TOWN OF GRAFTON

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BOARD OF SELECTMEN

TOWN OF GRAFTON
BOARD OF SELECTMEN
MARCH 15, 2011
MUNICIPAL CENTER
CONFERENCE ROOM A
7:00 PM

CALL TO ORDER

A regular meeting was called to order at 7:05 pm. Present were Chairman Padgett, Mr. Ross, Mr. Adams, Mrs. Cotton, and Mr. LeMay. Also present were Town Administrator Tim McInerney and Recording Secretary Patricia Pichierri.

ANNOUNCEMENTS

a) Environmental Stewardship Partner award awarded to Recycling Committee

Mr. Padgett mentioned that the Town has received the Environmental Stewardship Partner Award. Mr. Padgett wanted to recognize the members of the Recycling Committee.

1) SCHEDULE

a) 7:00 PM – Dean Deborah Kochevar – Tufts University - update

Dean Kochevar was present to give an update to the Board. The RBL is fully online. They are currently preparing a marketing plan for the Science Park. She also mentioned that they are requiring dog owners to register their dogs with them before they use the dog park. They are also going to be required to have their dogs leashed.

There have been several performances at their auditorium. Tufts has been doing programs through the Middle School, and the Elementary School, and they also have been offering internships to High School Students. The open house that they have annually has been successful. She gave the Board an outline of the highlights and the contributions that Tufts University has made to the Town.

b) 7:15 PM – Steve Bishop – sign contract Mill Villages

Mr. Bishop was present. There were 21 bids that were received for this project. The low bidder was Aldore Tetreault & Sons Inc. There will be a ground breaking ceremony at 9 am on Saturday April 9th. Congressman Neal

will be speaking. This project includes the construction of a pavilion, and park. This was budgeted at $575,000 and the bid came in at $482,680.00. This contractor was used by the South Grafton Water District, The Streetscape Committee also contacted several communities that have used them in the past and they come highly recommended. The funds for this are being used from 40R and CPC funds.

A motion was made by Mr. LeMay to sign a contract with Aldore Tetreault & Sons in the amount of $482,680 for construction of the Mill Villages Park. The motion was seconded by Mrs. Cotton. Motion passed.

c) 7:30 PM – Paul Scarlett - Vote to reject the General Contract bids for the Grafton Town House Accessibility Renovations Project received on February 16, 2011.

Mr. Scarlett gave an overview of the vision of the building and how Apple Tree Arts has collaborated with the Grafton Town House Oversight Committee to bring restoration to the building. The presentation included the vision of the building as well as the funding sources that have been utilized up to this point. A long term lease agreement is needed for Apple Tree Arts to have access to certain grants and funding avenues.

Mr. LeMay asked about the accessibility of the Great Hall. The intent is to allow other civic organizations to use the great hall for events, at no charge for non-profits. Mr. LeMay questioned the tenants on the 2nd and 3rd floors. It was noted that one tenant will be leaving, and the other tenant is working with Apple Tree Arts to delay the work in their specific area until the very end. Mr. LeMay also mentioned that the Town needs to be aware of the other tenants during the construction of the building. Mr. LeMay is also concerned about management of the construction. Mr. McInerney mentioned that someone from the Town staff will have to be on site. Mr. Scarlett also mentioned that he will be available to oversee the project as well. Mr. LeMay believes that there should be an outside project manager. This will have to be figured into the cost of the entire project. Mr. LeMay asked about the fire escapes. They are substantially complete except for some final painting. It was also noted that it was recommended by the Fire Safety Engineers that the fire escapes be left in the down position.

Mr. Scarlett mentioned that the Grafton Town House Oversight Committee has reviewed the lease and has given their approval.

Mrs. Cotton asked what would happen if Apple Tree Arts doesn't meet the benchmarks specified in the lease. Mr. McInerney said that they would have to vacate the building, and the lease would be terminated. Mrs. Cotton also

asked if there are any plans to sub-lease the space. Mr. Scarlett mentioned that there are no intentions to sub-let any space, but they welcome civic organizations, profit or non-profit to use the great hall for performances. The lease is written so that if the Town sells the building, then the lease may stay with the new owners. New laws do not require that the lease be approved by the legislation.

Mr. Adams does not feel comfortable with this because it doesn't need town meeting approval. Mr. Scarlett mentioned that they were not aware that they didn't need town meeting approval until recently. He believes that it should go to town meeting. Mr. Adams also mentioned that there is no inflation built into the lease benchmark. Mr. Scarlett mentioned that the building needs to be repaired quickly for them to be able to use it and they would need to raise the money within a short amount of time so they can get in the building. Mr. Adams was questioning the real estate taxes regarding non profits. Mr. Adams also questioned if the funds would be used to restore the first and 2nd floor, and not just the upstairs and great hall. A list of repairs for the entire building should be attached to the lease. Mr. Adams mentioned that he knows tenants that are being given notice to vacate before the project even has been started. Mr. Adams is not in agreement with the possible changes that would be to be made to the common.

Mr. Ross was asking about affiliated companies with Apple Tree Arts being able to use the space. This will be taken out because there are no affiliating companies. Mr. Ross also mentioned that the amount of time the building dept has to respond should be changed to 30 days. He also questioned whether the first $120,000 that has already been secured would count toward the benchmark. There should be language added to include that any Grafton based non-profit organization can use the hall for free, but there would only be a charge if a cleaning fee needed to be assessed. Mr. Ross also mentioned that he believes that the Town has been voting in favor of fixing the building, not simply voting for Apple Tree Arts. He also doesn't believe the Town should be a landlord, and he is undecided on whether it should go to Town Meeting. He wanted to thank Apple Tree Arts organization for all the work that has been done to restore this historic building. Mr. Scarlett also mentioned that the longer the Town waits, then the longer it will take to secure grants and would delay the restoration.

A resident from 14 West street spoke in opposition of this lease. He believes that the lease agreement would prevent the Town from selling the building in the future. He also believes that there could be a significant lead paint exposure during the restoration and construction. He believes the burden to comply with removing and dealing with lead paint will be with the Town, not with Apple Tree Arts. He also doesn't agree with the changing of the parking

spaces at the front of the building. The resident also asked about a conflict of interest of Mr. Scarlett being an employee of the Town and being on the Board of the Apple Tree Arts. Mr. Scarlett mentioned that they are aware of the lead in the building and assures the resident that there will be full compliance. He also took a test regarding ethics laws, and has abstained from all votes regarding funding for this project.

Cynthia Levine, 4 Deerfield court, and a member of the Commission on Disabilities, spoke in favor of this project. She is an expert in lead paint, and believes that Mr. Scarlett and Apple Tree Arts will be in full compliance. She is also in favor of having the building handicapped accessible.

The Board has discussed changes that need to be made to the lease agreement. Mr. LeMay spoke in favor of the lease agreement. He believes that this is the best situation for the Town. He does believe that the changes should be done for the next meeting to vote on. Mrs. Cotton also agrees and spoke in favor of signing this lease agreement. Mr. McInerney mentioned that he would like to have the changes made and have this come back at the next Selectmen's meeting in April. Mr. Adams prefers this go to Town Meeting. He believes a management company should come in and manage the building.

There were 2 bids for the handicapped accessibility project, but they do not have the funding in hand to support the project. The project will be broken up into several phases so they can receive separate bids for each phase. The 2 bids that have been received must be rejected so they can move forward with the new schedule. There was a question about the information that was given by Dixon Salo regarding bid specs for this project. They will have to re draft documents for new bids.

A motion was made by Mrs. Cotton to reject the general contractor bids for the Grafton Town House Accessibility Renovations Project received on February 16, 2011. The motion was seconded by Mr. LeMay. Motion passed.

Sign lease – Apple Tree Arts-This will be brought back to the next meeting. Mr. Scarlett will check with an organization that will be meeting in April for possible funding.

d) 8:00 PM – Brian Szczurko & Dave Crouse – Depot Street Bridge

A notice was received by the Mass DOT regarding the Depot Street Bridge in South Grafton. They recommended that the sidewalk needs to be shut down because of safety reasons. Mr. Szczurko and Mr. Crouse met with a DOT

representative to discuss options. It is proposed to make it a one way road. The long term plan is to have engineering and cost estimates to have this bridge fixed. Mr. Szczurko is working on putting together an RFP for an analysis and cost estimates for repair. Mr. Szczurko spoke to the School Dept to find out where the major traffic comes out for that area to determine which one way it should be. The schedule for the road to be closed is 3/28/2011.

Mrs. Cotton wanted to know if something can be done to keep it from getting worse. Mr. Szczurko mentioned that the biggest hang up for this could be from permitting because of the water way.

2) SELECTMEN REPORTS / TA REPORT

Mr. Ross asked about Riverview Park and the electricity situation. Mr. McInerney mentioned he will look into it. Mr. Ross also noticed that the link to pay on line tax payments show that Visa cards are not accepted. He thinks that should be looked into. Mr. Adams asked about the school dept building demolition and noticed that there was no asbestos work being done. Mr. McInerney mentioned that there was asbestos in the building. Mr. Adams wanted to know if there would be a credit back for that amount since it was told that there was asbestos in the pipes under the building.

Mr. McInerney gave his report. The Fine Arts & Musical Festival is being held at the Municipal Center on March 26th and 27th. The Finance Committee is holding meeting for the FY12 budget. There will be bonds for the High School Project coming forward for signature. The snow and ice expenditures have been about $179,000 over budget so far.

3) TOWN ADMINISTRATOR APPOINTMENTS

Assistant Town Administrator – Kevin Mizikar

There were over 40 applicants for this position. Mr. McInerney interviewed 23 applicants. Mr. Mizikar is the executive director of a non-profit organization. He worked for the White House; He has a master's degree in Public Administration. The selection committee recommends Mr. Mizikar as the Assistant Town Administrator.

A motion was made by Mrs. Cotton to appoint Mr. Mizikar as the Assistant Town Administrator and to waive the waiting period. The motion was seconded by Mr. LeMay. Motion passed.

4) MEETING MINUTES – 1/4/11, 1/11/11, 2/8/11, 2/15/11

A motion was made by Mr. LeMay to accept the minutes of 1/4/2011 as amended. The motion was seconded by Mrs. Cotton. Motion passed.

A motion was made by Mr. LeMay to accept the minutes of 1/11/2011 as amended. The motion was seconded by Mr. Ross. Motion passed.

A motion was made b Mr. LeMay to accept the minutes of 2/8/2011 as amended. The motion was seconded by Mr. Adams. Motion passed.

A motion was made by Mrs. Cotton to accept the minutes of 2/15/2011 as amended. The motion was seconded by Mr. Adams. Motion passed.

5) NEW BUSINESS

a) Vote to set Special Town Meeting for May 9, 2011 at 7:00 PM at the Grafton High School Auditorium

A motion was made by Mr. LeMay to set the Special Town Meeting for May 9, 2011 at 7 pm. The motion was 2nd by Mr. Adams. Motion passed

b) Vote to set Spring Annual Town Meeting for May 9, 2011, at 7:30 PM at the Grafton High School Auditorium

A motion was made by Mr. LeMay to set the Spring Annual Town Meeting for May 9, 2011 at 7:30 pm. The motion was 2nd by Mr. Adams. Motion passed.

c) Vote to rescind vote of December 21, 2010 to award the contract for re-roofing the South Grafton Fire Station to One Way Painting, Inc., Lynn, MA

There was some confusion about what was included in the bid during the initial construction meeting. This bid needs to be rescinded and a new bid will be coming forth at the next meeting.

A motion was made by Mr. LeMay to rescind vote of December 21, 2010 to award the re-roofing contract for the South Grafton Fire Station to One Way Painting. The motion was 2nd by Mrs. Cotton. Motion passed.

d) E L Harvey – finalize discussion and vote on toter proposal and route changes

Mr. Harvey was present to discuss the new toter for the recycling. It is proposed that all residents will receive a 96 gallon bin, if the resident doesn't have the need for that size, or is physically unable to use, then EL Harvey would provide them with a 32 gallon bin. Mr. Adams would like to know if there could be provisions made for people with one way roads. He received a letter of a resident that lives on a one way road in which the truck doesn't

travel to the end because there is a bridge and she drives her bin up to the neighbor's yard. Mr. Harvey also mentioned that they will price both bins if residents want to buy an additional large or small bin. Mr. Ross asked if the small bins can be recycled. Mrs. DeFazio mentioned that there will be a program in place in which the green bins could be donated to the school since there is always a shortage.

There was also a discussion regarding route changes proposed by E.L. Harvey. They mentioned that the most changes would be made with those that have Friday pickups. A mailer will be sent to all residents outlining the changes.

A motion was made by Mrs. Cotton to accept the proposal of the 2 sizes of recycling toters and the proposed route changes as outlined. The motion was seconded by Mr. LeMay. Motion passed.

6) CORRESPONDENCE

a) Internal Communication –A letter of thanks was sent by the Grafton Education Alliance for their participation in the spelling bee.

b) General Correspondence-None

7) ROUTINE

APPOINTMENTS – Justin Cain – Full member Sign By-Law Committee

A motion was made by Mr. LeMay to appoint Justin Cain as a full member of the Sign By-Law Committee. The motion was seconded by Mrs. Cotton. Motion passed.

RESIGNATIONS – Mark Carlson – Grafton Historic District Commission

A motion was made by Mr. LeMay to acceptthe resignation of Mark Carlson from the Grafton Historic District Commission. The motion was seconded by Mrs. Cotton. Motion passed

Mark Pilotte – Sign By-Law Committee
A motion was made by Mr. Adams to accept resignation of Mark Pilotte from the Sign By-Law Committee. The motion was seconded by Mrs. Cotton. Motion passed.

LICENSES – One Day Beer & Wine – Grafton Cultural Council, March 25, 2011 – Arts Festival (vote to waive the fee)

A motion was made by Mr. LeMay to approve the One Day Beer & Wine License for the Grafton Cultural Council. The motion was seconded by Mr. Ross. Motion passed.

8) EXECUTIVE SESSION

A motion was made by Mr. LeMay to enter executive session at 10:26 pm under MGL Chapter 30A, Sec 21(3) for the purposes of litigation updates, union negations, non union negotiations, land negotiations, strategy for negotiations and minutes. The motion was seconded by Mrs. Cotton. A roll call vote was taken. Mr. Adams (aye), Mr. Ross (aye), Mr. LeMay(aye), Mr. Padgett (aye) and Mrs. Cotton (aye).

Chairman Padgett declared that to discuss these issues in open session would jeopardize the town's position on these items.

ADJOURN

A motion was made by to adjourn meeting by Mr. LeMay at 10:56 pm. The motion was seconded by Mrs. Cotton. Motion passed.