

MEETING MINUTES
Town of Heath
BOARD OF SELECTMEN
Sawyer Hall
July 17, 2018

Call to Order at 6:00 p.m. by Brian DeVriese with Robyn Provost-Carlson, Gloria Fisher, and Kara Leistyna present. Also present: Ned Wolf, Finance Committee Chair, Bob Bourke, Broadband Liaison. See sign in sheet for additional attendees.

Review Agenda: No changes.

Broadband Liaison, Bob Bourke: Bob offered a summation of broadband activity. Approximately in October, the negotiation process will begin on pole status with utility companies. Grant will pay the application fees. Westfield Gas & Electric will communicate with treasurer to set up EPay. Bob is requesting Board vote to approve the filing of pole applications. *On a motion by Robyn Provost-Carlson, and seconded by Gloria Fisher, the Board voted unanimously to authorize Westfield Gas & Electric to submit the fourteen (14) pole applications to Verizon New England, and National Grid on behalf of the Town of Heath.*

6:15 p.m. Bob Bourke left meeting.

Review Minutes: Minutes from June 5 and June 19 meetings will be reviewed at next scheduled meeting. *On a motion by Gloria Fisher, and seconded by Robyn Provost-Carlson, the Board voted unanimously to approved the July 3, 2018 meeting minutes as submitted.*

6:55 p.m. Budge Litchfield and Bob Gruen entered meeting.

Regionalization with Hawlemont: A Hawlemont-Heath Regionalization Working Group has formed. An initial meeting was held on June 28, 2018. The group is working on details regarding school committee representation with each town having two representatives with equal not weighted vote; operating assessments will be calculated with each town paying its minimum contribution and the overall remainder of the budget being apportioned between the three towns based on a five year rolling average of student enrollment; future amendments to the regional agreement with the exception of total withdrawal be approved by all member towns at town meeting; and a process for a town to leave the district unilaterally will be allowed. These are tentative understandings and still subject of on-going discussion. Heath will remain a member of MTRSD grades 7-12. The next steps will be that the working group continue to meet and eventually draft an agreement to be reviewed by legal counsel and Dept. of Elementary and Secondary Education (DESE). Group is looking for BOS feedback. May need special legislation so it's important to have the support of Selectboard. Discussed ownership of Hawlemont building. The Hawlemont District owns it and therefore ownership is shared. Sensitive to the fact that Heath still maintains a school building and it could be offered for use by the District. The Selectboard endorses the work of the Hawlemont-Heath Regionalization Working Group's initial proposals (listed above). The intentions of the Task Force have been met and they will proceed with plan to join Hawlemont District. They will keep BOS apprised. They will ask BOS if legal opinions are needed. Thank you.

7:35 p.m. Budge Litchfield and Bob Gruen left meeting and Rebecca Krause-Hardie entered.

Tax Collector Software/ Rebecca Krause-Hardie and Betty Nichols: Robyn offered a recap of the on-going matter. There have been a series of emails back and forth. At the last BOS meeting, the final decision was to reach out to Town Counsel who then generated some questions that were sent to Rebecca.

Once answers were received, Town Counsel would make one last review. If all on board, agreement will be signed. BOS did not get a response from Rebecca until late Sunday. It's not the software that the Board has concerns about but rather the legal and contractual language and terms. Initially, it was a five year term and that was changed to three years as is legally allowed. However, inconsistencies remained in contract language and the Board is uncomfortable signing a defective contract. The Board has to exercise due diligence. Discussed intention to sign and to participate in the program but want resolution on questions posed. Rebecca asserted that the consortium is not going to re-write the contract – a solution is needed rather than having fifteen towns negotiating different contracts. The Board found it problematic that one town had a legal review of the contract and blatant inconsistencies were found, yet other towns signed. The Consortium does not feel these issues are substantial, according to Rebecca. The Board asked for a suggestion on how to proceed. The issues are of legal nature. Discussed terms for termination or early exit from contractual obligation. Board reiterated that they are in agreement with software product but would like counsel's opinion. ***On a motion by Gloria Fisher and seconded by Robyn Provost-Carlson, the Board voted unanimously to approve signing the Municipal Enrollment in QDS form pending Town Counsel's response.***

Rebecca noted that the contract itself does not require signatures – only the Municipal Enrollment in QDS form. Functionality rivals anything available in the State and the price is affordable, she added. There is an option for Assessors to input abatements for motor vehicle and excise tax. Thank you for your patience.

8:00 p.m. Rebecca Krause-Hardie and Betty Nichols left meeting.

Mail/ Email:

- (Hard Copy) Packet re: collector software/CSC
- Rebecca Dorr re: Heath School rental and letter
- Claire Rabbitt re: nurse monthly report
- Bill Ennen re: Pole Applications and summary of call with Bob Bourke
- Draft WiredWest minutes to keep you apprised
- KP Law re: price increase (July 6, 2018)
- Copy of advertisement for Police Chief
- Town Accountant re: Insurance budget line – also noted in TC Report
- Betsy Kovacs re: Zoning Bylaw Enforcement; BOH issues; Robert Kragen
- Robert Kragen re: BOH/Betsy Kovacs. This is not within purview of BOS. Planning Board requests changes. The BOS is content with the way the bylaw is written – they have no issue with it and it's in the best interest of the Town and approved by voters. Kara will send a response to Mr. Kragen.
- Letter sent by BOH to residents of 38 Bray Road

Other Separate Documents for review and/or signatures:

- Treasury and Payroll Warrants
- Town Coordinator Report
- 6/5/18 Minutes; 7/3/18 minutes
- Letters to Rep. Mark and Sen. Hinds re: IRENE
- Letter to Mike Shattuck re: achievement as Roads Scholar
- Heath School Use Application: Sumner
- Contract between Town of Heath and LaFogg & Hathaway re: Culvert Replacement Project. Yes, this project is paid for with Chap. 90 funds.

Other Business:

- Tax Collector Software: Prepared for upcoming discussion. Questions remain regarding contract. A suggestion is to offer to agree to participate contingent upon getting answers to remaining

contractual questions. Board has a fiduciary responsibility to ensure that contract is in good, legal order.

- Police Chief Job Description: Reviewed. Kara will check on MGL regarding residency and proximity to Sawyer Hall. Discussed police cruiser. It is desirable that it be parked in town and picked up as needed when reporting for duty. This may change and be modified as police cooperative forms. Revised job description. Kara will make changes and present for approval at next scheduled meeting.
- Heath School RFP Process: Prefer the template used by Bedford. Kara will let Andrea Woods at FRCOG know to use this version and tailor it for Heath. A Lease Agreement would be separately drafted. Brian will work with Andrea on process and documents.
- Heath School Use: 1) Larry and Rebecca Sampson submitted a request to rent space at the school for Pre-School programming. Discussed the need for a more detailed proposal including licensure, insurance, etc. Once received, will determine a fee schedule or rental agreement. The Board has concerns that it may conflict with Heath's existing pre-school program offered at Hawlemont. They support the idea but need further information. Kara will follow up with Larry and Rebecca and suggest at the request of the Board that they reach out to former pre-school teachers, Deb Porter and/or Carol Sartz. 2) Hilma Sumner submitted a request to use the school building for a family reunion in case it rains. The Board approved this request for use on August 5, 2018 at the cost of \$150.
- Highway Dept. Robyn will be setting up a meeting with both supervisors next week.
- Signed documents.

There being no further business to come before the Board: *On a motion by Robyn Provost-Carlson, and seconded by Gloria Fisher, the Board voted unanimously to adjourn at 8:50 p.m.* (Kara will remain in the office to allow AXIA Technician to repair the equipment that was affected due to recent electrical storm)

Respectfully presented,

**Kara M. Leistyna
Town Coordinator**