

APPROVED ON 10/21/14

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN  
(Meeting with the BOARD OF PUBLIC WORKS (BPW)  
Former Council on Aging Meeting Room  
Airolodi Municipal Annex

MINUTES OF MEETING – October 14, 2014

Present: David Consolati, Chairman, Patricia D. Carlino and Thomas Wickham, Board of Selectmen and Robert Nason, Town Administrator.

Also Present: BPW Members – Chair, Robert Bartini and members Monica Ryan, William Enser, Roger Scheurer, Nelson Daley, Jr., David Forrest and Peter Jahn.

Also Present: Superintendent of Public Works, Chris Pompei, P.E., Julie Ruth, Berkshire Record, Jerry LePrevost, Maurice Leahey & William Navin

The Chairman of the BPW, Robert Bartini, called to order the joint meeting with the Select Board at 4:00 PM.

This meeting was arranged with the members of the BPW and the Select Board to discuss the composition of the BPW.

Bob Bartini began the discussion by asking the Select Board members about the current status of the members of the BPW. Patty Carlino stated that this issue goes back a long way and we have to come to an agreement. She said that part of the problem is we did have legislature change as to the BPW's duties. At this point everyone's term has expires and they are now considered holdovers. At this point names have to be submitted to be appointed to BPW, including anyone from the public. After much discussion regarding the 1970 BPW Enabling Act and the 1990 Selectmen – Administrator Act, Patty reiterated the Board's duties, which are 1) setting water rates, 2) budgeting and 3) long range planning.

When Bob Bartini stated that they do not want to be involved in the day to day operation of the DPW, David Consolati asked him if that's the case then why did they receive a copy of a letter from the BPW stating that Chris Pompei now answers to them. David stated that we need one form of government going forward. David Forrest stated that in a discussion with Smitty Pignatelli, Smitty stated that most towns have abolished their Board of Public Works.

Bob Nason asked what is it exactly that the BPW wants to do? Bob Bartini responded that they don't want to oversee the DPW; they don't have time for it. They don't want the day to day operations, they just want more input and want to know what's going on. David again stated if that was the case, why did we get a Selectmen Meeting – October 14, 2014

letter dated July 17, 2014 that the BPW was going to reclaim their right to take over immediately? Some of the BPW members didn't remember ever seeing that letter while Peter, Roger and David said they remembered seeing it. Chris Pompei stated that the letter was generated by Monica and typed by Angela.

David Consolati stated that the BPW Enabling Act was not going to fly if they bring it back to him. David Forrest stated that the town needs to take steps to clean up the mess. Both sides did concur that communication was the major problem. Bob Bartini stated that they don't know three-quarters of what's going on.

David Consolati stated that anyone interested in appointment to the BPW can submit a letter of interest. All letters will be accepted and the Board of Selectmen will consider all applicants and as the appointing authority will choose the members. Bob Bartini added that he didn't know about the "holdover" status until last week's Select Board meeting. Patty stated that the Select Board needs to decide what to do to clear up the situation. When Bob Bartini asked what do they do from here on, David Consolati responded the same as they have been doing until approvals of members are made.

David Forrest asked if all seven members apply the members are chosen at the Select Board's discretion and if they don't like you, you're out? Roger Scheurer responded to David that if the whole time you are doing your job, you draw the ire of the Select Board, you can't expect them to reappoint you.

Patty Carlino stated that the BPW is of value to the town. Bob Bartini stated that BPW member, Peter Jahn is going to Florida in another week or so until May and that it is sometimes hard to get a quorum of four when he is away. Patty responded that they, as a Board, need to establish a policy regarding members' attendance. Tom Wickham added that a good member will make the meetings 90% of the time and David Consolati added that if members can't be there a good portion of the time, they need to look for other applicants.

Patty Carlino her personal opinion is to keep the BPW, but not as a Board to fight with. David Forrest added that the matter needs to be cleared up, one way or another. Tom Wickham agreed and said we need to do what's best for the town and to keep an open dialogue.

Regarding the matter of Bill Enser being on the Board, Bob asked Bill if in light of everything that was said at last week's Select Board meeting, he had anything he wanted to say. Bill responded that he has not been convicted; that he took full responsibility for his actions and those of his employees. The DEP evaluated the data and concluded that no harm to public health, that "legally" there was no harm done. When asked if he has received any calls regarding Bill being on the Board, Chris responded that he has. Bob Bartini added that Bill needs to be careful about what he can do and Bill needs to keep his distance in matters concerning water. Tom Wickham stated that having Bill on the Board takes their integrity a notch down. Bill reiterated that he pleaded guilty, he was not convicted. Bob Bartini accused Tom of acting like "judge and jury" where Bill is concerned. Bob Bartini said that not one person has complained to him about Bill being on the Board. When asked his thought on this matter, Nelson abstained from the conversation. Tom suggested that Bill should take a year off and then come back with a letter of interest to be on the Board. Jerry LePrevost added that Bill Enser has more intelligence on water and water lines than anyone there. He has expertise, to which Peter Jahn seconded Bob Bartini and Jerry LePrevost's opinion of Bill's expertise. Monica Ryan added that she recommends Bill to stay on the Board as he is an asset to the team with a wealth of knowledge, to which Bob Bartini commented that Bill is an asset to the Board.

With no further discussion on these matters, *the meeting was adjourned at 5:20 PM.*

Respectfully submitted,



Cindy L. Belair,  
Selectmen's Secretary

Notice of Website Posting Sent to:

Board of Selectmen  
Town Administrator  
Town Clerk  
Town Collector  
Planning Board

Board of Assessors  
Board of Health  
Conservation Commission  
Police Chief  
Building Inspector

Dept. of Public Works  
Town Treasurer  
Town Reps. District Chairmen  
Superintendent of Schools  
Town Accountant