

MINUTES OF THE REGULAR SESSION SELECTMEN'S MEETING

May 22, 2006

Present: Selectmen Kent Scott, Glenn Trindade, Richard Dunne, James Galligan, and Dennis Crowley, Town Administrator, Suzanne Kennedy and Administrative Services Assistant, Celeste Hanson were present.

7:05 p.m. – Chairman Galligan called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

Public Comments:

- Sal LaRiccia, of Waterview Circle came forward and questioned Selectman Dunne relative to the comment in the newspaper supporting an override in order to keep the library open. Selectman Dunne stated that at the recent Library Trustees meeting the question of an override was discussed. Selectman Dunne stated that his comment was misinterpreted by the reporter. Selectman Dunne clarified that he stated that he would support investigating ideas that could assist with keeping the library open. Mr. LaRiccia stated that he does not support the Town pursuing an override; however, he supports cutting portions of the school budget in order to assist funding the library.

Town Official Updates:

- Town Counsel, Richard D. Maciolek was present to explain the terms for closing the Library. Town Counsel referred to the Commonwealth of Massachusetts Board of Library Commissioners Agreement dated November 4, 1999, which states that the building will remain a free public library for twenty (20) years from the date of its opening and that the Municipality and the Library shall make all good and full faith efforts to support the continued participation and qualification of the Library in programs established by or the successors to G.L. Chapter 78, Section 19 A and B. Town Counsel stated his legal opinion that as long as the building does not change its current use the State would have no recourse should the Town decide to close the library. However, should the Town decide to close the Library and sell the building, the State could petition to collect reimbursement of funds.
- Administrator Kennedy requested that Town Counsel explain the terms required regarding fundraising. Town Counsel stated that under General Law Chapter 44 Section 53A, that the Library Trustees could accept gifts of money with two restrictions: 1) that the funds be held by the Town Treasurer in a separate account and 2) that any expended funds from such an account would require the authorization from the Board of Selectmen.
- There being no further questions, the Selectmen and Town Administrator thanked Town Counsel for attending the meeting and providing explanations regarding the Library matters.

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Approve and sign warrant:

- Selectman Trindade moved that the Board approve and sign warrant forty-seven (47) for fiscal year '06 as read by Selectman Crowley in the total amount of \$1,143,392.96; Selectman Scott seconded; All ayes 5-0-0 (voted).
- The Selectmen voted to approve the June 12, 2006 Annual Town Meeting Warrant as submitted by the Town Administrator.

Report of the Town Administrator:

- Administrator Kennedy, reported that she and Selectman Crowley would be attending the Finance Forum sponsored by DOR at Holy Cross on June 8th. Also, the New Selectmen's Orientation sponsored by the MMA will be held at the Ashland Town Hall and that the newly elected board members attending should be receiving a meeting packet shortly.

Reports of the Selectmen

- The Selectmen did not have reports this week.

Other Business:

Eagle Scout, Adam Carlson—Presentation of a Defibrillator:

- Fire Chief Vinton introduced Eagle Scout Carlson to the Board and stated that he donated a defibrillator to the Town and was present at this evening meeting to present it to the Board.
- Eagle Scout, Adam Carlson stated that he conducted a fundraising project and raised \$1,700.00 to purchase the defibrillator that he is donating to the Town. Eagle Scout Carlson also thanked all who supported his fundraiser as well as the Selectmen and Fire Chief Vinton. The Selectmen congratulated Adam for reaching the rank of Eagle Scout.
- Selectman Trindade moved that the Board accept the gift of the defibrillator as presented by Eagle Scout Carlson; seconded by Selectman Dunne; All ayes 5-0-0 (voted).

Approval of Bicycle Fundraiser requested by Tri-State Trek:

- Selectman Trindade moved that the Board approve the bicycle fundraiser to support ALS requested by Tri-State Trek on July 21, 22, and 23rd; seconded by Selectman Dunne; All ayes 5-0-0 (voted).

Extension of the Solid Waste Contract and Wheelabrator Waste Disposal Agreement:

- Health Agent, Bill Fisher and newly-elected Chairman, Rob Collum were present to answer questions regarding the extension of the Solid Waste Contract and the Wheelabrator Waste Disposal Agreement.

Solid Waste Contract Extension:

- Selectman Dunne inquired if the third year pricing included the same pricing terms as year one and two; if the Town was required to go out to bid and if the Town could have a five-year contract like other surrounding towns.
- The Health Agent stated that the third year includes consumer pricing only and further explained that the Town was not required to go out to bid because this is an a three-year extension contract. Town Administrator Kennedy also clarified that contracts that are five years or more may also require Town Meeting approval. It was explained that the Town could enter into a five-year extension contract but the Board of Health recommends the three-year contact as it is more cost effective and more beneficial to the Town.
- The Board members entered into a brief discussion and Selectman Trindade moved that the Selectmen table the matter until the next scheduled meeting of June 5; seconded by Selectman Dunne; All ayes 5-0-0 (voted).

Wheelabrator Waste Disposal Agreement:

- The Health Agent reviewed the terms of the Waste Disposal Agreement with the Board of Selectmen; followed by a brief discussion.
- Selectman Trindade moved that the Selectmen approve and accept the Wheelabrator Waste Disposal Agreement as recommended by the Board of Health; seconded by Selectman Scott; All ayes 5-0-0 (voted).

Library Discussion:

- Wendy Rowe, Chairman Library Trustees and Patrick Marshall, Library Director were present and thanked the Board for allowing them to attend the meeting and participate in the discussion. Chairman Rowe asked the Board and other Town Officials to reconsider the decision to not fund/close the library. She also inquired if funding from other budgets could make up the funds required to keep the Library open. Director Marshall stated that the Library budget would be saving some funds due to loosing some staff and not replacing the Director position.
- Chairman Galligan inquired what amount could keep the Library at the certifiable status. Chairman Rowe indicated that the amount of the budget is not was drives the Library certification, but the hours of operation. She stated that Library certification is important as it will allow library users to utilize materials from other libraries, without the certification, library users will not be allowed to borrow

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materials from local libraries. Chairman Galligan suggested that the Library Trustees develop an operational chart with data collected from other departments relative to available sources of funding to be coordinated through the Town Administrator. Chairman Galligan stated that he does not support an override for just one department and that the voters made it very clear that they also do not support an override at the current time.

- Administrator Kennedy suggested that the Library Trustees utilize funds being held in the Library Trust as well as coordinate and investigate fundraising ideas. Chairman Rowe stated that the Library Trustees would certainly utilize the Trust Funds but would still need additional funds.
- Selectman Crowley indicated that closure and non-funding of the Library in not a scare tactic and further stated the Town just does not have the money.

The Selectmen opened the discussion to residents attending. The main consensus of the attendees was the shock that the Library would suffer so badly as a result of the poor financial condition of the town. Many attendees thanked the Selectmen and Town Administrator for continuing to keep them informed regarding the many financial issues the town is facing and for also holding this particular open discussion. Many residents came forward to offer their services to the Town as volunteers in an effort to save funds. Many residents were very disappointed that the Library was slated to close.

- ***Report of the Chairman:***

- Chairman Galligan announced a few upcoming events and meetings: The Memorial Day Parade scheduled to start at 10:00 a.m. on May 29; The Moderator's Pre-Town Meeting in Sanford Hall at 7:00 p.m. on May 31; Dr. Grandmont's School Budget Presentation on Thursday, June 1; FinCom's Pre-Town Meeting on June 7 in Sanford Hall at 7:00 p.m. and the Annual Town Meeting on June 12 at 7:30 p.m. at the High School.
- Chairman Galligan stated that he would contact Chairman Rowe to clarify that the Library Trustees should coordinate the operational service matrix data collection through the Town Administrator.

10:00 p.m. There being no further business to discuss, Selectman Trindade moved that the regular session meeting be adjourned; Selectman Scott seconded; All ayes 5-0-0 (voted).

Respectfully submitted,

Celeste Hanson
Administrative Services Assistant

NOTE: APPROVED BY BOS ON

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