

**Selectmen Meeting
Minutes
February 18, 2015**

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

Review of Minutes

The board received minutes from January 21, 2015, and February 4, 2015 Selectmen's Meeting for review and approval. Selectman Iacobucci made a motion to approve minutes as presented. Selectman LeBlanc seconded the motion. The vote was unanimous.

Public Comment

Mr. John Martin of 28 Orange Street was before the board to inquire about a recent article he read in the Item. Chairman Sargent reviewed this subject is scheduled for discussion later in the agenda. Town Solicitor has all the information pertaining to this matter and will be updating the board. Mr. Martin explained he has a few questions regarding the MoU and subordination. He hopes to find out if the 2009 \$2.6 million dollar loan that was written off by the town is connected with this. He also hopes to find out how much Oxford Court has paid on the amount owed to the town, if nothing why not? He is interested in the Oxford Court Financials; he hopes to hear more information regarding the negotiations that were done with the MoU. He is aware the negotiations are completed and along with the MoU; so the Executive Session minutes are able to be released if the board takes a vote to support it in the New Business session of the meeting. He also commented on the snow removal on the sidewalks under the Clinton Housing Authority, and in front of the Senior Center he explained these areas are not cleared and should be better maintained.

Chairman Sargent explained the D.P.W. will be removing the snow from High Street, at 11PM. He thanked all the residents who are clearing sidewalks near their properties.

Common Victuallers License Public Hearing – 267 High Street

Chairman Sargent invited the applicant forward. Mr. Bill Panjotis of Altina Corporation was before the board explaining he intends to keep the business the same. He reviewed it will remain the same good food and good service. Chairman Sargent opened the public hearing for Public Comment, in favor there was none, in opposition, there was none. He closed the hearing. Selectman Iacobucci made a motion to grant the common victuallers license as presented. Selectman LeBlanc seconded the motion.

Under Discussion: Selectman Iacobucci asked if the name will remain Mr. Z's. Mr. Bill Panjotis stated yes. The vote was unanimous.

Oxford Court Refinancing Agreement

Chairman Sargent deferred this discussion to Town Solicitor Gibbons. Solicitor Gibbons explained the town recently worked with Oxford Court on a MoU and subordination agreements. He reviewed the timeline of the process; he explained the board was approached in August to subordinate the mortgage held for refinancing of the Oxford Court property. At that time the board took the request under advisement realizing they are in 4th position on the lending to the property. He explained in 2007 the town agreed to subordinate to allow for a new lender, at that time the maturity date of the town's loan was changed from 2019 to 2036. He reviewed this board should be credited for beginning negotiations for the town with the Oxford Court property owners, realizing they are in position behind 14 million in debt. At that time the board began discussions to get better maintenance and oversight of the property. He reviewed negotiations began with an Executive Session meeting on September 17, 2014, the discussions continued and board members along with Community & Economic Development Director and himself, scheduled a meeting on site on September 25, 2014 with the property managers to review the needed maintenance. From this meeting improvements were outlined, negotiations continued with another Executive Session on November 17, 2014, to discuss conditions of a MoU. At this time the MoU wasn't finalized, the board granted authority if the parameters were met the board approved the MoU and the authority for Chairman to sign the agreements, the MoU, the subordination agreement and the inner credit agreement. The MoU requires improvements with the parking lot maintenance \$25,000 is held in an escrow account to be used by the town if the area required maintenance, improvements with overnight parking on High Street and maintenance to the building. Also \$50,000 was negotiated to be used by the town for a traffic study, and \$250,000 is to be used toward needed repairs of the building. All of the improvements are to be completed within a year. The agreement was finalized in December of 2015 and the details of the parking agreement were still being discussed. He explained the board hasn't approved this agreement in open session due to the fact the he had missed a few meetings and planned to ratify tonight. There was no intent to not have it ratified in public session; the board put a lot of work into this agreement for the town. Selectman Connolly asked as Mr. Martin mentioned is it okay to release the Executive Session minutes. Solicitor Gibbons explained yes Mr. Martin is correct in stating the subject has been settled, but he wants to confirm he minutes have been approved. Selectman Connolly made a motion to ratify the MoU and agreements with Oxford Court. Selectman Iacobucci seconded the motion. Under Discussion: Solicitor Gibbons reviewed the approval is for the MoU, the subordination agreement and the inner credit agreement. Selectman Dziokonski

explained he is happy with the agreement, there will be \$250,000 of repairs to the building, a \$50,000 parking study and \$25,000 in escrow along with the agreement to work with a neighboring developer to gain access to property through an easement, agreed to by Oxford Court. He pointed out there is no Clinton tax dollars involved in the loan, the original funding was provided through the Federal Government for housing improvement program use. The board agreed there are millions ahead of the mortgage owed to the town. The vote was unanimous. Selectman Connolly made a motion to approve the release of the Executive Session minutes regarding the Oxford Court Refinance negotiations. Selectman Iacobucci seconded the motion. Under Discussion: Chairman Sargent stated once it has been verified the minutes were approved by the board. 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 March 2015: Clinton Turn Verein, Crystal Café, Old Timer, Clinton Turn Verein, Liberty Tavern, Ringside Café, Polish American Veterans & The Simple Man Saloon. Selectman LeBlanc made a motion to approve the requests as presented with any additional requests approved sent for Police Chiefs review and approval. Selectman Iacobucci seconded the motion. The vote was unanimous.

Fire Chief Monthly Report

Acting Fire Chief McLaughlin submitted a monthly report relative to the operations of his department for the month of January 2015 for the Selectmen's review and approval. Selectman Iacobucci made a motion to approve the report as presented. Selectman LeBlanc seconded the motion. The vote is unanimous.

Old & New Business

Weke Peke Hiking Trails

Chairman Sargent explained the board has received a request from the Sterling Open Space Chairman to develop trails on the Weke Peke property to be advertised on the town website. Administrator Ward reviewed two of the trails are located on Clinton's property. This property has been approved by the state as conservation area which encourages passive recreation. At this time the Open Space Committee would like to start to develop signage for the trails throughout the community. Selectman Dziokonski made a motion to grant permission to the Sterling Open Space Committee to mark the trails on the Weke Peke property as requested. Selectman LeBlanc seconded the motion. Under Discussion: Selectman Iacobucci explained he is concerned regarding the liability and insurance, also he is concerned the property will not end up being taken by eminent domain or adverse possession if approved. Solicitor Gibbons explained

eminent domain doesn't apply to municipality. Selectman Connolly reviewed he would make an amendment to the motion to include the town retain authority on the naming of the trails, he would like the board to have the final say on the proposed names. Selectman Iacobucci seconded the amendment. The vote was unanimous. The vote on original motion of approval was unanimous. Selectman Connolly made a motion to support any plans to increase parking at the entrance be subject to the boards review. Selectman LeBlanc seconded the motion. The vote was unanimous.

Clinton Home Investment Committee

Administrator Ward explained as part of the asset transfer agreement, \$300,000 dollars is in an escrow account to be used to maintain the property. The interest can be used for repairs of the property; there is a provision in the agreement stating the funding is to be managed by a separate committee with a member of the Council on Aging, a member of the Historical Commission and an individual with experience as a historical architect. The Chairman of the Council on Aging asked for this to be brought forward. Selectman Connolly made a motion to have the Town Administrator to work with the Historical Commission and the Council on Aging to advertise for a member of the general public to serve on committee. Selectman LeBlanc seconded the motion. The vote was unanimous. Selectman Connolly made a motion to propose at the next town meeting the committee be approved as a Board of Trustees to the building. Selectman LeBlanc seconded the motion. The vote was unanimous.

Central Massachusetts Mosquito Control

Administrator Ward informed the board the Central Massachusetts Mosquito Control Project is required to inform the member communities about the proposed assessments for the upcoming fiscal year. He reviewed the spraying is completed by request along with spraying projects. Chairman Sargent reviewed he is supportive; he explained the spraying is important. Selectman Dziokonski made a motion to authorize the Chairman to sign the declaration. Selectman Iacobucci seconded the motion. The vote was unanimous.

Town Hall Veterans Memorial Invoice

Administrator Ward reviewed an invoice was received from Zoll-Regionni for the completion of the Veterans Memorial, 10% has been deducted from the casting part of the charges due to the delay with the installation. Selectman Connolly made a motion to wait before payment is made for the board to have an opportunity to inspect the completed work. Selectman Dziokonski seconded the motion. The vote was unanimous.

Veterans Agent Appointment

Administrator Ward explained he is required to provide notice to the board on the selection of candidates hired, as a provision of the law there is a 15 day window from the date of the board receiving notice, before the appointment takes affect. He explained through a lot of deliberation, working with the subcommittee. The position was advertised twice and 30 applicants showed interest, a short list was created of three qualified candidates for consideration by the committee. He announced Mr. Brendan Bailey was selected to fill the Veterans Agent vacancy. Chairman Sargent explained he participated in the process, and agreed Mr. Bailey is an outstanding candidate. He reviewed Mr. Bailey is a Master Gunnery Sergeant serving the country for over 30 years, he will be an outstanding addition to the town hall and is qualified to serve as the Veterans Service Agent. He will be an asset to the town. Selectman Dziokonski agreed, he also work on the subcommittee through the process and is in favor of Mr. Bailey. Selectman Dziokonski made a motion to confirm Mr. Bailey's appointment to Veterans Agent. Selectman LeBlanc seconded the motion. Under Discussion: Solicitor Gibbons explained the 15 day period can be waived by the board. The board agreed to waive, the vote was unanimous.

Montachusett Regional Planning Commission GIS Services

Administrator Ward explained this request was made after the agenda had been posted. Community & Economic Development Director Phil Duffy has requested the GIS mapping services be directed to the downtown Clinton Target Area study. Selectman Iacobucci asked if the target area is the same as the one that had been given to the board prior. Mr. Duffy confirmed yes. Selectman Connolly asked if there were any other committees like the planning or zoning board who would be competing for the use of these mapping services. Administrator Ward explained currently he is unaware of any other departmental requests. Selectman Iacobucci made a motion to approve the request for the Community & Economic Development office to use the Montachusett Regional Planning Commission GIS services allotted to the town for the downtown Clinton target area. Selectman Dziokonski seconded the motion. The vote was unanimous.

Goals & Objectives

There was no discussion.

Committee Reports

Trash/ Recycle Planning Committee

Selectman Iacobucci explained the committee has planned over the next few weeks to schedule hearings to inform the public and gather input.

Cable Committee

Selectman Iacobucci reviewed the committee has completed the purchase of new equipment and are currently working on new wiring for the building to allow better sound throughout the building. Administrator Ward agreed explaining this is an ongoing process to upgrade.

Chairman Sargent announced the board is scheduled to enter into Executive Session under article 3 Police Union Mediation Discussion next and will not return to open session. He explained the next Selectmen's meeting will be held on March 4th.

He asked for a Roll Call Vote to enter into Executive Session under article 3 Police Union Mediation at 7:45PM. Roll Call Vote to enter in Executive Session: Selectman Iacobucci "aye", Selectman LeBlanc "aye", Selectman Connolly "aye", Selectman Dziokonski "aye" and Chairman Sargent "aye."

Selectman LeBlanc made a motion to adjourn at 8:26PM. Selectman Dziokonski seconded the motion. The vote was unanimous.

Meeting Adjourned,

Joyce A. Corbosiero
Administrative Assistant
Clinton Board of Selectmen