



**Board of Selectmen  
Minutes  
Tuesday, December 20, 2011 at 7:00pm  
Town Hall Meeting Room**

The meeting was called to order at 7:00PM by Chair, Marie Sobalvarro in the Town Hall Meeting Room. Selectmen Marie Sobalvarro, Ron Ricci, Bill Johnson, Peter Warren and Tim Clark were all in attendance as well as the Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

**MINUTES**

On a Johnson/Ricci motion, the board voted to approve minutes of 11/15, as presented. Peter Warren abstained from voting since he was not present at the 11/15 meeting.

**COUNCIL ON AGING BUDGET**

Director Debbie Thompson and COA Board members Lucy Wallace and Fran Nickerson were present. Thompson said the budget is level funded with three staff members which includes a full time Director and part time Outreach and Program Coordinators. The COA budget requested includes thirteen hours of salary for the MART van dispatcher. Currently, the MART program is operated with dispatch services provided by the Finance Department. The COA feels having the MART-funded dispatcher/scheduler at the Hildreth House instead would improve the service and how users access it. Key benefits to support this change would be the visibility of someone at the Hildreth House who can provide a friendly familiar face and general information, this person could become familiar with specific needs, appropriate referrals to the Outreach Coordinator can be made and more efficient and accurate preparation of MART documentation such as mileage, van fees and other financial and use reports. Peter Warren noted this change would create a new expense for the Finance Department. Lucy Wallace reminded the BOS this request was made last year as well so it should not be a surprise to anyone. Town Administrator Tim Bragan said the program was set up this way to accommodate collection of fees and coverage when dispatcher is on vacation or out due to other reasons. Marie Sobalvarro referred to the COA strategic plan and how the MART program is really COA driven. Thompson did say in most towns the COA handles the MART program. Bill Johnson said he can see the advantage this would have for the COA Director. The discussion ensued and Ron Ricci suggested the COA Director and Town Administrator work on this further. Sobalvarro as COA liaison will assist. Tim Clark wondered how the Finance Committee will view this. Wallace suggested questions specific to this be forwarded to the COA liaison on the Finance Committee Alice von Loesecke.

Senior Work Off Program

Bragan said the BOS need to reauthorization the program for the upcoming year. He noted the program may need to have certain qualification guidelines in place. Marie Sobalvarro said the Elderly and Disabled Taxation Aid Committee are discussing this.

**Decisions will need to be made by the end of January.** Tax bill credits are realized on the third quarter bills.

## **PUBLIC COMMUNICATION**

George McKenna, Capital Planning and Investment Committee Chair, pointed out the funding request (3.311 million) from the MBC at the Quad Board meeting was much higher than originally voted on by the CPIC back in February of 2011 (2.26 million). He said last Thursday the previous vote was reaffirmed. He expressed concern over the enormity of funding necessary for capital projects other than the buildings being discussed by the MBC. He referred to an assessment recently done on the condition of six other municipal buildings. He said considering strategic planning it is important we understand where we will be in five years. He stressed the significance of understanding the fiscal impact related to resources and benefits of the Town Hall and Hildreth House projects. He encouraged the BOS to come up with a funding plan for the CPIC. He thinks the BOS should form a task force to analyze operating and capital costs with financial profile recommendations. He said this way when we begin to discuss projects we will have the knowledge we need to make the right and prudent decisions moving forward. Marie Sobalvarro asked if this would be under the Finance Committee. McKenna suggested a small working group comprised of members from CPIC, Fin Com, BOS and School Com to do fiscal profiling over a six week time period.

## **FINANCE DEPARTMENT BUDGET**

### *Personnel*

Finance Director Lorraine Leonard submitted a level funded budget for the Finance Department. She noted a reduction in the personnel budget due to two new hires. She said built into this budget is a part-time position (summer) for 10 weeks at 20 hours a week. She explained due to 9C cuts back in FY09 the receptionist position was eliminated. The summer position last year was invaluable in many ways. Leonard expressed her number one priority is to eventually have the year round part time receptionist position reinstated. This will assist in many ways but most importantly allow the Finance Assistant and Assistant Assessor more time to focus on their assigned tasks.

### *Expenses*

Leonard said she added an item for disaster recovery for payroll. She said this will save money in the long run and can be done remotely. She said the normal increases for technology are included for the financial software (Munis) and assessing package (Vision). Other professional services included are payroll service (Harpers) and assessing (RRG). Leonard noted no big change with mapping and deeds but at some point could change if GIS mapping is available. Clark asked if grant funding is offered for GIS mapping. Leonard did not know but is willing to investigate once she is instructed too.

Marie Sobalvarro said there is an obvious need throughout our town departments (Police, Fire, Finance, COA) for part time administrative assistance or possible shared assistance. The BOS suggested the Town Administrator come up with a proposal for them to consider.

## **CABLE COMMITTEE APPOINTMENT**

The board members were introduced to John Burns by Committee Chair Mitch Norcross. On a Ricci/Clark motion, the board voted unanimously to appoint John Burns to Cable Committee.

## **OLD LIBRARY DISCUSSION**

Marie Sobalvarro opened the discussion reminding the BOS of the Profit and Loss Statement provided by the Pilot Project in November which included rental income and expenses from September – November 2011. Bill Johnson said to be consistent with goals set for the MBC advancing future plans for the old library is essential. Johnson said he attended a meeting with the Town Administrator Tim Bragan, Pilot Project member Willie Wickman and BOS Chair Marie Sobalvarro where the following was discussed:

- Current status and future planning for Pilot Project; identify actions which would foster success of Pilot
- Impact of using Old Library as temporary relocation of Town Hall in FY13 (assuming the Town Hall renovation project is approved and funded at 2012 ATM)
- Discuss need to permanently relocate Cable Committee
- Identify and timeline critical questions and decision points; define *Action Items*

Johnson reported the Pilot Project has hired a consultant to develop a 5-year plan for review with BOS in February. A draft plan will be submitted to the BOS by February 16<sup>th</sup>. Peter Warren commented when the Pilot Project began it was understood they would contribute to the operating costs of the building. Sobalvarro agreed but noted the complexity in determining how costs should be apportioned considering use of the building by the Cable Committee and Veteran's Agent as well. Warren said he is impressed with what the Pilot Project has accomplished thus far. Town Administrator Tim Bragan noted one valid concern expressed by Wickman during the meeting was concerning the relocation of Town Hall to the old library during construction. She believes this would kill the project. Johnson agreed stating the relocation of Town Hall needs to be resolved so the Pilot Project can respond with a solution acceptable to the Town. Sobalvarro said the MBC included in the OPM's task investigation of ideas for relocation during construction. Ron Ricci and Bill Johnson expressed concern over monies allocated for the schematic designs being used for this task. Sobalvarro and Clark assume the relocation piece would be included in the cost of the entire project. Ricci said it was not part of the authorization of funds for MBC. Johnson suggested Tim Bragan, Ron Ricci and Marie Sobalvarro examine the lowest cost way to accommodate relocation. Johnson asked Peter Warren if he would work with the Cable Committee to identify a long-term permanent home by the second meeting in January so a plan and budget can be determined for FY2013 if Town Hall relocation is targeted for the old library. Warren said he would do his best.

## **ECONOMIC DEVELOPMENT COMMITTEE UPDATE**

Committee Chair Rich Maiore was present to provide a brief verbal update. A full presentation will be given at the first meeting in January. Based on the charge given to the EDC they have made the following progress:

- Pursue Economic Target Area (ETA) designation: Status: Complete. Tim Bragan confirmed bill is in State House. Rep. Benson's office will provide update to him. Confirmation is expected.
- Conduct outreach to existing commercial district businesses to gain input on opportunities/barriers to growing commercial district Status: Complete. 27 businesses contacted; Created database of contacts. Will provide detailed report to BOS/PB in early January.
- Research commercial district infrastructure issues to make recommendations to facilitate orderly and attractive growth Status: Ongoing. Determined viability of link with Devens for water/sewer
- Conduct outreach to landowners, developers and prospective business to promote town's supportive posture and attract services the town desires Status: Ongoing. Continue to conduct outreach to landowners, developers. Set to begin outreach to prospective businesses
- Create communication strategy and channels to inform residents on EDC related developments. Status: Incomplete. No news to report. Will provide update to residents in early January and then quarterly or as it arises moving forward

Maiore did note the committee may be down another member. They will need to recruit someone with a real estate background. He confirmed the report will be completed and distributed to the BOS and Planning Board prior to the January presentation.

## **SELECTMEN REPORTS**

*JBOS* - Peter Warren reported at the last JBOS meeting Tom Kinch was elected Chair. Administrative Assistant Liz Garner was instructed to distribute the MOU from 1994 & 1996 for review and discussion at the next meeting. Warren said a brief discussion was also held related to the Shirley Village growth district and the possibility a super town meeting may be required to accommodate zoning changes.

Warren announced MassDevelopment President Marty Jones will hold a public session on January 18<sup>th</sup> in Devens regarding the Trinity Financial proposal for redevelopment of Vicksburg Square. They have requested questions be submitted to Ed Starzec prior to the meeting.

Warren also reported the Elderly and Disabled Taxation Aid Committee continue to work on an article for the ATM similar to the Hamilton and Sudbury Tax Write-off Programs.

Lastly, Warren said the building assessment report prepared by Galeota Associates has been completed to assist with the possible creation of a Facility Manager position.

Ron Ricci said as liaison to the Fire Department and considering the importance of the SAFE Program, even though it is not in his heart to support a burning permit fee, he decided to make a motion to reconsider the vote taken at the last BOS meeting. On a Ricci/Warren motion, the board voted to reconsider a fee for burning permits. (Ricci – Aye, Warren – Aye, Johnson – Aye, Sobalvarro – Nay, Clark – Nay) Town Administrator Tim Bragan said under “Roberts Rules of Order” once a vote to reconsider is passed a vote can be taken to change the original vote. Ricci recommended revising the fee schedule to include at a \$10 fee for burning with revenue generated used solely to support the SAFE Program. On a Ricci/Warren motion, the board voted to revise the fire department permit fee schedule to charge a \$10 burning permit fee. (Ricci – Aye, Warren – Aye, Johnson – Aye, Sobalvarro – Nay, Clark – Nay)

Ricci noted there are two vacancies currently on the MBC and made the following motion: On a Ricci/Warren motion, the board voted unanimously to advertise two open positions on the MBC, a finance person with town finances experience and person with prior municipal building committee experience plus town government experience and private business management experience with applications due by January 4<sup>th</sup> and make appointments at first meeting in January. Tim Clark suggested appointing BOS MBC liaisons Marie Sobalvarro and Ron Ricci considering their familiarity with the process. Clark suggested the BOS consider eliminating the rule to not appoint BOS members to other boards/committees. Marie Sobalvarro said a change to the BOS Policies and Procedures can be visited in the future.

Bill Johnson reported he met with members of the Conservation Commission, Bare Hill Pond Watershed Management Committee and the Park & Recreation Commission to discuss significant redefinition of the boat launch area at Bare Hill Pond. This could include changes with parking and will require public input. He said the Park & Recreation Commission will coordinate public outreach.

Marie Sobalvarro reminded the public to provide their input on the schematic designs for the Town Hall and Hildreth House by December 21<sup>st</sup>. Bill Johnson suggested not assigning a specific deadline but allowing feedback to be ongoing. Sobalvarro agreed but noted the tight timetable the MBC is on and assumes that is why a deadline was set.

#### **DISCUSSION & ACTION ON ADOPTION OF CHAPTER 32b SECTIONS 21-23**

Town Administrator Tim Bragan stated basically due to a recent vote by Minuteman Nashoba Health Group (MNHG) to go to a single Group Insurance Commission (GIC) like plan with three providers a specific timeline for acceptance and negotiation period began. He explained adoption of this chapter allows cities and towns the ability to change plan design outside of collective bargaining. He said because MNHG voted to make this plan design change the seventeen communities who belong have no choice but to go along with it. The only options we have are to stay with MNHG, leave MNHG, join another group or join GIC. Bragan said he is diligently following the process and all unions have been informed of the changes thus far. He said tonight the BOS need to vote in favor of the adoption and the necessary steps will be taken. He noted at this time the best option for the town and its employees is to stay with MNHG.

Bragan explained the biggest change with the new plans is the inclusion of deductibles. The deductibles are related to specific services and are \$250 for an individual and \$750 for a family. He did note the out of pocket maximum expense is \$2000 for individual plans and \$4000 for family. Bragan confirmed there will be no changes to participating doctors. He said the changes will be dealt with in more detail with all the unions. Tim Clark wondered if there are any penalties if we leave MNHG. Bragan said premiums paid would be lost. He informed the BOS that he and Finance Director Lorraine Leonard tried to fight this change but to no avail. President of Teachers Association Kelly Carlucci came forward and commented on the very short notice they were given regarding this change. She understands specific timelines are imposed but asked if there was any way to slow the process down. She said especially with the holiday season upon us this was defiantly not on anyone's radar. Bragan said by January 9<sup>th</sup> employers will have prepared their estimates of savings and their mitigation proposals at which time the Section 21-23 expedited bargaining process will begin. Bragan admitted this is an unfortunate set of circumstances. Carlucci was in agreement and said the teachers union has not had a chance to process this change. Sobalvarro said we have been backed into a corner since MNHG is not offering any choices. On a Clark/Warren motion, the board voted unanimously to accept section 21-23 of Chapter 32B.

#### **STATEMENT OF INTENT**

Marie Sobalvarro began the discussion by stating the Statement of Intent (SOI) was drafted under a negotiated process and is slightly different than Article 17. She envisions the statement as a guide or a framework to follow. She opened the discussion to her fellow members by asking what the statement means to them. She also noted MBC Co-Chair Wade Holtzman, and MBC member Doug Coots were in the audience. Ron Ricci made it very clear his intention of the agenda item was to discuss compliance with the SOI. He is concerned members of the MBC are not in full support of the SOI which is part of their charge. Sobalvarro and Ricci debated the validity of the statement and its interpretation; it is noted in the MBC charge as a reference document. Ricci said there should be no confusion as the BOS voted in favor of the SOI at the ATM 5-0. Sobalvarro understands the SOI to be a framework to guide us through the decision making process. Tim Clark expressed his frustration with the continued disruption caused by the constant marrying of the SOI and Article 17. He said the MBC is moving the process along effectively. Sobalvarro diverted the conversation to ask the BOS members what their thoughts were on the four designs presented by Lerner Ladds Bartels Designer (LLB). Warren said he was disappointed with the designs. He would have liked to see more diversity. If he had to choose he would say 4 or 1. Sobalvarro was leaning toward schemes 1 and 2. Johnson said number 4 was the only one that clearly met the SOI or he could see scheme 1 which tested the limits of the SOI but could work. Ricci said the SOI was followed with schemes 1, 3 and 4. Sobalvarro referred to MBC member Lou Russo's comments stating the designs need to meet a 50 year lifespan. At this point, Sobalvarro invited MBC member Doug Coots to come forward. Clark said he was not happy with any of the schemes. He articulated the absolute need our buildings are in due to deferred maintenance over the years and his aggravation over arbitrary constraints. Warren cautioned the BOS if there is not unified support from Fin Com, CPIC and the BOS we will not get an affirmative vote at the ATM. Ricci pressed to ask the BOS members if

they believe the SOI is part of the MBC charge and if it should be followed. Tim Clark suggested the BOS let the committee do their job at which time he exited the meeting (10:00pm). Sobalvarro tried to redirect the conversation stating truly we are not that far away from making this happen. Johnson asked Sobalvarro if she was comfortable to request the MBC pursue only schemes 1 and 4. He said providing constraints and not leaving this open ended will guide the process. Sobalvarro said the financing model must meet the programmatic needs. Coots said the component that began the discussion of drafting the Statement of Intent was to avoid having two competing articles at the ATM and provide the most functional option. Coots frankly stated the SOI actually is an insufficient guide from an architectural standpoint. He explained when conceptual designs are prepared there are particular laws to follow. He said the architects have followed the SOI carefully. Coots encouraged patience at this stage of the process. He did acknowledge one MBC member has expressed reluctance with the SOI but the committee has taken it seriously from the start. He said at this point it is premature to get too concerned. Sobalvarro suggested BOS members submit their ideas to the MBC. Peter Warren said he is convinced the majority of the MBC members are utilizing the SOI as intended. Again, Coots asked the BOS to be patient and he assured them the process is moving along very well. Warren said it would be very beneficial for the architects to meet with Town Administrator Tim Bragan.

#### **ANNUAL LICENSE RENEWALS**

On a Ricci/Warren motion, the board voted unanimously to accept license renewals as presented.

#### **JANUARY MEETING SCHEDULE**

The board agreed to move their January 3<sup>rd</sup> meeting to January 10<sup>th</sup>.

The meeting was adjourned at 10:20pm.

Documents referenced:

**COUNCIL ON AGING BUDGET** – narrative dated 12.14.2011(FY2013)

**FINANCE DEPARTMENT BUDGET** – narrative dated 12.1.2011 (FY2013)

**CABLE COMMITTEE APPOINTMENT** – volunteer form dated 12.13.2011

**OLD LIBRARY DISCUSSION** – summary dated 12.14.2011

**DISCUSSION & ACTION ON ADOPTION OF**

**CHAPTER 32b SECTIONS 21-23** – timeline explanation/definitions/plan cost details dated 12.15.2011