

**Selectmen Meeting
Minutes
April 15, 2015**

Selectman Dziokonski, Selectman Connolly, Selectman LeBlanc and Chairman Sargent were in attendance. Attendees were Town Administrator Ward and Town Solicitor Gibbons. Chairman Sargent opened the meeting at 7:00PM. Chairman Sargent asked for a moment of silence for the families of Dinorah Caraballo and Patricia Hazel, for their losses.

Review of Minutes

The board received minutes from April 1, 2015 Selectmen's Meeting and Executive Session Article 3 DPW for review and approval. Selectman LeBlanc made a motion to approve minutes as presented. Selectman Dziokonski seconded the motion. The vote was unanimous.

Public Comment

Mr. Matt Dullea of 24 Nathan Drive, Ms. Jen Scalise of 36 Nathan Drive, were before the board. Mr. Dullea explained he was at the last board meeting regarding the budget, he explained he is in full support of an override to pass the budget with the funding needed, for all departments in the town and the schools. Ms. Jen Scalise asked for the town to appropriate levels of funding sufficiently to fund all the needs of the community and schools, she is also in support of an override. Chairman Sargent explained the budget subcommittee met with Superintendent Ingano regarding the budget. She thanked the board. The board thanked them for the input.

Water Abatement Hearing: Trailer Park South Meadow Road

Chairman Sargent explained to the board Ms. Lucy Leone submitted a letter requesting an abatement regarding a large water bill, he explained the tenant reported a decrease in water pressure and when reviewed an issue was discovered and repaired. This problem created a large water bill. Selectman Connolly made a motion to grant the abatement as requested. Selectman Dziokonski seconded the motion. The vote was unanimous.

Liquor License Transfer Public Hearing: 267 High Street

Chairman Sargent invited the applicant forward. Attorney Paul Suscheck and applicant Mr. Vasil Panajoti were present. Mr. Suscheck explained Mr. Panajoti purchased the business as of March 1, 2015 and has completed the application to transfer the Beer & Wine to his corporation with Mr. Panajoti serving as manager on file. Chairman Sargent explained he has reviewed the packet and all the information is in order, he opened the

hearing up to the board for questions. There were none. He opened the hearing for Public Comment in favor of the transfer, there was none. He asked for Public Comment in opposition of the transfer, there was none. Selectman Connolly made a motion to approve the transfer as presented. Selectman LeBlanc seconded the motion. The vote was unanimous.

Fiscal Year 2016 Budget Discussion

Chairman Sargent reviewed the board will meet next Wednesday, April 22, at 7:00PM, to review the budget requests line by line.

Administrative Business

Fire Chief Monthly Report

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

Public Works Monthly Report

Superintendent of Public Works submitted a monthly report relative to the operations of the department for the month of February 2015 for the Selectmen's review and approval. Selectman LeBlanc made a motion to accept the report as presented. Selectman Connolly seconded the motion. The vote was unanimous.

Veterans Agent Monthly Report

Veterans Agent Brendan Bailey submitted a monthly report relative to the operations of the department for the month of March 2015 for the Selectmen's review and approval. Selectman LeBlanc made a motion to approve the report as presented. Selectman Connolly seconded the motion. Under Discussion: Chairman Sargent thanked Mr. Bailey for a detailed and professional report. The vote is unanimous.

Old & New Business

Sidewalk Sale Days

Chairman Sargent reviewed the Discover Clinton Committee sent a letter of request for permission to host the annual Sidewalk Sale days on Saturday, June 13, 2015 from 9:00AM to 2:00PM, allowing merchants to display their merchandise on High Street. He explained the Park & Recreation Department's town wide Yard Sale event will also be held on this day. Selectman LeBlanc made a motion to approve the event as presented. Selectman Connolly seconded the motion. The vote was unanimous.

Town Hall Energy Efficiency Lighting Conversion

Chairman Sargent reviewed the Town Hall Facility Manager Michael Kanala is recommending approval of a contract to install new energy efficiency lighting at the town hall. Selectman LeBlanc made a motion to approve the contract as presented. Selectman Dziokonski seconded the motion. The vote was unanimous.

Adams Road Solar PILOT Agreement

Chairman Sargent explained Solicitor Gibbons has reviewed the proposed agreement submitted by Seaboard Solar holding, LLC for payment in lieu of taxes in conjunction with the plans for a solar installation on the properties located at 100 & 111 Adams Road. Solicitor Gibbons reviewed there are two agreements one for 100 Adams Road and one for 111 Adams Road. The agreement for 100 Adams Road is for the installation of solar panels that will produce 2.65 megawatts on 320,000 sq. ft. and 111 Adams Road is for the installation of solar panel that will produce 1.7 megawatts on 288,000 sq. ft. The PILOT agreements are to pay taxes based upon the megawatts produced. It would be a \$12,500 payment with a 2% increase annually per megawatt, based on a 20 year lease. With this agreement the town doesn't give up the rights to Real Estate Property tax. This agreement requires Town Meeting approval; an article will be on the upcoming warrant if approved. Selectman Connolly made a motion to approve the PILOT agreements as presented by Town Solicitor. Selectman LeBlanc seconded the motion. The vote was unanimous.

West Ledge Estates

Chairman Sargent reviewed the Planning Board approved a subdivision for West Ledge Estates off Berlin Street which includes the installation of street lighting. National Grid is requesting a letter from the town indicating these lights will be added to the municipal streetlight monthly billing. Selectman Dziokonski made a motion to approve a letter be sent to National Grid allowing these street lights to be added to the monthly billing. Selectman LeBlanc seconded the motion. Under Discussion: Administrator Ward explained this is a standard new subdivision the lighting was installed with the understanding they will fall under the town when the developer closes out project. The vote was unanimous.

7:20PM Selectman Iacobucci arrived at the meeting.

Goals & Objectives

The board decided not to discuss.

Committee Reports

Government Reorganization Committee

Selectman Connolly reviewed the committee presented the facility plan to the School Department, 2 representatives of the School Committee attended the meeting, there was no quorum so it was more an informational discussion to allow feedback, there were no strong objectives. There was some level of support, the Town Administrator will prepare a document and submit to the school department for comments, and the document will travel back and forth.

Fiscal Year 2016 Budget Discussion

Animal Control Officer Budget Review

Chairman Sargent invited Animal Control Officer Mr. Paul Wood before the board for review of his FY16 budget submission. Mr. Wood distributed copies of the budget requests for FY16. He explained it is similar to years prior, he informed the board of the social media outlets he has set up and received a great response from the community. He has requested a touch more money. Selectman Dziokonski asked about the Kennel fee increase from \$2500 to \$4000. Mr. Wood reviewed that amount is contingent on it being used. Administrator Ward asked Mr. Wood to review the new state regulations that would require additional funding. Mr. Wood explained he is required to bring any animals he picks up for a wellness check and review of the animal to ensure it is date on his shots and not injured. He explained he is required to hold animal for 7 days or longer to check for rabies. Chairman Sargent thanked Mr. Wood for his dedication to the job; he has received many compliments from the Police Department. Mr. Wood explained he has two more steps in his plans one is to implement a local access program for those who do not use a computer. The board thanked Mr. Wood.

Selectman Iacobucci made a motion to take a recess to set up for the public hearing at 7:25PM. Selectman LeBlanc seconded the motion. The vote was unanimous.

Proposed Curbside Recycling Public Hearing

Chairman Sargent opened the hearing at 7:40PM, introducing Ms. Irene Codgnon of Mass DEP who will give an overview of the proposed plan along with Superintendent of the D.P.W. Mr. McGown. Ms. Codgnon began the presentation of a slide show with an explanation of the proposed curbside recycle program. She reviewed the state has a waste ban law which requires all communities recycle. She stated the town has an excellent enterprise program and by far this curbside proposal is the best program for the community. The program proposes to add the service of curbside pick up. She reviewed the amount of trash generated by the town in comparison to communities around the state. She made the comparison that a Clinton household has double the amount of household trash than a West Boylston one. The new program will allow for

one bag per household each week, the cost will be \$13.00 per month or \$39.00 per quarter. The additional bags will \$2.00 per bag, and a 96 gallon recycle cart will be distributed to each household for single stream recycling to be picked up every other week. Mr. McGown explained the town has had a successful pay as you go program but recently has received letters from the DEP indicating the landfills receiving the waste from Clinton have received recycles in waste which is a violation of the DEP mandates and puts the town in jeopardy to be fined. The town then formed the Recycle Committee to review a solution to this issue, at this time the proposed program is the solution. There will be an "opt out" option; this option requires the resident provide the name of the Licensed Hauler registered with the Clinton Board of Health. The billing for the new proposed program will be generated with the water bill. He explained the bills will be per unit of each property; a three family dwelling will receive three bins, and be eligible to dispose three bags of trash. The trash program has 70% affixed costs which need to be covered by the program. He explained the Rubbish Enterprise fund is a stable fund; it has \$88,000 in retainable earnings. The change is not due to financial reasons it is to comply with the regulations. Mr. McGown explained he has visited several centers with the Board of Health and no facility separates recyclables from trash. He visited the site on Devens and they do not take recyclables. Chairman Sargent thanked Ms. Codgnon and Mr. McGown for the presentation; he explained he will open the public hearing for public comment and hoped to hear from all.

Mr. Eugene Nici 290 Berlin Street

Mr. Nici stated there is a confused message, is the town of Clinton contracted with a company. Mr. McGown explained it will be the town of Clinton people, a disposal vendor hasn't been chosen yet. Mr. Nici asked if new trucks will be needed for the new program. Mr. McGown explained the existing truck will be retro fitted and one truck will be replaced soon. Mr. Nici asked if the disposal vendor would go out to bid. Mr. McGown explained he has received quotes for the disposal of the materials. Mr. Nici asked if there will be an increase in the program fee each year. Mr. McGown explained there are 70% fixed costs to cover, there is a potential to have 5000 customers, the price is based on 3000. The town doesn't raise fees annually the water rates haven't changed in 10 years. The fee is dependent on the number of users. Mr. Nici asked if the town had explored using a trash to energy plant. Mr. McGown explained there are some in Worcester or Haverhill. Ms. Codgnon explained there is a moratorium on the plants, there are 6 permitted in the state. Chairman Sargent thanked Mr. Nici for his comments.

Mr. Daryl Smith 161 Greely Street

Mr. Smith asked what type of materials can be disposed of, he asked if he were completing some renovations can he dispose of drywall. Mr. McGown explained construction materials are not accepted now.

Mr. Paul Coffrey 32 South Meadow Road

Mr. Coffrey asked about the billing of the program fee, he explained there are residents that struggle to pay the water bill and if you add the cost of trash removal it will increase the amount due. If left unpaid the town will put a lien on the property. Mr. McGown agreed yes it will be like the water bill the town will be eligible to put a lien on property if unpaid. The town has to make sure to collect this revenue; this is the only way to guarantee payment from the property owner. If the town doesn't collect revenue it may have to raise taxes, this is a way to make the program work. Selectman Dziokonski explained he is a member of the sub - committee, he reviewed the committee has tried to comply to all different circumstances and this hearing is to hear people's concerns and make changes to the program as needed. Mr. McGown explained earlier in the meeting the board approved water abatement for residents who had a water break and received an excessive bill of \$7000.00. The board voted to support abatement ibe granted. This is an example of how the town of Clinton works. If there are problems with the system we will try to make it work.

Mr. Tim O'Toole 13 Rodgers Field Way

Mr. O'Toole stated he feels this program should go after the large offenders of the trash/recycling in town, the large residential complexes like Oxford Court, and Ridgefield. These are the offenders.

Mr. Pete Colombo 283 Wilson Street

Mr. Colombo asked about the limit on the bags. Mr. McGown explained it is and will remain a 25 pound weight limit per bag.

Ms. Nancy Roberts 25 Birch Street

Ms. Roberts asked about abatements to this program and if there is a way to get information out on the program, what can be recycled, single stream, what does that means? There should be education provided on what the new program is and how it will run. She asked if it would be possible to have the recyclables picked up every week versus every other, if not would it be possible to get more than one container? She reviewed it is important to educate on the importance of recycling, the cost of the proposed program and the possibility to add additional container.

Mr. John McNally 140 Cedar Street

Mr. McNally explained he has worked in another community and is familiar with recycle programs. He does recycle and lives alone so he would not generate a bag a week. He generates one bag everything 3 weeks. He asked if another tier would be available to the program to be utilized by residents who do recycle. He explained the flat fee is going to penalize those who do recycle; he suggested having the program reflect the resident paying for the trash they generate, not a flat rate.

Mr. Gordon Fitzgerald 21 Winthrop Street

Mr. Fitzgerald stated he does recycle and only generates 1 bag of trash every 5 weeks. He asked if the price can reflect the amount of trash generated. Mr. McGown explained the program is depending on the number of users, private haulers are also having the same mandate to follow. The state is regulating waste stream as a whole. There needs to be legally disposal and recycling.

Ms. Mary Linda Baker 650 High Street

Ms. Baker explained she has a lot of monthly expenses on a fixed income, she has a mortgage payment, household and personnel expenses to cover each month and will be unable to afford this program fee. She hoped consideration could be given to those with fixed incomes and are challenged to meet monthly expenses.

Mr. Mike Brodrick 19 Hill Street

Mr. Brodrick asked about an independent company picking up the trash. Mr. McGown explained there will be town requirements; the town is mandated to recycle no matter who you have as a vendor, this is the law.

Ms. Shelly O'Toole 60 Wilson Street

Ms. O'Toole explained she is in full support of the program. It will only cost her additional \$3.00 per month to have the recyclables picked up at the curb. She stated she works in another community as the Recycle Coordinator and this is a great program.

Mr. Tim Doherty 310 Chace Street

Mr. Doherty explained he owns a multi-family apartment home; he uses a private vendor Waste Management at a cost of \$35.00 per month.

Ms. Christine Sweatland 319 Sterling Street

Ms. Sweatland stated she is a widow and cannot afford \$13.00 per month, she doesn't generate that much trash and her son disposes of it now. She would be unable to move the container, especially in the snow. Selectman Iacobucci explained he understands

some are on fixed incomes, but the town cannot afford not to do this program. If the town doesn't resolve the issue of recyclables in the trash, the town is subject to large fines from the DEP. At this time all of the communities in Massachusetts have a program, if the town were to go to a private company it would cost more money. The town has to make a change to the existing program; every community has to comply with the law. Ms. Sweatland explained she is 65 years old, and unable to move the container.

Retired Fire Chief Mr. Richard Hart,

Mr. Hart stated the room is overcrowded and he challenged the capacity of the room, he recommended moving the meeting to the auditorium or continue on a better date in the bigger room.

Mr. Chet Dziczek 99 Prescott Street

Mr. Dziczek explained the proposal cannot be a one size fits all, if you have a great big family you generate a lot of recycling. He explained he uses the recycle center for a small pile of newspapers. He stated he would only need a smaller container to recycle with, he asked for an alternate size for bins at a smaller price.

Mr. Dustin Whitaker 125 Orange Street

Mr. Whitaker asked what the fee structure is for a dumpster fee. Mr. McGown reviewed that is a Board of Health issue. Mr. Whitaker asked where the representatives of the Board of Health were in the notice sent out it states the hearing is being hosted by the town and the Board of Health.

Mr. John Merriman 124 John Street

Mr. Merriman stated his mother is a 91 year old resident; she recycles by going to the center and only generates half a bag of trash. Ms. Codgnon explained the seniors do tend to be 0 waste individuals, and abatements are available. She stated Massachusetts has the waste ban law; the master plan is to have a 30% reduction in waste. Recently the Hannaford's Supermarkets began recycling and have had an 80% reduction in trash.

Ms. Kristina Busenitz 16 Lancaster Road

Ms. Busenitz stated she has been a recycler all her life; she also has a compost pile. She generates one bag of trash every other week through a private company. She asked if the private company will fit the regulations. Selectman Dziokonski explained the private haulers will have to meet the same criteria with recyclables. Ms. Busenitz explained she hoped the program will allow private haulers to remain competitive.

Mr. Bill Rouleau

Mr. Rouleau stated he is a private hauler company that empties at the Devens Center, which meets DEP criteria. He has never received a fine.

Judge Austin Philbin

Judge Philbin explained he has an issue with one bag per week and \$13.00 per month, he agrees there should be an opt out option. There should be a protocol and procedure set up to opt out. Selectman Dziokonski explained there is no process in place at this time; he only has one bag every three week. He explained the public hearing is to hear the concerns and determine what can be done. Mr. McGown explained the opt out would require the use of a private hauler permitted through the Board of Health. There are certain criteria to be met, they will be required to offer curb side recycling. He explained the town is not saying you have to use the town system.

Ms. Leslie Wilson 44 Water Street

Ms. Wilson inquired about the private haulers eligible to be used, she has been on the town website and unable to find a listing.

29 Franklin Street Resident

He inquired if there would be an opt out of the system option and the resident could bring trash to a transfer station. He asked why the town doesn't sell the recyclables; it is his understanding that company like EL Harvey sells them. Why isn't the town selling? This could offset costs and allow for recycling to be free. Ms. Codgnon explained any product can be sold the pricing fluctuates.

Mr. Gordon Fitzgerald 21 Winthrop Street

Mr. Fitzgerald explained he was a previous resident in Leominster, their program was one flat fee, two containers per household blue and green one for trash one for recyclables, the fee was billed with taxes.

Stone Street Resident

He stated the bins could be destroyed, he owns a three family on Pond Court. His question was, is there going to be trash pickup there. Mr. McGown explained yes if there are houses on the street there will be pickup.

Worcester Resident

She explained she owns property in Clinton, she stated the proposal is for one bag free and \$2.00 disposal fee per additional bag. She asked for education on what can be recycled. Selectman Dziokonski explained the town will continue to sell stickers, at

\$2.00 for additional bags over first one free. The intention is for the DPW to do a mailing with education to people on the program.

Resident of Nelson Street

Resident explained they are an owner of a duplex two family, they recycle each week and have one bag of trash and will be charged \$26.00 per month?

Jackie Sanders Nelson Street

Ms. Sanders explained she is a resident of the condos on Nelson Street at this time there are dumpster available per building. She asked if the condo association will be eligible to opt in to the program. Mr. McGown explained yes.

Mr. Bill McNally 25 Dike Drive

Mr. McNally thanked the board for hosting the meeting. He expressed a July 1 timeline seems rushed to him. He explained tonight's meeting shows there is no near enough understanding of the proposed process to begin as of July 1. Additional meetings are needed to work through process and concerns. He asked if July 1 is a drop dead date. Chairman Sargent explained the board of Selectman hasn't voted on the proposed program. Mr. McGown agreed stating this proposal is still being finalized.

Ms. Mary Dietel 15 Schobert Street

Ms. Dietel explained she owns a two family home, 2 apartments with tenants, this expense will be added to the water bill, there for she will have to go up on the rent which may result in the good tenants leaving. She cannot afford the loss of tenants. Selectman Iacobucci asked if it is a two family home and there is one water meter. Ms. Dietel explained the proposed cost at \$13.00 per month per water meter, she cannot afford.

Chairman Sargent explained there will be another public hearing held in May.

Mr. Jim Marino 52 Elm Street

Mr. Marino stated he would not like any bill added to his water bill. He would like to receive this program fee as a separate bill.

Ms. Mary Luschan 200 High Street

Ms. Luschan stated there are three apartments where she lives and one 96 gallon bucket is sufficient for all three. Mr. McGown explained the fee system is no different than any other system; the fee is for each dwelling unit. He explained there needs to be a fee based on units for the whole system to work. She is a single person household, a family has up to 6 persons they would fill one. Mr. McGown explained it will be a two

week pick up schedule; the cost covers the people on the truck and the truck. Most of the costs are fixed.

Mr. Walter O'Clair 4 Megan Circle

Mr. O'Clair explained the town is one of the only towns with a trash truck, it would be a better set up to have a center for disposal with an annual sticker fee for trash disposal. He supports a mandate fee and getting rid of the truck, instead of an opt out option.

Mr. Michael Broderick Hill Street

Mr. Broderick stated he uses an independent contractor that does not recycle, he doesn't agree with an opt out option or to be forced into recycling. Ms. Codgnon explained where haulers take the trash may be dependent upon recycling. Most of Worcester County takes it to recycling facility like EL Harvey. The Devens facility is construction demolition site. There are a lot of other options in Central Mass for haulers. Mr. Broderick stated he does not want to recycle. Ms. Codgnon stated it is a state law the waste ban law, private haulers receive letters from the state explaining it. Devens is a construction demolition site. Selectman Dziokonski explained the town needs to abide by the state law. He understands if people do not want to recycle but it is a state law you have to recycle.

Chairman Sargent explained he will take one more question, there will be another hearing scheduled within the month. Ms. Codgnon explained the costs of the program are good, other communities pay much more. In Pepperell the annual rate is \$600.00, this is a great rate and a great program.

Mr. Andrew Stevens Green Street

Mr. Stevens explained the hours of the recycle center are not accessible, he finds them to be limiting. He would like to have the town set a goal to have it open more.

Chairman Sargent thanked all who attended and commented. He explained at the next meeting the Committee along with the Board of Health and DPW Superintendent will be available to answer all questions.

Selectman LeBlanc made a motion to adjourn at 9:00PM. Selectman Iacobucci seconded the motion. The vote was unanimous.

Meeting Adjourned,

Joyce A. Corbosiero
Administrative Assistant
Clinton Board of Selectmen