

**BOARD OF SELECTMEN
MINUTES
October 13, 2009
Slade Building**

Members present: Matt Castriotta, Chair
Kristie Casey, Vice Chair

Member not present: Ernest Newcomb, Clerk

Staff present: Karen Chick, Accountant; Elaine Peterson, Town Secretary; Deb Roussel,
Town Administrator

Others present: Ed Blanchard, David Bremner, National Grid Representative; Carol
Whitney

Meeting commenced at 6:02 PM

Mr. Blanchard reported on the QSRD School Agreement Committee meeting on October 8, 2009 in New Braintree. He stated the committee will review the agreement and make recommendations for changes and/or amendments to the school committee. Mr. Blanchard noted no Board member was present. Ms. Casey stated she was ill that evening but intended to attend future meetings.

Warrant # 8

Motion: K. Casey

2nd: M. Castriotta

To approve Warrant #8 in the amount of \$105, 375.74

Vote: All in Favor

The Board reviewed correspondence.

Request for Amendment to Hubbardston Zoning Bylaws

The Board reviewed a request from the Planning Board for an article to be placed on the Special Town Meeting warrant requesting an amendment to the Hubbardston Zoning Bylaws. The Planning Board proposed changing Article 6, Section 6.8, Rate of Development, Period Review, from reading "*this bylaw shall expire January 18, 2010,*" to "*this bylaw shall expire January 18, 2015.*"

Motion: K. Casey

2nd: M. Castriotta

To approve the Planning Board request to place the article on the STM warrant and refer the matter back to the Planning Board for review and hearing purposes

Vote: All in Favor

Agreement with First Parish Unitarian Church of Hubbardston

Ms. Roussel updated the Board, noting Attorney Aveni, legal representative for the First Parish Unitarian Church, has not yet reviewed the recently amended documents as he was immersed in a trial and requested to place the item on a future agenda.

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Policy for non-profit waiver of building permits

Ms. Roussel reported she had polled members of Small Town Administrators of Massachusetts (STAM) and had received only one response back with a recommendation against passing the cost onto others. Ms. Roussel stated there is no policy in place and asked the Board if they wanted her to form one. The Board discussed and determined there was administrative work in creating a building permit regardless if the fee was waived and they did not want to pass the cost onto others.

Motion: K. Casey

2nd: M. Castriotta

To request Ms. Roussel create a policy regarding denying waiver of fees for any town permit or fee

Vote: All in Favor

Mr. Blanchard asked Mr. Castriotta to retract his comments in regard to a recent email dated October 7, 2009 to Mr. Blanchard and copied to various town officials. Mr. Castriotta declined. Mr. Blanchard stated since Mr. Castriotta would not apologize he had prepared a written response that he would like to be read into the record. Mr. Blanchard read the email from Mr. Castriotta and his response. Mr. Blanchard added the comments forthwith are from him as a citizen not as a Finance Committee member or Zoning Board of Appeals member. Both the email and the letter are part of the formal record, attached hereto.

The Board discussed the **Financial Management Review** of the Town completed by the Massachusetts Department of Revenue, Division of Local Services, dated October 2009. Ms. Roussel stated there are ten hard copies available and she will distribute to pertinent staff. She has also requested a pdf format for further distribution and posting on the website. Ms. Roussel indicated DOR's recommendation that the Board read the report before meeting with the DOR.

Ms. Roussel asked if the Board had any items for the meeting with the Capital Improvement Planning Committee and the Finance Committee on October 21st. The Board had nothing to add at this time.

Dave Bremner of National Grid presented and asked the Board about a request from Open Space Committee member Leslie Grenier on what was involved in removing utility poles near the Malone Road Conservation Area. Ms. Peterson stated that as an Agricultural Commissioner she had concerns that if the land is ever used for agricultural purposes, power might be needed for pumping water as well as other equipment. Mr. Bremner stated there was no expense to the town to remove the poles but there would be a cost to replace them. Ms. Roussel recommended meeting with the Open Space Committee for discussion. Ms. Roussel noted concern from a resident asked about a tree left half cut on Mt. Jefferson Road used as a rope guide wire. Mr. Bremner stated he believed this was for a temporary service upgrade for a resident.

Resignation

Ms. Peterson presented Roy Estabrook's letter of resignation from the Council on Aging.

Motion K. Casey

2nd: M. Castriotta

To accept Roy Estabrook's resignation from the Council on Aging

Vote: All in Favor

Appointments

Ms. Peterson presented three requests for appointment to the Council on Aging. The Council had responded that all three would be an asset to their Board.

Motion K. Casey

2nd: M. Castriotta

To appoint Donna Fowler, Mary Girouard and Jane Turcotte to the Council on Aging with terms to expire June 30, 2012

Vote: All in Favor

Ms. Peterson presented requests for appointment as election workers from Town Clerk Joyce Green.

Motion: K. Casey

2nd: M. Castriotta

To appoint Christine Aufiero, Beverly Baxter, Patricia Burke, Andrea Colyer, Richard Cunningham, Christine DeGaetano, Ann Gushue, Marcia Howlett, Maureen Hubbard, Shonna Larson, Laura Milko, Donna See, Amy Stevens, Kathleen Vincent, Cyndy Washburn-Doane, Carol Whitney and Lynn Wilkinson as Election workers with a term to expire June 30, 2010

Vote: All in Favor

State Ethics Commission Liaison

Ms. Roussel reported Town Clerk Joyce Green has volunteered to be the liaison to the State Ethics Commission. Ms. Roussel suggested implementing a process for tracking the training.

Motion: K. Casey

2nd: M. Castriotta

To appoint Town Clerk Joyce Green as the Hubbardston liaison to State Ethics Commission

Vote: All in Favor

Pole Petition for Twin Hill Road (Continued from Sept. 28)

The hearing opened at 6:47 pm.

The request is for permission to install one jointly owned pole on Twin Hill Road beginning at a point approximately 107 feet north of the centerline of the intersection of Old Boston Turnpike Road. Mr. Bremner apologized for missing the hearing on the September 28th. Mr. Bremner stated the pole placement is related to the Route 62 construction and will to accommodate span length. Ms. Peterson reported she had spoken to the Highway Superintendent and he has requested the pole be kept out of the ditch line, at least four feet off the road edge and the spot be staked for Highway to check it out.

Motion: K. Casey

2nd: M. Castriotta

To approve the pole petition for Twin Hill Road with the Highway Department's conditions

Vote: All in Favor

Slade Building Municipal Light

Ms. Peterson reported she had contacted National Grid for an estimate of the cost of turning back on and in addition to the monthly fee for the municipal light in the parking lot outside. National Grid quoted an average monthly cost of \$36.79 per month or \$441.49 per year and there is no fee to turn the light back on. Ms. Peterson stated that amount had not been budgeted and would probably require a transfer into the Street Light Account later in the fiscal year. Ms. Roussel reported the Chief of Police was concerned

about the lack of lighting and security after 10 pm when the school parking lights are shut off for his officers and the public. The Board granted permission to have the light turned on.

Town Common Flag and Solar Light

Ms. Peterson reported the flagpole on the Town Common needed a new flag. There is currently no funding in the Town Common line item to pay for one. Ms. Peterson requested paying for it out of the Board of Selectmen expense account. Ms. Peterson Stated she had obtained a quote of \$48.50 plus \$10.00 shipping from the Veteran's Agent. A quote from a private flag company had been given for \$109.00 plus shipping. The Board granted permission to purchase the flag. Ms. Roussel suggested since she would not be purchasing a solar light for the front of the building with the grant funding, the Town could purchase a solar light to shine on the flagpole to allow the flag to fly at all times. The Board granted permission for the flagpole lighting.

Winter Road Salt and Sand Agreements

Ms. Peterson presented agreements submitted by the Highway Superintendent for purchase and delivery of winter sand and road salt.

Motion: K. Casey **2nd: M. Castriotta**
To enter into agreements with Trinity Materials, 20 Sartell Road, Waltham, MA for delivery of winter sand at \$4.95 per cubic yard with a trade-in allowance of \$2.00 per cubic yard and Morton Salt, 123 N. Wacker Drive, Chicago, IL for delivery and pickup of sodium chloride road salt at \$71.81 per ton **Vote: All in Favor**

Cultural Council Agreement

Ms. Peterson presented the Commonwealth of Massachusetts standard contract form for release of Cultural Council funding to the Town.

Motion: K. Casey **2nd: M. Castriotta**
To authorize Mr. Castriotta to sign the Massachusetts Cultural Council agreement for \$4,000.00 in grant funding **Vote: All in Favor**

Property and Casualty Credit

Ms. Roussel reported she had received a property and casualty insurance credit balance from MIIA for \$4,474.00 for FY'09 retroactive participation credit. She requested permission to retain the credit until the end of the fiscal year to apply against possible future invoices. The Board agreed.

Wage, Winter Wage, and Highway Uniform Account

Ms. Roussel reported the Highway Superintendent had sent written notice that the recent signing of a new contract with Union Local 170 might result in shortages in the Highway Wage and Highway Winter Wage Accounts. Neither of these accounts included wage increases as the budget was submitted prior to the conclusion of contract negotiations. It is hoped that these shortages can be covered within these accounts if overtime in the Wage Account is lower than budgeted for and Winter Wages come in under budget. There will be a shortage in the Highway Uniform Account and will require an additional \$525.00. The new contract also gave a \$25.00 increase per person for boot allowance and to provide coveralls to personnel. The base budget for FY'11 will have

these costs included. Ms. Roussel suggested a STM article rather than a reserve fund transfer since there was an opportunity to appropriate the funding. The Board agreed.

Commendation for Police Officers

Ms. Roussel reported Sergeant Newton has written a letter commending the performance of Detective Hans Carlson, Sergeant Robert Forte and Officer Ron Flynn in the investigation of a residence break-in at 66 Old Princeton Road on October 5, 2009. He has asked to have these officers publicly commended for a job well done. The Board concurred, suggesting the officers be publically commended at the STM.

Motion: K. Casey

2nd: M. Castriotta

To request Chief Perron issue certificates of commendation to the three officers at the Special Town Meeting in December 2009

Vote: All in Favor

HPT Regional Solid Waste Program

Ms. Roussel reported the Towns of Petersham and Templeton are continuing meeting for HPT but no one from Hubbardston had been attending. Templeton is now the lead town and applied for a new technical grant from the DEP to allow Irene Congdon from DEP to continue working with the towns on the project. Ms. Roussel noted the Town of Rutland has joined. The group is suggesting removal of the requirement for sale of bags. Ms. Roussel asked the Board if they were in support of moving forward with the regional project.

Motion: K. Casey

2nd: M. Castriotta

To offer support to the HPT project from Hubbardston for regional solid waste removal

Vote: All in Favor

Meeting Minutes Approved

Motion: K. Casey

2nd: M. Castriotta

To approve meeting minutes of September 14, 2009 as written

Vote: All in Favor

Permission to Travel

Ms. Roussel requested permission to travel to two training workshops on November 10 and November 18 regarding discrimination training. The Board approved.

Auction License

Ms. Peterson presented an application for an auction license from Jacquier Auctions to hold an auction on November 7, 2009 from 10:00 am to 3 pm and cleanup will last until 6 pm. The auction will take place at the Como residence at 49 Morgan Road and will feature an antique tractor collection, parts and collectibles.

Motion: K. Casey

2nd: M. Castriotta

To approve the auction license at 49 Morgan Road on November 7, 2009

Vote: All in Favor

Special Town Meeting Warrant Opened and Date for 2010 Annual Town Meeting Date Set

Motion: K. Casey

2nd: M. Castriotta

To open the warrant for Special Town Meeting with a tentative date of December 10, 2009, and to accept articles for STM and to close the warrant at Noon on November 9, 2009

Vote: All in Favor

Ms. Peterson reported Town Clerk Joyce Green had sent written notice that new bylaws voted at the June Annual Town Meeting (ATM) that changed the date of the town's annual town election and annual town meeting were recently approved by the Attorney General. The Annual Town Election will now be held on the second Tuesday in June each year. That makes next year's annual election fall on Tuesday June 8, 2010. The Monday preceding the Annual Town Election in 2010 falls on Memorial Day so the Board of Selectmen will have to designate an alternate date. The Board designated Tuesday June 1, 2010 as the for the ATM date.

Various Businesses

Ms. Roussel reported Ford Motor Credit Company had communicated with her that they never received the **lease-purchase agreement for the 2009 Ford Explorer** that was signed on August 31, 2009. She requested Ms. Casey sign as she was the Chair at the time of the completion of the original paperwork.

Ms. Roussel presented the summary received from Trane Energy Services regarding the **energy audit on town facilities**. Ms. Roussel recommended the Board review it at their working meeting. A working meeting was scheduled for Monday, October 19 at 6 pm.

Ms. Roussel asked the Board if they would like to submit and project requests for **FY'11 Appropriation White Papers**. The Board decided to resubmit the two projects from FY'10.

Ms. Roussel reported Chief Perron has notified the Board that he has received the resident petition to **study traffic on New Templeton Road**. He has directed officers to increase monitoring of the road from October 13 through October 24, 2009. He will provide a report to the Board as to the outcome by October 26, 2009.

Ms. Roussel reported **Economic Development Committee** member Dave Simmerer has requested a meeting between the owners of the Bates gravel pit on Pitcherville Road and representatives of the Board of Selectmen and Planning and Building Departments to explore possible future use of the property. Ms. Roussel suggested Mr. Simmerer speak to Planning Board Chair Ritchie as well.

Ms. Roussel reported she is sending out draft copies of other towns' **Right of First Refusal policies** pertaining to removal of property from Chapter 61 status to obtain other Boards' input. This is in preparation of forming a policy for Hubbardston.

Ms. Roussel reported she has received verbal approval from our FEMA agent approving \$282,993.13 of expenses from the cleanup of the 2009 ice storm. She is still waiting for a final invoice from Cook Company in addition to a \$1,800.00 invoice for debris removed from the Highway Barn. Ms. Roussel reported the charge of \$3,516.61 for financial

advice and bond counsel associated with emergency borrowing was denied for recompense as it was not directly associated with the ice storm emergency.

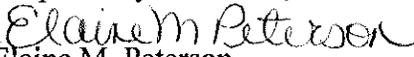
Brigham Pond Dam- Ms. Roussel reported the Department of Conservation and Recreation has sent correspondence regarding the repair of Brigham Pond Dam. She stated the Town does not own the dam but the walkway over the dam and DCR would like to remove the walkway. Ms. Roussel and Mr. Gauthier have been communicating with DCR. DCR would like to meet with the Town regarding the repair at some point in the future.

Motion: K. Casey **2nd: M. Castriotta**
To enter into Executive Session to consider the discipline or dismissal of, or to hear complaints or charges brought against a public officer, employee or individual and to adjourn at end of Executive Session
Vote: Mr. Castriotta- yes, Ms. Casey- yes

*****Executive Session Minutes Are Separate*****

The meeting adjourned at 8:00 PM

Respectfully submitted,


Elaine M. Peterson
Town Secretary

Approved: December 7, 2009.