

**Board of Selectmen/Finance Committee**  
**August 16, 2016 Minutes**  
**Town Hall, 1529 State Road, Richmond, Massachusetts**

ATTENDING: Alan Hanson; Roger Manzolini, Chair; Neal Pilson; Mark Pruhenski,  
Town Administrator

Absent: Katherine Zahn, Town Secretary

Finance Committee: Robert Gniadek, Chair; John Mason; Stevan Patterson; Eileen  
Martin; Patricia Callahan

Others Attending: Craig Swinson; Paul Lisi, Treasurer

Mr. Manzolini opened the meeting at 6:00 p.m. and stated that the meeting is being recorded and is for the purpose of continuing discussion of an employment arrangement with Paul Lisi, Town Treasurer

Mr. Pruhenski provided the joint meeting members with a summary of an employee agreement proposal for the Treasurer position including a financial summary and FY17 budget shortfalls information. Mr. Patterson asked what was (the Town of) Lanesborough's offer. Mr. Manzolini responded that Lanesborough made Mr. Lisi an offer of employment. Mr. Lisi stated that he had shown the signed contract to Mr. Pruhenski. Mr. Manzolini stated that if Richmond matches the offer then presumably Mr. Lisi would remain employed by Richmond. Mr. Pruhenski stated that the agreement he sent to the joint meeting members is identical to Lanesborough's except that the agreement is between Mr. Lisi and Richmond rather than Lanesborough.

Referring to said agreement, Mr. Hanson asked if land of low value filings are prepared by the Treasurer. Mr. Lisi affirmed that this is the Treasurer's task. Mr. Hanson asked about the oversight of the transition of Tax Collector software to Softright and if this was something the State required. Mr. Lisi responded that the State did not require this. He referred to acquisition of the new tax title software approved at the most recent Annual Town Meeting and said that he and Town Accountant, Amy Lane, would manage the data transition from the old system to the new Softright system. Discussion ensued about managing properties in tax title, foreclosure of same, and steps to offer such properties for sale.

Noting a change in the proposal now presented from what was discussed at the last meeting Mrs. Callahan asked for clarification of the change and asked if the change involves Ms. Lane as well and questioned the impact on the Tax Collector, commenting that is a topic for later discussion. Mr. Pruhenski explained that he and Mr. Lisi had discussed an employment arrangement for Mr. Lisi to remain employed by Richmond and that he intended to discuss extending Mr. Lisi's duties, hours and salary with the Finance Committee. He had a conversation with Mr. Gniadek. Subsequently, a conversation with the Finance Committee did not take place since Lanesboro's offer of a job to Mr. Lisi. Mr. Pruhenski mentioned that he intends to plan for restructuring Town Hall in-house office space in conjunction with this change. A brief overview will be presented at the next Selectmen's meeting as to items to be disposed of and how to better organize Town Hall offices for greater efficiency.

As to Ms. Lane, Mr. Lisi related that this would not impact her duties as agreed previously. Mr. Pruhenski stated that when the current Tax Collector retires that position would naturally merge into a Collector/Treasurer position; a position that Mr. Lisi would be qualified as a candidate for.

Ms. Callahan verified that Mr. Lisi continues to work for other towns and that the employment agreement with Richmond does not specify hours or set a limit. Mr. Lisi replied that he does not anticipate an issue with managing his working hours.

In light of his discussion with Mr. Pruhenski and the employment offer discussed at the previous meeting Mr. Gniadek expressed befuddlement; he asked and Mr. Lisi affirmed, that the prior offer to work part-time for Richmond is still on the table as well. Mr. Lisi expressed his desire to remain employed by Richmond and explained that he had discussed an employment arrangement with Peter Fohlin, interim Town Administrator as well as with Mr. Pruhenski. Subsequently he was told by an auditor (a member of an independent public accountant auditing firm) about a position in Lanesboro and was encouraged to apply. Mr. Gniadek remarked that the conduct of the auditor was unprofessional. He asked for clarification of topics appropriate for discussion in executive session. Mr. Pruhenski replied that employee contract agreement negotiations are appropriate. Mr. Gniadek asked if strategy can be discussed in executive session without the employee present. Mr. Pruhenski replied that strategy can be discussed in executive session.

Mr. Pilson commented that discussion of the employment agreement encompassed a 40 hour/week with 34 hours in house but these hours are not reflected in the contract. Mr. Lisi replied that the hours in house were left open in the contract pending a decision as to a change in Town Hall office hours.

At 6:32 p.m. Mr. Manzolini, having declared that an open meeting may have a detrimental effect on the Town's position to negotiate a proposed employment agreement, made a motion to move into executive session for the purposes of a strategy session and to return to regular meeting session subsequently, Mr. Gniadek seconded the motion and the joint meeting moved into executive session by roll call vote: Mr. Gniadek: aye; Mr. Hanson: aye; Mr. Manzolini: aye; Mr. Pilson: aye; Ms. Martin: aye; Ms. Callahan: aye; Mr. Patterson: aye and Mr. Mason: aye.

At 6:55 p.m. regular session resumed.

Mr. Manzolini made a motion, Mr. Patterson seconded and the joint meeting members voted unanimously to offer the full-time employment agreement to Mr. Lisi. Mr. Lisi accepted the offer and an original employment agreement was executed. Mr. Pilson noted that the contract is dated August 16th. Mr. Pruhenski acknowledged that the agreement will be effective today with payroll adjustment to be made commencing with the next payroll.

Mr. Manzolini asked if there were any Selectman's matters. Mr. Hanson related that Martin Malnati Jr. has requested a hand railing be installed on the stairway to the Police Chief's office in Town Hall. Mr. Malnati also requested roadside mowing be done along March Hare Rd. and asked if the bumpy section of Sleepy Hollow Rd adjacent to the

Grant property will be paved. Mr. Manzolini remarked that the managing of the Town roads is the purview of the highway superintendent.

Mrs. Callahan asked if there was further business with the Finance Committee. Mr. Patterson clarified that approval of the transfers discussed remains. Mr. Manzolini noted the transfers should be addressed. Mr. Pruhenski referred to a summary sheet reflecting an employment agreement with the Town Treasurer, Paul Lisi and a FY-17 budget shortfall breakdown and recommendation to address the shortfall totaling \$15,861.03. Mr. Pruhenski clarified that funds will be directly transferred from the septic grant fund to the line items. A balance of \$11,025.21 in the Septic Grant Fund is in the process (per audit of FY16) of being turned over to the General Fund as free cash. Mr. Lisi explained that the Grant funds were not expended within the grant time limit and that the auditors have allowed the balance to be turned over to the General Fund and by vote of the Selectboard this sum may be transferred from the Septic Grant Fund to the Treasurer salary. The remaining shortfall may be offset by a vote of the Finance Committee to transfer \$4,835.82 from the Reserve Fund to the Treasurer salary.

To Ms. Callahan's query Mr. Pruhenski confirmed that Reserve Fund transfers are limited to \$15,000.00 annually.

Mr. Pilson queried (in the prior transfer) did the money go into the General Fund and then out or was it a direct transfer from the Septic Grant. Mr. Lisi responded that the transfers have not been done yet. The transfers at the last meeting were not made yet, the FY-16 budget is in the process of being finalized and the books closed so none of the transfers were made yet and they won't need to be made once we take care of this. Mr. Pilson asked if we (move to) close out the Septic Grant fund by transferring it into the General Fund then paying out of the General Fund. Mr. Lisi said no, it will be a cash transaction from the Grant Fund to the particular line items.

Mr. Gniadek asked if there are any other costs that will impact cash reserve such as employee/retirement benefits. Mr. Lisi explained that these benefits, payable as a percentage of salary, will not be impacted however there will be some payroll tax increase.

Mr. Pruhenski asked for a Reserve Fund transfer sheet for the Finance Committee to execute as such was not prepared for this evening's meeting; Mr. Gniadek related that the form usually came from the Town Administrator. Mr. Lisi noted that the transfer will be in the minutes and suggested that he (Mr. Gniadek) sign a blank piece of paper transferring the sum of \$4,835.82 to the Treasurer salary account. Mr. Pruhenski stated that he has not seen the Reserve Fund transfer document and asked if it requires the Board Chair signature or that of the full Board. Mr. Lisi responded that typically the Chair signs unless he (Mr. Gniadek) wants the full Board to sign. Mr. Gniadek stated that the Finance Committee can approve the transfer then he should sign it (Reserve Fund transfer document). Discussion ensued concerning locating or creating a template form and Mr. Pruhenski agreed to work with Mr. Gniadek on that later.

Mr. Pilson asked if a motion is needed. Mr. Patterson said he would like one. Mr. Lisi responded to Mr. Patterson explaining that two separate parts are needed; first the transfer of \$11,025.21 needs to be done by the Selectboard from the Septic Grant Fund to the Treasurer Salary line item.


Mr. Manzolini made a motion to approve transfer of the balance of funds in the amount of \$11,025.21 from the Septic Grant Fund to the Treasurer salary account, Mr. Hanson seconded, Mr. Gniadek pointed out that the sum should be allocated to the three budgets in deficit and Mr. Pruhenski confirmed the deficits in the Con Com Agent salary and Accountant salary. Mr. Lisi stated that those were done before, those were voted the last time; the additional money should be \$11,025.21; they were already approved before. Mr. Gniadek asked if the transfer was out of the Grant. Mr. Lisi replied that the transfer was out of the Treasurer Salary line item. Mr. Gniadek understood that this transfer is to replenish the Treasurer's salary and Mr. Lisi confirmed this, then the Board of Selectmen voted unanimously to approve transfer of funds in the amount of \$11,025.21 from the Septic Grant Fund to the Treasurer salary.

Mr. Lisi explained that the next step is for Mr. Gniadek to propose the Reserve Fund transfer of \$4,835.82 to the Treasurer salary. Mr. Gniadek made a motion, Mrs. Callahan seconded and the Finance Committee voted unanimously to approve the transfer of \$4,835.82 from the Reserve Fund to the Treasurer salary.

Mr. Gniadek asked about the tree removal program in light of diseased ash trees. He related that an ash tree fell across a Town road recently, as did a maple tree. Ash trees are expected to continue falling given the prevalence of damage inflicted by the emerald ash borer. The tree warden had reported that nothing needs to be done. The Selectmen noted this topic for future discussion and Mr. Gniadek requested an email confirmation.

Mr. Pilson related details from a discussion with the Lenox DPW about the work scheduled on Lenox Rd. Signage will be posted at Cheever and Lenox Rds. Phase 1 commences Monday, August 25th. Lenox Rd., will be closed between the fire hydrant easterly of Turkey Trot Rd. to Lenox Branch Rd. and will remain closed during the week and opened to traffic on evenings and weekends. The second week, after Labor Day, Phase 2 commences and the Town of Lenox will close the section of Lenox Rd between Olivia's overlook to Rte 183; this will be a total closure with no night time traffic allowed during the week but will be opened on weekends. During Phase 1 the first week traffic can travel via Lenox Branch Rd. to access the westerly section of Lenox Rd. in Richmond. Commencing Phase 2, the second week, traffic must travel to Lenox through Pittsfield or via Rte. 102 etc. It is unclear if work will be done on the section of Lenox Rd. easterly between Lenox Branch Rd. and Olivia's overlook. Coordination of ambulance service and trash pick up in Richmond on Monday was acknowledged.

Meeting adjourned at 7:20 p.m.

  
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Roger Manzolini, Chairman