



**Board of Selectmen
Minutes
Tuesday, August 5, 2014 at 7:00PM
Town Hall Meeting Room**

The meeting was called to order at 7:00 PM by Chair, Stu Sklar in the Town Hall Meeting Room. Selectmen Lucy Wallace, Ron Ricci and Leo Blair were in attendance as well as Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

MINUTES

On a Wallace/Blair motion, the board voted unanimously to approve the 7/8 minutes including the executive session, as presented.

On a Wallace/ Blair motion, the board voted unanimously to approve minutes of 7/24, as amended.

On a Blair/Wallace motion, the board voted unanimously to approve minutes from the Strategic Planning Session held on June 17th, as amended.

FINANCE COMMITTEE INTRODUCTION

Moderator Bob Eubank introduced newly appointed associate member John Seeley. Seeley said he has been in town for many years and due to his recent retirement has time now to volunteer. He gave some details on his business background. The board thanked him for coming forward to serve.

CHAPTER LAND – RIGHT OF FIRST REFUSAL HEARING

Lawton property – 121 Littleton County Road

Town Administrator Tim Bragan explained the town received notice from the owner of 121 Littleton Country Road they had received a Purchase and Sales agreement (P&S) on the property. He said a letter in response was sent informing the owner the law does not allow the P&S to include contingencies thus the agreement needed to be revised. An amended P&S was sent, even though the town failed to notify the seller of the need to revise the P&S within 30 days of its receipt. Bragan explained the Selectmen are required to hold this hearing to exercise their option to purchase, assign it or take no action allowing the sale to go through. Bragan confirmed the owner had been notified of the hearing. He said in early July the Selectmen received a letter from the Harvard Conservation Trust indicating they are interested in purchasing the property. Lucy Wallace disclosed she has filed a conflict of interest form with the Town Clerk because she is a trustee on the Trust and serves on their land sub-committee which has been working on this transaction. She declared she has no financial gain in this arrangement. Wallace reported the trust has officially voted to accept the town's assignment of the right of first refusal to purchase land at 121 Littleton County Road. She explained the town will not incur any liability should the Trust fail to exercise this right or purchase the land. On a Wallace/Blair motion, the board voted unanimously to assign rights in accordance with the Notice of Assignment of General Laws Chapter 61 to purchase land and sign.

MONTACHUSETT HAZARDOUS MITIGATION PLAN

MRPC Planning and Development Director John Hume attended the meeting to present the Selectmen with a copy of the updated Montachusett Region Hazard Mitigation Plan. He explained grant money from FEMA and MEMA is used to update the plan every five years. He briefly described their process and what goals are used in developing the plan. He asked the Selectmen to provide questions and feedback to MRPC by the end of August. The Selectmen decided it was prudent to seek input and guidance from the Fire Chief, Police Chief and DPW Director. Stu Sklar said the board will revisit this at their September 9th meeting.

PUBLIC COMMUNICATION

Paul Richards, 63 Westcott Road, encouraged the Selectmen to decide what the primary purpose of the Town Hall building before committing another \$275,000 to a plan that does not meet the needs of the town employees or volunteer government. He feels Option 1b is missing too many of the elements residents voted for and does not meet the program needs. He said the plan the town voted in favor of is no longer the option being considered. He understands this process has become cumbersome over the past eight months with little progress forward made. Richards asked the Selectmen to turn the project over to a qualified building committee whose sole responsibility will be to come up with a plan that works best. He directed the Selectmen to not enter into the design phase of option 1 b but decided who will occupy the building and then bring a plan for approval at a town meeting.

Barbara Griesbach, 33 Turner Lane, is upset about the noise from Bare Hill Rowing coaches. Griesbach said she has spoken to Pam Erdos and Holly Hatton about her concerns and has been told they are working on it but there have been no changes. She feels the program is too large for the pond now therefore she would not support any further expansion. Griesbach is concerned if the program grows any larger it will cause more issues for residents who live on the pond. She will support the rowing program as long as it stays small and manageable.

Turner Lane summer resident said she has summered on Bare Hill Pond for many years and has recently been shocked by the amount of noise coming from the coaches and rowers. She spoke about the tranquil beauty the pond has during the morning hours and how that is taken away by the shouting. She said Bare Hill Rowing needs to find a better way to communicate.

ECONOMIC DEVELOPMENT COMMITTEE (EDC) UPDATE AND DISCUSSION

EDC Chair Rich Maiore was in attendance to give an update on their 2014 initiatives and events. Maiore talked about the successful turnout EDC had at a networking meeting held with Nashoba Valley businesses. He said this also provided an opportunity for the town to introduce Town Planner Bill Scanlon. Maiore touched on some initiatives the committee is interesting in working toward such as developing a business inquiry process, building stronger business relationships and changing their reporting structure. He said EDC is seeking confirmation of their current mission and specific direction for FY15 from the BOS and Planning Board.

Maiore reported the EDC had a good turnout and learned a lot at a public forum they held in June. Planning Board Chair Kara Minar suggested development of design guidelines and/or standards for the commercial district. She pointed out there is a lack of enforcement with current issues so having formal guidelines in place will put abutters at ease. They also discussed how to incorporate a vision for the commercial district in the Master Plan. Planning Board member Joe Hutchinson said once guidelines/standards are finalized they will need to be incorporated into Chapter 125 (Protective Bylaw).

Ron Ricci offered the idea of recruiting a local realtor to serve on the EDC. He said they would bring tremendous insight into what prospective buyers are looking for and why sellers are leaving. They discussed how often EDC should be reporting to the BOS and Planning Board. It was decided EDC will come back to the boards in October. Everyone acknowledged zoning changes are necessary to attract businesses residents have indicated they want.

ASSISTANT TOWN ADMINISTRATOR/HUMAN RESOURCE DIRECTOR INTERVIEWS

Town Administrator Tim Bragan reported 21 resumes were received, 5 initial interviews were conducted with 3 finalists chosen for a second round of interviews. He is presenting two finalists to be interviewed by the Board of Selectmen.

Harvard resident Marie Sobalvarro was the first to be interviewed.

Sobalvarro began by explaining why she is interested and qualified for the position. The Selectmen asked Sobalvarro a few questions and invited her to ask a few questions as well. She expressed her delight in having the opportunity to interview for the position. If hired, Sobalvarro said she intends to be a long term employee always working in the best interest of the town.

Jennifer Cederberg from Charlton, Ma was the second to be interviewed.

Cederberg began by describing herself and her 10 years of experience which qualify her for this position. The Selectmen asked Cederberg a few questions and invited her to ask a few questions as well. She said this position is in line with her career goals and if hired she also intends to be a long term employee of the town.

After the interviews were complete, the Selectmen determined both candidates were very qualified. Leo Blair suggested the board defer to the Town Administrator Tim Bragan for his recommendation. Ron Ricci asked Bragan to walk the board through the process followed. Bragan explained in more detail how the candidates were vetted and who was involved in the process. He said the Superintendent was one of the individuals involved in the second interviews. Leo Blair made a motion to ask the Town Administrator for his recommendation which was seconded by Lucy Wallace. Bragan said he had thought long and hard about the decision because he was impressed with both finalists. He said Sobalvarro has the background and experience to do well in this position. He did add Cederberg's qualities and qualifications are admirable. Bragan said it is obvious Sobalvarro will have an easier time getting up to speed on the Town Administrator piece of the position but he did admit the Human Resource portion will be top priority. Bragan recommended Sobalvarro be appointed. On a Blair/Wallace motion, the board voted unanimously to appoint Marie Sobalvarro as the Assistant Town Administrator/Human Resource Director.

TOWN ADMINISTRATOR REPORT

Bragan confirmed the public hearing for the cable license transfer will be held on August 19th at 7pm in the Town Hall Meeting Room. He said Legal Counsel William Solomon will be there.

Bragan informed the board John Holland had begun the building assessment inspecting the southeast corner of the building last week. He has determined about 9 to 10 feet of the sills will need to be replaced. Bragan expects Holland to return next week to complete his investigation. Bragan anticipates a report from Holland within the next couple of weeks.

Bragan said the deadline for bids on the lease of office space are due back on Friday, August 8th.

FALL FESTIVAL – ENTERTAINMENT LICENSE

On a Ricci/Wallace motion, the board voted unanimously to approve the license for the Fall Festival.

ENERGY ADVISORY COMMITTEE APPOINTMENT

On a Wallace/Ricci motion, the board voted unanimously to appoint Chris Roy to the Energy Advisory Committee.

TOWN HALL CONSTRUCTION TASK FORCE CHARGE

Wallace distributed revisions to the charge previously approved. The changes she made were having the committee appointed by the BOS and comprised of 5 members. She made the revisions based on feedback she received from members of the public. Leo Blair made some revisions to her version, as did Ron Ricci, and discussion ensued. Leo Blair admitted he agrees with some of what resident Paul Richards said earlier during public comment. He understands option 1B is not ideal and many people are not happy with it. Blair finds himself in a position of defending something he personally is not enthusiastic about. He wants the public to understand the board is working with the hand they were dealt. Lucy Wallace said the Selectmen were forced to compromise once the town voted down additional funds for the project. She acknowledged option 1B is not the best solution but it can be managed with the architects help. The board discussed seeking further public input to understand the direction the town wants to take with respect to the future use of the building. They agreed if this project were to go back to the town now there is a good chance it would fail and nothing would be done. Ron Ricci is interested in the board presenting some concepts to the town along with seeking ideas and specific guidance from the public. Would they support leasing office space in another location, using the town hall building as a community center? He suggested having the new committee help the BOS with this. Wallace encouraged the board to create a committee to move forward with option 1B and in the interim we can continue to investigate our options. Sklar agreed with Wallace. He also pointed out we will have more information once we receive the assessment report on the condition of the building and quotes for long term leasing of office space. Blair said option 1B is the only way to save the process but does understand why some residents are opposed to it. He noted this will preserve the building and allow time to make decisions later down the road on what is the best use for the building. Blair confirmed LLB did agree to shorten the timeline for preparation of bid documents from 5 to 3 months and reduced the total cost by about \$50,000. He suggested instructing them to start on 1B and in conjunction with that we can schedule a public meeting in mid-September. This will give us an opportunity to present where we are and get feedback from the public.

On a Ricci/Wallace motion, the board voted unanimously to approve draft charge from Wallace amended by Blair and Ricci.

The board decided to review the amendment to the LLB contract at their August 19th and vote on the next steps. Ricci asked for a timeline related to setting up a Special Town Meeting.

**** On a Wallace motion, the Board voted unanimously by a roll call vote:

(Wallace – Aye, Ricci –Aye, Sklar – Aye, Blair - Aye) to enter into executive session at 10:20pm, as authorized by Chapter 30A, Section 21.3 of the Massachusetts General Laws, at a meeting for which 48-hours' notice has been given, to discuss strategy with respect to collective bargaining and litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Following the executive session, the Board will reconvene into open session only to adjourn. ****

Documents referenced:

FIN COM APPOINTMENT – Seeley volunteer form dated 6.25.2014

CHAPTER LAND – Offer dated 4.17.2014, letter from town dated 6.4.2014

Revised P&S and letter from Nancy Catalini Chew dated 6.23.2014

Letter from Conservation Trust dated 7.2.2014

MONT. HAZARDOUS MITIGATION PLAN – presentation dated 7.30.2014

EDC UPDATE & DISCUSSION – presentation dated 8.5.2014

ASST. TOWN ADMIN/HR DIRECTOR – Sobalvarro resume dated 6.17.2014

Cederberg resume dated 6.2.2014

FALL FESTIVAL – ENTERTAINMENT LICENSE – request dated 6.23.2014

ENERGY ADVISORY COMMITTEE APPOINTMENT – Roy volunteer form dated 6.17.2013

TOWN HALL CONSTRUCTION TASK FORCE CHARGE – dated 7.24.2014