

**BOARD OF SELECTMEN  
MINUTES  
August 3, 2009  
Slade Building**

**Members present:** Kristie Casey, Chair  
Ernest Newcomb, Clerk

**Member not present:** Matt Castriotta

**Staff present:** Elaine Peterson, Town Secretary; Debra Roussel, Town Administrator;  
Jim Dunbar, Treasurer; Karen Chick, Town Accountant

**Others present:** Peter Carmosino, Tom Larson, Donna Farrell, Joyce Green, Dennis O'Donnell, Catherine Galbreath, Leslie Grenier, Kurt Leslie, Robert Lindsten, June Lindsten, Robert Williams, Dolores Ordway, Albert Alfonso, Robert Germain, Jassy Bratko, Tom Bratko, Heather Bratko

Meeting commenced at 6:02 pm

<b>Warrant #3</b>
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<b>Motion: E. Newcomb invoking the rule of necessity</b>	<b>2<sup>nd</sup>: K. Casey</b>
<b>To approve Warrant #3 in the amount of \$51,282.80 for payment of payroll</b>	<b>Vote: All in Favor</b>

<b>Motion: K. Casey</b>	<b>2<sup>nd</sup>: E. Newcomb</b>
<b>To approve Warrant #3 in the amount of \$181,311.67 contingent on Mr. Castriotta's review and approval by signature prior to issuance of payment</b>	<b>Vote: All in Favor</b>

Ms. Chick reported where the Town currently was regarding debris removal spending. \$525,000.00 was spent from Dec 11, 2008 to the beginning of January 2009 plus \$317,000.00 is committed to the debris removal contractor.

**Open agenda:** High Street residents Robert and June Lindsten, Robert Williams, Dolores Ordway, Albert Alfonso, Robert Germain, and Jassy, Heather and Tom Bratko, appeared regarding local business Mass Pallet's alleged illegal wood chipping. Tom Bratko stated the Department of Environmental Protection (DEP) had issued a cease and desist order in 2003 in response to chipping without a permit. Mr. Bratko indicated he has confirmation from DEP that Mass Pallet still doesn't have a permit to chip wood. Mr. Bratko then inquired why the Board of Selectmen did not respond to the citizen petition. Ms. Casey said she had followed up on the alleged petition and had spoken with Board of Health (BOH) Chair and believed the issues had been addressed. However, she did not follow through further and accepted responsibility for her oversight. BOH member Tom Larson stated the Board was following up on the determination by the DEP. Mr. Larson stated he had observed activity at Mass Pallet from Route 68 and with the car window down he

could hear slight noise. But by the time he went up High Street in his car, the grinding had apparently stopped. Ms. Roussel reported Acting Fire Chief Hayes had reported to her that he and the Fire Marshall had recently visited the Mass Pallet site and there was a violation noted regarding lack of sufficient access through the piles of pallets. Jassy Bratko said the BOH stated in a 2003 letter that Mass Pallet was not allowed to grind and inquired why the BOH was not acting now? Mr. Larson responded that DEP is taking action because it is a state permit that Mass Pallet would need to take in pallets from other locations. He added the DEP stated on July 31<sup>st</sup> they would issue a cease and desist within two or three days and had been assured this was their highest priority. The DEP informed the BOH that they could shut down Mass Pallet for noise and dust generation however noise is difficult to enforce as the BOH has not had their decibel measuring device calibrated. Mr. Larson did not believe dust was an issue at present. Ms. Roussel will follow up with DEP and Building Commissioner Brandt and report back to Ms. Bratko for the High Street residents tomorrow. Mr. Bratko requested the BOS direct the Building Commissioner to place a cease and desist order regardless of DEP actions. Ms. Casey acquiesced. The residents exited the meeting.

**Community Preservation Committee:**

CPC members Donna Farrell, Catherine Galbreath, Jassy Bratko and Dennis O'Donnell expressed concerns that Community Preservation Act applicants currently have no formal procedure outlined in advance of a grant application. The committee would like to have more of a presence on the town website for reference. They presented an outline designating CPC and BOS responsibilities from application to award and funding. Ms. Galbreath stated the CPC would like to do their own administrative procedures and copy the BOS. Ms. Roussel indicated that only the Board of Selectmen has power to enter into and sign agreements. Ms. Galbreath requested the CPC be copied on correspondence sent to the First Parish Unitarian Church of Hubbardston in regard to their grant.

Ms. Green addressed the Historic Preservation Restriction Agreement requirement that replacement insurance believing it goes above and beyond what is needed. How do you replace a historic building? The CPA grant is only for \$8,000.00 and it doesn't make sense to have this type of requirement for a chapel run by a non-profit Historical Society with a limited budget. Ms. Green stated the requirement places a burden on the Historical Society; the major difference being the fire insurance requirement. The society has liability insurance. She has obtained two quotes on fire insurance coverage with the \$200,000 replacement value. The amount comes to \$2,000.00 per year and to have to continue for perpetuity would empty their budget within 2 years. Ms. Green noted the First Parish Unitarian Church did not have to provide fire insurance protection. Ms. Roussel will consult with Town Counsel regarding the need for fire insurance on a historical building. Ms. Green pointed out when CPC approved the renovation project; the Historical Society placed the required sign that the roof was repaired with CPA funds. The sign company is still waiting to be reimbursed months later. Ms. Roussel will meet with Ms. Galbreath to work out details for the website and CPA procedures before the next BOS meeting on August 17. CPC meets again on August 19<sup>th</sup>. The members and Ms. Green exited the meeting.

**Debris Removal Update:**

Debris Project Manager Kurt Leslie came in to report on the debris removal process. He stated the FEMA regulations are the toughest part regarding procedure and paperwork. FEMA appears to be accepting what the Town is doing as long as there is documentation. FEMA monitors are monitoring our monitors. Mr. Leslie stated he would need more monitors by midweek, as the contractor indicated they will be bringing in more pieces of equipment. Ms. Casey asked if more monitors are brought in would the project be completed on time. Mr. Leslie indicated he believed so.

**Motion K. Casey**

**2<sup>nd</sup>: E. Newcomb**

**To hire Tom Holopainen, Brian Dunn, Ralph Griggs, William Withycombe and Joseph Allain and order equipment necessary to complete debris removal job**

**Vote: All in Favor**

**Public Office Hours:**

Ms. Casey volunteered to participate in the Saturday public hour on August 30, 2009 from 10 – 11 am.

**Complaints Process**

Ms. Roussel suggested putting a process in place regarding dealing with residents with complaints approaching Board members individually. Ms. Roussel reminded the Board they only have authority when voting as a Board and not as individuals. There should be cohesion regarding how members respond to complaints.

**Senate Bill 2090 Letter of Support:**

Ms. Roussel presented a letter to Michael Moran, Chair of the Committee on Elections Laws in support of the bill filed on the behalf of the Town. The Act to Provide Information to Voters, allowing the Board of Selectmen to provide sufficient notice and the content of questions that would appear on Town election ballots, including the effect of a yes or no vote and arguments both for and against the binding or non-binding question(s).

**Motion K. Casey**

**2<sup>nd</sup>: E. Newcomb**

**To approve and send the letter in support of Senate Bill 2090 to the Committee on Election Laws**

**Vote: All in Favor**

**MEMA Agreement (CT-CDA-10FEMA1813HUBBA00940):**

Ms. Roussel presented an agreement with Massachusetts Emergency Management Agency for receiving reimbursement via FEMA-1813-DR for running the emergency shelter during the December 2008 ice storm. The amount approved for reimbursement is \$12,480.00. The federal share for reimbursement at 75% is \$9,360.00.

**Motion: E. Newcomb**

**2<sup>nd</sup>: K. Casey**

**To authorize Ms. Casey to sign agreement to accept funds for reimbursement from subgrant application PA-01-MA-1813-PW-00940(0)**

**Vote: All in Favor**

**Wage Authorization**

Ms. Peterson presented a wage authorization for James Ares for a Firefighter/EMT position.

**Motion: K. Casey** **2<sup>nd</sup>: E. Newcomb**  
**To approve hiring James Ares to Firefighter/EMT position with an hourly wage of \$14.28 per hour** **Vote: All in Favor**

**Hubbardston Fund for Preservation**

Ms. Peterson presented a request from the Open Space Committee to spend an additional \$368.20 from the Hubbardston Fund for Preservation for additional dumpster weight from the Malone Road property cleanup.

**Motion K. Casey** **2<sup>nd</sup>: E. Newcomb**  
**To approve the additional spending of \$368.20 contingent on Parks Commission approval** **Vote: All in Favor**

**Ricoh Copier Agreement:**

Ms. Roussel presented an agreement for a 3-year lease on a new copier for the Slade Building. Ms. Roussel explained the existing lease for the Library Building copier has been terminated and the Town now owns the equipment. The new lease for the Ricoh copier is less expensive than the previous and includes a 3-year maintenance contract, eliminating the cost of maintenance for one of three copiers. The existing Slade Building copier was transferred to the Highway Department because theirs was no longer able to be maintained due to its age. Ms. Roussel reported the Ricoh copier replaced an existing outdated scanner and fax machine in the Slade Building. The copier will be networked to all computers in the offices in the Slade Building as an available printer, saving approximately six cents for every copier sent to the copier instead of a desktop printer. The scanning to desktop capability provides further savings in paper and storage space.

**Motion: E. Newcomb** **2<sup>nd</sup>: K. Casey**  
**To authorize Ms. Casey to sign agreement for copier lease** **Vote: All in Favor**

Ms. Peterson requested reappointing Deborah Giordano as Animal Control Officer as she had been inadvertently been omitted during the annual appointments in June.

**Motion: K. Casey** **2<sup>nd</sup>: E. Newcomb**  
**To reappoint Deborah Giordano as Animal Control Officer with a term to expire June 30, 2010** **Vote: All in Favor**

Ms. Peterson presented Kellianne Becker's letter of resignation from the Finance Committee.

**Motion: K. Casey** **2<sup>nd</sup>: E. Newcomb**  
**To accept Kellianne Becker's resignation with regrets** **Vote: All in Favor**

Ms. Roussel suggested a meeting with the Finance Committee to jointly elect one of the interested individuals who expressed interest for recently filled Finance Committee seat. Ms. Peterson will pull the applicants' resumes and contact Finance Committee.

The Board reviewed correspondence.

**Other Business:**

Ms. Roussel reported she received a letter from property owners Martha and David Hawley regarding their neighbor's dogs located at 55 Old Boston Turnpike Road. She added ACO Giordano had issued a certified letter dated July 24, 2009, requesting the occupants apply for a kennel license permit by August 29, 2009 or action will be taken. The Building Inspector is also taking action against the owners of the 55 Old Boston Turnpike Road property as they appear to be upgrading and adding facilities beyond the property.

Ms. Roussel reported Quabbin Regional School District has revised their budget with a 3.5% decrease from FY 09. This will reflect just under a \$30,000.00 further reduction for Hubbardston's assessment.

Ms. Roussel reported Hubbardston is not being represented at the HPT Task Force meetings. The Task Force has indicated they will not require program bags if they go forward.

Ms. Roussel reported the Town had received an invoice for \$5,000.00 from MIIA for the deductible on an ongoing legal case from 2005 indicating she had budgeted for the expense. Ms. Roussel informed the Board MIIA will be using nurses employed by Best Doctors, a community of physicians and health professionals dedicated to improving quality of care and assist with recovery and return to work for workman's compensation medical case review.

Ms. Roussel requested permission to attend a Worcester County Retirement Board informational meeting on changes in the retirement system on August 11<sup>th</sup> at 9 am in Sturbridge. The Board approved.

Ms. Roussel suggested relocating the meeting notice board outside under cover when the Slade Building entrance is renovated in order to allow access 24 hours, 7 days a week.

Mr. Newcomb had submitted a request to the Library Trustees to obtain a key to the front door of the Library Building. Ms. Roussel noted the response from Laura Foley indicated he needed the key for access to check public meeting notices. Mr. Newcomb indicated he needed the key for access to cemetery files. Ms. Roussel suggested he clarify why he needs the key to the Trustees.

Ms. Roussel requested authorization to pay for renewal of membership to Massachusetts Municipal Personnel Association and payment of annual dues of \$200.00 from the Board of Selectmen expense account. Membership allows access to a central database for salary and compensation data; one condition as a member is to agree to keep our data current and accurate and to not share with non-members.

**Motion: E. Newcomb**

**2<sup>nd</sup>: K. Casey**

**To pay MMPA dues from Board of Selectmen expense account**

**Vote: All in Favor**

Ms. Roussel reported Trane, the company awarded the Energy Performance Contract, would be coming on the 18<sup>th</sup> of August to conduct the preliminary energy audit of town buildings.

Ms. Roussel reported an appeal on a recent Zoning Board of Appeals decision on a property located in Pinecrest has been filed.

Ms. Roussel requested permission to attend a new managers boot camp on September 24 in Charlton sponsored by the MA Municipal Management Association, noting attendance is free. Curriculum covered will include ethics, legal issues, communications and developing a support network.

**Motion: E. Newcomb**

**2<sup>nd</sup>. K. Casey**

**To authorize Ms. Roussel to attend boot camp for new managers on September 24**

**Vote: All in Favor**

Ms. Roussel reported some apparent miscommunication in relation to the Cable Public Access initiative in Barre. We were invited to a meeting of their Cable Committee in Barre on August 24 at 7:00 pm. The agenda will discuss common short & long-term goals for increasing the amount of local access programming on channels 11, 12, & 13. Ms. Casey volunteered to attend. The Board recommended we share the opinion from Kopelman & Paige, PC regarding shared PEG Access funding with the Barre Board of Selectmen.

Resident Virginia Mattson has sent another letter to the Board offering to turn over her property located off Main Street to the Town due to increasing real estate taxes. Ms. Roussel will follow up.

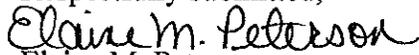
**Motion: K. Casey**

**2<sup>nd</sup>: E. Newcomb**

**To adjourn the meeting at 8:45 pm**

**Vote: All in Favor**

Respectfully submitted,



Elaine M. Peterson

Town Secretary

Approved: September 28, 2009.