

**BOARD OF SELECTMEN
MINUTES
September 28, 2009
Slade Building**

Members present: Matt Castriotta, Chair
Kristie Casey, Vice Chair
Ernest Newcomb, Clerk

Staff present: Jim Dunbar, Treasurer; Elaine Peterson, Town Secretary; Deb Roussel, Town Administrator; Lyn Gauthier, Highway Superintendent

Others present: Mary Taylor, Carol Whitney, Wendy Howes, Patrick Murphy

Meeting convened at 6:00 pm

Warrant #7

Motion: K. Casey

To approve Warrant # 7 in the amount of \$190,794.03

2nd: M. Castriotta

Vote: All in Favor

Resident Wendy Howes presented a petition in regards to speed limit on New Templeton Road requesting a traffic study be conducted as well as a review of the frequency of accidents. Additional requests and comments mentioned by those who signed the petition were the need for increased safety measures at the Cross Road and New Templeton Road intersection by posting four way stop signs and reducing the speed limit. An increase in truck traffic, review of the frequency of property damage and other serious accidents, littering and a request for more police patrols were also noted. The group requested the traffic study in hopes of getting the speed limit reduced from 40 miles per hour to 35 in some sections and posting speed limit signs. Mr. Castriotta stated the Board would take it under advisement.

Ms. Roussel presented the revised letter to Commissioner of Energy Resources, Phil Guidice, regarding the proposed photovoltaic solar electric project on Pitcherville Road. The Board signed the letter.

Ms. Peterson presented the wage authorization for newly hired Library Assistant Toni Walker.

Motion: K. Casey

To approve the wage authorization for Toni Walker at \$11.75 per hour

2nd: E. Newcomb

Vote: All in Favor

Ms. Peterson presented a letter from the First Parish Unitarian Church of Hubbardston requesting the Board waive the \$40.00 building permit fee for relocating oil tanks, as the church is a 501© 3, non-profit organization. Ms. Roussel recommended the Board establish a policy rather than make a case by case basis to avoid the appearance of

possible conflicts. Mr. Castriotta suggested tabling the request in order to allow the Board to establish a policy.

Mary Taylor requested the Board place the four agreement documents with the church on the October 13, 2009 agenda as the church representatives need more time to review them with their attorney.

Ms. Peterson presented the financial paperwork required for the Open Space Committee to apply for the 2009 Recreational Trails Grant for work to be at the Mt. Jefferson and Malone Road Conservation Areas.

Motion: K. Casey **2nd: E. Newcomb**
To authorize Mr. Castriotta to sign the grant application documents on behalf of the Town **Vote: All in Favor**

Ms. Peterson reported she had approved the MART Van to be used for a foliage tour on Saturday October 10th. A fee of \$5.00 per person will be collected for fuel.

Ms. Peterson presented three requests for appointment to the Council on Aging. She reported there were only two openings presently. The Board requested the Council on Aging recommend the appointments for the October 13th meeting.

Ms. Roussel reported Finance Committee member Jamie Pitney expressed interest in attending the Finance Committee Annual Meeting sponsored by the Mass Municipal Association. Ms. Roussel requested his registration be paid out of the Selectmen's Expense account as it had been previously allowed for new Finance Committee members.

Motion: K. Casey **2nd: E. Newcomb**
To authorize payment from the Board of Selectmen's expense account for Jamie Pitney to attend the ATFC Annual Meeting on October 24, 2009
Vote: All in Favor

Meeting Minutes Approved

Motion: K. Casey **2nd: E. Newcomb**
To approve minutes of July 7, 2009 as written **Vote: All in Favor**

Motion: K. Casey **2nd: E. Newcomb**
To approve minutes of August 3, 2009 as written
Vote: Ms. Casey- yes, Mr. Newcomb- yes, Mr. Castriotta abstained as he was not present

Motion: E. Newcomb **2nd: M. Castriotta**
To approve minutes of August 17, 2009 as written
Vote: Mr. Castriotta - yes, Mr. Newcomb- yes, Ms. Casey abstained as she was not present

Motion: K. Casey **2nd: M. Castriotta**

To approve minutes of August 31, 2009 as written

Vote: Ms. Casey- yes, Mr. Castriotta - yes, Mr. Newcomb abstained as he was not present

Outdoor Wood Boiler (OWB) Permits

Ms. Peterson reported that the Board of Health's recent decision to discontinue requiring a local permit for outdoor wood boilers and the BOH deferring to DEP regulations has caused concern in other Town departments. Diane Lanney of the Board of Assessors responded in an email, "Without a Town permitting process, there is no longer any revenue collected for the installation of outdoor furnaces. More importantly, there is no longer a 'communication link' to the Assessors, who are required to assess outdoor furnaces and, therefore, an additional loss of revenue....the current valuation of OWBs is \$154,800, resulting in almost \$1,500..." Ms. Roussel noted that an OWB will still require an electrical permit and a permit for a concrete pad installation. The Board requested the Board of Health compose a statement to the general public as to their change in policy and that an electrical permit and building permit will still be required and that emissions from OWBs will still be under the BOH's purview.

Conflict of Interest Law

Ms. Roussel reported new changes to MGL, Chapters 268A and 268B, the state's conflict of interest law and the State Ethics Commission's enabling act. There are new mandatory and training requirements. The Bill requires each municipality to designate a liaison to the State Ethics Commission and notify the commission in writing of such designation. The bill also mandates every municipal employee shall within 30 days of becoming an employee and every 2 years thereafter complete an online training program. Municipal employees must complete the online program on or before December 28, 2009. Mr. Castriotta suggested an early release day for all town employees to complete the online training in the Center School computer lab. Ms. Peterson will contact the school to see if this is possible. Ms. Roussel will make a recommendation for the liaison at the next meeting.

The Board scheduled a working meeting for Monday October 5th at 6 pm.

Ms. Roussel reported that two Slade Building departments were contemplating replacing local printers at their work stations. Ms. Roussel believed the intent of adding the ability to print to the copier would eliminate the purchase of local printers upon attrition, asking for the Board's decision. The Board agreed and requested a policy from the Computer Committee regarding the subject. Ms. Roussel will report back to the Board at the October 13 meeting.

Ms. Roussel reported the Town of Warwick had sent a letter requesting Hubbardston's support of legislation that exempts towns that have more than 35% or more of their land in state ownership from the provisions of MGL Chapter 40(b), which permits subdivisions to be built overriding local zoning for towns not in compliance with its requirements for certified affordable housing. The Town of Warwick is contacting other affected towns to see if there is sufficient support and interest before moving forward.

The Board supported the effort but could not lend staffing in the movement going forward.

Pole Petition for Old Boston Turnpike Road

The pole petition hearing was opened at 6:45 pm. There were no representatives from National Grid or Verizon present and Ms. Peterson had not received any comments from the Highway Department.

Motion; K. Casey

2nd: E. Newcomb

To open the pole hearing and continue it to October 13, 2009 at 6:45 pm

Vote: All in Favor

Saturday Public Hour

Ms. Peterson asked the Board who would be participating in October. Mr. Newcomb offered to participate in the public hour on Saturday, October 17 from 10 to 11 am.

Meeting Schedule

The upcoming meeting schedule was reviewed. Ms. Roussel and Ms. Casey will be attending the New Braintree October 6th meeting at 6:30 pm with Geoff Wilson from the Department of Education. Ms. Casey will attend the October 8th meeting at 7:00 pm in New Braintree concerning opening the QRSD Agreement for amendment to be held in New Braintree. Ms. Peterson inquired if anyone was attending the Massachusetts Selectmen Association Fall Conference on October 17th in Franklin. Ms. Casey stated she would like to attend the MMA Legislative Breakfast in Rutland on Friday, October 23rd but needed to check her schedule. Ms. Roussel indicated her intent to attend as well.

Heavy Commercial Vehicle Exclusion

Ms. Roussel reported on research into what is required for a truck exclusion in regards for limits on part of Brigham Street. She stated there must be certain conditions for permitting heavy commercial vehicle exclusion; one is a volume of five to eight percent of heavy commercial vehicle traffic and another is the condition of the pavement structure of the route to be excluded. A traffic count must be conducted showing commercial vehicles with a carrying capacity over 2 ½ tons and other vehicles. It is then subject to review of Mass Highway. Mr. Newcomb asked what if the truck does not fit the road. Ms. Roussel stated it would be the Town's responsibility to widen the road. Ms. Roussel indicated prior traffic studies have not shown the degree of volume necessary but will check the pavement structure criteria with the Highway Superintendent.

Chapter 61A Notice of Intent to Sell and Right of First Refusal

Ms. Roussel reported on a recent seminar "Understanding the First Refusal Option," MGL Chapters 61, 61A and 61B. She presented copies of the handouts to the Board. Ms. Roussel indicated the seminar recommend Towns adopt a policy providing a mechanism for review prior to notice from landowners. She asked the Board to review the samples and make a recommendation for inclusion in a policy for Hubbardston at the October 13th meeting.

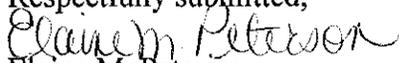
Ms. Roussel reported she has been invited to attend a meeting on October 5th involving award of a regional grant to thirteen communities for regionalization of dispatch services. She will report back on the meeting at the October 13 meeting.

Ms. Casey asked Ms. Roussel to contact the Barre Town Administrator requesting time on the Board of Selectmen's agenda for Ms. Casey. A two minute recess was taken at 7:00 PM.

Motion: K. Casey **2nd: E. Newcomb**
To enter into Executive Session to discuss the discipline of an employee and to comply with the provisions of any general or special law and to adjourn at the end of executive session **Vote: Mr. Castriotta- yes, Ms. Casey-yes, Mr. Newcomb-yes**

*****Executive Session Minutes are Separate*****

Meeting adjourned at 7:45 pm

Respectfully submitted,

Elaine M. Peterson
Town Secretary

Approved: December 7, 2009.