BOARD OF SELECTMEN
MINUTES
October 12, 2010
Slade Building

Members present: Michael Stauder, Vice Chair
Ernest Newcomb, Clerk

Member absent: Matt Castriotta, Chair

Staff present: Karen Chick, Town Accountant; Debra Roussel, Town Administrator

Others present: Walter Ducharme, Tom Howlett, Joyce Green, Town Clerk, Rick Paula

Meeting opened at 6:02 pm

Mr. Newcomb invoked the Rule of Necessity stating his conflict as a Highway Department employee and payroll being part of the warrant. As a result of disqualification of members due to conflicts of interests, the Board lacked a sufficient number of members necessary to take a valid vote and, as a last resort that all those disqualified may now participate under the Rule of Necessity.

While reviewing vouchers, Mr. Newcomb inquired about the wording "original invoice will follow with receipt "in the audit report. Ms. Chick explained the auditors have instructed to do this as the Town has a 14 day pay period and we can't always kick out vouchers. Ms Chick added the municipal clerk follows up once the checks are cut to ensure a receipt or invoice is received. Mr. Stauder inquired if the Town has always paid for drinking water. Ms. Chick stated Fire and Highway have always paid for it as their water is not potable. Ms. Roussel stated the Slade and Library Buildings had begun purchasing bottled water during the Center School water tank repair. Ms. Roussel reported it is being purchased under state contract at two dollars a bottle and believes it is beneficial for meetings.

Warrant# 10
Motion: M. Stauder **2nd: E. Newcomb**
To approve Warrant #10 in the amount of $105, 132.51 **Vote: All in Favor**

Five election warrants submitted by Town Clerk Green were presented for signatures.

Mr. Stauder asked if the Board approved the yes and no opinions on the election ballot for the ice storm debt. Ms. Roussel reported she had written the yes opinion but had difficulty assuming the no position. She has requested Town Counsel to write the no argument. It will be mailed along with the warrant on the 25th or 26th.
Ms. Roussel presented the Special Town Meeting warrant for review. She reported she had received fifteen articles requests by last Monday's deadline and another article request late Thursday for additional funding for the Council on Aging for telephone bills and had been signed by Finance Committee member Dave Simmerer. Ms. Roussel stated Council on Aging Chair Provencal was under the impression she had to pay for the Council on Aging phone bill but this was not the case as she falls under the Slade Building phone bill. Mr. Blanchard stated Ms. Provencal would like to purchase a computer for the COA for seniors to learn on. Ms. Roussel asked if it could be funded with the Elder Affairs grant. The Board took no action on the COA article request.
Ms. Roussel reported **Article #1** is to transfer $5,000.00 for payment of approved Veterans benefits that were granted after the budget had been approved to get through the remainder of the year.

Mr. Blanchard requested in the future the Selectboard and Finance Committee meet jointly to review all the articles before Special and Annual Town Meetings in order to be more efficient. Mr. Blanchard asked if free cash would be certified by STM on November 9th. Ms. Roussel reported free cash has been submitted to the Department of Revenue (DOR). Ms. Roussel stated she had checked with Ms. Chick earlier today for an estimate. Ms. Chick had advised that it was not within the accountant's jurisdiction to estimate free cash. Ms. Roussel reported the results of a small email survey of town administrators and heard back from ten towns. She stated of the ten towns, all their accountants do provide an estimate. Mr. Blanchard stated knowing an estimate does help with planning. Ms. Roussel requested Ms. Chick enter the meeting to explain her position on free cash. Ms. Chick reported she had spoken with the DOR representative who is working on the free cash and Ms. Chick did inform her that our town meeting would be on November 9th. Ms. Chick reported the DOR representative was fairly certain the town would have a certified amount by then. Ms. Roussel asked for a response to the request to her to provide an estimate of free cash. Ms. Chick stated it was not recommended by DOR, as it was not in the Town Accountant job description as defined by MGL to calculate free cash. Ms. Chick explained there are a number of entities involved to come to an ending number and it is not a simple process. Ms. Chick explained she faxed seventy-five pages to DOR the other day; her DOR representative prepares about 95% of it and then passes it on to her supervisor for review. In the interim there is a lot of conversation back and forth between DOR and the Town Accountant office such as requests for clarification and how a particular entry was made. Ms Roussel reported on the survey results and Ms. Chick stated she was not comfortable giving a number. Mr. Blanchard thanked her for filing early this year. Ms. Chick stated it was not done early, just on schedule. Ms. Chick exited the meeting.

Mr. Blanchard stated when the Senior Center Design Committee voted to place a second floor on this building, also voted to request the Board of Selectmen advertise a Request for Proposals (RFP) for municipal land/use as backup in case the Slade Building was not appropriate for the center. Ms. Roussel stated she did not recall that discussion. Mr. Howlett confirmed committee member Bill Murray had recommended that. Mr. Newcomb stated he had heard the median income of Hubbardston's seniors was over the limit to qualify for the grant. Ms. Roussel reported a survey was being sent out to verify median incomes in order to refute the 2000 census figures. Mr. Newcomb stated he had spoken to some seniors who had received a survey and they were not comfortable giving their name and income. Mr. Ducharme stated the survey asked for an income range only for the survey. Ms. Roussel recommended the committee chair send a letter to the Board of Selectmen requesting the RFP. Mr. Blanchard stated he would ask the chair for a copy of the minutes. Mr. Blanchard added the RFP was not specifically for a senior center but for municipal use.
Mr. Blanchard stated he had read the Kopelman & Paige decision regarding the transfer of town land to the church. In spite of that opinion, he requested for transparency's sake that the vote be retaken at the STM as the situation has changed, the transfer is now not by eminent domain but adverse possession and the right of first refusal has changed. Mr. Blanchard thanked the Board and exited the meeting.

Ms. Roussel reported **Article #2** is for $3,500.00 for Town website design, content development and user training via Virtual Town Hall, a municipal web hosting and support service. It will also cover transfer of content from the current website.

Article #3 is to transfer $15,000.00 for costs associated with software and computer support, hardware acquisition and installation, $3,100.00 for Assessors' software maintenance. $1,900.00 to replenish extinguished funds for computer maintenance due to virus outbreaks and setting up all town computers as non- administrative users to protect computers' hard drives from future virus attacks.
Ms. Roussel reported the Computer Committee believed it was important to pursue backup of all town computers. The most cost effective method is to network all computers to an offsite server.

Article #4 is $15,000.00 for an engineering/design study for parking at Hubbardston Center School. This article was presented by Chairman Castriotta after a conversation with the Center School Playground Committee to determine a location for the playground. One idea was to place the playground on the other side of the gymnasium and relocate the tennis court. Grading for a lower parking lot would aid in ADA planning for the playground. Ms. Roussel reported the playground committee does not want to use any town funds for their project and does not want this request associated with their project.

Ms. Roussel introduced Rick Paula to discuss improving **local cable access broadcasting** in Hubbardston. Mr. Paula stated he is a former Chair of the Barre Cable Committee. He has participated in getting programming up and running, typically broadcasting governmental meetings and sports events. He reported he had spoken with Chair Castriotta prior to this meeting and they came up with three goals. One goal is to improve the quality of the local access bulletin board. The Town receives grant funds from Charter Communications to pay for local access programming. Mr. Paula presented three different priced options for purchasing equipment ranging from $10,000.00 to $35,000.00 depending on what the Town requires. Mr. Paula stated the Town would need people who are interested in volunteering to record meetings or to hire a local access coordinator. Barre's local access coordinator is a town employee and receives $10.00 per hour to schedule volunteers, operate cameras, do post production, schedule recordings, etc. Ms. Roussel reported the Town Secretary currently programs the local access bulletin board and equipment purchase is a priority need due to the condition of the borrowed equipment. Mr. Stauder asked if Barre would be willing to help with the purchasing. Mr. Paula stated there are certain vendors that are not under state contract that can aid in that process depending what you need. He added you will need to request bids. Ms. Roussel reported Ms. Peterson had found a NH company, Access AV, that she wanted to invite to come in and quote. Mr. Paula stated Barre had purchased their equipment from them. Ms. Roussel recommended the Board take the entire proposal under advisement but immediately focus on goal #1; improving the quality of the bulletin board display broadcasting so that residents can read the messages. Ms. Roussel thanked Mr. Paula for the information and offer of assistance. The Board will discuss at a future meeting. Mr. Paula exited the meeting.

Motion: M. Stauder **2nd:E. Newcomb**
To approve transitioning the bulletin board technology to a PC Power Point station at a cost not to exceed $500.00 **Vote: All in Favor**

Ms. Roussel resumed the Special Town Meeting draft warrant with **Article #5** is to appropriate $2,000.00 to pay for purchase of and installation of a cluster mailbox at the corner of the parking lot for all town departments' mail delivery. Ms. Roussel stated the town pays $838.00 annually for rental of postal boxes. Ms. Roussel reported Mr. Simmerer volunteered to install the mailbox and she had discussed installation by the Highway Department with the Superintendent also if no one came forward to volunteer.

Article #6 is to transfer from an account $899.00 to pay for an unpaid bill incurred in a prior fiscal year for plumbing supplies and services related to a water heater replacement and toilet repair for the Library Building. This requires a nine/tenths vote as appropriation had insufficient funds at year end to fund.

Article #7 is to transfer $603.64 from a prior Overlay year account to another Overlay year account. She stated the Town Accountant submitted the article concerned the account would be short but Ms. Roussel has since spoken with Regional Resources Group. They believe they can raise it on the recap sheet. Ms. Roussel asked to confirm this with a vote from the Board of Assessors.

Article #8 is to transfer $2,100.00 from Account #01-300-5810 (Hubb Center School Water Tank) to Account #01-122-5205 (Slade Building Improvements) for purchase and installation of a dehumidifier in the basement of the Slade Building, as recommended by the architect. Ms. Roussel stated this is the next stage of the work on the Slade Building recommended by the architect. Closing old vent openings in the outside walls of the Slade Building in order to control humidity as well as replacing the concrete

walkway/ramp and railing going into the building is also recommended. She had received one estimate from the contractors who had repaired the front of the building at the cost of $16, 480.00 to remove 12-16" of old concrete and pour a new ramp and install ADA required handicapped railing.

Article #9 is to transfer $25, 700 to Account #141-5206 for contracted Assessing Services, changing the line from wages to services and to transfer from Account #141-5104 the sum of $8,292.64 and from Account #141-5103 the sum of $500.00 for a total of $8792.64 to Account #141-5105 for increased clerical hours in the Assessors' office.

Article #10 is to appropriate residual borrowing remaining Account#01-000-2720 , the sum of $779.00 to apply to Account#01-170-5900 (Retirement of Debt Principal for Fire Truck) in accordance with Chapter 44, section 20. According to the Town Accountant, this is a housekeeping article.

Article #11 is to transfer $4,984.57 which represents the balance of funds currently held in separate special purpose targeted stabilization accounts for capital equipment purchase for police, fire, highway, libraries and municipal facilities into the newly created municipal capital stabilization account. This was interest accrued from the Annual Town Meeting date in June through the year's end.

Article #12 is to amend the action taken under Article 19 of the June 18, 2002 Annual Town Meeting by revising rules established for the Senior Work-off Program, pursuant to Chapter 59, §5K as follows: 1) by allowing committee members to designate a representative to serve in their stead; 2) by increasing the program's annual limit to fifteen (15) participants, each eligible to earn up to $750.00 (Seven Hundred Fifty and 00/100 Dollars) in property tax abatements; 3) by limiting abatement allowance for each real estate tax bill to one; and 4) allowing an approved representative to provide for such services to the Town for persons physically unable, as provided in §43 of Chapter 188 of the Acts of 2010.

Mr. Newcomb asked how this applies if there are multiple properties owned. Ms. Roussel stated the law designates per tax bill. Mr. Ducharme stated there are quite a few situations in the Pinecrest Development where there are more than one tax bill as lots are combined to create buildable lots. Ms. Roussel stated she will check into alternative language.

Article #13 To see if the Town will vote to rescind the action taken under Article 18 of the December 10, 2009 Special Town Meeting "To appropriate from Account#24-600-5040 (Community Preservation Budgeted Reserve Account) the sum of $26,000.00 (Twenty Six Thousand Dollars and No Cents) as a match to a grant from the Massachusetts Agricultural Preservation program in the amount of $494,000.00 (Four Hundred Ninety Four Thousand Dollars and No Cents) to purchase a permanent deed restriction on 110 acres of land owned by Sawyer's Farm Trust, said acreage being located on portions of assessors parcels 1-18, 1-20, 1-22 and 1-23." Ms. Roussel reported this is to return CPA funds that will not be used due to the project not going forward.

Article #14 is to see if the Town will vote to terminate all current appointments to the Community Preservation Committee effective June 30, 2011 and instead appoint nine members to the Community Preservation Committee with the initial appointments effective July 1, 2011 to be staggered as three appointments for one year terms, three appointments for two year terms and three appointments for three year terms, all with subsequent appointments to those positions for a three year period.

Article #15 is to see if the Town will vote to raise and appropriate or transfer from available funds the sum of $90,649.37 (Ninety Thousand Six Hundred Forty-Nine Thousand Dollars and Thirty-Seven Cents) for payment of costs related to clean up of ice storm of December 2008, or take any other action relative thereto.

Article #16 is to see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for deposit into the Stabilization Fund, or take any other action relative thereto. Ms. Roussel recommended not placing on the warrant at this time but to wait for the Special Town Meeting preceding the Annual Meeting. After discussion, the Board decided to not include Article #15 and #16 on the STM warrant.

Mr. Howlett requested the Board not place an article to revote the land transfer to the First Parish Unitarian Church. He stated the Finance Committee recommendation to ask the Town to revote was based on a new composition of FinCom members and change of opinions. Mr. Howlett stated every time a body meets there will be someone new. The Board of Selectmen agreed and they are following the spirit of the 2007 Town Meeting vote.

Motion: M. Stauder **2nd: E. Newcomb**
To approve Articles #1-#14 for the Special Town Meeting on November 9, 2010
Vote: All in Favor

The Board scheduled a working meeting on October 18th at 6:00 pm to sign the STM warrant. Also recommended for discussion at the October 18th meeting are Selectboard funding recommendations for the Capital Improvement Planning Committee and a sewer system and wastewater treatment plant for Main Street properties. Mr. Stauder asked the Mr. Murray be invited to the discussion.

Ms. Roussel presented CDBG agreements for Hubbardston residents prepared by Shelly Hatch of MRPC for signatures.
Motion: M. Stauder **2nd: E. Newcomb**
To approve the CDBG agreement in the amount of $30,020.00 **Vote: All in Favor**

Ms. Roussel presented the Executive Office of Elder Affairs Grant agreement for Council on Aging for signature.
Motion: E. Newcomb **2nd: M. Stauder**
To authorize Vice Chair to sign the Elder Affairs Agreement on behalf of the Board in the amount of $3,500.00 **Vote: All in Favor**

Ms. Roussel presented the FY'10 audit engagement letter from Melanson, Heath & Company, PC.
Motion: E. Newcomb 2nd: M. Stauder
To authorize Melanson, Health and Company, PC to conduct the audit for fiscal year ending June 30, 2010 and authorize Vice Chair Stauder to sign the letter on behalf of the Board
Vote: All in Favor

Road Salt Award
Ms. Roussel reported she had received a Comm-Pass email newsletter regarding the state salt bid and noticed the price for road salt; $49.28, was lower than Eastern Minerals, Inc's price of $63.30 per ton. The Board had voted on August 19th to accept the Eastern Minerals' bid through the Town of Oxford Consortium. Ms. Roussel stated since the Town participated in the Oxford Consortium, we can't shift to the State bid for this year even though we have not signed the agreement. Ms. Roussel asked Highway Superintendent Gauthier if the Board could delay signing the contract until she speaks with the person who coordinates contracts for the state. Mr. Gauthier was concerned about consistent deliveries as other towns had reported problems. Ms. Roussel would like to research further. The Board agreed.

Montachusett Regional Technical Vocational School Committee Appointment
Ms. Roussel reported Kathleen Airoldi had requested to be appointed to the position and read her letter and qualifications.

Motion: M. Stauder **2nd: E. Newcomb**
To appoint Kathleen Airoldi to the Montachusett Regional Technical Vocational School Committee with a term to expire June 30, 2014 **Vote: All in Favor**

Second Shift Class II License Letter
Ms. Roussel reported Mr. LaJoie has dropped off a letter indicating he would have the property cleaned up by the end of the month. The Board will review the situation at the beginning of November.

Take Charge Clinic/ U/Mass Medical Hospital-Leominster
Ms. Roussel reported the Town has received notification of an increase in examination and other related health screening fees. She stated Heywood Hospital had been interested in bidding on services. Mr. Stauder reported he had received an email from the CEO of Henry Heywood Hospital and they are not interested at this time as they cannot match the fees from Take Charge Clinic. Ms. Roussel reported Town Secretary Peterson is in favor of continuing with Take Charge due to their consistency and prompt turnover of pre-employment physical results. After reviewing the fee schedule, Mr. Stauder recommended continuing with Take Charge Clinic also.

Minutes Approval
Motion: M. Stauder **2nd: E. Newcomb**
To approve minutes of August 16, September 1, and September 9, 2010 as written
Vote: All in Favor

Meetings
Ms. Roussel reported the **Quabbin Regional School District Agreement Review Committee** would be meeting on October 14th at 7:00 PM at the New Braintree Town Hall. They are requesting a member of the Board of Selectmen attend. Mr. Newcomb will attend.
Ms. Roussel stated she would be attending a **legislative breakfast** in Orange on the 15th before coming into the office.

The Board reviewed a letter from Kopelman & Paige, PC regarding an **Important Decision addressing Snow and Ice Removal on Municipal Premises**. In summary, municipalities now have an obligation to remove snow and ice from public ways to minimize potential injuries or damage. Ms. Roussel recommended this be placed on the next agenda for discussion with the Highway Superintendent., especially as it relates to removal at Town Hall. Ms. Roussel stated the Town offices are usually still open as staff does come into work and sidewalks need to be kept cleared. She reported she had discussed with department heads and it was recommended to place an article on the Special Town Meeting warrant to appropriate funds for a vendor to plow the Slade Building and school parking lots and clear walkways.
Motion: M. Stauder **2nd: E. Newcomb**
To add an article to the STM warrant to appropriate funding from the out of state tuition account for snow removal at Town Offices and the Center School **Vote: All in Favor**

Ms. Roussel reported there is a training course offered by UMass Extension Citizen Planning on creating master plans for towns on October 20th. Ms. Roussel indicated she had spoken with MRPC and the cost could be from $75,000.00 to $100,000.00. Ms. Roussel stated there may be grants available to assist with the cost and MRPC can provide some assistance. The Housing section is complete and CPA funds can be used for recreational and open space portion of it. It can take up to two years to complete however. A master plan would provide a guide for the Town to move forward.

Ms. Roussel reported she and Mr. Gauthier completed a **survey for Chapter 90** regarding costs of road maintenance, payment management system etc.

MMA has informed the Board that Hubbardston is one of 97 communities invited to participate in the 6th **Grade Essay Contest**. Center School will participate and the Board will be invited to speak to the contestants.

Ms. Roussel reported on the results of a recent **lighting audit performed by National Grid** on the Highway Barn, Fire Department, Clark Library and the Slade Building. If the Town were to replace ballasts and light bulbs in all buildings, an annual savings of $1,424.15 would be achieved. National Grid will pay for 70% of the cost of the installed efficient lighting and the Town would pay 30%. There is no upfront cost to the Town, three payment options are available. Ms. Roussel recommended requesting an opinion from the Finance Committee for the next Board meeting. The Board decided to add an additional article to fund the lump sum payment and move forward with upgrading all four buildings.

Motion: M. Stauder **2nd: E. Newcomb**
To adjourn the meeting at 8:06 pm **Vote: All in Favor**

Respectfully submitted,
Elaine M. Peterson
Elaine M. Peterson
Town Secretary

Approved: November 8, 2010.