

**BOARD OF SELECTMEN
MINUTES
July 6, 2010
Slade Building**

Members present: Matt Castriotta, Chair
Mike Stauder, Vice Chair
Ernest Newcomb, Clerk

Staff present: Elaine Peterson, Town Secretary; Debra Roussel; Town Administrator;
Jim Dunbar; Treasurer; Joyce Green, Town Clerk

Others present: Nia Carignan, Tom Howlett, Peter Carmosino, Walter Ducharme,
Planning Board members Vincent Ritchie and Mark Dymek, Finance
Committee members Jamie Pitney, Marc Connery, Dave Simmerer, Ed
Blanchard, Ben Prentiss, Park Commissioners Sanda Barry and Chris
Norcross, Assessor John Prentiss, Building Commissioner Larry Brandt

Meeting commenced at 6:04 pm

Mr. Stauder asked how the Fitchburg Longsjo Bicycle Race went on July 4th. Ms. Peterson responded as a resident and said she did not go down towards the race course but a neighbor had complained to her that he had to stop three times at intersections and explain to police officers that he was a resident on New Westminster Road. No formal complaints had been received.

Ms. Roussel reported it had been brought to her attention that former Assessor Diane Lanney has submitted a voucher for three hours of consulting work at \$65.00/hour, noting there was no follow up by Ms. Lanney after the offer was made by the Board. She had not accepted the consulting position offered on May 24, 2010, prior to the Board rescinding the offer weeks later. Mr. Stauder indicated Mr. Ritchie and Mr. Prentiss signed the voucher. The Board took no action.

The Board reviewed Warrant #27 and Warrant #1.

Motion: E. Newcomb **2nd: M. Stauder**
To approve minutes of May 10, 2010 as written
Mr. Newcomb- yes, Mr. Stauder- yes, Mr. Castriotta- abstain

The Board met with Planning Board members to consider election of Peter Carmosino to the open Planning Board position effective with John Harden's resignation in accordance with MGL C41, section 11. Ms. Peterson reported Mr. Harden has not resigned to date. Without a resignation, Mr. Carmosino could not be appointed to the Planning Board. The Planning Board was asked to return at a later date upon notification of the resignation of Mr. Harden and after a seven day period following the notice.

Motion: E. Newcomb **2nd: M. Stauder**
To appoint Peter Carmosino as Associate Member to Planning Board with a term to expire
June 30, 2011 **Vote: All in Favor**
Mr. Ritchie, Mr. Dymek and Mr. Carmosino exited the meeting.

Alternative Posting Methods for Open Meeting Law:

Town Clerk Green reported the requirements for posting meeting notices are currently being met. Ms. Green has placed a notebook with notice of meetings and agendas outside to the right of the Town Hall door. She has been talking to other Town Clerks and is not sure the outside bulletin board is the best option. There are also tabs available in the notebook for job postings and RFPs. Ms. Green stated there is an option of placing a monitor in a window with notices scrolling but would require some technology. Ms. Green would like to post directly to the website in the near future as meetings are being posted every day.

Discussion ensued about the migration of the town website to Virtual Town Hall format. The Board will discuss further at the next meeting.

Amendment to Agreement with Chenot Associates, Inc.

Ms. Roussel presented an amendment to extend the agreement for three months for completion of architect services on the Slade Building renovations.

Motion: M. Stauder

2nd: E. Newcomb

To authorize and sign the amendment to agreement with Chenot Associates, Inc.

Vote: All in Favor

Ms. Peterson presented a Chapter 90 project request and Environmental Punch List submitted by the Highway Superintendent in the amount of \$305,956.46 for the following projects:

1. To install 5500 feet of guardrail on New Templeton Road, Williamsville Road, and Evergreen Road,
2. To crack seal 200,000 square yards of road on Route 68, Pitcherville Road, New Templeton Road, Rolling Woods Road, Woodview Drive, Mt. Jefferson Road, Barre Road, Evergreen Road, and Brigham Street,
3. To double stone seal 21, 598 square yards on Morgan Road, Ed Clark Road and Simond Hill Road,
4. To install drainage system, pay for police detail, crushed gravel, type 1 bituminous asphalt, culvert pipe, precast structures, headwalls and hay bales on New Templeton Road.

Motion: M. Stauder

2nd: E. Newcomb

To authorize and sign the Chapter 90 agreement

Vote: All in Favor

Resident Walter Ducharme asked what the Chapter 90 balance would be after the authorization. Ms. Roussel agreed to contact the Highway Superintendent and report back to him.

Ms. Peterson presented agreements for Highway Materials and Services that were awarded at the June 21st meeting. The agreements are with All States Asphalts, Inc., Poirier Guidelines, Sealcoating, Inc, DeLuca Fence Co, Murray Paving and Reclamation, Inc, Mass Broken Stone Co., and Brown's Trucking.

Motion: E. Newcomb

2nd: M. Stauder

To sign contracts for highway materials and services as presented

Vote: All in Favor

Thank you letters

Ms. Peterson presented thank you letters from the Board to Michael See of The Intraimage Co, Inc. for donating nine and one half hours of website maintenance to the Town and to Police

Officer (SSG) Sean McNamara for the donation of a US Flag flown over Contingency Operating Base- Taji in support of Operation Iraqi Freedom.

Park Commissioners vacancy

The Park Commissioners appeared to request Nia Carignan be appointed as Park Commissioner. Ms. Roussel asked the commissioners if they had informed the Board of Selectmen of the failure to elect as required under MGL, section 11, noting the requirement that remaining members give written notice of a failure to elect. Ms. Peterson pointed out this was due to a resignation and Ms. Green stated there was not a failure to elect. Ms. Roussel indicated it was her understanding the term "vacancy" was considered a failure to elect.

Motion: M. Stauder

2nd: E. Newcomb

To appoint Nia Carignan to Parks Commission until the next election

Vote: All in Favor

The Board voted to rescind their prior action upon receipt of notice from Ms. Barry presented of the resignation of Todd Fitzgerald. Kris Pareago was a write-in on the ballot due to Ms Hall's resignation prior to the annual election. Ms. Roussel requested the Parks Commissioners appear at the next Board meeting to meet requirements of MGL Chapter 41, Section 11. Ms. Barry and Ms. Carignan exited the meeting.

The Board discussed reorganization.

Motion: M. Stauder

2nd: M. Castriotta

To keep the Board the same as last year

Vote: All in Favor

Board of Selectmen Representatives for Committees

The Board reviewed the representative positions for the below committees.

MART Advisory Board

Due to daytime meetings, the Board requested the Council on Aging be asked if they would select a representative to be appointed.

Emergency Planning- Mr. Stauder

Town Common Committee- Mr. Newcomb

Ad hoc ZBA Affordable Housing-Mr. Castriotta

QRSD Agreement- Mr. Stauder

Ms. Peterson reported there was an unauthorized boot drive for donations on June 19th by Young Life Organization in front of the Fire Station. Ms. Roussel reported she spoke with Chief Perron Upon learning of the drive and he indicated he had not taken any action as he believed the group was exempt from the Town policy as a nonprofit. The Board requested a letter be sent to the organization advising them they cannot conduct a fundraiser drive without authorization from the Board. The boot drive policy will be reviewed at the next meeting.

Ms. Roussel reported Mrs. Virginia Mattson is still writing letters to the Board and enclosing the tax bills for her Mechanic Street property, stating she is gifting to the Town. Based on her conversation with the Tax Collector who has stated one of the parcels is in tax title, Ms. Roussel is recommending the Board not accept the land as a gift.

Ms. Roussel read the letter she composed to Mrs. Mattson in response to Mrs. Mattson informing her that the Board is not responsible for the valuation of the property, that it is the responsibility of the Board of Assessors and she is still the legal owner of the property. Ms. Roussel will be returning the Mechanic Street property tax bills to her to make arrangements for payment to the

appropriate party. As far as the abutters encroaching on her property, it is a civil matter and the Town cannot get involved. Mr. Castriotta commended Ms. Roussel on the letter. Building Commissioner Brandt entered the meeting to deliver a letter to the Board and Ms. Roussel asked him if he has spoken to Mrs. Mattson. Mr. Brandt advised the property will be designated nonbuildable and Mrs. Mattson will need to apply for an abatement with the Board of Assessors. Mr. Brandt exited the meeting.

Interdepartmental Transfer Requests

In accordance with MGL, section 33B, Ms. Peterson presented a request from the Treasurer to transfer \$1,500.00 from Worcester Regional Retirement 01-911-5100 to Treasurer Expenses 01-145-5200 for payment of financial advisor fees for assistance with borrowing for the December 2008 ice storm cleanup. Ms. Peterson also submitted a request to transfer \$410.00 from Selectboard Salary 122-5100 to Selectmen Expense to partially pay for the offices to move between Library and Slade Building, \$550.00 from Selectboard Salary 122-5100 to Elder Van Wages 541-5100 to cover MART Van Driver Wages, \$15.00 from Selectboard Salary 122-5100 to Custodial Wages 122-5106 for payment of custodial wages and \$149.00 from Selectboard Salary 122-5100 to Copier Expense 122-5400 to pay for rental of the copier.

Motion: M. Stauder

To approve the submitted interdepartmental transfers

2nd: E. Newcomb

Vote: All in Favor

Ms. Roussel presented the Massachusetts Municipal Association (MMA) membership renewal letter. Mr. Castriotta spoke in favor of the association.

Motion: M. Stauder

To approve paying \$458.00 in annual dues to MMA

2nd: E. Newcomb

Vote: All in Favor

Ms. Roussel presented the blanket wage authorization for hourly and exempt employees.

Motion: M. Stauder

To approve the FY' 11 blanket wage classification and rates as presented

2nd: M. Castriotta

Vote: Mr. Castriotta- yes, Mr. Stauder- yes, Mr. Newcomb- abstain

Assessor John Prentiss entered the meeting. Ms. Roussel presented a wage authorization for Assessor Clerk Sandy Gochis that she prepared on behalf of Mr. Prentiss for her increased responsibilities. Ms. Roussel suggested delaying completion of an updated job description until the RFP for assessing services is submitted and her responsibilities are further defined. Ms. Roussel recommended the rate after discussing with Assessor Prentiss and Ms. Gochis based on the responsibilities of the Town Secretary job description.

Mr. Prentiss reported he had a conversation with Mr. Scheid concerning current appellate tax cases and will try to meet later this week to review how to handle it. Mr. Stauder asked how it has been going in the Assessors' office. Mr. Prentiss said it is going well.

Motion: M. Stauder

To approve the wage authorization of Grade 7, Step 1 with a wage rate of \$13.42 per hour for Ms. Gochis effective July 1, 2010

2nd: E. Newcomb

Vote: All in Favor

Ms. Roussel reported the Assessors have notified the Board of Selectmen of the failure to elect. Mr. Prentiss is the only remaining Assessor. Ms. Roussel stated resident Kurt Leslie has indicated an interest in being appointed.

Motion: M. Stauder

To appoint Kurt Leslie to a Board of Assessor vacancy until the next election

2nd: E. Newcomb

Vote: All in Favor

Finance Committee members Jamie Pitney, Marc Connery, Dave Simmerer, Ed Blanchard, and Ben Prentiss entered the meeting at 7:33 pm.

The Finance Committee reviewed the interdepartmental transfer requests. Mr. Dunbar reported to the Finance Committee that the Department of Revenue had strongly advised using a financial advisor. Mr. Dunbar stated he used First Southwest Company of Worcester. Finance Committee Simmerer motioned to approve the transfer and it was seconded by Mr. Connery. The transfer of \$1500.00 was approved unanimously by the Finance Committee members.

The second request was to move funds from Selectmen Salary to the above mentioned four accounts. Ms. Peterson stated the reasons for the transfer requests; employees going over budgeted wage amounts due to extra coverage being needed, running out of copier paper before the end of the year, and partially paying for the unanticipated recent office move.

Mr. Simmerer motioned to approve the transfer request as submitted, Mr. Connery seconded and the transfers were unanimously approved by Finance Committee.

Motion: M. Stauder

2nd: M. Castriotta

To approve Warrant #27 in the amount of \$160,533.78

Vote: Mr. Castriotta- yes, Mr. Stauder- yes, Mr. Newcomb- abstain

Motion: M. Stauder

2nd: M. Castriotta

To approve Warrant # 1 for Fiscal Year 2011 in the amount of \$881, 257.65

Vote: Mr. Castriotta- yes, Mr. Stauder- yes, Mr. Newcomb- abstain

Motion: M. Castriotta

2nd: E. Newcomb

To enter Executive Session to consider the purchase or exchange, taking or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body.

Mr. Stauder- yes, Mr. Castriotta- yes, Mr. Newcomb-yes

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

Meeting adjourned at 8:43 pm

Respectfully submitted,

Elaine M. Peterson

Elaine M. Peterson

Town Secretary

Approved: August 2, 2010