

The meeting was called to order at 7:00 P.M. by Chair, Ron Ricci in the Town Hall Meeting Room. Ron Ricci, Lucy Wallace and Peter Warren were all in attendance.

MINUTES – On a Warren/Wallace motion, the Board voted unanimously to approve the minutes of 10/6, as amended.

SOUTH SHAKER ROAD CONSERVATION COMMISSION – Judith Pickett, Esq. was in attendance to present a conservation restriction as a charitable gift to the Harvard Conservation Trust on behalf of Alice Thayer. Ms. Thayer spoke briefly stating her family has owned the property for three generations and it was transferred to her in 1986. She explained the conservation restriction is for 5.05 acres of land on South Shaker Road. Lucy Wallace thanked Ms. Thayer for the very generous gift to the town. On a Warren/Wallace motion, the Board voted unanimously to accept conservation restriction based on the document dated 10/19/09.

EVERGREEN SOLAR UPDATE – Jay Wallace was in attendance to request the Board of Selectmen endorse a letter to the Devens Enterprise Commission extending the temporary Certificate of Occupancy from October 31, 2009 to December 31, 2009. Wallace said Evergreen Solar has not been able to do a worst case scenario as previously mandated. After meeting with Evergreen Solar representatives, Wallace indicated an agreement had been reached to extend the dates for compliance to allow Evergreen Solar more time. He explained the letter presented would give the direction desired to the DEC. The letter reads that DEC acknowledges the significant efforts and progress Evergreen Solar has made toward reducing the sound generated by their facility and accepts an agreement by Evergreen Solar to with hold from applying for permanent Certificate of Occupancy until the three following conditions have been met:

- Long Term Monitoring and Reporting has been operational for a period of 45 days.
- 30 days have passed beyond the satisfactory performance of the worst case scenario test.
- 7 days have passed since the completed installation of the permanent sound monitors.

On a Wallace/Clark motion, the Board voted unanimously to authorize the Chairman to sign the letter dated October 20th

SELECTMEN REPORTS (Tim Clark entered the meeting at 7:30pm) – Lucy Wallace reported DHCD (Department of Housing and Community Development) would provide funding to hire a professional to handle the sale of the affordable unit located at 31C Elm Street, Devens. Peter Warren updated the Board on the progress of the Economic Development Analysis Team (EDAT). He said they are working at a rapid pace and so far have sent out a questionnaire to residents abutting the commercial district for their feedback, discussed the possibility of having a Town Center Sewer Building Committee member on the team and is in contact with MRPC about consulting availability. Warren said the team will be taking a bus tour of the commercial district on November 7th at 1:30pm. Warren reported the Cable Committee is waiting on the personnel board to meet so they can move forward with hiring a part time coordinator. He said the committee has also reorganized voting Jonathan Williams as Vice Chair and Mitch Norcross as Secretary this will allow them to hold a meeting if the Chairman can not be present. Another item he reported on was the installation of a door at the former library building. This will allow the committee to store equipment as the former director's office will now be used by the Veteran's Agent.

Tim Clark said the Town Center Sewer Building Committee met on Monday, October 19th with Norfolk Ram to discuss design and project administration. Clark indicated the possibility of short term borrowing to fund the design phase if town does not qualify for SRF funding. Clark suggested the Board appoint the Policy Committee as soon as possible. The Board agreed to do this at their first meeting in December. Clark said he attended the Green Communities workshop and indicated he will work with the Energy Advisory Committee on qualifying for grant funds through this program.

Ron Ricci said the MassDevelopment Board of Directors meeting was uneventful but said Bob Culver confirmed the construction of 600 housing units in the future. Ricci reported the Vicksburg Square sub-committee will be meeting with the MassDevelopment Board of Directors to review responses from the request for information.

TOWN ADMINISTRATOR REPORT –

Tim Bragan informed the Board a request to hunt on Bare Hill Pond has been sent to the Bare Hill Pond Committee for their recommendation.

Bragan said an application for a Pole Hearing has been received and a hearing will need to be held in November. The pole is for Stow Road southeast of Westcott Road.

Bragan told the Board Rick Maiore from the Elderly and Disabled Taxation Aid Committee recommended Laura Andrews for appointment. On a Wallace/Warren motion, the Board voted unanimously to appoint Laura Andrews to the Elderly and Disabled Taxation Aid Committee.

Bragan informed the Board that the HEAT application for fuel assistance is available at town hall and at the Hildreth House.

Responding to a request from Bill Johnson of the EDAT regarding the possible use of funds from the Rantoul Trust to have a study performed to determine viability. Bragan reviewed the trust guidelines and it appears that the BOS could authorize such funds. An amount has not been discussed and when the amount is determined then it will be brought to the board.

Bragan stated Tuesday November 3rd is the deadline for any ballot questions to go on the December 8th ballot.

Bragan informed the Board that annual licensing is coming up and Executive Assistant Julie Doucet will be notifying the licensees and setting up any necessary hearings.

Bragan updated the Board on the progress of the new town web site. He indicated it is moving ahead, training is this week and if everything goes well then we will go live within the next week or two.

PUBLIC COMMUNICATION -

Marilyn Strong, Old Littleton Road, a member of a grassroots international campaign (350.org)which calls attention to the crisis of climate change was present to inform the Board members that on October 24th around noontime the area churches will be ringing their bells 350 times in support of this campaign.

Marie Sobalvarro, St. John Lane, asked about the status of collection of back taxes. Finance Director Lorraine Leonard was in attendance and confirmed the process has begun.

**** On a Wallace motion, the Board voted unanimously by a roll call vote (Clark – AYE, Wallace – AYE, Ricci – AYE, Warren – AYE) to enter into executive session at 8:05pm, as authorized by Chapter 39, Section 23B of the Massachusetts General Laws, at a meeting for which 48-hours notice has been given, to discuss negotiation strategy with respect to collective bargaining. Following the executive session, the Board will reconvene into open session, for the sole purpose of adjourning. ***