



**Board of Selectmen**  
**Minutes**  
**Tuesday, October 18, 2016 at 7:00pm**  
**Town Hall Meeting Room**

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

### **Minutes**

On a Wallace/Ricci motion, the board voted unanimously to approve the minutes of 10/4, as amended. On a Wallace/Ricci motion, the board voted unanimously to accept 10/4 executive session minutes.

### **Town Hall & Hildreth House Construction Committee**

Chair Rick Maiore reported a consensus has been reached on the traffic pattern and a revised site plan removes some parking spots but will improve the flow of traffic. All traffic to the Hildreth House via north of the Town Hall will exit by crossing into the firehouse drive and continue to exit via the front of Town Hall. They will present this concept to the Planning Board in November.

On a Wallace/Ricci motion, the board voted unanimously to approve payment three in the amount of \$142,634. Maiore confirmed the project is on schedule and on budget.

Swanton asked for an update on the landscaping and acoustics on the second floor of Town Hall. Maiore said decisions have been made with respect to landscaping but nothing yet with the acoustics. He did say they discussed changing orientation of the meeting room table to face toward the audience and they recommend consulting with an acoustic engineer.

### **Council on Aging – Capital Requests**

COA Director Debbie Thompson and board member Katie Petrossi were present to explain their requests for a new van and phase two of the building project at the Hildreth House. Thompson began with their request for a new van to replace the aged van provide by MART. She explained the van is used to transport residents to medical appointments and other outings they cannot do on their own. Currently, the van being provided by MART is very old, has extremely high mileage and is constantly in need of repairs. She explained numerous requests to MART asking for a newer van have been ignored. Thompson said this van will be turned over to MART but will be assigned to Harvard allowing MART to continue to be responsible for fees related to insurance, maintenance and driver training. They will also continue to reimburse the town for payroll related drivers, dispatchers and time spent on MART business. An agreement must be made between the town and MART. On a Ricci/Sklar motion, the board voted unanimously to put \$65,000 into the capital plan and direct the Town Administrator to draft appropriate letter to MART and have Board of Selectmen representative meet with MART if necessary.

Petrossi spoke about their request for \$3 million to make further improvements to the Hildreth House. This phase includes much needed improvements to the space with a new kitchen and dining area. They are requesting phase two be accelerated by moving it to Fiscal year 2019 instead of 2021 where it is now. She explained the main reasons for this are cost savings and to meet the escalating needs of seniors in

town. The board members asked some questions and offered their opinions on the best way to proceed. Swanton and Ricci offered their concerns with this request going before the town the same year as the school project. The board also discussed the importance of knowing more about a potential housing project on that site which could assist in offsetting the total cost of phase two. Without Von Loesecke present Swanton and Ricci were reluctant to vote on this request. Wallace and Sklar spoke in favor of the request as did Swanton but he wants to hold off on the capital request for now. Sklar supports letting the voters decide. On a Wallace/Sklar motion, the board voted to endorse project for Fiscal 19 with intention to advance housing at the Hildreth House site. (2 – 2, Wallace & Sklar – Aye, Swanton & Ricci – Nay) The motion did not pass.

### **Department of Public Works – Capital Requests**

DPW Director Rich Nota reviewed his requests which include replacement of heavy duty dump truck. He did note the removal of the ventilation system for the garage. Nota will hold off on any improvements to the building until a clear direction has been decided upon with respect to the DPW facility. The project has been moved to the major capital schedule in fiscal year 2022. He did indicate a correction necessary under the reconstruct and preserve town roads. It should show \$300,000 each year not \$120,000. He said if Chapter 90 funds increase this number will change also. Town Administrator asked the board when they wanted to have a study and needs assessment done on the DPW facility. Nota suggested at least two years prior to actual construction. They asked Nota to come with estimates to the November 1<sup>st</sup> meeting. On a Ricci/Sklar motion, the board voted unanimously to submit capital plan as presented with reconstruction and preserve town roads supplemental to Chapter 90 in fiscal year 20 changed to \$300,000 and placeholder for fiscal years 20 & 21 for a needs assessment.

### **Public Communication**

Jim Breslauer, 130 Poor Farm Road, said with the substantial cost for the school project, why are they not asked to seek private fundraising for their project. He said if any group in town could lead a successful fundraising effort it would certainly be parents of young children. He supposed if the Selectmen are not willing to publically commit to treat the Hildreth House and school project the same it is a deliberate effort to discriminate against seniors. Swanton reminded Breslauer the Selectmen are not in a position to do that, rather the School Committee would have to.

### **Appointments**

On a Ricci/Sklar motion, the board voted unanimously to appoint John Lee to the War Monument Restoration Committee.

On a Ricci/Wallace motion, the board voted unanimously to appoint Victor Normand to the Housing @ Hildreth House Committee.

### **Town Administrator report**

Bragan commented on the wonderful job the Lions Club did in finishing work on bench dedicated to Bill Haze.

Bragan announced major events coming up at the Unitarian Universalist Church.

Bragan mentioned the annual tree lighting will be on Sunday, December 11<sup>th</sup>.

Bragan reported Charter Communications will be closing their office in Pepperell.

Bragan will not endorse the MART contract until the van issues has been resolved.

Bragan reported the Household Hazardous Waste Facility has three new members (Stow/Clinton/Pepperell) and is running very well.

Bragan announced the regional dispatch center is growing yet again. Berlin is coming in and now Townsend. He expects our quarterly payments to go down.

Bragan reminded the board they are meeting with the Charter Commission next Thursday night.

Lastly, Bragan announced the retirement of DPW Director Rich Nota. He will retire at the end of December. Bragan's immediate concern is over the water operator's license. He will discuss this latest development with MassDevelopment.

### **Invitation for bid (IFB) – leasing the old library**

Ricci requested this item be on the agenda but he had expected it to indicate a request for proposals (RFP) as did the other board members. Bragan explained why he and Procurement Officer Marie Sobalvarro drafted an IFB and the differences between an IFB (price driven) and RFP (criteria driven). He said if the board wishes to prepare an RFP then it is imperative they determine preferable uses for the building. He also recommends they develop the RFP prior to meeting with any groups interested in submitting proposals. He reminded the board members the process legally needs to be objective. Wallace and Swanton were tasked with this goal. Wallace understands timing is an issue but prefers the RFP route. They briefly discussed the deed to the library and what uses are allowable and if legally vacating the building would be required if the purpose of the deed cannot be met. Wallace, Swanton, Bragan and Sobalvarro will meet to work on criteria for discussion at the next meeting. Bragan reiterated the importance for the board to determine desired use of the building. They will also seek further explanation and guidance from the state on the correct process to take.

### **State election warrant**

On a Ricci/Sklar motion, the board voted unanimously to endorse the state election warrant.

### **Town meeting articles**

#### *Super Town Meeting*

On a Sklar/Ricci motion, the board voted unanimously to support article 1 for the Super Town Meeting on zoning for Devens.

#### *Special Town meeting articles*

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

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

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

On a Wallace/Ricci motion, the board voted unanimously to support article 4.

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

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

On a Ricci/Wallace motion, the board voted unanimously to support article 7.

On a Wallace/Ricci motion, the board voted unanimously to support article 8.

### **Selectmen budgets**

Bragan asked if the board had any input on the budget. They discussed the additional funds allotted for facility management. Bragan is working on a plan for this item and will prepare and update for the November 15<sup>th</sup> meeting.

### **Selectmen reports**

Wallace reported another estimate for a survey on the old library was slightly higher than the initial one. Bragan will request a reserve fund transfer from the Finance Committee.

Sklar reported the War Monument Restoration Committee has had their first meeting.

Sklar has met with the Conservation Commission again about the Ayer Road roundabout. They have voted unanimously to move forward with the plan. Sklar indicated other options to provide traffic calming will be explored first.

### **Selectmen goals**

Ricci asked to have the DPW employee working on the facility maintenance and the DPW Director to attend the November 15<sup>th</sup> meeting when Bragan provides an update.

\*\*\*\* On a Ricci motion, the Board voted unanimously by a roll call vote:

Swanton – Aye, Sklar – Aye, Wallace – Aye, to enter into executive session at 9:45pm, as authorized by Chapter 30A, Section 21. 2 & 3 to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel and to discuss strategy with respect to collective bargaining or 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 10:40pm.

### **Documents referenced:**

THCC updated – dated 10.18.2016

COA capital requests dated – 9.28.2016

DPW capital requests dated – 9.26.2016

Appointments – Lee & Normand vol forms dated 10.3.2016

IFB – document dated 10.12.2016

State election warrant – dated 10.24.2016

Town Meeting Warrant w/ recommendations – dated 10.24.2016