

**Selectmen Meeting
Minute
March 17, 2021**

Chairman Kerrigan, Selectman Boisoineau, Selectman Devault, Selectman Connolly, and Selectman Kobus were in attendance. Attendees were Town Administrator Ward via ZOOM and Town Solicitor Gibbons. Chairman Kerrigan opened the meeting at 7:00PM.

Public Comment

Mr. Brian Farragher was before the board. He introduced himself to the board explaining he is the new Facility Director. The board welcomed him and explained they are happy to have him in the position.

Selectman Connolly announced he will not be seeking reelection, papers are available at the Town Clerks office. He encouraged anyone with interest to please get papers to fill the seat.

Chairman Kerrigan shared a press release from Clinton Senior Center. He reviewed the Senior Center is happy to announce a grant award in the amount of \$15,600 to be used for transportation services for seniors. This will allow enhancements to the current program with a collaboration with local livery service. Ms. Goodsell has chosen to team up with Clinton Livery which will provide the transportation for seniors and invoice the town. He thanked Senior Director Debra Goodsell.

Review of Minutes

The board received minutes from March 3, 2021 Selectmen's meeting for review and approval. Selectman Connolly made a motion to approve minutes as presented. Selectman Boisoineau seconded the motion. The vote was unanimous. 5/0

Honoring Gordon B. Lankton

Chairman Kerrigan expressed the loss of Mr. Gordon B. Lankton, he passed away over the weekend. He explained Mr. Lankton was an extraordinary Clintonian. He explained he was a great asset to the town, a captain of industry he was one of Clinton's largest employers. He was a philanthropist who donated to all businesses in need. He supported the Clinton High School FIRST program, essential to its creation. He was a Cultural Ambassador, creating one of the best museums right here in town. This is a great loss, one of the best Clintonians of all times. He explained to his children with a loss like this the burden is on us to make up the difference, we have a lot of work. His generosity and kindness set him apart. After speaking with him one would come away feeling better about themselves. He reviewed on April 24th on what would have been Mr. Lankton's 90th birthday, he would like to explore a dedication to him on the corner of Union and High

Streets. He planned to table discussion on details so forces can be joined with Nypro employees. This will be discussed at future April meeting.

Utility Pole Installation Public Hearing – Catherine Street Continued

Chairman Kerrigan invited the representative from National Grid forward for discussion. Mr. Steven Soucy Design Engineer of National Grid was before the board. He explained the request is to relocate pole one on Catherine Street, as requested by customer, of 128R Sterling Street, Mr. Benn Kloczkowski. Mr. Benn Kloczkowski was before the board also. He informed the board he plans to build a new building on the location and the pole will interfere with construction. Selectman Connolly asked National Grid if the guide wires will be removed and the new pole would be free standing. Mr. Soucy explained the pole will be moved in line with others on the street. The guide wire will no longer be needed it would be a free standing pole. Selectman Connolly asked if the pole location now would prohibit building. Mr. Kloczkowski stated yes. Selectman Kobus asked about the mention of the removal of the structure that was there, will that require the pole being moved. Mr. Kloczkowski explained correct. Selectman Kobus asked if he has approval to build a new structure. Mr. Kloczkowski explained he has a converted variance, he distributed information he received from the ZBA to each board member. He reviewed the property was zoned Commercial but it wasn't used in over 2 years as Commercial so it converted to residential. Selectman Kobus asked if a variance is required to build. Mr. Kloczkowski explained no he has to use the same footprint. Selectman Devault asked when you purchased property were you aware of this pole in its current location would be a problem. Mr. Kloczkowski stated he wasn't sure what he was going to do with it. Discussion continued regarding the zoning of the property, it was discussed variance not needed but the new building needs to remain on current footprint. The pole is in the way for construction and demolition on the property. Chairman Kerrigan explained there are public safety concerns if the pole is moved it causes the street to be narrower. Selectman Connolly made a motion to approve the pole relocation as presented by National Grid. Selectman Boisoneau seconded the motion. Administrator Ward reviewed the Public Comment portion of the hearing is open. Chairman Kerrigan continued the Public Comment portion of meeting asking for new comments in opposition. Ms. Barbara Deantonis of 2 Catherine Street was before the board. Ms. Deantonis explained to the board there was an informal meeting with the ZBA in January, no abutters were invited. The neighbors presented a letter they received from a lawyer that was sent to the Building Inspector and ZBA. Many neighbors have e-mailed opposition of moving this pole to the board. The applicant has had an excavator on the property, he took down many trees and the pole wasn't in the way then. She raised concern regarding 25 feet of frontage. Chairman Kerrigan explained that is a question for the ZBA, this is regarding the pole relocation. Ms. Deantonis explained moving the pole will be detrimental to the three families on the street. One will back out of driveway and into pole, with the snow plowing

it will create the street to become even narrower if pole is moved. This is detrimental to everyone. Cannot believe you can do this to flip a house, leave it as is. Mr. Soucy from National Grid explained the street will not be narrower with the new pole, it will a line with others on the street, and it is 3 feet from the pavement edge. He explained the pole can be moved further from the driveway if needed. Selectman Devault asked if the board can hear from the opposition, they were unable to speak to National Grid at the last meeting. He would like to allow attendees to speak. Chairman Kerrigan explained the board heard testimony from abutters at the last meeting. He explained if there is new information he will allow it to be presented Ms. Denise Camacho of 128 Greely Street was before the board. Ms. Camacho explained she doesn't understand the statement that a building can be built on the same footprint, there is a letter from a lawyer stating nothing can be built for one year. Chairman Kerrigan explained this is for the pole relocation discussion. Ms. Camacho explained if the pole is moved it will upset the whole neighborhood. It will create a problem with snow removal on the street. Selectman Devault explained the new location proposal is not popular with the residents. He asked if National Grid could propose another location, that isn't so disruptive to the street. Mr. Soucy explained this relocation would a line all the poles on the street. The overhead wires can only be within so many feet of the building, the windows and down spots, the roof and overhang. It depends what is being built, he explained he cannot answer this question without plans for building. Selectman Devault explained the applicant would have the answers. He is against the motion because National Grid did not do enough work to determine the best location. They have made no effort to work with the residents or respond to their concerns. Chairman Kerrigan closed the public comment portion of the hearing. Selectman Connolly made a motion to approve the pole relocation for Greely Street as presented. Selectman Boisoneau seconded the motion. Under Discussion: Selectman Connolly explained he took the time to go to review the location. It is his observation the proposed pole location is not going to be any tighter than the current one. At this time, the current location of the pole creates zig zag pattern for the street, the relocation will create a straight line. National Grid will remove the guidewires for the current pole. There is no way around locating the pole within 3 feet of the building. The proposed new location is closer to Greely Street and further from the driveway. The proposed location doesn't impede access to the driveway. He is in favor of the request. Selectman Kobus stated the discussion with the ZBA was an informal one, there doesn't seem to be any definitive ZBA decision. Mr. Devault was looking for compromise for the relocation of the pole. The pole was there when you made the purchase. He recommended tabling the motion, no permits have been pulled. Selectman Connolly explained he made a motion and it has been seconded, the motion can be amended. Chairman Kerrigan called for a vote on the motion made by Selectman Connolly seconded by Selectman Boisoneau. The vote was 2 in favor, Selectmen Boisoneau & Connolly 3 opposed, Selectmen Devault & Kobus and Chairman Kerrigan.

**Casey Backamn & Chris Brown, Milkmen Cultivation LLC 75 Green Street
Host Community Agreement for Marijuana Cultivation and Manufacturer**

Chairman Kerrigan invited the representative of Milkmen Cultivation LLC, forward for discussion. Mr. Chris Brown and Mr. Russel Plumb were before the board. Mr. Brown explained to the board they would like to begin the formal application process for a host community agreement with the town. They are completing negotiations for a lease agreement for 75 Green Street. It should be completed shortly. Chairman Kerrigan asked about another applicant in the same location. Mr. Brown explained the top two floors are another applicant they will be using the first floor. Selectman Connolly asked for confirmation there is another applicant in the same building. Mr. Brown explained yes. Selectman Connolly made a motion to authorize the representative of Milkmen LLC to meet with the Town Administrator and Town Counsel to enter into negotiations for a community host agreement, consistent with the previous agreements the town has entered into. Selectman Boisoneau seconded the motion. The vote was unanimous.

Phil Duffy – Community & Economic Development Director

Massachusetts One Stop for Growth Program

Mr. Duffy reviewed with the board he has identified five priorities and was hoping for feedback from the board. Selectman Devault asked what would be applicable with the grant, signage for the downtown. Mr. Duffy explained potentially wayfinding signage can be added. He also applied for another program to get funding for signage as well. Chairman Kerrigan explained it is imperative all the signage be made available post construction. He explained he is in favor of all listed.

Electric Charging Stations for Municipal Parking Lots

Mr. Duffy reviewed he has potential for a new project and grant program funded by Mass DEP and National Grid. Electric Charging stations can be added to the municipal parking lots on Walnut and Church Street. National Grid has grant program. The cost to the town would be approximately a \$200.00 annual fee for the software to manage the payments. Two charging stations would be installed in each lot one in handicapped space. The consumer pays for the software app and the town is reimbursed from the app. He explained electronic vehicles are increasing in popularity. He explained the implementation of the charging stations would be no cost to the town. Chairman Kerrigan agreed this is a great idea and he like to hear more about it.

FY22 Budget Hearings

Community & Economic Development

Community & Economic Development Director Phil Duffy was before the board to present the FY22 budget request. Mr. Duffy explained his salary is set by the Personnel by laws and the miscellaneous expense has remained level funded for the last 9 years.

Assessing Department

Chairman of the Assessors David Baird was before the board to present the FY22 budget request. He explained there are essentially 4 changes. He provided the board with a summary work sheet highlighting the spending. He reviewed LTE Wireless Service expense has increased. This increase reflects the purchase of iPads to allow for mobile appraisal and the ability to not occupy the office space at the same time during the pandemic. This service allows efficient use of the iPads which were purchased through a COVID grant. There is an increase from Vision software, this is the standard increase for maintenance and contractual service. There is also a \$7000.00 increase for DOR requirements. Some results of appellate cases on how to value utilities, there is a blended method. There are two companies to work with and this is the cost to contract with one of them. The town is bound to do it.

Chairman Kerrigan explained the Veterans Department and the Fire Department had late scheduling conflicts and are unable to attend this evening.

Town Solicitor

Attorney Gibbons was before the board and explained his budget is the same as last year. The salary is \$5000.00 and the litigation amount is \$107,200.00. This amount covers legal advice for the union negotiations along with any significant cases. At this time he is working on a matter with the Planning Board and a matter with the Board of Health. This amount has been consistent over the last 7 years. For FY22 he proposed \$112,200.00 to be budgeted. He explained this is an adequate amount to cover expenses including the monthly billing which is all tracked.

Chairman Kerrigan thanked the departments for the presentations, he asked Town Administrator Ward if he prepared a preliminary budget for the boards review. Administrator Ward reviewed he distributed the document to the board. He explained updates to revenue and the debt exclusion have been made but this is preliminary and changes are part of the fluid process. Incorporating all of the requests results in a deficit of \$327,000.00. He mentioned the Police Union Contract is still in negotiations. He plans to meet with the Facility Director to go through that departments budget needs. Dr. Meyer will be included in review to incorporate the proposed changes for the COVID impact. Selectman Connolly reviewed traditionally the board votes on a COLA for the non-union employees. This should be done sooner rather than later to incorporate the number into the budget. Administrator Ward agreed that is a good point, some non-union employees

are still on Grid but others are not, some will receive step and COLA. Administrator Ward explained that would be good direction to have. Selectman Connolly explained the board should vote at the next meeting, and also be prepared with Capital Improvement project's needs. He is aware there is a request for Fuller Field. He would like to review if this can be added to the budget and not presented as a warrant article request. Administrator Ward explained there will be a lot of funding requests to be considered under the warrant articles as well. He is waiting on the year to be closed and that will provide the one time free cash number. He would like to get working with the Facility Department to get an idea of the requests. Selectman Devault explained that is essential to get the Facility Department plan. Administrator Ward agreed, it will be good to review the organizational chart for department the capacities assessment and the capital needs assessment. Working together we can get where we need to be.

Administrative Business

There was none.

Old & New Business

Affinity Change of Control & Ownership

Chairman Kerrigan reviewed the board has received notice from Liberty Compassion/Affinity there is a change in ownership. Administrator Ward explained notice was sent to the Cannabis Control Commission of the change. There is a HCA with the current ownership and it would be important for the town to ensure the new owners are aware. Impact fees are to be paid to the town, he suggested they invite the new owners before the board. This will allow them to introduce themselves and the board can reinforce the parameters of the HCA. Solicitor Gibbons explained he concurred with Administrator Ward, the new owners should come before the board. If the state approves the ownership change, it should be made clear what requirements are in the HCA and the obligation of payments under the HCA. Administrator Ward explained this was the first HCA the town worked on so it is unique from the others, the new owners should be made aware. Chairman Kerrigan agreed to the invitation to new ownership. Solicitor Gibbons explained he will reach out to Attorney O'Neil to coordinate the time.

Special Town Meeting Date

Chairman Kerrigan explained the board has discussed hosting a Special Town Meeting to address the landfill capping project. Administrator Ward explained the board discussed at the last meeting to host a Special Town Meeting and the Superintendent of Public Works has recommend moving forward, there is a required two week advertisement requirement. Reviewing the calendar the board will have to open and close the warrant. He suggested opening and closing the warrant tonight, this would allow for a April Special Town Meeting Date. April 19th is a holiday so it is recommended to schedule it for

Tuesday April 20, 2021. Chairman Kerrigan asked about language for the article. Solicitor Gibbons explained it will be an eminent domain taking, so the board can move forward and he will draft the article. Chairman Kerrigan asked about the advertisement of the article. Solicitor Gibbons explained he will prepare Article for advertisement. Administrator Ward explained the board can approve with a motion to approve the intent of the Article subject to the Town Solicitor writing it. Selectman Connolly asked if the Town Moderator has been notified, and would the COVID guidelines for Special Town Meeting still be applicable. Selectman Boisoneau explained the state is still under Emergency order. Solicitor Gibbons agreed. Selectman Connolly made a motion to approve a Special Town Meeting to be held on April 20, 2021 at 7:00PM, opening and closing the warrant to include Article for approval of eminent domain land taking to allow easement taking to complete the landfill closure. Selectman Boisoneau seconded the motion. The vote was unanimous. Selectman Connolly made a motion for Town Administrator ward to advertise a hearing to change the quorum requirement for COVID guidelines ASAP. Selectman Boisoneau seconded the motion. The vote was unanimous.

Annual Town Meeting Warrant Schedule

Chairman Kerrigan reviewed the board needs to set the timeline for the Annual Town Meeting. Administrator Ward explained the board needs to decide how long they want the warrant to be open. At this time he has received some articles with budget submittals and one citizen petition has been received. Typically there is about a three or four week timeframe. He explained he can plan to have a draft warrant prepared for the April 21 board meeting. Selectman Connolly made a motion to open the warrant with a deadline for submission to be April 20th. Selectman Boisoneau seconded the motion. The vote is unanimous.

Bylaw Review Committee

Chairman Kerrigan reviewed Selectman Kobus has requested this issue for discussion. Selectman Kobus explained since participating on the snow removal subcommittee he has been made aware of the need to update the town bylaws. He reviewed there is a need for them to be brought up to current times. Solicitor Gibbons agreed advising the Town Clerk would be beneficial to include in this review. He is aware some of the bylaws are obsolete and could use some revision. Chairman Kerrigan explained he will review the committee membership to make appointments. Selectman Connolly made a motion to create a bylaw review committee and authorize the Chairman to appoint the members. Selectman Boisoneau seconded the motion. The vote was unanimous. Selectman Kobus explained to Chairman Kerrigan he would like to connect on the membership discussion.

Board & Commissions Vacancies

Chairman Kerrigan reviewed the Human Resource Manager has requested the board advertise the vacancy on the Personnel Board. Administrator Ward explained there are a few vacancies on other boards as well. Volunteers are needed, including the Personnel Board vacancy. He explained he will put a notice in the newspaper and reenergize the link on the website to advertise vacancies and volunteer opportunities.

Town Administrator Personnel Evaluation Proposals

Selectman Devault reviewed he had e-mailed the board some proposed solutions and recommendations for discussion with the board regarding the Town Administrators evaluation. He reviewed the proposals, the addition of an Assistant Town Administrator, the addition of a town wide electronic time clock system, the creation of a master list of tasks categorizing them as short, medium and long term by priority, organizational optimization initiative exploring new technology to better streamline information, town resources to better guide citizens through application processes and town wide IT survey. He asked members to review and be open to discuss at the next meeting. Chairman Kerrigan reviewed the permitting guide has been addressed as part of the community compact initiative. Administrator Ward agreed explaining Mr. Duffy is working with consultants from the Collins Center to draft a proposed guideline handbook. Chairman Kerrigan asked how a town wide electronic time clock system ties in with the Town Administrators Evaluation. Selectman Devault explained he has been receiving complaints about the IT services and hasn't been able to get this fully vetted throughout the offices. He was hoping to garner more insight from a survey. Chairman Kerrigan explained he was asking about the time card reporting system for employees. Selectman Devault explained this was part of the discussion in the evaluation process to try to update an antiquated system. Selectman Kobus agreed and explained he has received feedback regarding availability of certain departments at certain times of the week, or for services provided where the services aren't available because an office is closed. It is a way to modernize an outdated paper process. He is aware the town is upgrading to MUNIS and this may encompass a more efficient way of tracking time entry. Chairman Kerrigan reviewed discussion will continue at the next board meeting.

Status of Home Rule Petitions

Selectman Connolly asked for the Town Administrator to contact the State Representative and State Senator for a status on the Home Rule Petitions filed on behalf of Clinton.

Committee Reports

Cable Committee

Chairman Kerrigan announced the new Director will begin on Monday.

Chairman Kerrigan explained the board will enter into Executive Sessions and not return to an open meeting. Executive Session under Article 3 Fire Union Negotiations. Roll Call Vote: Selectman Boisoneau “aye”, Selectman Devault “aye”, Selectman Connolly “aye”, Selectman Kobus” aye”, Chairman Kerrigan “aye”.

Executive Session Article3 Fire Union Negotiations 8:24PM -8: 59PM

Selectman Connolly made a motion to adjourn the meeting at 9:00PM. Selectman Devault seconded the motion. The vote was unanimous.

Meeting Adjourned,

Joyce A. Corbosiero

Executive Assistant to the Clinton Board of Selectmen/Town Administrator