

# TOWN OF GILL

M A S S A C H U S E T T S



[www.gillmass.org](http://www.gillmass.org)

## SELECTBOARD MEETING MINUTES

*April 27, 2009*

### Called to Order

Meeting was called to order at 4:30 p.m.

### Present

Nancy Griswold, Ann Banash, Leland Stevens, Selectboard members; Tracy Rogers, Administrative Assistant.

### Review Minutes

The Board unanimously approved minutes as written of the following meetings: April 9, April 13, April 13 executive session, April 16, April 16 executive session.

### Diesel FY10 Contract

Tracy presented two copies of a contract to procure diesel fuel from Dennis K. Burke in FY10 at \$2.48 per gallon. The Board approved the bid at a previous meeting and signed the contract during this meeting.

### MIIA Renewal Contract

Tracy presented the Board with two copies of a contract to procure property and liability and workers' compensation insurance through MIIA in FY10. The Board approved the contract unanimously and Nancy signed it.

### Motor Vehicle Excise Demand Fees

Collector-Treasurer Ronnie LaChance joined the meeting to ask the Selectboard permission to raise the motor vehicle excise tax demand fee from \$5 to \$10. Ann made a motion to raise the fee from \$5 to \$10. Lee seconded the motion and it was carried by a unanimous vote. Ronnie left the meeting.

*Addendum: After the meeting, Ronnie researched whether the Board had the authority to raise the fee. She concluded that they don't unless Town Meeting has adopted the proper statute, which just happens to be on the warrant for annual town meeting on May 4, 2009. If that article is passed, she will be able to raise the fee herself. She agreed to wait on raising the fee until after the town meeting vote.*

### Independence Day

Tracy reminded the Board that the personnel policies state that if a holiday falls on a Saturday, the employees may observe it on the Friday prior. However, it does not suggest what to do if employees work a four-day week and already have Fridays off. This year, Independence Day falls on a Saturday. Tracy asked the Board if they had a preference whether employees took the prior Thursday or the following Monday off. The Board suggested she survey employees.

Tracy also reported that she was hoping to take vacation 7/3 – 7/12, but that a Selectboard meeting falls on 7/6. The Board agreed to meet on 7/6 just to sign the warrants, not to conduct other business.

### Personnel Committee Update

Lee raised the issue of new OSHA safety requirements, particularly involving the highway department when they have to send a man down the ladder in the sewer pump station. It will now require two men—one to stay at the top and one to descend the ladder. This will cost us overtime if the Highway Superintendent has to call in another highway staff on a weekend. Tracy asked if fire or police personnel can assist. The Board suggested asking Mickey to come in to discuss it.

Lee reported that the Personnel Committee discussed the issue of the Highway Superintendent receiving overtime compensation for hours he puts in when responding to emergencies at the sewer pump station on the weekends. Tracy reported to the Committee that Town Counsel recommended a policy prohibiting such compensation, but that until that happened, the Town should continue to pay him overtime because it is now considered “past practice.” The Committee defeated the proposal to create such a policy by a 2-1-1 vote. Tracy cautioned the Board that if the issue wasn’t addressed, other employees could start requesting overtime pay for weekend hours as well. The Board instructed Tracy to ask other towns and/or Town Counsel if they have any policies covering the issue.

Lee reported that the Personnel Committee voted unanimously to recommend a 1% COLA for FY10. The Board approved and instructed Tracy to add the COLA to the omnibus.

Lee reported that the Personnel Committee requested that the Treasurer contact the payroll service about tracking employees’ accrued time on their pay stubs. The Board called Ronnie into the meeting and requested she do so, starting 7/1/09. She agreed, but said that it might be difficult to get what’s currently on the books from department heads and that it would be easier if all employees used a timesheet that tracked when accrued time was taken. The Board instructed Tracy to send a memo out closer to the 7/1 deadline instructing department heads to submit current accruals and to start using the appropriate timesheet. Ronnie left the meeting.

Resident Ann Marie Klein joined the meeting.

### Mediation Committee

Tracy reported that resident Jim Tomasi made a recommendation to her that the Town start a mediation committee that might hear and help try to resolve neighbor complaints without involving the Selectboard. The Board asked Tracy to put a note in the next newsletter asking if there are any trained mediators in town who would be willing to donate their services or their time to be on such a committee.

### May 1 Transfers

Tracy suggested the Board invite the Finance Committee to join their 5/11 meeting to discuss line-item transfers within the FY09 budget. The Board agreed.

### Cemetery Commission

Tracy announced that Bev Demars had resigned from the Cemetery Commission on April 16. Her term expires in 2010. Ann Marie Klein asked if she could be appointed to fill out the remainder of Bev's term. Ann made a motion to appoint Ann Marie Klein to fill the rest of Bev's term. Nancy seconded the motion and it was carried by a unanimous vote. Ann Marie left the meeting.

### Fire Department Purchase Order

Tracy presented a purchase order from the Fire Dept. requesting \$1,260 to send seven firefighters to SCBA training. The Board refused and suggested the Chief see if someone could come to the station and train all of the men for that price. The Board felt it was too close to the end of the year to spend the funds and it is a time to save. The Chief is welcome to speak to the Board at their next meeting if he'd like to.

### Sale of Surplus Property

Tracy reported to the Board that she had recently been made aware of a caveat with selling town-owned land. Under MGL c. 44, §63, it states that proceeds received from such a sale may only be spent on items for which a Town is able to incur debt for five years or more. This means proceeds may only be used to purchase capital inventory or make repairs to capital inventory. It may not be used for operating expenses.

The Board asked if the Town would have to use Boyle lot proceeds toward a school-related item, because of its deed restriction. Tracy said she would check.

Lee wondered if it would be more beneficial to the Town to sell the Riverside Municipal Building, but lease the land. Ann wondered if the Town is able to enter into such a long-term lease.

### Reverend Diemand

Tracy reported that Reverend Diemand is requesting another hearing with the Board, with Nancy recusing herself because of her personal patronage of Hickory Hill Kennel. The Board agreed to have Reverend Diemand attend their 5/11 meeting and to ask Town Counsel to attend also.

Annual Town Meeting

Tracy reported that Town Counsel is not available on 6/15, the night the Board was proposing to continue the annual town meeting to. The Board asked Tracy to see if Counsel was available any other night that week.

Executive Session

Ann made a motion to enter into executive session to discuss the Police Chief's contract, and to reconvene in open session in approximately 30 minutes. Lee seconded the motion. Ann voted to accept the motion; Lee voted to accept; Nancy voted to accept. The Board entered executive session at 5:15 p.m.

Election Worker Appointment

The Board reconvened in open session at 6:00 p.m. Tracy presented a request from the Town Clerk asking to have Angelina Adie appointed as an election worker in time for the annual town meeting. The Board agreed unanimously to appoint her.

Payroll and Bill Warrants

The Board approved payroll and bill warrant number 22.

Adjourned

Meeting was adjourned at 6:15 p.m.

*Minutes respectfully submitted by Tracy Rogers, Administrative Assistant.*

---

Nancy A. Griswold, Selectboard Chair