



**Board of Selectmen  
Minutes  
Tuesday, October 21, 2014 at 7:00PM  
Town Hall Meeting Room**

The meeting was called to order at 7:00 PM by Chair, Stu Sklar in the Town Hall Meeting Room. Selectmen Lucy Wallace, Ron Ricci and Leo Blair were in attendance as well as Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

**MINUTES**

On a Wallace/Blair motion, the board voted unanimously to approve the minutes of 10/7, as presented.

**ANNOUNCEMENT OF VACANCIES**

Stu Sklar announced the current vacancies on the Planning Board and the Park and Recreation Commission. He said the Planning Board has received one volunteer form and the Park and Recreation Commission has received three. The joint appointments will be handled at the November 4<sup>th</sup> meeting.

**PUBLIC COMMUNICATION**

Bill Salter, 3 Elm Street, asked if the public would be given an opportunity to speak during the town hall discussion later on the agenda. Sklar answered yes. Salter also asked if new plans with estimates were available. Blair said the plans have been received but the estimates are forthcoming.

Paul Richards, 63 Westcott Road, told the board the loyal opposition is alive and well in town. He said with only a week until the Special Town Meeting residents still have no more details on the plan. He said voters need the materials as soon as possible so they can digest what will be presented. He criticized the board on the time they have taken moving this project along asking who is minding the store? He expressed concern over the board deciding not to use an Owners Project Manager (OPM). He stated an OPM is required by law to protect us from ourselves and protect the waste of public funds. He has spoken with the Attorney General's office about this and feels we are in violation of the law. In his opinion a big reason why this project is such a mess is because an OPM has not been involved since last October. Richards plans to file a complaint with the Attorney General's office requesting a hearing on this matter.

Tim Clark, 114 Bolton Road, was pleased to see the very thorough report done by John Holland and excited to see his specific recommendations. He has also read the letter from the Building Commissioner about his concern of the buildings condition. He asked if the board is compelled to take action with regards to his concerns. Clark understood the letter was emphasizing a significant winter storm could seriously compromise the building. He asked what action should be taken.

Sklar said he is hopeful a path forward will be decided shortly. Leo Blair recognized the rot has happened over time and now with the envelope and structural analysis done we have a better understanding of what is going on with the building. He said we know the situation with the building does not pose an immediate threat unless a major storm were to hit but repairs are crucial. Blair said now is the time to move forward with the plan in consultation with the experts to present an option which will save and restore the building. He explained this is why we called a Special Town Meeting so we can ask the town to endorse the next steps forward. He anticipates the board will have no choice but to request emergency funds for repairs if the project does not pass at the STM requiring town employees to vacate the building.

In response to the public comment from Paul Richards:

Town Administrator Tim Bragan said he had spoken with the Attorney General's office after the no vote at the Special Town Meeting last fall to give them an update. They have since spoken again and discussed at what cost the OPM requirement is triggered.

### **MUNICIPAL AFFORDABLE HOUSING TRUST**

*Presentation of development on 166 Littleton Road*

MAHT Chair Greg Schmidt along with trust members Barbara Brady, David Hopper, Evelyn Neuburger and Bruce Nickerson were present to update the board on their process thus far. Schmidt said the trust has owned the property for a little over a year and put a Request for Proposals out back in June. He explained the request specified renovation of the existing structure, creation of rental units to fit within the character of the neighborhood all while preserving as much open space as possible.

Schmidt was pleased to introduce Steve LaFerriere from Metro West Collaborative Development. As Senior Housing Project Manager LaFerriere was present to review the details of the plan. LaFerriere said they are thrilled to have this opportunity. He explained their proposal to include preservation of the existing building with up to five apartments and construct fourteen to fifteen new buildings consisting of 2 to 3 units. He said they plan to preserve most of the 29 acres as open space using about 3.5 acres for the new development. A public forum is scheduled for November 12<sup>th</sup> at the Congregational Church allowing neighbors the opportunity to meet the parties involved and hear all the details. LaFerriere said the project will be a 40B development consisting of all affordable units. Metro West will be long term owners of the development and hire a property management company. He expects the trust will make a recommendation on a Local Initiative Project (LIP) as a friendly 40B so they can submit the plans to the state for approval. He said they will also be applying for state and federal funding in the next round in January.

### **TOWN HALL CONSTRUCTION COMMITTEE**

Laura Andrews, Bill Barton and Richard Blinn were present but Al Combs, John Guswa and Rick Maiore were unable to attend. Lucy Wallace asked if those present had a chance to review the committee charge which they had.

Wallace suggested the charge be amended to change the number of members from five to six and to include tasking the committee with recommending an Owners Project Manager.

On a Blair/Ricci motion, the board voted unanimously to adopt the charge as amended.

On a Blair/Wallace motion, the board voted unanimously to appoint Al Combs, John Guswa, Bill Barton, Richard Blinn, Laura Andrews and Rick Maiore to the Town Hall Construction Committee.

### **TOWN ADMINISTRATOR REPORT**

Tim Bragan asked when the board will vote on the capital requests from department heads. They will do this at their November 4<sup>th</sup> meeting.

Bragan reminded the board any items to be included in the Selectmen's budget need to be finalized soon as budgets are due November 4<sup>th</sup>.

### **SPECIAL TOWN MEETING – TOWN HALL ARTICLE**

Stu Sklar asked Leo Blair to begin the discussion since he and Lucy Wallace have been working closely with LLB. Blair made an unusual request asking Sklar if it would be reasonable to invite those residents who expressed displeasure in the process during public communication to come forward. Blair admitted he is not clear on what they are opposed to or why. As in prior meetings, Blair explained the Board of Selectmen have tried to keep the project on track since additional funds were voted down last fall. They have primarily been focusing on preservation of the building while providing as much of the original programming as possible. He also made it a point to say none of the board members are particularly thrilled with the option before us but have always assumed the town wants the project to move forward. Wallace and Sklar agreed stating the board has been trying to determine the best path forward. Sklar added now that we have the structural engineer report and the envelope assessment completed we have confirmation the building is in rough shape. He hopes to present a plan at the Special Town Meeting to secure the building (replacing the roof, siding, fix beams, repair rot and weather proof). He said we also have an opportunity to lease office space during the renovation which allows us to test drive this option before we commit to it. Sklar expects repairs will be necessary on the building whether they are done through the renovation project or as emergencies. He prefers to take a holistic approach to repairing the building.

Town residents Billy Salter, Tim Clark and Paul Richards were given an opportunity to ask questions and explain their positions. The Selectmen defended their approach with Wallace explaining option 1B as chosen but eliminates the wall dividing the meeting room and the counter space. She trusts this will allow time for further resolution on whether or not offices will stay in this building or if there is a better way to accommodate good office space, volunteer board space and community/public meeting space. Wallace explained space is very tight with option 1b so trying to accomplish all the needs is very difficult thus why the board has been so torn on what is the best direction to take. She said not making changes to the interior at this time will save in cost and allow further

decisions to be made on what is the best use of the building. Much of the concern raised by Salter, Clark and Richards revolved around what will and will not be included in the plan and why long term leasing on Ayer Road has been added in. They also felt the board has not conducted enough formal public outreach on the project. Richards thought the lease space is too costly and expects once the offices move out it will be less convenient to move back. Salter, Clark and Richards seemed to be in agreement that loss of community space was least important with town volunteer government being a bigger priority. Richards suggested further investigation of creating office space on the second floor. Ron Ricci agreed with the residents that the lease space is expensive. He said it is imperative the town understands how much will be paid to lease space on Ayer Road. Bragan confirmed when the Request for Proposals (RFP) went out the town only received one response. Blair favors trying to find more affordable lease space. He asked Clark, Richards and Salter if the discussion at the STM included only temporary lease space and focused primarily on the plan to get the building updated would that improve public perception? Richards said if the plan does not adequately support office and volunteer space he will not vote favorably. He asked if the current plan was following advice from the John Holland report. Wallace confirmed Holland has met with LLB and they discussed various ways to deal with the repairs. She noted the cost of putting offices upstairs had been discussed in the past and is quite costly. Richards did not understand why LLB is working on detail design already when it is obvious schematic design discussions are not complete. Wallace again tried to explain the design allows for changes once a direction for the building has been decided. Wallace and Blair clarified a yes vote at the STM will allow LLB to have bid docs ready for the beginning of next year when they expect bids will come back on the lower side. Tim Clark said residents expect the leasing will be temporary. He wondered if now is the time to look at the bigger picture considering all the buildings that need attention such as the Hildreth House, Bromfield House and the Center on the Common. Wallace is not convinced after speaking with many residents in town that the town offices need to be located in the town hall; but space for town committee meetings and other civic/community activities needs to remain in the Town Hall and in the town center. Clark and Wallace disagreed on this. Sklar said considering we have proven to be lousy stewards of our buildings leasing space is another option we have the opportunity to explore. A final comment from William Salter, was about the charge for the Town Hall Construction Committee that requires Selectmen approval for many of their activities. He perceives this as suspect. In conclusion, Blair asked if Salter, Richards and Clark felt the direction was right but he did not get any confirmation.

As far as public outreach, Tim Bragan said the Selectmen have discussed the town hall project on almost every agenda since last fall.

### **SPECIAL TOWN MEETING WARRANT**

On a Ricci/Wallace motion, the board voted unanimously to support article 1.

Ricci was assigned to this article.

On a Ricci/Wallace motion, the board voted unanimously to support article 2.

Ricci was assigned to this article.

On a Ricci/Wallace motion, the board voted unanimously to support article 3.

Ricci was assigned to this article.

On a Wallace/Ricci motion, the board voted unanimously to support article 5.

Sklar was assigned to this article.

On a Wallace/Ricci motion, the board voted unanimously to support article 6.

The board did not vote on article 4 because they plan to further discuss the wording at a meeting Monday morning.

They did not vote on article 7 because it may be withdrawn.

### **SPECIAL TOWN MEETING PREPARATION**

Leo Blair offered to draft a revised warrant article 4 as the board members agreed it needs to be rephrased. Lucy Wallace said she would email the board her draft handout for comments. They will finalize their material for the STM at their Monday morning meeting.

\*\*\*\* On a Ricci motion, the Board voted unanimously by a roll call vote: (Ricci –Aye, Sklar – Aye, Blair – Aye, Wallace - Aye) to enter into executive session at 9:40pm, as authorized by Chapter 30A, Section 21.3 of the Massachusetts General Laws, at a meeting for which 48-hours' notice has been given, to discuss strategy with respect to collective bargaining and litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Following the executive session, the Board will reconvene into open session only to adjourn. \*\*\*\*

The meeting was adjourned at 10:00pm.

Documents referenced:

Town Hall Construction Committee volunteer forms:

Maiore dated 8/18/2014, Guswa dated 10/1/2014, Andrews 10/2/2014, Combs 10/7/2014, Blinn dated 10/7/2014, Barton 10/7/2014

STM Warrant – dated 10/23/2014