**Board of Selectmen Minutes**

**August 14, 2017**

**6:00 P.M.**

**Rutland Public Library**

**Present:** Leroy Clark, Stephanie Bacon, Wayne Walker, Sheila Dibb, Michael Pantos

**Others:** Margaret Nartowicz, Town Administrator and Abby Benoit, Administrative Secretary

Opening of meeting by Mr. Clark at 6:00 p.m., also broadcasted live on cable channel 191.

Ms. Dibb moved to sign warrant #4 and payrolls. Ms. Bacon 2nd. Vote unanimous.

Ms. Dibb moved to approve minutes from July 31, 2017 as presented. Ms. Dibb 2nd. Vote unanimous.

The Pole Hearing for Glenwood Road reconvened. Pedro Cardozo for National Grid discussed the petition for installation of 2 new poles for home development on the Road. The poles have been remarked which will prevent plow damage to the pole. Mr. Kellaher confirmed that he met with Mr. Cardoza and the owner. The poles are now 4 feet off the Road and Mr. Kellaher approves the current placement. There was discussion about replacing stones from the stone wall after the pole has been installed.

Mr. Clark closed the hearing.

Mr. Pantos moved to approve the pole locations as staked and approved by Mr. Kellaher. Ms. Bacon 2nd. Vote unanimous.

**Safe Place Director, Katelyn Wojnarowicz**

Ms. Wojnarowicz has submitted her resignation as the Director of Safe Place and Recreation, Ms. Nartowicz states that it is an opportunity to restructure the Safe Place and Recreation Departments. She has proposed that a new position be advertised as the Director of Safe Place who work parallel with the Recreation Coordinator. Both departments will continue to share office space and assist each other as needed.

Ms. Wojnarowicz was hired by the Worcester Public School to teach Kindergarten. She has spoken to the staff and is able to assist on an interim basis during the evenings until someone is hired and in place. She stated that her replacement needs to be qualified, this year is a renewal year for licensing both programs, which will take place in the spring. The Board thanked Ms. Wojnarowicz for her years of service.

There was discussion about licensing with the state. Both Recreation and Safe Place Departments are currently self-funding and will remain self-funding during the restructure.

**Public Comment:**

Dick Williams, Overlook Road, asked if the Community Center is on public or private septic, Mr. Kellaher confirmed it is tied into the public line on Glenwood Road. Currently the sewer line behind the Community Center is not in use. Mr. Williams asked if he can mow and clean up the property behind the Community Center, it would make it easier to look at as a potential location for a new cemetery. The land does not connect to rural cemetery. There was discussion about the deed and contacting the cemetery commission. The easement for the aqueduct will also need to be reviewed. The Board would like to invite the cemetery commission for a future joint meeting.

Once Rural Cemetery is full, the Town will need to establish a new location for a cemetery.

The Board briefly discussed road drainage at the Heights Property.

Mr. Williams discussed potholes on Overlook Road and requesting that they be filled.

There was discussion about the intersection of Wachusett Street and Rt. 68, the stop signs are not visible. The board further discussed communication among departments with safety concerns. Mr. Kellaher confirmed that he is contacted by the Fire and Police Departments if there are safety concerns.

Matt Lavoie, 28 Grizzly Drive, discussed concerns with current construction on his road. The construction company recently blocked in his driveway with a trailer bed for 45 minutes, prohibiting him from leaving his home. He is concerned with safety as there are tools and pipes on the side walk. Most recently the police were called over a dispute with the contractor. The contractor told Mr. Lavoie that it was the responsibility of the Select Board. The post office did not have access to Mr. Lavoie’s mailbox and was unable to deliver his mail. A service provider was also denied access to the road. The construction company is contracted by Blair Builders, Dipilato. Mr. Lavoie tried contacting the Blair’s. Mr. Pantos requested that Ms. Nartowicz notify the officer in charge about the situation.

Vincent Ross, 23 Glenwood Place, discussed the development at Glenwood Place. He is concerned because the road was put in over stumps and without a proper base, the stumps will eventually rot and fail. He was advised at a Planning Board meeting that the road will be a private road and that buyer beware. There were additional concerns about Perc testing. The land was previously perc tested and failed three times because it is all clay. When Mr. Ross built his own home the Health Agent did not come to the house for the Perc test, but advised him over the phone that it was all set and to fill the hole. He is concerned because it appears to be a pattern based on conversations with other residents. He questioned how the perc test was completed based on the Agent’s health condition. Mr. Ross is concerned because the current health agent is related to the prior Agent. The Health Agent will not speak to Mr. Ross directly. He believes that the hiring needs to be reevaluated.

Ms. Dibb stated that the contracted planner recommended that the property be visited prior to approval, which was not completed.

Ms. Nartowicz stated that the Board of Health is an elected body and has appointing authority, she has recommended that the position be posted externally. The Board of Health would interview the candidates. The State Department of Public Health has statutory authority. There was discussion about using an outside engineering firm for the perc tests. There was also discussion about having the Board of Health being elected versus appointed. Mr. Ross would like to see property have another perc test completed.

Silvia Ruzbasan, 27 Glenwood Place, stated that she has gone to every board in Town and is asking for help. They have evidence of wrong doings and nobody is helping her. She is looking for answers and wants to know who can give her answers. Ms. Dibb stated that the Board of Health does not answer to the Selectmen, they report to the State Board of Health.

Ms. Nartowicz will see if there would be any recourse with the state. Ms. Dibb stated that the only immediate option would be litigation. Mr. Pantos suggested that the Selectmen send a letter stating concerns with the Perc test on the property and invite the Board of Health to a future joint meeting.

Ms. Dibb discussed a recall petition, Ms. Ruzbasan stated that it appears to be an ethical issue in town, not a recall issue.

Ms. Bacon recused herself.

Mr. Pantos moved to send a letter to the Board of Health addressing concerns with perc testing, after review with legal counsel. Ms. Dibb 2nd. Vote 3-1.

**Speed Limits**

Ms. Nartowicz referred to the 1960 Traffic Rules and Regulations for Rutland. The Board has the authority to set speed limits. If they decide to post a speed limit, they will need to notify Mass DOT and the registrar’s office. There was additional discussion about the cross walks in the center of Town.

**Department Updates:**

Gary Kellaher read a letter to Mass DOT regarding cross walk safety in the center of Town. Mr. Kellaher received an immediate response, they are working on a resolution and will be looking into push button lighted pedestrian crossing signals.

The Board further discussed an immediate resolution for the safety. They would like cones set up in the cross walk intersection.

Mr. Pantos moved to authorize the expenditure of funds through the approval of the Town Administrator to purchase 8 units for the cross walks and backfill the line item through available free cash in the fall. Ms. Dibb 2nd with the amendment to designate a dollar amount. Vote unanimous.

Mr. Kellaher asked about purchasing salt and plow blades. Ms. Nartowicz confirmed that they are exempt from the purchase order request process.

The Weston and Sampson Contract has been reviewed by KP law, a few changes are being made for preparation of signature.

The Fire Brigade Sewer line is being installed. Line striping is scheduled to begin September 18, 2017.

Mr. Kellaher provided pricing for the Water Main Breaks in the Colario development. To replace the entire line, 1.71 miles of pipes, the cost would be $1,9000,000. There is currently $700,000 in the enterprise fund. The problem is due to the age of the pipe, Mr. Kellaher believes there is a need to correct the problem. It will need to go through CIPC.

Ms. Bacon asked about shutting water off at the Paperski property. Ms. Nartowicz that tenants have come in to express concerns, the owner has also paid his August bill.

Mr. Kellaher has posted the vacancy for the Administrative Assistant position internally. There was one applicant, Nancy Macaruso, who will be appointed to the position. This will leave 2 additional vacancies, one for the Building Department Secretary and the DPW Secretary. Both positions are part time and will be posted internally.

Sheila Dibb, Pommogussett Road, Asked about the tree cutting at the Heights Property. Mr. Kellaher confirmed that he has met with the forester. They will be moving back into the front 5 acres to finish that portion of the project and then will move to the rear of the property to begin the second portion of the process. DCR has approved the project without any modifications, it has also been approved by RDIC. There was discussion about damages to the fence and to a vehicle on abutting property. The vehicle has been repaired by the foresters insurance, the fence has not yet been repaired.

Ms. Dibb stated that it is unclear why the trees are being cut without a long term plan for the property. She discussed the bike trails and the kid’s use of the property. The Board agreed to discuss the Heights Property at the next meeting.

**Fire Department: Seth Knipe**

Chief Knipe asked about the Fire Department issuing permits for other Town Departments and if the fees should be charged. An administrative policy will be created for waiving the fees.

The department has been in communication with DEP on 259 Main Street. They will need to remove 50 yards of soil to a disposal site.

Pump testing is complete, Engine 1 and 2 are repaired, and A1 was out of service to due step bumper corrosion but has been repaired. Flow testing was completed, out of 27 packs, 1 pack needed service, and the majority of costs will be covered under warranty.

Department call volume has been busy. The new full time fire fighter started last week. A live burn is scheduled at 310 Main Street for September 16th. There will be mutual aid and the department has applied through Mass Highway for the road to be closed down to one lane.

Ms. Nartowicz provide Police Chief Search updates to the Board.

Mr. Pantos moved to enter into Executive Session only to return to open session for the purpose of adjournment for Reason #3: To discuss strategy with respect to collective bargaining or 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. (Fire) Executive Session Reason #2: To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel. (Interim Police Chief) Ms. Bacon 2nd. Roll call vote: Mr. Clark aye, Ms. Bacon aye, Ms. Dibb aye, Mr. Pantos aye, Mr. Walker aye. Mr. Walker recused himself from reason # 3 (Fire Department.)

The Board entered Executive Session at 8:36 P.M.

The Board returned to Open Session at 9:02 P.M.

Mr. Pantos moved to adjourn. Mr. Walker 2nd. Vote unanimous.

The meeting adjourned at 9:03 p.m.

Respectfully Submitted,

Abby Benoit

Administrative Secretary

Board of Selectmen

 *Approved \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*