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# BOARD OF SELECTMEN

## MEETING MINUTES

### 12/22/09

The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room as scheduled with Thomas Alonzo, Steven M. deBettencourt, Thomas Mason, Dave Matthews, and Town Manager Kerry Speidel present. Meeting opened at 6:10 P.M. and recessed to enter into Executive Session for the purpose of pending litigation with Attorney Dan Hill and members of the Zoning Board of Appeals. Chairman announced that the board would be reconvening Regular Session immediately following Executive Session. Steven M. deBettencourt arrived @ 6:52 PM and Paula Bertram absent. Regular session reconvened @ 7:32 PM with the Pledge of Allegiance

#### **PUBLIC DISCUSSION**

Jeff Stone of 35 Spring Street Extension, question on the licensing process as he bought 40 Page Street a number of years ago with the understanding that a wine license could be granted to farmers. Hoping the board will consider waiting to decide on the beer and wine retail license until a determination of the board has been made. Initially when he bought the property he was told that wine was a farm product and now he seems to be finding out that he can't sell these types of products and they're very limited as to what they are able to sell. If the town rushes into a decision, there's no other license available for selling of products.

Kerry there is a distinction that the ABCC makes in that if you're producing you can get a license for that. Per Tom A., as for the licensing procedures this is what the board is intending to do in the new year, they will be addressing these issues.

Jeff is asking that the board also consider the other areas of town, as we do need something down in that section as they have trouble getting because of where and how we're zoned. Asking the board to not make a hasty decision as he understood that people were to come before the board if they had some issue.

Tom A. will need to investigate whether the property at 40 Page Street is within a district that allows for this type of establishment.

#### **ANNOUNCEMENTS**

#### **APPOINTMENTS**

None

#### **CURRENT BUSINESS**

##### **1. Manager Updates**

➤ **Snow removal protocol** – Kerry asked Jack Rodriquenz, DPW Director to go over the department protocol for snow removal operations. Jack presented and reviewed the attached Guide to Winter Operations for the board which includes the routes and the timeline of the December 9<sup>th</sup> storm. Would also ask the board to consider adopting this from a procedure to a policy of the board. Noted that he considers this as clearly an operational issue and would ask that the board explain to those who come before the board to bring their complaint through the Town Manager and to note the process that has been in place. He has established with the department that the sand routes are also the same plow routes for the drivers, initially with a sanding operation seven vehicles go out, when they go to plowing then all fourteen pieces of equipment go out and the subcontractors (at a cost of \$1,400/hr for subcontractors), noted the rate sheet that is comparable to what the state pays. Reveiwed the Lancaster Ave., Reservoir Road route per the attached timeline. Noted that anytime that you begin a storm with that intensity and if at the end of the day, you have black pavement curb to curb, they've done well and doesn't believe that he has to appologize to anyone. Tom A., thought this would be an opportunity to give people the information on the operations and the depth of what the department is up against, to relay to the general public what occurs in those operations. People need to see the bigger concepts for it as the storms will all pose different challenges. Jack noted that this past storm (12/21/09) didn't result in any complaints and that he is his own worst critic as he wants to see the pavement down to black. Dave expressed appreciation for Jack's presentation as he feels that blow by blow is important and noted that this specific storm you had a truck go off the road and then the same truck broke down. Tom A., questioned how much does it cost to get under the storm, and per Jack it's over \$3,000 for materials and manpower. Noted that in the future the town could look at the additional expense to outfit the trucks to provide for calcium chloride application. The call out depends heavily on the Public Safety personnel notifying his department on their judgement as to when the DPW is called out to commence operations due to slippery road conditions.

Dave Blatt questioned that it's typical for the DPW to take forty minutes to get out there after being called, do plow trucks drop their plows when they are out sanding, noted the incident of the plow that went off the road and whether the DPW Director was aware at that point as to how bad the road was and why weren't other trucks pulled from other roads, also interested in the bid process. Per Jack the forty minutes timeframe is because in most cases the employees are called in when it's beginning to snow and it takes time for them to get from their homes to the garage. He's happy that it takes under an hour, has advised his employees to be ready to respond and be by the phone. The employees aren't paid for that commitment and noted that they're on the road sanding within forty minutes. On that day, between 6:15 to 6:30 AM the plows were being dropped and they were plowing. Also, that there

is not a bid process. Initially when he started here, there was a core of drivers and it was a Board of Selectmen back in 1996 that established a protocol and rates. The board moved from that to an acceptance that if we're going to entice reliable contractors, then we're going to have to be competitive with the state. Do not go out to bid, this is not a 30B item where we accept low bidder, this is not the type of bid we do for this service. Noted that we have a public comment and if there is a question on these issues to leave him a message or with any other department as well and we use this as an opportunity to go over the procedural operations.

- Kerry noted that the information provided to the board (attached) with regards to the savings in the increase of the bond rating seemed a little bit high, but this is really all speculative on this bond issue saving the town approximately \$23,000. Dave noted that that there is an impact to the tradeoffs between the town meeting vote impacting the stabilization fund versus the cost of bond issues.

**2. Minutes -** Board of Selectmen Regular and Executive Session for 12/15/09 reviewed and signed.

**Warrants** –Warrant for January 19, 2010 Special Election signed. Warrants #13P 10, 12/23/09 - \$730,048.43, #34 10, 12/22/09 - \$206,765.98 and #35 10, 12/23/09 - \$373,403.91 reviewed and signed.

**Action File Issues – None**

**3. 2010 ABCC Renewal Certification** – Board reviewed and signed the certification to the ABCC Certification of licensees who failed to renew for 2010; Helen Jean Dupont, d/b/a Baskets, Baubles & Beans, 109 Mass Ave., and Charles L. Gallien, d/b/a Afterhours, 5 Summer Street.

**OLD BUSINESS**

**1. Committee Updates -**

- Dave noted the changes in the bus routes that the school committee has been addressing to deal with our budget crisis. We're starting to see the impacts to individuals that we maybe haven't seen before, but now were trying to close the gaps to save money and the towns people are going to have to address the way they live and have to accept the fact that they may have to adjust how they deal with life. Perhaps the children have to walk a little farther, that's all part of it.
- Steve mentioned that he rode behind a bus today and had to stop about every 100 feet between stops and was told that one individual would have to walk about ½ mile to get to his bus stop and yet questioned why we see stops being made every 100 feet. Noted that when contracts are approved with increases these costs are going to come from somewhere and the first place everyone begins to look is at the trash program. We make decisions that impact our budget, but nothing is ever said about the impacts until they realize the costs. Tom A., noted that decision's on the buses is totally under the jurisdiction of the School Committee and if the public has concerns they should attend their meetings. Also, the cuts that are being made are not purposefully being hurtful, but because they have less money to run their departments with and this is the best way they've decided to address this shortfall.
- Dave also Capital Planning today met with the Library and DPW on their requests.

**2. License Renewals / License Commission Regulations / Payment Agreements** – Per Kerry a list was forwarded to her from the Treasurer on outstanding permit, taxes issues and a number of establishment owners have come in and cleared up some of their charges. There are several of these businesses that have yet to enter into agreements and the Treasurer is by law the only agent that can enter into payment agreements on behalf of the town. It was her understanding that the board voted to approve the licenses contingent upon a payment plan being entered into, of this there are eleven in total and are being withheld at town hall until the payments have been made or a payment arrangement is in place. Kerry will keep board apprised of changes.

**COMMITTEE RESIGNATIONS / APPOINTMENTS / REAPPOINTMENTS**

**1. Resignation – Gregory S. Roy, Conservation Commission** – Chair accept with regrets the resignation of Gregory Roy of 405 New West Townsend Road due to the determination of a conflict of interest that he requested from the Ethics Commission. Letter of appreciation to be sent, and posting the vacancy on the Conservation Commission as soon as possible.

**EXECUTIVE SESSION**

**1. Pending Litigations -**

Being no further business board voted unanimously to adjourn Regular Session at 9:00 P.M.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant  
Board of Selectmen