

**BOARD OF SELECTMEN  
MINUTES  
NOVEMBER 9, 2009  
Slade Building**

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

**Member not present:** Matt Castriotta, Chair

**Staff present:** Dennis Perron, Police Chief; Elaine Peterson, Town Secretary; Deb Roussel, Town Administrator

**Others present:** Rick Paula, Frank Jones, Patrick Murphy, Charles Clark, Melissa Fairbrother

Meeting commenced at 6:03 pm

As a result of the absence of one member and disqualification of another member due to a conflict of interest, The Board lacked a sufficient number of members necessary to take action, and a last resort those disqualified may participate under the Rule of Necessity. Board member Ernest Newcomb disclosed publicly the facts that created the conflict, namely as an employee, he has payroll included in the warrant.

<b>Warrant # 10</b>
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**Motion: E. Newcomb**

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

**To approve Warrant #10 in the amount of \$234,715.00 35**

**Vote: All in Favor**

**Open Session**

Barre Cable Advisory Committee members Frank Jones and Rick Paula presented to offer assistance for taping Board meetings and updating the Public Education Government (PEG) bulletin board equipment. In order to broadcast a meeting, the Town will need to purchase equipment. Ms. Casey reported she had talked to the Barre Selectmen about the possibility of sharing a public access coordinator. Discussion ensued regarding the logistics of broadcasting, playback and scheduling. Mr. Paula will provide an equipment list to Ms. Roussel on what was purchased for the QRHS system. A PEG Access policy has not been created to date. Two goals were cited; sharing a coordinator and purchase of the equipment. Ms. Roussel recommended a Board member work with Barre. Ms. Casey volunteered to continue working with the Barre Cable Advisory Committee.

Charles Clark, Town Common Committee member, presented to report he had received a phone call from Painters Plus informing him they have not been paid for painting the Town Common flagpole. Ms. Roussel will follow up with the Town Accountant. Mr. Clark asked about obtaining a flag for the flagpole. Ms. Peterson reported she had a flag. Ms. Roussel indicated if it is to be displayed at night, it should be illuminated, reporting she could purchase a solar powered light with grant funds which would allow for the flag to be lit.

Melissa Fairbrother, 17 Evergreen Road, presented Evergreen Road residents' signatures requesting the speed limit on Evergreen Road be reduced to 30 miles per hour. The speed limit is not posted and therefore under state guidelines stands as 40 miles per hour. Ms. Roussel explained the process for setting a speed limit and presented MGL guidelines for establishing limits. Ms. Roussel will ask Police Chief Perron for an opinion on Evergreen Road and to check on recent traffic studies. Ms. Fairbrother thanked the Board and exited the meeting.

Ms. Peterson read a letter from Chief Perron regarding a previous petition from New Templeton Road residents to lower the speed limit. Chief Perron does not consider it necessary to lower the speed limit after conducting random traffic surveys. Ms. Roussel will report back to contact person Wendy Howes regarding the petition.

The Board working meeting was rescheduled to November 17 at 6:00 pm.

Ms. Roussel reported the Planning Board has continued their hearing on the proposed solar project to December 2<sup>nd</sup>. She suggested the Board of Selectmen delay their meeting with the Finance Committee and Capital Improvement Planning Committee regarding clarification of roles of each board as various members of both boards will need to be present at the special permit hearing. Saturday, January 9, 2010 at 9:00 am was suggested.

Ms. Roussel reported MA Historical Society has requested changes to the Preservation Restriction for the Williamsville Chapel. It was noted there was a conflict as one document indicated the Hubbardston Historical Commission act as the grantee of the Restriction and agent to administer the terms of the agreement and other document listed the Board of Selectmen as grantee and agent. Ms. Roussel will check with Town Counsel and it will be discussed further at the November 23<sup>rd</sup> meeting.

#### **Police Personnel**

Chief Perron presented to request to hire two part-time police officers. Both candidates are cleared medically and one candidate requires psychological testing prior to employment.

**Motion: K. Casey** **2<sup>nd</sup>: E. Newcomb**  
**To appoint Timothy Miner and Christina Rybicki as part-time officers contingent on successful completion of required pre-employment exams** **Vote: All in Favor**

Chief Perron requested the Board review the updated Police Department policies previously submitted to the Board. He reported the policy updates are at the suggestion of the Massachusetts Police Chief Association and have been approved through an accreditation process. The Board has thirty days to review and provide feedback. Ms. Roussel will send the policies to MIIA for review.

Chief Perron reported a police officer has joined the National Guard and will be going through a nine week basic training.

Ms. Roussel informed Chief Perron of the request for a speed limit change on Evergreen Road. Chief Perron stated he will have officers monitor traffic on the road and submit a report. Chief Perron exited the meeting.

#### **Street Numbering Process**

Ms. Roussel reported she has received a complaint from an East Comet Pond Road resident regarding his street number being changed by the Board of Assessors. The resident maintains his property is located adjacent to Department of Conservation and Recreation land and street numbers preceding his property won't be changed further as no residence will ever exist there. The postal service after notice by the Board of Assessors of the change in address won't deliver there or change it back unless they receive notification from the Town. The resident doesn't want to change all his legal documents and mailing address due to time and expense. Ms. Roussel reported upon review that the Board of Selectmen had appointed the Deputy Assessor as E911 Coordinator, which entails assignment of street numbers under a change in public safety law. Town bylaw dictates Assessors assign new house numbers. Town meeting would have to change the bylaw to provide an appeal process. Ms. Roussel will contact the resident to inform him.

#### **Council on Aging Formula Grant**

Ms. Peterson presented the Fiscal Year 2010 formula grant statement of authorization for the Board's signature. This allots state grant funding from the Office of Elder Affairs to the Council on Aging.

**Motion: E. Newcomb**

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

**To authorize Ms. Casey to sign the FY'2010 COA grant authorization on behalf of the Town**

**Vote: All in Favor**

Ms. Peterson presented a letter of resignation from William Fernekees from the Council on Aging.

**Motion: K. Casey**

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

**To accept William Fernekees' resignation from the Council on Aging with deep regrets**

**Vote: All in Favor**

#### **Streeter Road Winter Plowing**

Ms. Roussel reported this office has only have received two applications for winter plowing of a private way from Streeter Road residents.

#### **Animal Control Offer Intermunicipal Agreement**

Ms. Roussel reported she had met with Templeton's Town Administrator regarding the amendment and Templeton should be deducting \$500.00 from the next invoice sent to Hubbardston.

#### **Legal Fees**

Ms. Roussel reported she has not heard back from either the First Parish Unitarian Church's members or their attorney regarding the transfer documents. She stated all legal

fees funding that Town Meeting appropriated and the Church contributed has been used. The Town will have to continue to pay for associated costs from the Town's general legal fees account.

**As of Right Zoning Bylaw Allowing Use of Large-Scale Ground Mounted Solar Photovoltaic Installations**

Ms. Roussel reported she had spoken to Planning Board Chair Vinnie Ritchie and the Planning Board does not have time to act on a draft bylaw prior to the Special Town Meeting.

**Motion: K. Casey**

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

**To withdraw the letter to the Planning Board in regards to the solar bylaw**

**Vote: All in Favor**

Ms. Roussel reported the Highway Superintendent had contacted her regarding the removal of a stone wall on a designated scenic road. The Town had accepted the MGL local option for scenic ways and has no bylaw addressing violations. The only way to address this would be to add a bylaw that would administer a fine. The Board will wait to address this at the 2010 Annual Town Meeting.

**Waiver of Fees Policy**

Ms. Roussel presented a policy to address requests received by the Town to waive fees.

**Motion: K. Casey**

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

**To accept the waiver of fees policy as presented**

**Vote: All in Favor**

**Energy Performance Contract Award**

Ms. Roussel reported Trane Energy Services would like to make a presentation on the utility data collected concerning the town facilities outlining further process outlined under performance contract. Ms. Roussel recommended inclusion of the Capital Improvement Planning Committee and the Finance Committee to hear the presentation as well.

**Tax Rate Classification**

Ms. Roussel reported the Deputy Assessor has provided an additional \$96, 151.00 of new growth over the original estimate used at Annual Town Meeting. The Assessors are working on the personal property new growth figures and hope to be done ahead of schedule.

**Notice of Non-Compliance**

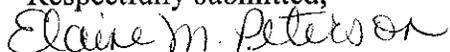
Ms. Roussel reported the Town has received a notice of non-compliance from the Department of Environmental Protection (DEP) in regards to grading and paving New Templeton Road. The Highway Department filed paperwork with the Conservation Commission but neglected to send a copy to the DEP. A training meeting with DEP on filing paperwork has been arranged with the Conservation Commission, Highway Superintendent and Town Administrator to ensure future wetlands protection filings are correct.

Ms. Roussel reported she would be attending a sexual harassment seminar from 9 am - 1 pm in Northhampton tomorrow.

**Motion: K. Casey** **2<sup>nd</sup>: E. Newcomb**  
**To enter Executive Session to discuss strategy with respect to litigation and to adjourn at end of Executive Session** **Vote: Ms. Casey- yes, Mr. Newcomb- yes**

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

The meeting adjourned at 8:15 pm.

Respectfully submitted,  
  
Elaine M. Peterson  
Town Secretary

Approved: January 4, 2010.