewhere.

The article that was submitted was for the wage class plan is .50 for non union employee and 3% for other department heads.

Chairman Phelan stated Ed Cauley, Highway Superintendent came in and stated salt and other chemicals including fuel have gone up and they need about \$50,000, their position is based on what they have in reserves which is little; the stabilization fund is under \$100,000. Free cash is not high this year, and last year it was certified at 342,000 this year the town has 170,000. They have had the luxury of using some of that in keeping their budget alive, they don't have that for next year, and they may get a cut at state funding; they have no reserve for winter roads for 50,000 more for salts, just to cover that, where do they think they are going to have the money?

They look forward at FY12 this year the select board says to departments, they have 2% wage increase at the school, 3% wage increase at the Highway, they have to figure out how to spend those raises.

Lets say it passes and everyone gets a 2-3 percent raise and next year figure out what line item they are going to cut back to maintain that level of wage. Every dept head said the budget is strained, they can barely run the department and next year we are going to go to them and say cut again, there is no reason not go give the raises, all of the workers deserve it but they cannot as a Finance Committee sit there and say they can afford it, they know free cash is not free or available, they need it for rest of fiscal year this and next, they will tell them next week.

Selectwoman Roy asked if they would support something less than 3%. The Finance Committee supports the raises but there is no funding for it. Selectwoman Roy asked what about the issue of union raises vs. non union and the moral. They can agree with everyone, they can push it thru but when next yr comes forward there may be layoffs.

Chairman Phelan stated he read in the paper there may be a five percent cut. If they add the wage increase and next year cut back on staff it is not logical. He finds it hard to support the raises and he has maintained consistently no raises all year. Chairman Phelan further stated there was an idea of giving time off, paid time off, as a way to give something to the non union employees that would not cost the town. Chairman Phelan stated he understands when the town went from a five day work week to a four day work week; the employees still receive a five day vacation.

John Martin suggested giving a \$500.00 bonus or four extra day vacation. Ms. Schindler said most of the dollar amounts are under \$500. Chairman Phelan said the police negotiations are completed but they not

in writing. He further stated those in the private industry have gone several years without raises. Selectwoman Roy stated some municipal employees did get raises while others did not, it makes a difference if they give \$500 or \$400.

Bob Blanchette stated as they look forward and they see bad news waiting for FY12, the departments that have received raises they will have to do it with a furloughs or layoffs; yes you are not getting a raise as a nonunion employee this year, but don't look at that group as they are getting everything, b/c next year those groups are in the worst position in that department as they are trying to give raises in a level funded department, they avoided furloughs and layoffs with the free cash they may not have that next year.

The discussion went into regionalization and shared services.

**MOTION:** To amend the article and give one lump sum payment \$250.00 to non union, non department head employees vs. raises to all non union employees (DODS, no second)

Chairman Phelan asked if they were going to give an employee who works four hours the same amount as an employee who works 40 hours. Selectman Dods stated this is a gesture of good will for employees. John Martin stated he would of done \$500.00.

**MOTION:** To calculate and consider granting a lump sum payment up to the amount of \$500.00 for non union personnel in prorated of the number of hours they work. (DODS, ROY)

Voted and approved 2-1

The total will be less than \$12,000. Department Heads are not included.

The Board asked if the Finance Committee supported that. Bob Blanchette – no, Jim Fleming – no, John Martin – yes, and Derek Geser – yes.

**ARTICLE 2:** To see if the Town will vote to transfer the sum of \$22,561 from Free Cash to reduce the FY11 tax rate; or take any other action relative thereto.

Once they know what the article amount is they will plug in the number. Chairman Phelan stated they will need that employee list with a number next to each name.

They will need two amendments for the STM floor

To reflect a new amount, if the first amendment fails they will pass over article 2

**ARTICLE 3:** To see if the Town will vote to transfer the sum of \$30,000 from Free Cash into the Town's Restricted [Capital] Stabilization Fund; or take any other action relative thereto.

*2/3rds vote required.*

The Finance Committee unanimous voted in favor.

**ARTICLE 4:** To see if the Town will vote to transfer the sum of \$20,000 from Free Cash into the Town's All Purpose [Operating] Stabilization Fund; or take any other action relative thereto.

*2/3rds vote required.*

The Finance Committee unanimous voted in favor

**ARTICLE 5:** To see of 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.

The Finance Committee asked which buildings are involved and they need background. Selectman Dods stated Kurt Boisolie gave detail description of how it would play out. They do not have to go buy on it, if they decide to go beyond they would pay for it out of pocket. Chairman Phelan asked Ms. Schindler if that person would come to Town Meeting to explain that article if needed. Ms. Schindler stated this includes all town buildings, including the water dept systems. Selectman Dods asked if they approached WMECO. Ms. Schindler said this is an investment grade audit, they did a preliminary audit and it goes with the program.

**ARTICLE 6:** 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 5; or take any other action relative thereto.

This is article is related to article five.

**ARTICLE 7:** To see if the Town will vote to transfer the sum of \$33,000 from Free Cash to the Winter Roads account; or to take any other relative thereto.

This is related to the chemicals, salt and fuel etc. Chairman Phelan stated they did not give the full \$50,000.

The Finance Committee voted no on that b/c the reserves are low and if there is an emergency this year, that and any other imaginable emergency that will cost the town a large amount, the reserves are in free cash. They are not in favor of this article; they are concerned about the reserves. They would like to leave it in free cash. Ms. Schindler stated there is \$27,000 in what they have left in free cash after balancing the budget.

The Finance Committee does not support this article.

**MOTION:** To support article 7. (DODS, ROY)

For purpose of discussion do they want to follow the Finance Committee lead.

**MOTION:** To amend the motion to not support article 7. (DODS, ROY)

**MOTION:** To pass over article 7. (DODS, ROY)

Voted and approved 3-0

**ARTICLE 8:** To see if the Town will vote to transfer the sum of \$5,000 from Free Cash to the Technology Service account to pay for technology services related to the new town hall; or take any other action relative thereto.

Ms. Schindler stated this is to move our computer systems over to new town hall, it will be more in the contract, she further stated they just hired IBS this week, this will help us in the move and how it will be configured over there, the movers will move the computes and everything in the building.

The Finance Committee are ok with this article.

**ARTICLE 9:** To see if the town will vote to transfer the sum of \$5,000 from Free Cash to the Moving account to pay for moving services for the old town hall and council on aging to the new town hall; or take any other action relative thereto.

Ms. Schindler stated this is for the actual move, and to create a moving account, there is no money in the moving account.

The Finance committee is okay with this article.

**ARTICLE 10:** 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.

*9/10<sup>ths</sup> vote required.*

The Finance Committee ok with this article. Chairman Phelan asked why that bill did not get paid; Ms. Schindler said it is a Town Clerk bill.

**ARTICLE 11:** To see if the Town will vote to transfer the sum of \$25,000 from Free Cash to the Police Department Wages account to pay for additional staffing in the Police Department; or take any action relative thereto.

Selectwoman Roy read the article aloud. Chairman Phelan stated when they were talking before, the officers are first responders and we give them stipend for first responders, as part of that money they are trying to fund a little more towards another officer.

John Martin stated the \$25,000 will turn into \$50,000 next year, those were his concerns. Chairman Phelan said they lost two part time officers and saving something in overtime budget which is an officer. He further stated they are not going to be able to save all the over time and this is for better coverage. The chief stated to the select board at previous meeting there are some uncovered shifts. Chairman Phelan said they need this officer. Ms. Schindler said it will show in the actual budget line if they spend it. Bob Blanchette stated if the budget in FY12 is level funded they assume they would not be able to maintain it. John Martin asked about the benefits. Ms. Schindler stated they did not adjust the fringe. Chairman Phelan further added the problem is they will not get the officer right away.

Article 12 is not a one time transfer. John Martin asked if they can transfer more from the ambulance fund. Ms. Schindler said the original vote was to purchase ambulances. This expense is not for first responder, it is for EMTs, she further said all police officers are required to be first responders. She said there is a signed agreement between the fire chief and police chief, to cover the EMTs that are police officers, if the officer arrives at the scene and begins life saving measures as an EMT and the ambulance arrives in needs a second EMT to run to assist the police officer will ride a long, now there is controversy if they do it or not, the fire chief stated they usually do not lock up the cruiser and go, they go back to the station, this would be assume the role of EMT and not police officer. There are two that are trained and one in training now each three thousand stipend.

Bob Blanchette stated as he looks at this warrant they cannot afford, these categories will come back next year the police officer will be here next where they will support the benefit and insurance will add up to that they will need to find additional money to do this. If the chief were here they would ask him if he can he save enough for another officer, he has not heard that answer; is adding money in a category that is going to greater, he heard someone to say they need to do this, he is influenced by that, he is struggling with 11. The overtime cost was \$34,848.

Jim Fleming stated the Finance Committee needs more information.

**ARTICLE 12:** To see if the Town will vote to transfer the sum of \$10,000 from the Ambulance Fees account to the Police Department Wages account to fund EMS/Ambulance related expenses; or take any other action relative thereto.

The finance committee is in favor of this article.

**ARTICLE 13:** 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.

Chairman Phelan stated this is the fire chief staffing the ambulance on full time basis; this is to cover the daytime coverage of the ambulance. He said the response time has gone from ten minutes to one

minute moving the town from full time coverage. Chief if not the first responder all the time anymore, he was the only one there, now there are two.

**ARTICLE 14:** 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.

They have a 2008 ambulance and a 2003 ambulance this will be, the older ambulance has 48,000 miles, they will sell the second ambulance, he thinks they will get 30,000 for it. Ms. Schindler stated 20 to 25 for it. John Martin asked how many times the ambulances role does. Ms. Schindler stated they have reports. Chairman Phelan stated they do patient to nursing home transports. John Martin feels he does not have enough info on this. Chairman Phelan stated with the ambulances there is a nine yr turnover time, he further stated they are paying extra money for the diesel; they should go couple hundred thousand miles vs. turning over at 48,000.

The Finance Committee asked if that fund has enough to fund both articles. Ms. Schindler said yes. She further stated it was on the capital plan but there was not enough funding for it. Bob Blanchette stated if the Finance Committee says it is not in good enough shape and they have money in the funds he is ok with it.

Steve Hyde, Fire Chief arrived

How long do they have two ambulances go out there? Chief Hyde stated he does not have the number, he said twice a week they have ambulance out, he further stated the Select board asked him two years ago to put on two more full time employment and he used the money for that; right now the trading value is significant where they could get some money. The other ambulance brought in ten thousand trade in. They will go out to sell to bid they will look for 30 to 50 for this truck right now, there is interests in it. It is the overall vehicle, there are things that could wrong with it for instance the stretcher in the ambulance will shut us down, they are looking at the whole package, it has problems.

John asked if they can lease a new one. Chief Hyde stated he doesn't know anyone that leases ambulances.

**ARTICLE 15:** 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.*

The Finance Committee are ok with this article

**ARTICLE 16:** 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 Elstien will be here to address that.

Ms. Schindler announced that in their packet there is a proposed FY 12 budget letter to departments and boards, she asked for both Chairs to sign. Bob stated he does not have a copy, he thought it was in draft form. She sent the letter to Bob and asked him to revise it. She understood this budget was going to be initiated by the Finance Committee this year. The only question is on the salary line that needs to be filled in, on the first page, it talks about wages and they have not had an uniform, they did not set a standard for the salary increase that are not guided by unions or contracts, do they want to insert something in that or not.

Bob Blanchette stated the idea they know they are going into local school contract continue one more year, highway one more year, Hampshire regional going to negotiation contract next year, if they take a stand, with a percent, he is hesitating to put anything in there, he will be ecstatic if their budget works out so they can afford the raises, he has trouble printing in the percentage.

They have to build the conservative budget. Chairman Phelan stated he doesn't see where they can get money for raises. The unions are going to have to wake up,

Selectwoman Roy asked if the third paragraph should be in the letter. Chairman Phelan asked the Finance Committee if they are going to be in a position of giving raises for next year they said no.

Chairman Phelan asked if the Building Reuse Committee will stay as a building needs committee for a safety complex to do something with this building and the fire station.

Bob Blanchette stated they are going to meet with every dept between 18<sup>th</sup> and 8<sup>th</sup> that does not include the Select Board at all, and asked if they want to have a joint meeting with them and the dept. The finance Committee are going to be collecting the budget until March 8, they will build a budget.

In terms of the letter, what is their decision? Bob stated the Select board has to play a role on how they can afford the negotiations wage line by the percent. If the town cannot afford to do that, then level fund the wage line and keep the expense line where they are.

**PUBLIC ACCESS CHANNEL Re: Greg Francheski of Channel 5 Easthampton-Cancelled  
Diana stated he is postponed until next Tuesday.**

**I. APPROVAL OF MINUTES**

Nothing at this time

**II. SIGNATURES**

- Payroll Warrant #P11-24 \$251,343.00

**MOTION:** To sign payroll warrant #P11-24 \$251,343.00 (ROY, DODS)

Voted and approved 3-0

Ms. Schindler stated the board does not have to vote on warrants they just need three signatures.

- Bill Warrant (already voted on just one sig-no Doug)
- PCF's-Nothing at this time

**II. TOWN ADMINISTRATOR'S REPORT**

See attached-Nothing at the time

**III. OTHER BUSINESS/ANNOUNCEMENTS**

Upcoming Events/Meetings

- December 14<sup>th</sup> and 28<sup>th</sup> Select Board regular meeting Town Hall Meeting Room
- December 14<sup>th</sup> Special Town Meeting Norris School

**IV. ACTION LIST**

Nothing at this time

**V. DISCUSSION ITEMS**

New Town Hall

Chairman Phelan stated they are making the January 12, 2011 as the move in date. He said someone needs to go over to the new town hall, he found it very warm in the building.

Ms. Schindler stated someone has to program a master switch, she will check first thing in the morning between 7a and 8a.

Ms. Schindler also updated the board that Charter Communications went over today and looked at the cable and they will be able to hook up the high speed internet, the fiber for the PEG will take longer it will be done in January.

Chairman Phelan asked if the senior center kitchen is straightened out, she said yes, there needs to be exchanges made, but it is straightened out. The plumbing inspector wouldn't grant a plumber permit b/c there were two different plumbers performing the work they asked for inspection yesterday morning.

**VI. OPEN TIME FOR PUBLIC**

Will be held in the beginning of meetings starting December 28<sup>th</sup>

Nothing at this time

**VII. EXECUTIVE SESSION M.G.L. C30A, Sec 21 Nothing at this time**

**8:45 p.m. MOTION:** To adjourn meeting (BLANCHARD, DODS)

Voted and approved 3-0

Having no further business, the meeting was adjourned at 8:45 P.M.

Respectfully submitted  
Regina Shea-Sullivan  
Administrative Assistant