

**MINUTES**  
**BOARD OF SELECTMEN**  
**August 12, 2013**  
**Slade Building**

**Members present:** Matthew Castriotta, Chairman  
Christopher Norcross, Clerk  
Jeffrey Williams

**Members not present:** Michael Stauder, Vice Chairman  
Daniel Galante

**Staff present:** Anita Scheipers, Town Administrator; Claudia Provencal, COA Director

**Others present:** Tom Howlett, Faye Zukowski, Richard Hoag, Jamie Pitney, Brian Bullock,  
Representative Anne Gobi

**Board of Health members:** Randy Mizerick, Tom Larson, Lucinda Oates, Stephen Mossey

**Senior Center Building Committee members:** John Nason, Michael Pichierri, Claudia  
Provencal, Paul Hale

The meeting was called to order at 6:30 p.m.

Ms. Scheipers requested the Board of Health and Selectboard revote to place a lien on 6 New Templeton Road property for an emergency well repair paid from the Holden Hospital Fund in 2012. Once the property is sold the funding will be returned to that account.

**Board of Selectmen Vote**

**Motion: C. Norcross**

**2<sup>nd</sup>: J. Williams**

**To place a lien on 6 New Templeton Road to secure payment in the amount of \$1,160**

**Vote: All in Favor**

**Board of Health Vote**

**Motion: T. Larson**

**2<sup>nd</sup>: S. Mossey**

**To place a lien on 6 New Templeton Road to secure payment in the amount of \$1,160**

**Vote: All in Favor**

Both boards signed the loan agreement.

**Senior Center Building Committee**

Ms. Provencal reported she and Ms. Scheipers had met with Senator Brewer's aide, Joe Sullivan, about the possibility of requesting more acreage on Gardner Road than the original ten acres agreed upon from the Department of Conservation and Recreation. This would be in exchange for seventeen acres on Mile Road. The Gardner Road property could be used for a new Senior Center and much needed municipal building(s). Senator Brewer had followed up on the meeting with a letter expressing his continued support but had concerns that the new request would delay the swap if not jeopardize it in its entirety. Ms. Scheipers had composed a draft letter from the Board to DCR concerning the additional acreage request but stated that Senior Center Building

Committee member Paul Hale had thought it might be appropriate to have further discussion. Mr. Hale cited Ms. Provencal's, Mr. Nason's and Ms. Scheipers's work in coordinating the land swap with DCR. He asked the Board to reconsider their new request as the town did not even have the original ten acres yet. Ms. Provencal also requested on behalf of the committee to not send the letter to DCR due to Senator Brewer's concerns about jeopardizing the land swap. Mr. Castriotta stated since the letter came from Senator Brewer he would respect that concern. He asked Ms. Scheipers about the November 2013 STM articles while the committee was present. Ms. Scheipers read the draft articles:

**Article 1:** To see if the Town will vote to reauthorize the Stabilization Account transfer of funds voted under Article 14 of the June 25, 2012 annual town meeting to allow the \$100,000 to be used to purchase, accept by gift, swap for alternate land or take by eminent domain a parcel of land on which the Town would develop a Senior Center and to be used for other general municipal purposes, and further, to authorize the funds to be used to fund a feasibility study, and engineering and design for said facilities; or take any action relative thereto.

**Article 2:** To see if the Town will vote to authorize the Board of Selectmen to enter into an agreement with Massachusetts Department of Conservation and Recreation for the purpose of swapping a 17 acre parcel of town-owned land located on Mile Road ( Map 1, Lot 47) with a 10 acre portion of state-owned land located at Gardner Road (Map 5C, Lot 134) ,to be used for general municipal purposes such as the siting of future municipal buildings including but not limited to a new senior center; or take any action relative thereto. Discussion ensued about the Gardner Road plot of land and the timeline involved in getting the land swap approved.

**Motion: C. Norcross**

**To not send the letter requesting additional land to the DCR**

**2<sup>nd</sup>: J. Williams**

**Vote: All in Favor**

The committee thanked the Board and exited the meeting.

### **Open Agenda**

Lucinda Oates requested information about *The Gardner News* article reporting the Williamsville Road solar farm offering 75 acres of land to the Town for \$1.00. Ms. Oates stated as a resident/taxpayer she was distressed to read the solar farm not wanting to pay taxes on their property as the lost revenue would fall back on the townspeople to make up. Mr. Castriotta stated Ms. Scheipers and he had asked the Open Space Committee and Conservation Commission for feedback on the property in advance of this meeting and that the Board had not taken any action. Ms. Scheipers reported the annual tax revenue collected on the 75 acres is around \$3,600. Ms. Oates thanked the Board for explaining what was happening with this and exited the meeting.

### **Special License Application Form/Selectmen Policy/Amended Fee Schedule**

Ms. Scheipers requested the Board vote on the amended fee schedule, Special License Policy/permit fee approval/fee schedule amendment.

**Motion: C. Norcross**

**To approve the amended license fee schedule as submitted**

**2<sup>nd</sup>: J. Williams**

**Vote: All in Favor**

**Motion: J. Williams**

**To approve the application form for a special license (1 day license) as submitted**

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

**Vote: All in Favor**

**Motion: J. Williams** **2<sup>nd</sup>: C. Norcross**  
**To approve the notice of approval of special license on the special permit application**  
**Vote: All in Favor**

**Motion: J. Williams** **2<sup>nd</sup>: C. Norcross**  
**To approve the policies and procedures for the special license as submitted**  
**Vote: All in Favor**

**Special License and Entertainment License Application**

Richard Hoag of 7 Burnshirt Road appeared to request an entertainment license and a special (1 day) alcohol license (wine and malt beverages) for a non-profit fundraiser scheduled for August 24<sup>th</sup>. The following conditions apply: beer and wine service only, three detail police officers on from 2 pm to 10 pm; amplified music will end at 8 p.m.; non-amplified acoustic music will end at 10 p.m.; applicant will provide necessary insurance certificate, applicant will provide \$25 fee for entertainment license and \$25.00 fee for special license, and applicant will provide a list of TIPS certified servers. Ms. Scheipers stated Mr. Hoag has agreed to all of the above conditions.

**Motion: C. Norcross** **2<sup>nd</sup>: J. Williams**  
**To approve both licenses with the above mentioned conditions** **Vote: All in Favor**

Mr. Hoag thanked the Board.

**Motion: C. Norcross** **2<sup>nd</sup>: J. Williams**  
**To accept the resignation of Dennis O'Donnell from the 250<sup>th</sup> Anniversary Committee**  
**Vote: All in Favor**

Ms. Scheipers reviewed her report with the Board (see attached). One change since it was sent is that she has received two proposals for the classification and compensation study. The other is the Assessors' Shelter Island legal case has been dropped.

Ms. Scheipers requested the Board open the Special Town Meeting warrant for November 19, 2013.

**Motion: C. Norcross** **2<sup>nd</sup>: J. Williams**  
**To open the warrant for November 19, 2013 Special Town Meeting and close the warrant on September 23, 2013** **Vote: All in Favor**

Ms. Scheipers stated in addition to the two articles presented earlier, there is an additional article to correct the wording of Article 18 vote of the 2013 Annual Town Meeting (PARC grant vote).

**Letter to the Planning Board**

Ms. Scheipers composed a draft letter to the Planning Board requesting to determine the feasibility of bringing the proposed prohibited material bylaw, or one of similar nature, back to the voters. Mr. Castriotta and Ms. Scheipers will be attending the October Planning Board meeting to follow up.

### **Facility Use Request**

Ms. Scheipers reported Cub Scouts Pack 12 and the Police Department had conducted a car wash in the parking lot on Saturday August 10<sup>th</sup> to raise funds for the Community Holiday Outreach Program (CHOP). The application was submitted late as both groups were unaware they needed to request use of the facility.

**Motion: C. Norcross**

**2<sup>nd</sup>: J. Williams**

**To retroactively approve the car wash request for August 10<sup>th</sup>**

**Vote: All in Favor**

### **Meeting Minutes**

**Motion: C. Norcross**

**2<sup>nd</sup>: J. Williams**

**To approve the minutes of July 29, 2013 as presented**

**Vote: All in Favor**

### **Appointments to LID Bylaw Committee**

**Motion: J. Williams**

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

**To approve the following appointments to the LID Bylaw Committee:**

**Chris Norcross- Selectmen representative; Tomas Larson- Board of Health representative; Lyn Gauthier- Highway representative; Wendy Howes- Member at Large; MaryAnn DiPinto- Member at Large; Vincent Ritchie- Planning Board representative with a term to expire June 30, 2014**

**Vote: All in Favor**

### **Solar Farm Land Offer**

Ms. Scheipers stated the annual tax revenue collected is \$3,622.44 for the 75 acres that Hubbardston Land Holdings, LLC has offered to sell to the town for \$1.00. The land is not suitable for municipal purposes. The Conservation Commission had stated they did believe this land to be beneficial for the town. Open Space Committee had reported it could be beneficial as a green corridor for wildlife habitat, and there is potential for timber harvest to produce income for the town.

**Motion: C. Norcross**

**2<sup>nd</sup>: J. Williams**

**To not accept the land sale offer of \$1.00**

**Vote: All in Favor**

Mr. Castriotta asked Ms. Scheipers to invite Zoning Enforcement Officer Brandt to come in to report on the current status of the Class II auto dealer violations.

Mr. Bullock reported on the road construction project. Ragged Hill and Hale Road have base coats on them. Widening and shoulder work are being done on Healdville Road in preparation for reclamation and widening and shoulder work on Grimes Road will be started next week. Some easement issues are still being worked out. He stated the town has the ability to take them but prefer to do it voluntarily. \$1.484 million will have been expended to date after the next invoice is paid to the road contractor. The Healdville Road Bridge will not be rebuilt due to reduction of Chapter 90 funding although there is enough funding for the engineering design. Mr. Bullock stated to sum it up the town is ahead of schedule and right on budget with the project. Mr. Castriotta thanked Mr. Bullock on behalf of the board for his work in Hubbardston as Mr. Bullock only has one last day next week. He stated the town was fortunate to bring him on board even on a temporary basis.

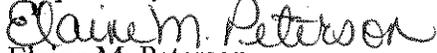
Mr. Castriotta presented a gift card from the town employees and the board to Mr. Bullock. Mr. Bullock stated the town has very talented staff here and they are a credit to the organization. He

thanked the Board for their support. Representative Anne Gobi presented commendations to him from both the House of Representatives and the Senate. She personally thanked him as she was new to the community and stated he helped her immensely and allowed her to get involved early on in projects. She spoke on behalf of Senator Brewer who could not be here tonight and Representative Kim Ferguson as well. She thanked him for his dedicated service and help to the town as interim town administrator. All present applauded. Ms. Scheipers announced refreshments were being served.

**Motion: C. Norcross**  
**To adjourn the meeting at 7:42 p.m.**

**2<sup>nd</sup>: J. Williams**  
**Vote: All in Favor**

Respectfully submitted,



Elaine M. Peterson

Town Secretary

Approved: August 26, 2013.



To: Hubbardston Board of Selectmen

From: Anita Scheipers, Town Administrator

Date: August 12, 2013

Re: Bi-weekly Town Administrator Report

The following is a summary of key issues handled during the period of July 30th through August 12th:

1. Elm Street Parking Lot Offer: The School Superintendent has determined that the school has no interest in pursuing acquisition of the Elm Street lot for school purposes. As such, it need only be pursued if the Selectmen feel there is a need for additional general municipal parking in the town center. If you wish this to be pursued, please advise and I will prepare for this to be discussed in more detail at an upcoming BOS meeting.
2. Code Red Emergency Notification System: We are working with the vendor to implement the reverse 911 emergency notice system. A notice has been placed on the town web site to notify residents that the service will soon be implemented. We will work to inform the residents of their ability to sign up into the system with cell phone or work phone numbers to improve their access to the emergency notices.
3. Burnshirt Road Repaving: We have received notice (attached) from MassDOT that they agree to re-pave Burnshirt Road due to the failing pavement installed just a few years ago. According to District 3 Project Development Engineer Arthur Frost, MassDOT will do the design and prepare the contract for the resurfacing. He did ask for the Town's help, as would be required, with ConCom filings, Rights of Way issues, etc. It is not anticipated extensive Town involvement is expected, but if the needs do arise the Town would be expected to partner with MassDOT in facilitating progress.
4. Updated Chapter 90 Funds Number: We have received the (attached) letter from MassDOT announcing the adjusted FY14 allotment to be \$363,965. This is just \$640 shy of the amount used to establish the road paving project budget. As anticipated it allows for Grimes Road to be completed as designed and the Healdville Road bridge engineering work to be completed, but does not allow for the Healdville Road Bridge to be reconstructed.
5. Classification and Compensation Study: We received only one proposal from the very qualified firm of HRS of Andover Massachusetts for the completion of the requested study. I am in contact with the firm regarding establishing the contract price and negotiation a contract. It is anticipated the work will begin in approx. 2 weeks and should take 12 to 16 weeks to complete.
6. Legal Action: Kopelman and Paige has provided summaries of the status of several pending litigations:
  - a. Assessors ME4 Case: The Assessors are negotiating a PILOT agreement and abatements, and are very optimistic that a suitable settlement will be reached with the landowner shortly. The Assessors will be reviewing the PILOT on Monday, and if

approved by that board, will be coming to the Selectmen for final approval at our August 26<sup>th</sup> meeting.

- b. Assessors Shelter Island Case: Litigation is still pending with a court date of Sept 18<sup>th</sup> established. Town Counsel is optimistic.
- c. Phillips Kennel Case: The judge has asked both parties to prepare final statements for review, with no date given as to when to expect a decision by the court.