

Board of Selectmen Meeting
Minutes

Date: November 20, 2013

Members Present: Janet Flinkstrom, Mike McCallum and Steve Ingerson

Time: 7: 08 p.m.

Request to approve minutes of June 19, 2013 as recorded. Postponed.

Request to approve minutes of November 6, 2013 as recorded:

SI made reference to changes and additions he wanted to the minutes and MM made the changes on his copy of minutes to be submitted for re-recording. At one point in the revisions requested reference was made to a portion recorded in regards to an "Outburst" made during the meeting in which MM was speaking and LW made a statement to him. At that point Donna Fors (Minutes Taker) spoke up and explained to SI why she felt the need to record this outburst (as he felt it didn't need to be in the minutes.). Donna told him and the Board she considered it to be "rude and disrespectful" to a member of the Board who was speaking at the time. Donna also suggested maybe he should look for someone who could record the minutes better than herself.

2) Motion to approve minutes of November 6, 2013 as amended.

Motion: Mike McCallum

Seconded: Steve Ingerson

Vote: Unan

MM talked about contact he made to the Attorney General's Office in regards to "Other Business" and when it is appropriate to use this to talk about items not specifically on the agenda. He said according to the AG's Office, other business not anticipated by the chair can be anything that has come up after the posting date of the meeting.

He also spoke about information he received about what is needed on the meeting agenda in regards to the Warrants. He explained that he was told by the Attorney General's Office that the dollar amounts of the warrants did not need to be on the agenda, but if they were on the agenda then they should not be changed.

SI spoke on Open Meeting Law and "Other Business" issue and gave an example of why he felt it should not be used for issues and information as he has had several people call and state they wish they could be at meetings when something they are interested in is being addressed.

MM read an E-Mail from Melanson and Heath (Town Auditors) with an explanation for some of the information that was referenced in the Sentinel article discussed at the Nov 6 meeting and what it involved.

MM spoke about past audits and gave brief explanation. The auditors give the Town three different documents after an audit:

1 – the audit of financial statements

2 – a management letter

3 – a federal grants review (if the Town has had any federal grants)

In the November 6 BOS meeting SI raised issues which he said were with the 2010 audit. MM said these were actually contained in the management letter and the Federal Grant Review, not

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the audit of Financial Statements. MM said the audit of financial statements is what bonding agencies are interested in, and for at least the past 5 years these are clean according to the auditors.

MM also gave three examples of what was said in the Sentinel article that was read at the last Selectmen's meeting by SI, and explained the detail behind each one:

1 – Implementing a new accounting standard.

Actually, the management letter says “Prepare for new accounting standard”. The Town had not done anything wrong. This was a reminder that a new standard was coming and the Town needed to be ready.

2 – Did not comply with cash management regulations.

The auditor said this relates to the 2008 ice storm cleanup, which was funded in large part by FEMA. The concern is that the Town received federal money and then held it too long before paying the contractor. MM had the auditor look up the detail from their files. MRPC, acting on behalf of the Town, requested the money from FEMA to pay a contractor. But then, due to delays (the work was not completed when expected); the money was held until everything was finished. This put the Town over the time limit by a couple of weeks. MM then said, “As we all know, it is a bad idea for the Town to pay in advance for things”.

3 – Did not comply with Mass procurement laws.

The auditor said the Town got 3 quotes to chip and remove woody debris based on a FEMA estimate that the cost of the project would not exceed \$25,000. Mass procurement law allows 3 quotes for this. But the FEMA estimate was wrong and it ended up costing more. So after the fact it turned out the Town did it wrong, based on wrong FEMA information.

MM was of the opinion that none of these issues indicates that the Town finances are out of control, or that there is a financial emergency. He referred to the statement SI made at the last meeting that the town gets a review audit and not a full audit. MM checked with the auditor and this is not correct. The Town gets a full audit based on the national CPA industry standards “Generally Accepted Auditing Standards”, plus the “Generally Accepted Government Auditing Standards”, also known as the “Yellow Book”. According to the auditor, these are the same standards used in auditing all cities and Towns in the Commonwealth.

LW asked if there was a problem paying the bills at the time of the ice storm. MM said he was not on the Board at the time but was not aware of any problems.

MM mentioned that an audit is being done at this time and they are just finishing up. He said that the auditor offered to come in and explain the current audit and also explain in general how Town auditing works and answer any questions from the Board. JF indicated this was a good idea.

SI asked where the budget numbers come from. He states he went to the Finance Committee and they don't know where the figures come from.

MM said he thought the Department Heads met with the FinCom and gave them budget requests. John Pankosky, who runs the Transfer Station and was in the room operating the video camera, said around the first of the year they start working with the numbers and he turns in his numbers and they are turned in to the Finance Committee and then they work with the numbers.

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- 3) Warrant #W19P approve and sign Payroll Warrant in the amount of \$61,025.54 subject to further review.

Motion: Mike McCallum

Seconded: Steve Ingerson

Vote: Unan
MM Abstains from line with
Jean Lindquist

- 4) Warrant #W20B approve and sign Vendor Warrant in the amount of \$43,532.36 subject to further review.

Motion: Mike McCallum

Seconded: Steve Ingerson

Vote: Unan

Request to approve and sign for new and revised Police Department Policies (Lieutenant Alden):

8 policies were submitted by Chief Drew for review. There were actually only 2 that were changed. Use of Force policy and Detaining of prisoners. He spoke on evidence collection, sexual harassment, body armor use, uniforms (correct way to be dressed).

MM asked about what happens if a suspect has a weapon. Lt. Alden explained what is done and gave some examples of what the response is based on.

Lt. Alden spoke on some of the equipment that is available to the Police Dept. and used.

Use of force reporting guidelines were explained.

Union protection rights in regards to police report.

Reporting of injuries to an officer.

Questioning of union personnel.

MM asked about a written report by the Chief of Police and who would it be submitted to?

MM asked about "other forms of harassment"? He feels it is not well defined in the policy.

Lt. Alden gave some examples of what "other forms of harassment" could be.

MM is concerned about the need to have this clarified in the policy.

Lt. Alden is going to check on possible references that could be put in the policy and language that could be added.

MM asked what the meaning of "non-employees" was.

Collection and preservation of evidence policy changes.

Chain of custody with evidence.

MM discovered missing word in policy.

MM asked for clarification on holding of firearms.

MM asked about a "full accounting" being done, i.e. audit or inventory

Lt. Alden explained.

- 5) Motion to approve 8 new and revised Police Department Policies which include:

Use of Force (1.01)

Use of Force Reporting (1.02)

Transportation of Detainees (3.01)

Sexual Harassment (4.02)

Body Armor (4.11)

Uniforms, Clothing and individual Equipment (4.22)

Collection and Preservation of Evidence (6.01)

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Property and Evidence Control (6.02)

Motion: Mike McCallum Seconded: Steve Ingerson Vote: Unan

6) Motion to approve and initial on Ambulance Receivable Write-offs for \$4,574.97.

Motion: Mike McCallum Seconded: Steve Ingerson Vote: Unan

7) Motion to accept the resignation of Melissa Coyle as Board of Assessors Member, effective November 6, 2013.

Motion: Mike McCallum Seconded: Steve Ingerson Vote: Unan

8) Motion to approve and sign on five (5) One Day Liquor Licenses for the Fitchburg Rod and Gun Club, Richardson Rd. Ashby. Dates, events and License #s as follows:

December 11, 2013	Spaghetti Dinner	License #400
January 8, 2014	Spaghetti Dinner	License #401
January 18, 2014	Ice Fishing Derby	License #402
February 8, 2014	Ice Fishing Derby	License #403
February 22, 2014	Kid's Ice Fishing Derby	License #404

Motion: Mike McCallum Seconded: Steve Ingerson Vote: Unan

Any other business not reasonably anticipated by the Chairman:

None

Assistant to the Board of Selectmen's Report: Read by MM

Public comments (if any):

LW asked for permission to send out a fundraiser form for the 250th Anniversary with the next Town Meeting warrant.

Selectmen will have to check on whether this can be done.

9) Motion to adjourn at 9:00 p.m.

Motion: Mike McCallum Seconded: Steven Ingerson Vote: Unan

Signed by: _____

Dates Minutes Approved by Board of Selectmen: _____