
BOARD OF SELECTMEN
MEETING MINUTES
1/17/12

The Board of Selectmen met in the Joseph F. Bilotta Meeting Room, Town Hall as scheduled with David Matthews, Steven M. deBettencourt, Paula Bertram, Tom Alonzo, Carl "Ernie" Sund and Town Manager Kerry Speidel present. Regular Meeting opened at 7:00 PM with the Pledge of Allegiance.

PUBLIC COMMENT

Loxi Jo Calmes, Superintendent of Schools, 63 Riley Rd, invited the Board and the people in the community to attend the school committee meeting on Wednesday evening to discuss the school reconfiguration proposal. This project is intended to reduce the number of school buildings from four to three and the proposal includes plans for a building which would house grades 6 – 12.

ANNOUNCEMENTS - None

APPOINTMENTS

7:00 PM Public Hearing to consider granting a Retail Package Store All-Alcoholic License to Elena Christopher d/b/a Elena's Gourmet Grocery, 1 Main Street – Mr. Matthews read the application for Retail Package Store, All Alcohol License into record. (See attached).

Elena Christopher, representing Elena's Gourmet Grocery, made a request to the Board for an Al Alcohol License to augment her existing license which is only to sell beer and wine. Mr. Alonzo, and Mr. Sund spoke in support of her application. Mr. deBettencourt questioned what type of product Ms. Christopher would bring in to compliment the items that she has now. Ms. Christopher told him that she was not looking to become a large retailer but rather would like to bring in what her customers are requesting and items that would go into the gift baskets which are made at her establishment.

Mr. Alonzo made a motion to approve the application for an all Alcoholic license for Elena Christopher doing business as Elena's Gourmet Grocery. Ms. Bertram seconded the motion. On vote, motion carried 5 in favor, 0 opposed.

Ms. Speidel commented and said that they will re-advertise the beer and wine license which Elena's had held.

7:15 PM Interview Candidates for Appointment to School Building Committee, Todd Blake and Richard Cohen –

Todd Blake, 6 Robbs Terrace, said that he was interested in serving on the school building committee. Mr. Blake is a structural engineer and has experience designing high schools and other buildings.

Richard Cohen, 50 Seaver Rd, told the Board that he is a general contractor and a former school teacher and he hopes that he will be able to work on the committee.

Brief questions were posed to both applicants by Mr. Alonzo on their building experience.

Mr. Alonzo made a motion to appoint Todd Blake, Richard Cohen and Mike Barney to the School Building Committee, to serve as citizens-at-large. Discussion about the remaining applicants appointments ensued. It was decided to deal with that matter after this current appointment. Ms. Bertram seconded the motion. On vote, motion carried 5 in favor, 0 opposed.

Mr. Alonzo moved to approve the appointment of Nathan Lockwood, representing the Planning Board, Mike Mackin, representing the School Committee, Dave Matthews, representing the Board of Selectmen, and Colleen Shapiro, representing the School Committee to the School Building Committee. Ms. Bertram seconded the motion. On vote, motion carried 5 in favor, 0 opposed.

8:00 PM Joint Meeting with Board of Health to consider appointment to BOH vacant seat – George Emond, Chairperson Board of Health spoke and said that Mr. David Passios has been interviewed by the BOH and that they have informally voted to add him to the BOH.

Mr. Passios approached the microphone to speak and gave some background information on himself to the BOS.

Ms. Bertram made a motion to appoint David Passios to the Board of Health. Mr. deBettencourt seconded the motion. On vote, motion carried 5 in favor, 0 opposed.

CURRENT BUSINESS

- 1. Consider adoption of State-wide Mutual Aid program** – Ms. Speidel explained that the next item up for consideration was the request to adopt the state wide mutual aid laws. She said that the Police Chief, Fire Chief and DPW Director have all reviewed both of these state wide mutual aid programs and they are recommending that the town opt into these programs.

There are two laws that are at issue here and they are the state wide Public Safety Mutual Aid Law and the state wide Public Works Mutual Aide Law. Ms. Speidel has surveyed a number of neighboring communities and they are either in the process or have already adopted these laws. She explained that by opting into these laws, the town will have access to mutual aid with any other community in the state that has adopted these laws as well. The public works law would allow requests at any point in time for equipment loan, not just for emergencies, which would mean that the town could request a particular piece of equipment to borrow, not rent. This will be a state maintained data base.

The public safety mutual aid law will be strictly for emergencies. Ms. Speidel recommended that the board adopt both of the state-wide mutual aid laws.

Police Chief Dan Bourgeois and Fire Chief Scott Glenly were on hand to answer any questions pertaining to this program and did so when asked by Mr. Alonzo.

Mr. Alonzo made a motion to adopt the State-wide Mutual Aid laws as written as Mass GL. C40, S4J which is the state- wide Public Safety Mutual Aid agreement and Mass GL. C 40, S4K which is the state-wide Public Works Mutual Aid agreement. Mr. Sund seconded the motion. On vote, motion carried 5 in favor, 0 opposed.

2. Minutes/Warrants/Action File Issues –

Minutes: None

Warrants – Payroll w15 P 12 (1/19/12) \$631,471.90

Payroll deductions w 41-12 (1/18/12) \$155,329.29

Accounts payable w 42-12 (1/17/12) \$ \$109,308.64

Action File Issues – The town is taking sealed bids on the Jones House until January 31, 2012. Ms. Speidel stated that to the best of her knowledge, none have been submitted, but she is hopeful that they will receive at least one bid from one party that has remained interested throughout the whole process.

3. Committee Report – Mr. Sund reported that the Capital Planning Committee met last Thursday to review any requests that have been made by town departments. He said that they had made one preliminary cut on a request and are getting it needled down into different sections and have not prioritized it. They have been following the Town Manager's instructions that they are not looking at any financing on this whatsoever, it is on a need basis only. Their directive has been to just look at the needs. They should be close to a final recommendation within the next few weeks.

Mr. Matthews requested that the BOS review that before they get to that point. There were many department requests and Mr. Sund reviewed each department's request along with the CPC recommendations with the board.

Mr. Alonzo reported that the Budget Working Group met last Wednesday and they discussed what they will do as far as the proposed 2 ½ override. They are looking at the Town Manager's five year budget projection and are investigating ways on how they can sustain a level service budget to all items listed in the report.

Mr. deBettencourt reported that the DPW building was just about 99% ready to be moved into. They are waiting for a few punch list items to be completed.

4. Department Reports - None

5. Town Manager Reports:

Ms. Speidel informed the Board that there was a typo on a license that was approved for Whalom Gas several meetings ago and the corrected version needed to be signed.

Ms. Speidel said that she had received an email request from Richard A. Davy, Secretary and Chief Executive Officer for the Mass Department of Transportation regarding changes to fare and service schedule. There are no hearings scheduled to be held regarding the changes in North Central Mass and the Legislative Delegation asked that the BOS write a letter to request for a hearing to be held in Fitchburg and to have the Chair of the BOS sign. Ms. Speidel had a request letter prepared and Mr. Matthews signed it.

Update on Street Light Issue; No report

Update on October Storm; Ms. Speidel attended an Applicant Briefing meeting for MEMA. This is the first step to request reimbursement for the October storm and an application was filed requesting disaster relief today. MEMA is requiring that all paperwork be filed within 60 days. Ms. Speidel feels that they are in "good shape" to have all of the paperwork necessary within that time period.

Update on Temporary Fix to Mulpus Road/Townsend Harbor Road Intersection: The report has been requested from the engineer but as of this meeting it has not been returned. This is scheduled for the February 7, 2012 BOS meeting.

OLD BUSINESS –

1. Review request to extend Cell Antenna Lease by T-Mobile for Town Hall location – Not discussed

2. Approval of Annual Business Licenses – Ms. Speidel reported that after last week's license discussion concerning Central Mass Power Sports she reviewed the issue with Town Counsel, who confirmed that its license has expired. There is no need to revoke their license and they will proceed under regulations that are allowed for businesses operating without a license. The procedure will be to notify them that they are operating without a license and if it continues there will be a criminal complaint filed.

Ms. Bertram spoke and said that considering that every attempt has been made to get this business to comply, and they have not responded, that she would prefer to have a Constable serve the notification to this business rather than it being sent certified mail.

Mr. Matthews requested that they are assigned a different attorney, from town counsel, to handle matters such as this in the future.

APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS –

Ratification of Police Sergeant appointment, continued to 01/24 /12

School Building Committee appointments - None

EXECUTIVE SESSION – None

Mr. deBettencourt motioned to adjourn the meeting. Ms. Bertram seconded. All board members were in favor. Meeting adjourned at 8:09 PM.

UPCOMING MEETING SCHEDULE

January 24, 2012

February 14, 2012

February 7, 2012

February 21, 2012

*Respectfully submitted,
Susan Doherty, Recording Secretary
Board of Selectmen*