

**Selectmen Meeting
Minutes
February 6, 2013**

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.

He opened with a moment of silence in observation of the recent passing of Tax Collector Kathleen O'Malley; she was dedicated and competent employee.

The board welcomed Boy Scout Owen Gerow, who is in attendance of the meeting to earn a badge.

Review of Minutes

The board received minutes from January 23, 2013 Selectmen's Meeting for review and approval. Selectman LeBlanc made a motion to approve minutes as presented. Selectman Sargent seconded the motion. The vote was unanimous.

Common Victualler License Hearing – 72 B High Street

Administrator Ward explained the applicant asked to defer to the next meeting.

FY13 Health Insurance Renewals – Town Treasurer

Town Treasurer Patrick McIntyre was before the board he explained the Minutemen Nashoba Health Group had set the health insurance renewal rates for member communities effective 6/1/13- 5/31/14. Mr. McIntyre explained he wanted to review with the board the impact these rates will have on the FY14 budget. He explained the rates have changed since last year, there was a 2% decrease with Tufts, and Harvard Pilgrim will decrease by 6%. Fallon rates will remain the same. He reviewed the mitigation fund still has a balance remaining, it started at \$95,000.00 and \$45,000.00 has been used. There was an increase with enrollment to the flex spending, it has doubled last year there was 30 people this year 60 people enrolled. He also reviewed with the board some of the savings in health insurance rates should be put into the post employment benefits trust fund. Administrator Ward explained it is nice not to see an increase with these rates like we have seen in the past.

Parks & Recreation Donation Account Request

Chairman of the Parks & Recreation Edward Verrier 20 Haskel Avenue & Member Ms. Yoanna Osborne 180 Main Street were before the board to discuss opening a donation account for the department to supplement the funding to help pay for projects.

Chairman Verrier explained to the board the department had just completed the bid process for the basketball court, the low bidder was \$5000.00 over the appropriation for the basketball court with an additional \$5000.00 needed to purchase new bleachers for the baseball field. The Park & Recreation Commission is requesting a donation account for their department to allow them to raise funds to cover these expenses and other capital improvements within the department. He explained this funding could help with adding adult programming, improvements to the ball fields and the parks. Selectman Dickhaut asked Solicitor Gibbons if this type of fund can be established. Solicitor Gibbons stated yes it will be similar to the fund created for the Fran Coleman ball field. Selectman Connolly asked if the revolving fund the department has can be used to collect donations. Administrator Ward reviewed the revolving fund is set up for programming and to cover costs to provide services and programming. A donation account would be a separate account used as a discretionary account processed through the Towns accounting office and the warrant process. Selectman Connolly asked if this is an account the board can create. Administrator Ward indicated yes a revolving fund requires town meeting vote this would not. Selectman Sargent made a motion to create a donation account for the Parks & Recreation Department as requested. Selectman LeBlanc seconded the motion. The vote was unanimous.

Rauscher Farm Management Issues- Conservation Commission

Administrator Ward reviewed he received the request and once he contacted the Commission with a scheduled time, the representative indicated that the immediate problems had been resolved.

Landfill Closure Administrative Business- DPW Superintendent

Superintendent McGown was before the board with an update on the landfill. He explained he had been working on the permitting, there are 5 permits needed. At this time he has been working on a draft Natural Heritage Permit regarding the Grasshopper sparrow, this has been submitted to the DEP and there is an April 1 start date to begin the project. Another requirement are the water quality permits, he has been working with the Army Core of Engineers on these permits. He reviewed permitting will be the biggest hurdle; the next steps are to hire a foreman and purchase a bull dozer to build roads to prepare to bring soil in by May 1. There are two sources of revenue for the project; one was borrowing \$200,000.00, which is close to being depleted and the second is the revolving fund for the revenue of soil sales, this is cash dependent there needs to be funding in order to spend. He reviewed the permitting needs to be in place for the revolving fund to be running. He has solicited a company for the presale of material in the amount of \$125,000.00 at a capacity of 10,000 cube yards. This will equal approximately 2 weeks worth of soil, this funding is needed to get permits. This requires the board's approval. Selectman Dickhaut made a motion to approve the

presale of closure material in order to bring revenue into the revolving account for the landfill project to cover expenses. Selectman Connolly seconded the motion. The vote was unanimous. Superintendent McGown reviewed there is proposed amendment to the Brown & Caldwell design contract in the amount of \$125,000.00 Selectman Connolly made a motion to approve the amendment to the Brown & Caldwell design contract for \$125,000.00 Selectman Dickhaut seconded the motion. Under Discussion: Chairman Dziokonski asked if the \$200,000.00 approved at town meeting is gone. Superintendent McGown explained there is approximately \$50,000.00 remaining. Chairman Dziokonski reviewed this funding was spent on the fence and gate that was installed at the landfill along with the purchase of the scale and installation along with some permitting. He asked if Brown & Caldwell outlined what the additional funding would be used for. Mr. McGown explained the order of conditions from the Conservation Commission requires working with the Army Core of Engineers and the DEP on Water Quality Permits, this requires a wetlands specialist and it costs to dredge the pond. The vote was unanimous.

ADMINISTRATIVE BUSINESS

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 December 2012 for the Selectmen's review. Selectman LeBlanc made a motion to accept the report as presented. Selectman Sargent seconded the motion. The vote was unanimous.

OLD & NEW BUSINESS

Council on Aging Member Leave of Absence

Chairman Dziokonski reviewed the board has received a letter from Chairman of the Council on Aging requesting a leave of absence for 3 to 6 months from his position on the council due to health issues. Selectman Connolly made a motion to grant the request for leave of absence as presented and wished Mr. Grady all the best in getting his issues resolved soon. He also thanked Mr. Grady for all the service he had provided to the town and hope he will return soon. Selectman Dickhaut seconded the motion. The vote was unanimous.

Traffic Committee

Chairman Dziokonski explained the Traffic Committee meet on February 1 to review some issues; Traffic Committee Chairman Paul Lowe will present the board with a written report to be reviewed at the next meeting. The board tabled this discussion until the next meeting.

Municipal Towing Contract Proposal

Chairman Dziokonski explained this proposal was discussed and the Solicitor, the Chief of Police and Administrator Ward were going to work together on this and return to the board with more information. Administrator Ward explained he had met with Solicitor Gibbons and Police Chief Laverdure regarding municipal towing. He explained towing is exempt from the public procurement statute. The policy for the town was set when the Chief took office and he kept it. He reviewed the Chief has concerns about the response of the other companies. The Chief has requested the process stay as is. Selectman Dickhaut asked why the gentlemen who contacted the board couldn't be added to the rotation, it appears he operates a good business, it would be working with three companies rather than 2. Selectman Connolly stated initially the policy was to distribute the weeks by selling them to vendors through the town, which then evolved into two local companies. Administrator Ward explained several businesses have done it in the past and other shops have expressed interest. Selectman Connolly expressed all local businesses should have the opportunity, with the most competitive rate. Selectman Dickhaut made a motion to approve the Town Administrator and Chief Laverdure work together to give all companies meeting the criteria needed to tow responsibly an opportunity to work with the town. Selectman Connolly seconded the motion. Under Discussion: Selectman Sargent stated this opportunity should be open to all businesses that put their name in. The board discussed there should be a fair and equitable agreement given to all companies to tow cars in town, all businesses should be given an opportunity to make money. Chairman Dziokonski asked if the town should go out to bid, and allow for the town to collect a percentage of the fee. Administrator Ward reviewed currently the town doesn't get a fee. Solicitor Gibbons explained some towns like Auburn, have used the bid process this would be getting into contracts, it may be best to leave up to the discretion of the Chief, it could be an issue trying to get out of the contract. The vote was unanimous.

Town Clerk Election Date Change Request

Administrator Ward reviewed the board had received a request from Town Clerk Phil Boyce. He explained the Secretary of State office notified his office the special election will be held on June 25, 2013 to choose a new U.S. Senator from Massachusetts. The Governor has signed a bill to allow a municipality to combine a town election with the state election if they are scheduled within 30 days of June 25, 2013. Mr. Boyce has requested the board vote to move the 2013 town election to be held in conjunction with the state election on June 25, 2013. The request was received today after the agenda was posted so this wasn't advertised as an agenda item. He wanted to inform the board and recommended a formal vote be taken at the next meeting. The board discussed and were in agreement to support the recommendation made by the Town

Clerk to approve the town election and the state election be combined, the board agreed to take a formal vote at the next meeting.

Discussion Points for Future Meeting

Chairman Dziokonski reviewed he has some issues he would like to schedule for review and discussion at the board's next meeting.

Budget Discussions: work on a schedule for the board to begin review and discussion on the upcoming FY 14 Budget

Boards/Committee Appointments: review vacancies where members are needed

Valor Act: (Veterans Tax Program) discuss and compose an article for town meeting to approve

The board agreed these items should be scheduled for the upcoming agenda.

Committee Reports

Government Reorganization Committee

Selectman Connolly explained the Government Reorganization Committee met recently and are working on some multi task program and proposals to put forward at the upcoming meetings.

Public Comment

There was none.

Chairman Dziokonski stated the board will be entering into Executive Sessions and will not return to open meeting after.

Selectman Dickhaut made a motion to enter into Executive Session under article 3, at 8:05PM for discussion on Teachers Union Negotiations Update. Selectman LeBlanc seconded the motion. Roll Call Vote: Selectman Sargent "aye", Selectman LeBlanc "aye", Selectman Connolly 'aye', Selectman Dickhaut 'aye" and Chairman Dziokonski "aye".

Executive Session Article 3 Teacher Union Negotiations 8:05PM-8:55PM

Executive Session Article 6 Landfill Land Purchase 9:00PM-9:20PM

Selectman LeBlanc made a motion at 9:21PM to adjourn. Selectman Sargent seconded the motion. The vote was unanimous.

Meeting adjourned.

Respectfully submitted,

Joyce Corbosiero

Administrative Assistant to the

Clinton Board of Selectmen

