

**Selectmen Meeting  
Minutes  
October 3, 2012**

Selectman Connolly, Selectman Sargent, Selectman LeBlanc, Selectman Dickhaut and Chairman Dziokonski were in attendance. Attendees were Town Administrator Ward and Town Solicitor Gibbons. Chairman Dziokonski opened the meeting at 7:00PM.

**Review of Minutes**

The board received minutes from the August 8, 2012 Selectmen's Meeting Executive Sessions and September 12, 2012 for review and approval. Selectman LeBlanc made a motion to approve minutes as presented. Selectman Connolly seconded the motion. The vote was unanimous.

**Utility Pole Relocation Hearing – National Grid**

Chairman Dziokonski invited the representative for the pole hearing to come forward. He opened the hearing and asked for the representative to state their name. Mr. Ken Dole of National Grid was before the board. Mr. Dole explained a request has been made to install a stub hub or anchor pole on South Meadow Road, it would be non energized it will be support to the existing pole. Selectman LeBlanc asked if the stub pole will support the pole across the street. Mr. Dole explained yes it will be done with a guide wire. Chairman Dziokonski opened the hearing for public comment in favor of the relocation, there was none. He asked for public comment in opposition there was none. Selectman LeBlanc made a motion to approve the request for the installation of the stub hub pole on South Meadow Road as presented. Selectman Connolly seconded the motion. The vote was unanimous. Mr. Dube reviewed a second request with the board for Branch Street. This request is for the installation of a pole 255 feet south of the centerline of the Water Street intersection and is needed by the gas company. Chairman Dziokonski opened the hearing for public comment in favor of the relocation, there was none. He asked for public comment in opposition there was none. Selectman LeBlanc made a motion to approve the request for the installation of the pole on Branch Street as presented. Selectman Connolly seconded the motion. The vote was unanimous.

**Common Victuallers License Public Hearing 165 High Street**

Chairman Dziokonski opened the hearing inviting the applicant to come forward. Ms. Pattamaporn Rakkun was before the board and explained she is the current owner of Thai Time Restaurant. She reviewed she opened two years ago and would like to expand her business with China Time Restaurant. She stated she plans on making some improvements to the restaurant and hopes to be opened within a month.

Selectman Connolly made a motion to approve the Common Victuallers License for Pattamaporn Rakkun d/b/a China Time Restaurant. Selectman Sargent seconded the motion. The vote was unanimous.

### **Introduction of School Business Manager**

Chairman Dziokonski invited School Committee Chairman Ebstein forward with Business Manger Daniel Gale. Mr. Ebstein introduced Mr. Gale to the board explaining he is the new business manager for the school the position was created this year to help with financial management. Mr. Gale reviewed he was a senior budget analyst for the Worcester Public School System and at this time he is preparing the financial statements for the FY13, once the reports are finished he will send a copy to the board as well. Mr. Ebsein explained he would like to keep an open dialogue with the board and Finance Committee; it is his intention to have a school committee member attend the meetings of the board and Finance Committee. Selectman Dickhaut agreed that is a wonderful idea rather than waiting until budget time for dialogue. The board agreed that is a great idea. The board thanked Mr. Ebstein and welcomed Mr. Gale wishing him the best in his new position.

### **Introduction of Director of Park & Recreation**

Chairman Dziokonski invited Park & Recreation Director Jessica Brodie to come forward before the board. Chairman Dziokonski and the board welcomed Ms. Brodie. She thanked the board and reviewed her background explaining she was the Assistant Director in Dover for the past 6 years. She explained she is excited to begin working in Clinton and looks forward to working with the board and all the departments in town. The board invited her to serve on the Christmas Lighting Committee, which is scheduled to meet on October 17. Ms. Brodie explained she will be out of town at the National Conference. Chairman Dzikonski asked for her to extend the invitation to her board members inviting one of them to serve on the committee. The board thanked Ms. Brodie and welcomed her to her new position.

### **Commercial Garage Licenses Public Forum**

Chairman Dziokonski reviewed the Building Commissioner drafted proposed regulations for garage owners from reviewing surrounding communities. The board is hosting this forum for input from business owners. Selectman Dickhaut expressed she had encourage this issue to be brought forward for restrictions due to one establishment that was out of control. Selectman Sargent stated he is not in favor of restrictions for garage owners, these businesses register with the Clerk's Office already. Selectman Dickhaut explained the proposal put forward is a working document. Selectman Connolly explained he understands a lot of the businesses are small ones, and he supports pro business policies for the Town of Clinton. He reviewed he does support the idea of

licensing businesses, a small fee will not put a business under. This intent is not to create a revenue stream; it is to provide an opportunity. This is an opportunity to protect citizens to prevent problems. Chairman Dziokonski opened the meeting for public comment. Mr. Dennis Bodack of 40 Nashua Street explained he was before the board to voice concerns that have been shared with him from the local garage owners. He reviewed they feel the \$100.00 fee is more than fair, but have some counter proposals to discuss. If a garage owner sells the business the license isn't transferable, what are the fines levied for not registering your business. Solicitor Gibbons reviewed the intent with the transfer language is that a new owner must come and apply for a license of their own before the sale is finalized the town should be notified. This is no different than any other business license in the town; this is not done to prevent sales. Mr. Bodack stated this was not communicated in that manner it is more understandable now. Solicitor Gibbons explained the proposal is a draft, he recommended the board form a subcommittee and to review guidelines and form with an application to meet the intent of town meeting. Selectman Dickhaut made a motion to form a subcommittee to work together with the Building Commissioner to formulate guidelines and license application for garage owners. Selectman Connolly seconded the motion. Under Discussion: Selectmen Connolly & Sargent volunteered to serve on subcommittee. Selectman Dickhaut amended the motion to form a subcommittee to work together with Building Commissioner, 2 board members and 5 shop owners along with the Town Administrator and Town Solicitor, the committee should remain small and there should be a limit of 5 shop owners. Anyone with interest can apply with the Building Commissioners Office. Selectman LeBlanc seconded the motion. The vote was unanimous. Chairman Dziokonski closed the hearing and thank all those who attended along with the Building Commissioner for the draft proposal.

### **Fire Department Radio Communications**

Fire Department Safety Committee members Greg Nelson, Dustin Whitaker and Jeff Sivert were before the board with an update. Mr. Nelson explained they have had many meeting with the Administrator and Fire Chief regarding the radios. Captain Sivert reviewed he has contacted 3 different consultants to review the system and make recommendations for repairs, the estimated cost for a consultant is approximately \$5000.00. At this time the safety committee is requesting the board support hiring an independent communications consultant to review the radio system at the Clinton Fire Department. Selectman Dickhaut made a motion to move forward with hiring a consultant to review the radio system working with the Town Administrator. Selectman LeBlanc seconded the motion. Under Discussion: Selectman Connolly asked for the proposals from the consultants be shared with the Fire Chief. The vote was unanimous.

## **ADMINISTRATIVE BUSINESS**

### **Late Night Closings**

Town Administrator Ward reviewed the following establishments are requesting late night closings for Saturdays in the month of October 2012: Clem's Liberty Tavern, Clinton Turn Verein, Crystal Café, Old Timer, Ringside Café, Sevi's & The Simple Man Saloon. Selectman LeBlanc made a motion to approve the requests as presented with the Police Chiefs review and approval. Selectman Sargent seconded the motion. The vote was unanimous.

### **Police Department Monthly Report**

Chairman Dziokonski reviewed Police Chief Laverdure submitted a report relative to the operations of the department for the period August 2012 for the Selectmen's review. Selectman Sargent made a motion to accept the reports as presented. Selectman LeBlanc seconded the motion. The vote was unanimous.

### **Department of Public Works Monthly Report**

Chairman Dziokonski reviewed Superintendent of Public Works submitted a report relative to the operations of the department for the period August 2012 for the Selectmen's review. Selectman Sargent made a motion to accept the reports as presented. Selectman LeBlanc seconded the motion. The vote was unanimous.

## **OLD AND NEW BUSINESS**

### *Landfill Truck Scale Purchase Authorization*

Superintendent of Public Works McGown was before the board to update them on the scale needed for the landfill project. He reviewed he researched the type needed and went out to bid. He received two bids, the one in the amount of \$41,778.00 from Fairbanks Scales is the one he recommends awarding the bid to. Selectman LeBlanc made a motion to approve the recommendation of the Superintendent of Public Works and purchase the scale from Fairbanks Scales in the amount of \$41,778.00. Selectman Sargent seconded the motion. Under Discussion: Selectman Dickhaut asked the Superintendent if the Administrator reviewed the bids. He stated yes. The vote was unanimous.

### *Landfill Design Contract Amendment Authorization*

Superintendent of Public Works McGown explained to the board he has been presented with a contract amendment from Brown & Caldwell in the amount of \$88,700.00 for out of scope services associated with the Corrective Action Design activities required by the DEP for landfill capping project. There may be several more as the project continues. Selectman Dickhaut made a motion to approve the landfill design contract amendment as presented. Selectman Sargent seconded the motion. The vote was unanimous.

### *Landfill Project Foreman*

Superintendent of Public Works was before the board for permission of creation and advertisement of the landfill project foreman. This position will Supervise the soil placement and closure. He reviewed there is no one within the department with the experience needed. Selectman Sargent made a motion to approve the creation and advertisement of the landfill project foreman position. Selectman Dickhaut seconded the motion. Under Discussion: Selectman Dickhaut asked if the hiring will be done with the Town Administrator. Superintendent McGown agreed, the hiring would be done by the Administrator. The vote was unanimous.

### *Clinton Community Service Day*

Mr. Mark Forno the Senior Warden of the Church of the Good Shepherd was before the board to announce the second Clinton Community Service Day. He explained he is working with Gabe Reyes in cooperation with the Presbyterian Church of Clinton, First Congregational Church and the United Church to sponsor the annual downtown clean up. The event is scheduled for this coming Saturday October 6, 2012 to begin at the Old Elementary School. All are welcome to participate lunch will be served. The board is always very supportive along with all of the town departments.

### *Fire Alarm Discussion*

Selectman Sargent explained he would like to review the information sent out to business owners regarding the Fire Box Alarms. He explained he has been made aware a letter had gone out from the Fire Chief with the requirement that all of the Fire Box Alarms be up to code by November 1, 2012. This is not the proper information to tell businesses. Selectman Sargent made a motion to have Chief Hart send out a letter explaining they do not have to comply with the Fire Box Alarm mandate by November 1, 2012, and he would like an explanation from the Chief as to why he hasn't notified the businesses. Selectman Connolly seconded the motion. Under Discussion: Selectman Sargent started he would like a copy of this letter to be included in the next Selectmen's meeting packet. Solicitor Gibbons reviewed he recently was made aware of this issue and a court case that is directly on point to this issue. There was a Supreme Judicial Court case that ruled the community cannot mandate, there are 4 options for compliance. There is also another court case pending involving this mandate which was sent to Chief. He has invited the Chief and the Building Inspector to meet and discuss, a new letter could be sent out including all of the options for compliance. Selectman Connolly explained businesses that have received the previous notice from the Chief could be installing a new system to be in compliance by the date sent out in letter, a new notice should go out as soon as possible. Solicitor Gibbons reminded the board the Chief is a strong Chief he cannot be mandated to send out letter a recommendation can be made to get a letter out explaining all 4 options available.

Selectman Connolly asked if the board could ask the Building Inspector to send out the letter. Solicitor Gibbons explained there would be no reason not to send out the letter. Discussion continued and the board agreed it is appropriate for the Chief to send out the letter because he sent out the prior letter to businesses. Selectman Sargent made a motion to instruct the Clinton Fire Chief to send out a letter to all businesses that they do not have to install radio alarm system pending discussion with counsel. Selectman Dickhaut seconded the motion. The vote was unanimous.

### **Committee Reports**

#### *Christmas Lighting Committee*

Chairman Dziokonski reviewed the Lighting Committee has met and begun working on decorating the downtown again this year with the wreaths and also adding a tree lighting program in conjunction with the Children's Christmas Party on November 24, this program will include Chorus singers from the Clinton Middle School. All are welcome to join in more information to follow.

### **Public Comment**

There was none.

Selectman Connolly congratulated and thanked the Library Director Christine Flaherty on her upcoming retirement. The board agreed.

### **Executive Session Article 2 Veterans Agent Complaint 8:25PM- 9:15PM**

Selectman LeBlanc made a motion at 9:15PM to adjourn. Selectman Sargent seconded the motion. The vote was unanimous.

Meeting adjourned.

Respectfully submitted,

Joyce A. Corbosiero  
Administrative Assistant  
Clinton Board of Selectmen