

**Selectmen Meeting  
Minutes  
March 20, 2013**

Chairman Dzikonski opened the meeting at 6:00PM with Selectman LeBlanc and Selectman Sargent present. Selectman Connolly & Selectmen Dickhaut joined the meeting shortly after it began. Attendees were Town Administrator Ward and Town Solicitor Gibbons.

The board decided to begin budget discussion out of the agenda order with the Veterans Department review.

*Motion to Continue out of Agenda Order*

Selectman LeBlanc made a motion to begin with the Veterans Department budget review. Selectman Sargent seconded the motion. The vote was unanimous.

*Veterans Department*

Veterans Agent Gerald Coppenrath was before the board to review the departmental budget request for FY14. Mr. Coppenrath began by explaining over 75% of benefits from the state are reimbursed for the Chapter 115 benefits. The board asked if \$500,000.00 will be enough in Chapter 115 benefits. Mr. Coppenrath explained every Veteran needs to be assisted, he cannot predict an amount it goes up every year. Mr. Coppenrath explained it is difficult with the economy and he receives new cases anytime throughout the year. He reviewed he is unable to explain how much exactly to increase the amount, consistently there is an increase to the amount needed. The board thanked Mr. Coppenrath for the budget review.

*Board of Health*

Mr. Peter Notaro Chairman of the Board of Health and Mr. Stephen Lipka member of the Board of Health were before the board to discuss the budget requests for FY14. Mr. Lipka reviewed the priorities in the budget for the department. He explained the board decided to join a regional network. This will assist with doctor and nurse care along with all the infectious disease cases being managed. The department will also participate in programming involving obesity and hording. The network name is Montachusett Health Network which is made up of Leominster, Fitchburg, Gardner, Athol, Orange and Clinton. Each community has 2 votes; programming should kick off within a year. He reviewed the budget included a salary increase for the Health Agent he had been removed from the Personnel Board steps a few years ago and the board has entered his salary where it should fall including the steps he had missed. Discussion continued

regarding the review of the non union employee's salaries and the study that didn't receive support at town meeting. The board thanked Mr. Lipka and Mr. Notaro for the budget review.

#### Motion to Continue with Agenda

Selectman LeBlanc made a motion to continue with agenda with the Town Hall Maintenance review. Selectman Sargent seconded the motion. The vote was unanimous.

#### *Town Hall Maintenance*

Town Hall Custodian Michael Kanala was before the board to discuss the budget requests for FY14. Selectman Dickhaut stated before the discussion started she wanted to take a chance to commend Mr. Kanala on all of the hard work he has completed, the building looks great. The board agreed. Mr. Kanala thanked the board. Selectman Dickhaut asked if the conversion to gas heat had been completed. Mr. Kanala explained it had been completed in November. He reviewed with the board there is a savings in heating. He would like to see the Capitol Improvements line item funded again for \$100,000. He explained he has discovered many projects that need updating in the building and it would be a good idea to fund this line item. He provided the board with a breakdown of how the majority of the FY13 \$100,000 had been spent and he also included a list of future projects. Selectman Dickhaut agreed stating she hoped the renovations committee will meet again for a review of this information and future project, she asked about the needed improvements to the bathrooms behind the stage. The board thanked Mr. Kanala for the budget review.

#### *Police Department*

Police Chief Mark Laverdure was before the board to review the budget requests for FY14. Selectman Dickhaut asked for an update on the Luitenant's exam. Chief Laverdure reviewed there are no marks yet, they were scheduled to be released in January. Selectman Dickhaut explained he asked because this could impact the budget and Chief Laverdure agreed. He reviewed the acting Luitenient will have over 28 years of service and be eligible for a 6.5% increase. He informed the board the cruiser rotation is for 2, last year he got one new cruiser for the department and there was a drug forfeiture of a Toyota Rav 4. He explained he has included in new equipment line item a request for \$24,000 to be used for the purchase of taser for the department. Selectman Sargent stated he thinks it would be a good idea to purchase them of the department. Chief Laverdure explained it would cut down on injuries to officers and would help with repeat offenders the department deals with. Selectman Dickhaut asked if special training is required. Chief Laverdure stated yes every officer will have to enter a training course and each get tased as part of the training. He explained the amount

will cover the purchase of 8 tasers and training. The board thanked Chief Laverdure for the budget review.

#### *Community & Economic Development*

Philip Duffy, Director of Community & Economic Development was before the board to review the budget FY14. Mr. Duffy reviewed he has requested the same for the miscellaneous expense line item, these expenses do not change from year to year one being the phone bill. He explained he would also use this funding for miscellaneous projects. He also included a request for \$3500.00 to support GIS consulting services. Chairman Dzikonski asked if the board had any comments. There were none. The board thanked Mr. Duffy for the budget review.

#### *FY 14 School Department Budget*

Administrator Ward reviewed Superintendent Ingano sent him a copy of the approved FY 14 School Department budget. A copy was included in each Selectman's packet. He asked the board how they would like to proceed with scheduling the school department. The board agreed it works out well to have a joint meeting with the School Committee and Finance Committee for review and discussion. Administrator Ward explained he will get back to the board with a date and time.

#### Motion to for Recess

Selectman Dickhaut made a motion to take a 5 minute recess at 7:00PM. Selectman Connolly seconded the motion. The vote was unanimous. Chairman Dzikonski opened the meeting at 7:00PM.

#### **Review of Minutes**

The board received minutes from March 6, 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.

#### *Motion to Continue out of Agenda Order*

Selectman Dickhaut made a motion to begin with the Common Victuallr's License hearing for 165 High Street. Selectman Connolly seconded the motion. The vote was unanimous

#### **Common Victuallers License Hearing – 165 HighStreet**

Chairman Dziokonski invited applicants forward. Kui Li of Lucky Family Inc. d/b/a Lucky House Restaurant with Yuki Wong a representative of his attorney's office were before the board. Chairman Dziokonski asked for a business plan. Ms. Wong explained to the board the restaurant will continue to operate the same, just a change in ownership, the name and hours. The new hours will be Monday through Thursday 11AM to 10:30PM,

Friday & Saturday 11AM to 11:30PM and Sunday 12 noon to 10:30PM. Chairman Dziokonski asked if the board had any questions. There were none. Chairman Dziokonski opened the public hearing for public comment, in favor of the business, there was none. In opposition of the business, there was none. Selectman LeBlanc made a motion to approve a Common Victuallers License for Kui Li of Lucky Family, Inc. d/b/a Lucky House requested. Selectman Sargent seconded the motion. The vote was unanimous.

### **State Senator Harriette L. Chandler**

State Senator Chandler was before the board to discuss state government issues. She explained to the board the budget season has begun and she wanted some input on any budget issues that may affect the town. She reviewed she has received her leadership role in the Senate, which is the Assistant Majority Leader. She asked for feedback from the board on the upcoming major bond bill to repair roads and bridges, she wanted to be aware of shovel ready projects the town would have to be supported by this bill. She also stated she wanted some feedback on the Governors budget with the proposed income tax raise of 1% and the proposed gas tax. Selectman Sargent explained there are a lot of state employees that would be vested at ten years but the reform is changing it to twenty. Senator Chandler explained there is a committee recommendation for review on how to reform for new employees not those in the system. Selectman LeBlanc reviewed the towns are saddled with unfunded state mandates; one being the special needs students. Selectman Connolly explained the first draft of the school budget shows an increase of 1 million, 50% of which is going to special education. He explained the town doesn't have the ability to develop revenue like the state to support this type of increase, it is impossible for the town to handle. Senator Chandler asked how this issue can be repaired. Selectman Connolly explained it is a simplistic answer; the creation of mandatory spending should be criminalized. The Quinn Bill is another example, the state walked away from the support for the funding and the cities and towns are left to fund. Discussion continued reviewing the costs to the town for permitting is outrageous. The permitting requirements for the town for the upcoming landfill recapping project is very high, one permit alone was close to \$16,000 for the DEP. Selectman Dickhaut explained the Water Street improvement project has been in the making for three years, and is nowhere close to begin. Administrator Ward explained there are so many mandates and regulations from Mass Highway regarding permitting and construction easements it will be a long process before the project can begin. Discussion continued regarding school choice and the costs to districts for students choosing other schools like charter schools. A big special education expense is transportation, the board asked for support in funding for school transportation costs. The board thanked Senator Chandler for an opportunity for

discussion. Senator Chandler thanked the board for the feedback and explained she intends to review their concerns and work with the Administrator.

## **Administrative Business**

### Late Night Closings

Town Administrator Ward reviewed the following establishments are requesting late night closings for Saturdays in the month of April 2013: Clem's Liberty Tavern, Clinton Turn Verein, Crystal Café, Old Timer, Ringside Café, Spruce Street Tavern & 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 Sargent seconded the motion. The vote was unanimous.

### Fire Department Monthly Report

Fire Chief Hart submitted a monthly report relative to the operations of his department for the month of January 2013 for the Selectmen's review and approval. Selectman LeBlanc made a motion to accept the report as presented. Selectman Sargent seconded the motion. The vote was unanimous.

### One Day Liquor License Application

Chairman Dziokonski reviewed the Polus Center has applied of a one day wine & malt license in conjunction an event at The World Gifts & Espresso Café on March 29, 2013 to be held at the Fallon Auditorium. Selectman LeBlanc made a motion to approve the One Day Malt & Wine License application as presented by the Polus Center. Selectman Sargent seconded the motion. The vote was unanimous.

### Raffle Permit

Clinton Turn Verein has filed an application for a raffle permit to host raffle to raise funds to support their organization. Selectman LeBlanc made a motion to approve the request made by Clinton Turn Verein for a Raffle Permit. Selectman Sargent seconded the motion. The vote is unanimous.

### Raffle Permit

Clinton Hospital Guild has filed an application for a raffle permit to host raffle to raise funds to support their organization. Selectman Dickhaut made a motion to approve the request made by Clinton Turn Verein for a Raffle Permit. Selectman Connolly seconded the motion. The vote is unanimous.

## **Old & New Business**

### *Clinton Turn Verein Seasonal License*

Administrator Ward explained Clinton Turn Verein has requested that the Town of Clinton research options for a seasonal liquor license to allow them to operate functions at the outdoor pavilion. With the board's support he will research this request with the ABCC, explaining Turners tried to get approval to expand the existing license to include the pavilion but was unable to do so because it was a separate building. At this time they are required to apply for one day permits for each event, which sometimes doesn't allow for approval due to the boards schedule. The seasonal license would cover events held from April through November. Selectman Dickhaut made a motion to support the request to the ABCC to research a seasonal license permit. Selectman LeBlanc seconded the motion. The vote was unanimous.

### *Town Hall Veterans Memorial Renovation*

Administrator Ward reviewed Regonini Memorial Company has contact the town with a proposal to repair the plaques on the Town Hall Veterans Memorial, the repair costs will be donated by an anonymous donor, until the project is completed and then at that time a plaque is to be erected revealing the donor. The board discussed this proposal and Selectman Connolly stated this should be discussed and reviewed by the Town Hall Building Renovations subcommittee. He explained this is a project he feels should be supported by the town, although the offer is very generous, this is a town obligation. The board agreed and asked for the subcommittee to gather more concrete information regarding repair cost to the monument and report back to the board.

### *Clinton Public Schools Scholarship Fund*

Chairman Dzikonski explained the board has received a letter from the Clinton Public Schools Scholarship & Enrichment Foundation asking for support of a donation to provide college scholarships to high school students. Selectman Dickhaut made a motion to approve a \$250.00 donation to the Clinton Public Schools Scholarship & Enrichment Foundation, if amount is available in the civic fund. Selectman Connolly seconded the motion. The vote was unanimous.

### *Tax Collector Vacancy*

Chairman Dzikonski reviewed the board asked the Government Affairs Committee along with Town Solicitor Gibbons to review the vacancy of the Tax Collector and make a recommendation to the board. Solicitor Gibbons explained he has worked with the Secretary of States office, the Attorney General's Office and the Town Clerks office collecting information regarding the vacancy. It has been determined this vacancy will be included on the upcoming election ballot to fulfill the remainder of the term, which is a 1 year term until June 2014. The 2014 election ballot would elect a candidate to a

three year term. There is a vacancy in the office currently until the June election, an appointment can be made but is not mandated. Selectman Connolly explained at this time the subcommittee is recommending not making an appointment to the vacancy. He reviewed the office is open and running well, there is a short time frame until the election. If the position were to be advertised, an interview and hiring process would take just about as long as the time until the election to complete. Selectman Sargent made a motion to appoint Town Administrator to oversee the department until the election. Selectman Dickhaut explained at this time the department is being run by two former employees and the Assistant Collector. Selectman Sargent asked who is the boss, who is overseeing the office? Selectman Dickhaut reviewed the elected positions are elected by the people they are their boss. Chairman Dziokonski explained there is a motion to have Administrator Ward supervise and keep the operations of the office as is. There was no second motion failed. Selectman Sargent made a motion to appoint Assistant Tax Collector as interim/acting Tax Collector until June 2014. There was no second to the motion, the motion failed. Selectman Connolly explained the recommendation of the committee is to keep operations as is right now. Solicitor Gibbons explained under Chapter 41 section 49c of MGL Assistant Collector becomes the temporary Collector, and may perform the duties, an option is not to appoint the Assistant Collector, the person will take on the duties even though there is no formal appointment. Selectman Connolly reviewed the committee recommendation is to allow the office to continue to operate. Discussion continued and Selectman Sargent expressed it is his belief someone needs to be in charge to make the decisions there needs to be a boss, until the election in 2 months. Selectman Connolly explained at this time the former Collector and Assistant Collector are helping out. Selectman Sargent explained the Assistant should be appointed until the next election. Selectman Dickhaut explained the busiest time for the office is the first two months of the year, which have passed the election is close and there is coverage in the office with the former Collector and Assistant helping out. The Committee recommendation to the board is to leave operations as is until the June 25<sup>th</sup> election. Solicitor Gibbons reviewed the statute covers the office supporting duties default to the Assistant Collector. Chairman Dziokonski asked for a formal motion to decide the coverage of the vacancy. Selectman Dickhaut made a motion to support the office staff at the Collector's office remain the same with the existing staff through the June 25, 2013 election. Selectman Connolly seconded the motion. Under Discussion: Selectman Sargent stated he supports filling the vacancy with the upcoming June 25<sup>th</sup> election but there should be someone as the boss for the office. Selectman Connolly explained the upcoming election and vote will determine that, he explained this is another incident why the professional positions should be required to have certification and background for the position and should be appointed. The vote was 4/1 Selectman Sargent opposed.

## **Committee Reports**

### **Government Affairs Subcommittee**

Selectman Connolly explained to the board there has been some discussion regarding the Grounds Maintenance Department, at this time it has been determined there is a lot of work to try to implement this department. He reviewed there are a lot of advocacy groups weighing in on development and it has become a bit of a challenge. Selectman Sargent explained with a strong Town Administrator to do the hiring and firing, the board should explore returning to a 3 member board of Selectmen. Selectman Dickhaut stated that would be moving backwards, she has sat on a 3 member board and was a strong advocate to broaden it to 5. She explained she would be adamantly against reverting back to 3 members. Selectman Sargent asked for the subcommittee to do their homework and review. Selectman Dickhaut explained the board of Selectmen set policy the hiring and firing is a small piece of the operations of the town. Selectman Connolly reviewed he has no opinion. Selectman Sargent asked for a review before town meeting.

## **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 8:30PM for discussion on Tax Increment Financing Proposal. Selectman Sargent 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 Tax Increment Financing Proposal 8:30PM-8:40PM**

### **Executive Session Article 3 Union Negotiations Update 8:41PM-9:30PM**

Selectman LeBlanc made a motion at 9:30PM 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