

**BOARD OF SELECTMEN**  
**December 3, 2012**  
**MINUTES**  
**Slade Building**

**Members present:** Michael Stauder, Chairman  
Matthew Castriotta, Vice Chairman  
Christopher Norcross, Clerk

**Staff present:** Brian Bullock, Town Administrator; Elaine Peterson, Town Secretary; Fire Chief Bob Hayes Jr.,  
Karen Chick, Interim Accountant; Tax Collector Cyndy Doane

**Others present:** Tom Howlett, Walter Ducharme, Harald Scheid, Edward Blanchard, Peter Jefts, Al Afonso,  
John Nason, Ivo Slezak, Victoria Merriam, Bruce Cameron, Scott Janssens, Peter Russell,  
Richard Raitto, Theresa Gachuna, Ed Gachuna, Diane Moretti, Ken Bradford, Amy Stevens,  
Cynthia Janssens, Meghan Janssens, Jim Nason

**Meeting commenced at 6:32 pm**

**Warrant # 12**

**Motion: C. Norcross**

**2<sup>nd</sup>:M. Castriotta**

**To approve Warrant #12 in the amount of \$111,798.34**

**Vote: Mr. Castriotta- yes, Mr. Norcross- yes**

**Fiscal Year 2013 Tax Classification Hearing**

Mr. Castriotta read the tax classification hearing notice aloud and opened the hearing.

“The Board of Selectmen, acting under the provisions of Chapter 369 of the Acts of 1982, will hold a public hearing at 6:30 PM on Monday, December 3, 2012 in the Slade Building, 7A Main Street, for the purpose of determining percentages of the local tax levy to be borne by each class of property: residential, commercial, industrial, open space, and personal. Interested taxpayers will be allowed the opportunity to present their views orally or in writing at said hearing.” He invited Harald Scheid, Regional Tax Assessor and Assessor Al Afonso to the table. Mr. Scheid presented a document to use as a template for stepping through the classification hearing. He stated they were behind in the whole process getting to a tax rate primarily due to this being a revaluation certification year. Work was completed in August and due to Department of Revenue (DOR) backlog, we had just learned today that DOR has certified our valuations. Normally that would have been done earlier but he wanted to hold the hearing can be held tonight and vote to adopt a uniform tax rate. The only caveat is he does not yet know the exact tax levy; he hopes to have the numbers in the coming week. Mr. Scheid estimated a tax levy of \$5,688,201.00 as of today. That number will have to be confirmed by the Town Accountant. Mr. Scheid reported they are looking at new growth revenues of \$35,595; that number needs to be certified by the DOR, hopefully this week. The following is a calculation of Hubbardston’s levy limit for fiscal year 2013:

Fiscal year 2012 levy limit	\$5,543,297
Levy increase allowed under Prop.2 ½	138,382
New growth revenue (pending DOR certification)	35,595
Debt excluded under Prop. 21/2 (estimated)	108,697
Fiscal year 2013 levy limit (estimated)	5,825,971
Levy ceiling	10,433,055
Levy to be raised (estimated)	5,825,818
Excess levy capacity	\$153

Previously the Board has adopted a single tax rate and the Assessors are in favor of that. Mr. Scheid stated he was proposing a tax rate of \$13.96; up from \$12.70 in fiscal year 2012. It may vary slightly when all is said and done with the DOR. This would present a \$210 tax increase for the average homeowner. With a few exceptions residential valuations have been reduced to reflect market declines during calendar years 2010 and 2011. This has led to the need to raise the tax rate. It is estimated that a tax increase of .30 in combination with lower valuations will be required to raise the same taxes as last fiscal year. The remaining .96 tax rate increase is attributable to budget increases. The Board of Assessors recommends the Selectboard adopt a residential shift factor of 1.0000 with a corresponding CIP factor of 1.0000, thereby maintaining the relative shares of overall tax burden by the residential property owners in past years.

**Motion: C. Norcross**

**To accept the above recommendation of the Board of Assessors to maintain a uniform tax rate, pending certification of valuations, new growth revenue, and the Town's annual tax recap by the Massachusetts Department of Revenue**

**2<sup>nd</sup>: M. Stauder**

**Vote: All in Favor**

Mr. Scheid informed the Board they would be receiving Form LA-5 the end of next week for signatures.

**Motion: C. Norcross**

**To close the tax classification hearing**

**2<sup>nd</sup>: M. Castriotta**

**Vote: All in Favor**

Mr. Scheid and Mr. Afonso exited the meeting.

**Central Massachusetts Emergency Medical Systems Corporation (CMEMSC)**

Chief Hayes came in to report on what is Central Massachusetts Emergency Medical Systems Corporation. Chief Hayes reported they basically are the liaison between the state and the town. They govern Region 2 and are located in Holden, MA. consisting of hospitals, first responders, ambulance services, cities and towns, other organizations (such as Red Cross) and consumers. They coordinate planning, development, implementation, operation and evaluation of an Emergency Medical Services System for Central Massachusetts area. This encompasses communications; care delivered at the scene, in transit to appropriate emergency facility, and in the facility itself by physicians and/or other trained health care specialists. We pay a fee to them estimated at \$700- \$800 per year to coordinate ambulances via radio communications while on calls. An annual meeting is held on the first Tuesday of May each year.

Representation

**Motion: M. Castriotta**

**To appoint Chief Robert Hayes as the Hubbardston Fire/EMS Representative in CMEMSC**

**2<sup>nd</sup>: M. Stauder**

**Vote: All in Favor**

On another matter, Chief Hayes reported Caleb Langer has accepted a full-time position with the City of Northampton. He will still be on call but will slowly phase out of town employment. His shifts with Northampton will affect his availability in Hubbardston. Lt. Langer will have a year to move to the area. His first day in Northampton will be January 7<sup>th</sup>. Chief Hayes would like to post the paramedic position since there is no one in house to fill it.

**Open Agenda:** Resident Peter Jeffs referred the Board to the 2011 Cultural Council Annual Report allotments for grant funding. He expressed concern that voting members of the Cultural council were allotted grants totaling more than 30% - 41% of the grant funding and wanted to bring this to the Board's attention. Mr. Stauder stated he would like to see the meeting minutes concerning the votes. Mr. Stauder stated this was the first time the Board had heard about this and did not want presumption assumed that anything unethical had occurred. The Board will request the minutes from the Cultural Council and take any necessary action.

Mr. Blanchard reported the Finance Committee had met and would be forming a four member salary survey committee. Mr. Blanchard had asked the members to speak with Mr. Bullock for any basics of what information should be requested. He also thanked Ms. Peterson for completing the 2011 Annual Report, stating it looked good. Mr. Blanchard also stated whoever decorated the meeting room for the holidays should be thanked. Ms. Peterson reported it was done by Council on Aging Director Claudia Provencal.

Accountant Karen Chick requested the Board reconsider the wage authorization for her municipal finance clerk. Mr. Bullock reported two wage authorizations for both clerks were presented to the Board at the time of the request for the wage authorizations. He added that the applicant accepted the position at the rate that was offered. The Board stated they would take it under advisement. Ms. Chick exited the meeting.

Ms. Peterson presented the previously signed rental contract for a Ricoh copier again for initials from the Chairman per the request of the company as there had been a delay in the delivery due to backordering and dates had been amended.

**Motion: M. Castriotta**

**2<sup>nd</sup>: C. Norcross**

**To authorize the Chair to sign the amended copier agreement**

**Vote: All in Favor**

Ms. Peterson presented a municipal lien from Tax Collector Doane for the 36 Iroquois Avenue cleanup for signatures for recording tomorrow at the registry.

**Motion: C. Norcross**

**2<sup>nd</sup>: M. Castriotta**

**To sign the municipal lien for 36 Iroquois Avenue**

**Vote: All in Favor**

Mr. Ducharme reported nothing remained on the property except a small shed. The neighbors had also come over and finished cleaning up the lot.

#### **Part-time Police Officer Hired**

Police Chief Perron had sent correspondence requesting to hire Kevin Mailman as a part-time police officer.

**Motion: M. Castriotta**

**2<sup>nd</sup>: C. Norcross**

**To approve the wage authorization for Kevin Mailman with an hourly rate of \$16.00 per hour as part-time police officer effective December 3, 2012**

**Vote: All in Favor**

#### **DPW Director Job Description Approved**

**Motion: M. Castriotta**

**2<sup>nd</sup>: C. Norcross**

**To approve the DPW Director job description as submitted**

**Vote: All in Favor**

#### **Town Administrator Screening Committee**

Mr. Bullock requested if the Board wanted to advertise for the committee on the website and cable. Mr. Stauder suggested advertising for one week for interested parties. Mr. Bullock reported he had contacted the Mike Ward from the UMass Collins Center; Tom Grioux, another consultant and Mark Morse from MMMA for rate estimates on searching for candidates.

#### **Streeter Road- Private Road issues**

Streeter Road residents came in regarding the condition of their private road relative to getting plowing approval. Mr. Stauder thanked everyone for coming in to explain some of the concerns and legal issues. Resident Amy Stevens reported she had moved to town in 1994 and the road had been graded, plowed and maintained by the town. Sometime in 2001 town counsel determined that Streeter Road was a private way and it was not legal to use private funds to maintain it. Town meeting voted to sand and plow the road conditionally; upon waivers being signed by all Streeter Road residents and the road in well enough condition to be plowed. The Highway Superintendent examines the road annually and makes recommendations to get the road at a condition to be plowed. Jim Nason Jr. stated when he moved in 1995 to the road he was told by the realtor that

***BOARD OF SELECTMEN***

***December 3, 2012***

the road was maintained. He asked what the issue is since it was maintained for years. Why can't you keep doing it? Mr. Castriotta informed the group that it should not have been done, it was illegal. Unfortunately the residents were sold a "bill of goods." Mr. Bullock reported it is illegal to maintain the private road and it was called to the Board's attention by legal counsel. It is private property even though it is a means of egress for the residents. The town accepts a liability risk every time it has to work on the road. We do plow and that is standard under the same provision that someone goes out and inspects it annually. If it's not, then residents need to bring it up to the required standard. Mr. Nason asked why the town can't take the road, expressing that he did not want to own the road. Mr. Bullock explained that accepting a road usually means it meets current subdivision standards. This means layers of base material and asphalt need to be laid at a great expense to the road owners. Mr. Bullock asked why the residents had not hired a private contractor to come out and grade the road. A resident stated it was the lateness of the notification; now the road is frozen and can't be graded. Questions arose as to the time of the road condition notification to the residents being so late in the season. The question was asked if the contractor been contacted to see if the road is acceptable. Mr. Bullock stated he will ask the Highway Superintendent. Mr. Stauder stated in the long term what we are going to do with Streeter Road. Amy Stevens asked is there some language in the town meeting vote that addresses improvements being made to Streeter Road with permission from the residents. She also asked if we indemnify the road why couldn't we have improvements made, not now, but in the spring. Questions arose on how much of the road do the residents own. Mr. Blanchard stated individual deeds need to be examined. Are all the residents willing to gift their portion of the road to the town or have it taken by friendly eminent domain? You would need all the residents to gift in order for it to work. Ms. Stevens stated there are different opinions by various owners along the road. John Nason asked what the implications are if the road is not plowed; is the ambulance or the fire department going to come down the road? Mr. Stauder stated we need to engage the town attorney to address the legal issues and from there figure out what we can do in the long term. Mr. Castriotta suggested the group form a committee to be proactive to find long term solutions so they are no back here in another ten years looking for the same solution. The Streeter Road residents thanked the Board and exited the meeting.

**Motion: M. Castriotta** **2<sup>nd</sup>: C. Norcross**  
**To enter Executive Session for Reason #2 – to conduct strategy in preparation for negotiations with non-union personnel** **Vote: Mr. Stauder- yes, Mr. Castriotta- yes, Mr. Norcross- yes**

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

**Motion: M. Castriotta** **2<sup>nd</sup>: C. Norcross**  
**To adjourn the meeting** **Vote: All in Favor**

The meeting was adjourned at 9:55 P.M.

Respectfully submitted,  
  
Elaine M. Peterson  
Town Secretary

Approved: January 2, 2013.