

**TOWN OF MILLVILLE
BOARD OF SELECTMEN**

**Minutes of November 19, 2007
6:00 p.m.**

Board Members Present: Chairperson Diane McCutcheon, Vice Chairman Paul Savage, Selectmen Tom Petrowicz, Charlie Poulin and Karin Furno.

Others Present: Executive Secretary Helen Coffin, Town Counsel Gary Brackett, Judy Sambor, Dottie DiLorenzo and Jennifer Dean–Wing (Board of Assessors)

Chairperson McCutcheon called the meeting to order at 6:00 p.m.

The Chairperson for the Board of Selectmen opened the meeting with the Board of Assessors at 6:00 pm. Mrs. McCutcheon stepped off the Board stating it was due to ongoing litigation with the Assistant Assessor and then left the room. Vice Chairman Savage proceeded in running the meeting.

Selectman Savage wanted to address several issues with the Board of Assessors. He clarified that the Board of Selectmen are not and do not have any intention of firing anyone. The goal is to improve the communication between all parties.

The Board of Assessors feels that there is a push to get rid of the Assistant Assessor.

Selectman Savage wanted it noted that the Board of Assessors needs to address in writing how the most recent complaints against the Assistant Assessor are being addressed. Selectman Savage would like the Board of Assessors to meet with the Assistant Assessor and would like a written report provided back to the Board of Selectmen.

The Board of Assessors agree that there was a complaint filed, but feel that the issue has become a much bigger issue than it should have been. They are upset that the complaint went to ethics. Executive Secretary Helen Coffin informed that ethics had requested the information about the complaint and as part of her job she had to supply it to ethics. The Executive Secretary communicated that she did not call ethics on this matter and Assistant Town Clerk Susan Winstanley was asked to pick up the field cards. The Board of Assessors wishes that the person who filed the complaint would have come to the Board first.

Selectman Savage wanted to know why nobody on the Board of Assessors has addressed this issue with the Assistant Assessor? He further communicated that issues like this can go through the liaison.

The Board of Assessors wanted to know why did the complaint go to the Board of Selectmen in the first place and not to the Board of Assessors until a month after it was received.

The Board of Selectmen wanted to know if there a policy for conflicts? The Board of Assessors did say that there was a process and training for potential conflict and problems. The Board of Assessors wanted to know how the complaint was filed.

The Executive Secretary stated that the complaint was hand delivered and there was not a signature on the complaint, but the resident did type their name on the bottom.

Selectman Savage agrees that this should have gone back to the Board of Assessors and hopes that with the liaison the communication will only improve.

Selectman Furno is the liaison for the Board of Assessors and has communicated that she has had issues being able to meet with the board. She also wanted to know why did the Board of Assessors state in their meeting minutes that they are not satisfied with her even though the board has never met with her. Selectman Furno has asked that she be notified in writing of any meetings and be provided with the times and dates.

Selectman Savage feels that if there are pressing issues, there is not a need for memos. The liaison is to be in a position where one can just pick up the telephone and check in about the status of the board. The meeting times should be provided to the liaison. There should be a time and date worked out between both parties. He hopes that all will make an effort to use the telephone.

Board of Assessors member, Jennifer Wing Dean provided a memo to the Board of Selectmen that elaborated on the current issues. She explained that the telephone conversation that took place between herself and Selectman Furno was not conveyed back to the Board of Selectmen accurately. The Board of Assessors wanted a mutually agreed upon time to meet with the liaison, but this was difficult to do given the liaison's work schedule. The Board of Assessors did post for an emergency meeting.

Attorney Gary Brackett wanted to point out that he does represent all the town boards, and the October 16, 2007 meeting which was posted as an emergency does not qualify as an emergency meeting. Attorney Brackett suggested that due to litigation by the Assistant Assessor, Sue McNamara, a conversation was held in August with Ms. McNamara's Attorney, and it was suggested that a mediator be appointed due to the pending litigation.

Attorney Brackett clarified that it is not improper or illegal to meet with legal counsel and the liaison. He further wanted to know if the Board of Assessors have received any legal advice from anyone other than our town counsel?

Member, Jennifer Wing Dean communicated that they have not received any information from another attorney.

Attorney Brackett further explained that any outside litigation should not have any effect on the running of the Board of Assessors office.

Selectman Petrowicz feels that there needs to be closure here and everyone must work together and there needs to be give and take on all sides.

Selectman Furno wanted to know what is the Board of Assessors policy in regards to compensation time?

The Board of Assessors stated that there is not one.

Selectman Savage feels that it would be beneficial for the Board of Assessors to write up and adopt policies that must be adhered to. He hopes that going forward, the Board of Selectmen and Board of Assessors can work together. The Board of Selectmen are validating departments and making sure that things are working.

Selectman Furno wanted it clarified what authority does the Executive Secretary and the Town Treasurer have over Assistant Assessor.

Attorney Brackett clarified that the Board of Selectmen are the appointing authorities. The daily administrative duties must be worked out together and issues regarding the impact of a decision can be addressed specifically, and there must be a cooperative working environment. The policies around work hours and where everyone falls into place must be adhered to.

In a memo dated May 17, 2007, the Board of Assessors agreed to have the Assistant Assessor provide weekly reports along with timesheets to the Town Treasurer. This is currently being done on a monthly basis. If the Board of Selectmen is asking this, then, the Board of Assessors should be providing this.

The Board of Assessors Jennifer Wing Dean had contacted 14 area towns about their Board of Assessors and 7 towns have these positions as elected, and 7 other towns have the position as appointed positions. She feels that the Board of Assessors has been very accommodating, but the treatment they are receiving is really not typical. She feels that the board never agreed to provide weekly reports.

There was a question about the use of email. Attorney Brackett informed all that email can be used for scheduling purposes, but a board cannot discuss any issues. All email exchanges can be used as part of the public record.

On a motion made by Tom Petrowicz, and seconded by Karin Furno, the Board of Selectmen voted unanimously to close the workshop meeting.

The meeting will turned back over to Chairperson McCutcheon.

Respectfully submitted,

Amy Sutherland

Vice Chairman Paul Savage

Member, Tom Petrowicz

Member, Charlie Poulin

Member, Karin Furno

APPROVED AND SIGNED 12/17/08