

Town of Sandisfield  
Select Board  
Minutes of meeting July 19, 2021

Members Present: George Riley, Chair; Alex Bowman

Review and sign minutes

Review and sign purchase orders

**Discuss and vote on changes to the fees for building, electrical and plumbing inspections**

- George read an email from Building inspector Matt Kollmer about changing the fees for plumbing and electrical inspections, and about his increase in the amount of permits being given out. George consulted with Brian O'Rourke, longtime builder for his opinion on costs. He reads an email from O'Rourke stating that commercial inspections typically cost double residential inspections. Plumbing and electrical typically cost \$60, so commercial costs should go up to \$100-\$120. Believes Matt should receive a higher compensation due to his increase in work, suggesting increasing from \$500 monthly to \$1000.
- Matt Kollmer agrees with all that Brian O'Rourke stated and suggested. Also compares Sandisfield to other nearby towns and how they handle their permit costs and compensation. Claims Sandisfield is similar to Hinsdale, a town he's familiar with. Matt agrees that commercial plumbing and electrical inspections should double from \$60 to \$120.

George Riley motions to adjust commercial rate for plumbing and electrical inspections to \$120. Alex Bowman seconds. Motion passes unanimously.

- George Riley motions to increase stipend for the building inspector from \$500 a month to \$1000 a month.
- Alex Bowman expresses concern with lack of information and hard numbers to base increase in wage on. He requests Matt Kollmer send him written information based on other towns and will make a decision about stipend during the next meeting.

**Rep. Smitty Pignattelli speaks out to the meeting not discussing any specific agenda items:**

- Wants Select Board to know he checked in with Massachusetts Emergency Management Agency (MEMA) on the basis of any damage that may have been caused by the recent heavy rains. A multi-town update meeting will occur tomorrow, 7/20 at 2pm. Encourages the town to hold onto any invoices for work that has been done, as well as acquire any estimates for work that needs to be done.

- He recalls that MEMA compensates damages over ten million dollars. Cumulatively if a group of Massachusetts towns reach that threshold there will be opportunity for the town to receive state and federal money. Select Board must prepare items to present for any claims the town might have. Lenox is estimated to have around a million dollars in damages.
- Governor signed Chapter 90, road money. Town will now know its allocation.
- **3.** Special legislation to allow Fire Chiefs to work beyond the age of 65. Technical changes have been made, but Select Board needs to sign off on it. Working beyond 65 years is permitted. However, cannot accrue any more years of retirement beyond the age of 65. This has been allowed for many other surrounding towns. Once Select Board approves this item, Smitty would require an original copy of confirmation with the raised seal to be sent by the Town Clerk. Alex suggests allowing residents who would like to comment the opportunity to do so. The board will now wait to review these changes until next week.

#### **4. Review and approve follow-up plan for auditor's recommendations regarding agreed-upon procedures**

- Auditor still has not provided a final report.
- George proposed they post the draft of the report until the final version is acquired. A spreadsheet template was created by Roger Brown to address issues directly stated in the Auditor's report.
- George briefly went over the plan for procedures. Alex requests buy-in from the accountant, not only from Roger Brown. Roger noted that the template was sent to both the accountant and treasurer for their input. The Select Board approves follow-up plan template pending serious objections from either the treasurer or the accountant.

#### **5. Discuss the relationship between the Sandisfield Times and the Town of Sandisfield**

- This relationship was called into question by the actions of former Selectman Mark Newman. George explained that Mark Newman was very offended by a recent article in the Sandisfield Times about suspected mishandling of money by the Town Clerk without providing any cited evidence. Mark wanted to know what steps might be taken against the paper on behalf of the town. George was reluctant to do so due to the issue of free speech, but agreed to do so on behalf of Mr. Newman.
- Meanwhile, without the knowledge of either George Riley or Alex Bowman, Mark Newman asked DPW Superintendent to remove the Sandisfield Times distribution box

from the transfer station, telling him this was "by order of the board of Selectmen". This action damaged the credibility of the entire Select Board in the eyes of the DPW.

- George asked town counsel "Can the town ban our local newspaper, The Sandisfield Times, from being made available on town property because of an article critical of a town official?" Town counsel does not recommend banning the newspaper because it would expose the town to a claim of first amendment retaliation.
- George would like the town to engage in structured engagement with the Sandisfield Times to discuss any opposing opinion that might arise in the future. As well, he does not believe the town should boycott the publication, nor withhold any information from them in retaliation. George supports the Sandisfield Times when it engages in investigative journalism, but not when it engages in damaging "muckraking."
- Simon Winchester spoke about how the Sandisfield Times may have made mistakes, but they plan to avoid these mistakes in the future. Just as well, with more supporters than opposers, he does not believe banning the newspaper should be considered. He also believes the Sandisfield Times is superior to papers in surrounding towns.

## **6. Discuss employee incentives**

- Employee incentive program was started two years ago. Employee performance reviews were done last year for full-time appointed town hall and DPW employees and incentives were given out accordingly. Due to personnel and the COVID-19 pandemic, performance reviews have not yet been done. In previous years George conducted town hall performance reviews, while Brian O'Rourke did DPW reviews.
- This year George planned to conduct the town hall reviews, while Mark Newman would do the DPW reviews. However, Mark Newman refused to do so, claiming that the incentive program was a "bad idea." As a result, George proposed that instead of conducting performance reviews this year, the Select Board will give each employee a "Meets Expectations" rating, which would be a bonus of \$300. George plans to double efforts to conduct performance reviews for the coming fiscal year.
- Alex believes going without performance reviews of any kind is "not the right way to do it." He suggests having George conduct performance reviews for the Assessor, Treasurer and Brad Curry, and having Brad do the performance reviews for his department.
- Performance reviews should be done in the fiscal year before June 30. Alex does not agree that it makes sense to give everyone \$300 because then it is not an incentive.
- Nina Carr agrees that performance reviews should still be done because a flat \$300 incentive due to Select Board's inability to conduct these reviews seems unfair.

- Roger Brown believes that performance reviews are important right now with the vacancies in the town hall to show appreciation for those who were impacted.
- There is \$10,000 budgeted towards employee incentives.

## **7. Discuss and vote to purchase storage trailer for Town Records**

- George explained that leasing a storage trailer could be beneficial in the organization and decluttering of town offices and records. Purchasing of trailers is currently in great demand, making it difficult to locate one for purchase for the town. Received a quote for leasing a trailer for two years for \$11,330. However, Select Board decided not to pursue this and continue looking for one for purchase.
- Currently town records are in a 40 ft storage trailer that is deteriorating, therefore damaging the records within it. Town is currently engaged with a company called King Information Systems to assist in organizing records. They have already started an inventory. This company has previously decreased records for other towns by half through eliminating duplicates and general unnecessary items, and digitizing records.
- King Information Systems needs a place to work and store records that isn't falling apart. George has an offer from a storage solution company out of New York for a 20ft office container for \$12,500. The unit has a window, air conditioner, and heater.
- Rita Kasky asks whether there might be a cheaper solution from the GSA. GR thinks it won't be much less if any at all.
- Roger Brown asks about money being encumbered. George replies that money has been carried over due to the nature of the funds, but suggests they "double-check."
- Question about how power will be brought to the facility and costs of electricity. Roger Brown offers to look into any encumbrances.
- George Riley motions to purchase the trailer conditional that the funds are available.

## **8. Review grants received for Cardboard Compactor and Swap Shop**

- On agenda due to disagreement and questions regarding the issue. Mark Newman claimed the Town had not received these grants, due to inaction by the previous Town Manager. George went to the official website of the Comptroller of the Commonwealth and discovered grants were in fact received by the Town. George also provided invoices for these items.

## **9. Discuss and vote to appoint: a) Barbara Cormier; and b) Joanne Olson to the Town Administrator Search Committee**

George Riley moved to appoint both Barbara Cormier and Joanne Olson to the Town Administrator search committee. Alex Bowman seconds. . Motion passes unanimously.

- Resident asks about the vocabulary with the use of “appoint.” Brief discussion about differences between town elected and appointed positions.
- It should be noted that town employees are not permitted to serve on the committee due to conflict of interest.

#### **10. Continue discussion of employee vacancies, including a part-time “Temporary Assistant to the Select Board”**

- Select Board posted temporary Assistant to the Select Board position on town website and extended deadline for application. Only received one applicant. George proposes to schedule a time to interview and determine whether the applicant is suitable for the temporary position.
- Full-time, higher level positions will typically be posted in The Beacon. The temporary Assistant to the Select Board position was not posted on this platform.
- GR is eager to hire temporary positions due to incoming deadlines for tasks, such as transcribing minutes, as well as general duties.
- The Conservation Commission, Planning Board, Highway Department, and Finance Committee all need an administrative assistant. Committees are permitted to post their own job requests and descriptions. This is not the Select Board’s responsibility.
- George encourages the town to view the vacancies as an opportunity to reconfigure the positions. It should be noted that George has been posting agendas and meetings, but residents have not always been receiving email blasts upon these postings.

#### **11. Topics not reasonably anticipated**

- Town Clerk has requested to be appointed as Public Records Access.

George Riley motions to appoint Town Clerk as Public Records Access Officer. Alex Bowman seconds.

- George announces that a special election for Selectman will take place on Saturday, September 25. Polls will be open 10am-2pm.
  - Alex questions choice to hold election on a Saturday

- GR responds that typically fewer people are working on Saturday and are usually going to the transfer station anyway, therefore the election will receive a better turnout.
  - Select Board is directing the Town Clerk to hold a special election on September 25, 2021. With the polls to be open from 10am-2pm.
- Need to discuss open meeting law complaint.
  - Open meeting law complaint from Mark Newman claiming a violation by Select Board Chairman, George Riley.
    - Complaint states George was posting meetings and agendas without proper number of days and with a lack of information for the agenda.
    - MN requests open meeting law training be conducted through unaffiliated sources.
    - Emails were included in the complaint from George to Dolores stating he posted agenda items to the bulletin board and not on the website, but asking the Town Clerk, Dolores to do so, and requesting they give other people access to the website posting platform.
  - George states there is no specific violation alleged. Instead this is a general complaint stating meetings and agendas are being done without a proper number of days, the way the Select Board Chairman is interpreting the open-meeting laws, and circumventing the Town Clerk. George requests the Select Board ask Mark Newman for more specific information, so that the board can respond appropriately. Mark Newman will have 10 days to clarify, and Select Board will then have 10 days to respond to the complaint.
- Meeting notices
  - Alex requests more detailed meeting notices. He believes this will make meetings more effective because it will limit time spent sharing information, and allow for a more directed discussion. George asks how information should be distributed. Alex suggests all documents and information be posted on website for members to read and digest before the meeting occurs. George proposes the agenda be sent to Alex before it is posted. If Alex feels an item number is not specific, he will suggest language to clarify it.
  - Resident suggests Select Board meet beforehand to go over agenda, so the board does not look so "ill-prepared."
- Insurance policy for the town of Sandisfield.
  - Ralph Morrison claims there are a number of things not covered by insurance.
  - There is a general concern about the town's liability in certain situations.
  - Resident questions about taking out permits for hosting town events on private property.
    - George says no need for permits on private property.
- Bypassing of traditional quorum regulations has been extended until April 2022.
  - Completely virtual meetings are still acceptable.

- Town Administrator and Town Manager are interchangeable titles.

#### **11. Future agenda items**

- Language from town rule commission discussed by Smitty Pignatelli
- Purchase order approval limits

George Riley \_\_\_\_\_

Alex Bowman \_\_\_\_\_