

September 26, 2011

**BOARD OF SELECTMEN
MINUTES
SEPTEMBER 26, 2011**

Present: Thomas Creamer, Chairman
Mary Dowling
Mary Blanchard
Priscilla Gimás

Angeline Ellison and Shaun Suhoski were absent.

The Chairman called the meeting to order at 6:30 p.m. following the Pledge of Allegiance.

Michael Caplette, Town Moderator

Michael Caplette appeared before the Board to discuss potential modifications to Town Meeting procedures. He said that there was nothing in the Town bylaws or in the Town Charter that demands that there be Special Town Meetings; they are held because typically there are items that come up during the year that necessitate spending in the current year. He suggested an alternative that would still allow them to accomplish business that needs to be done for the current calendar year, as opposed to Annual Town Meeting, which is for the next fiscal year. He commended the Board and Don Miller for attempting to increase attendance and participation at Town Meetings.

M. Caplette reviewed the historical background of Town Meeting procedures. He said that with the revision of the bylaws which allow the Board to reopen the Annual Town Meeting warrant, there is a shorter notice period for an Annual Town Meeting than for a Special Town Meeting. He said that things could be added to the Annual Town Meeting warrant a lot later than for a Special Town Meeting. He noted that there is nothing in Mass. General Laws, the Town Charter or bylaws to prevent this.

T. Creamer said that Special Town Meetings are now held at the end of Annual Town Meetings, but that presupposes that the Board is establishing a Special Town Meeting warrant. If the Board is not establishing a Special Town Meeting warrant, the Board could just put the items at the end of the Annual Town Meeting warrant, and at that point the Town Moderator would announce that it was for the current fiscal spending, and the vote would authorize the Town to use funds. He noted that it would reduce the time at the Annual Town Meeting.

M. Caplette said that increasing attendance and participation at Town Meeting is the single most important thing. He suggested imposing a three-minute rule for speakers, and to try it out at the next Town Meeting; not to take it to the level of a bylaw, just as a rule of the meeting. He said that another idea is to change the order of the articles. He noted that some communities have a lottery to determine which article is taken up next, which makes the process more interesting and makes people want to participate more.

M. Caplette said that audio visual presentations should be limited to 10 minutes. He noted that he believes in giving people an opportunity to speak, to encourage voters to participate. He said that he attempts to alternate proponents and opponents as much as possible, in an attempt to be fair. M. Blanchard said that the time limit is good, as long as there is the ability to allow more time to speak, if needed. T. Creamer said that the report provided by the Finance Committee is directed toward expenditures of the Annual Town Meeting warrant, then there is a separate section for the Special Town Meeting. He said that it would be easy to merge the two, and eliminate 10-15 minutes of time.

M. Caplette said that the Special Town Meeting articles are in the category of corrections, those that were not seen or underestimated or not anticipated, using the resources that are available.

P. Gimás said that a lot of people have said that the articles that they are most interested in are taken up at the end of the meeting, making it difficult for them to stay if they have to be home to relieve a babysitter. She suggested changing the order of the articles, to keep it entertaining. M. Caplette said that the voters have the power to move the articles around. P. Gimás said that too many people are not aware of that. T. Creamer commented that he liked the idea of adding some fun and unpredictability to Town Meeting. M. Caplette said that he would be happy to announce the three minute speaking limit at the next Special Town Meeting. M. Dowling suggested doing the same thing at Board of Selectmen meetings.

M. Dowling said that everyone has the right to leave Town Meeting when they want to. She suggested limiting it to 10:30 p.m.

T. Creamer said that the votes made at Town Meeting are critical, and often affect the tax rates. He noted that when projects are approved at Town Meeting, it sometimes takes two to three years before the tax rate is impacted, when the bills come due. He said that people should be more responsible regarding their attendance and in finding out about projects ahead of time in order to share their concerns with the Board of Selectmen before Town Meeting. He asked the Board for their thoughts about the suggestion that instead of having two Town Meeting warrants, to merge them into one warrant, with definitive separations as to what is to be spent this year and what will be spent next year. M. Dowling said that it might be confusing to people to have them merged, although consolidating them is a good idea.

T. Creamer said that to give the Board some time, he suggested postponing action on this issue until the next meeting, when S. Suhoski and a full Board will be present.

M. Caplette said that he could try the lottery suggestion at the Special Town Meeting, which would be a shorter process than at the Annual Town Meeting.

T. Creamer announced that a Pre-Town Meeting meeting will be held on October 26th at 7:00 p.m. at Town Hall, with a live broadcast that night.

M. Dowling suggested that a checklist be left at the Town Clerk's office as to what would legally constitute a warrant article, so that petitioners could access that information. She said that she would rather see petitioners go to the Town Moderator to clarify the language of the petition instead of having them come to the Board of Selectmen to have the Board ascertain what they want it to say. M. Caplette said that there are so many variables that a checklist would not be sufficient. He said that it is part of his job as Moderator to make sure that articles are properly crafted. He said that he would be amenable to having his contact information posted on the Town's website.

Special Town Meeting Warrant Articles

T. Creamer noted that one member of the Board was not present. He said that several residents have come up with a petition with 112 signatures in order to have a Special Town Meeting article placed to move all Town Meetings to Saturdays instead of Monday nights. He read a statement into the record regarding his support of Saturday Town Meetings. He said that it would provide a greater opportunity for more people to attend Town Meetings, particularly the seniors, to be able to vote on matters that have a direct impact on their lives. He offered motions for the Board to consider, and suggested that they take a vote subsequent to that when a full Board is present. M. Blanchard said that it should also go to a ballot question, as more people vote at Town elections than at Town Meetings. T. Creamer said that approximately 5% of voters attend Annual Town Meeting, while 25% go to the polls. M. Blanchard suggested that the Board delay its vote because there was not a full Board present.

M. Caplette noted that the Board of Selectmen sets all Special Town Meetings, and said that there should be a policy, either a bylaw or Charter amendment which states that.

T. Creamer read Article 54 and Article 55 into the record.

MOTION: To place Article 54 and Article 55 on the warrant, by T. Creamer.

2nd: P. Gimás

Vote: Four in favor; A. Ellison absent.

M. Dowling expressed the need to increase the attendance of all socio-economic groups and all demographics at Town Meeting. She suggested helping seniors who don't want to drive at night, either through volunteers or public funding. She noted that some families will find it difficult to attend a Saturday meeting. She felt that a Charter change would be the fairest approach for all residents, and noted that currently the Charter calls for a Monday Town Meeting in June. She did not support a change that does not change the Charter with respect to this issue. M. Dowling also noted that when Town Meeting changed from April to June, it was accomplished via a Charter change.

M. Blanchard concurred with M. Dowling, that it is necessary to try to get everyone to attend Town Meeting. She said that she was not in favor of changing it without a Town election vote. P. Gimás said that she was in favor of giving the Saturday Town Meeting a chance.

T. Creamer said that most of the obstacles to attending Saturday Town Meeting do not come from fear, stress or anxiety, but manifest out of choice. M. Dowling said that it is necessary for a parent to be present at a game, as children sometimes are injured, and there would be anxiety about leaving a child at a sporting event to attend Saturday Town Meeting.

Marilyn Desy noted that the parents who attend Saturday Town Meeting would only be missing one game. She said that seniors and other people with physical issues should be considered.

Don Miller said that seniors go to bed early, and going to a meeting at night is out of their active time period. He said that it would be problematic to shuttle people back and forth to the meeting. He said that working people who get home late are not in a frame of mind to attend an evening meeting either. He said that the approach to hold Town Meeting on Saturday is worth a try.

Carol Childress said that she had volunteered to help Marilyn Desy to get signatures for the petition, and got widely varied feedback from residents regarding their preferences for Town Meeting.

Allan Butts said that voting is more important than going to a game. He stressed the importance of getting more people to attend Town Meetings.

M. Dowling said that the primary reason for changing the Annual Town Meeting from April to June was that the Board wanted to know what the state budget would be, and the Cherry Sheets are not available in April.

MOTION: That the Board place the changes to the general bylaws found on pages 2 and 3 of the document provided to the Board on September 26, 2011, by T. Creamer.
2nd: P. Gimás
Vote: Four in favor; A. Ellison absent.

Don Miller – Town Meeting Attendance and Notifications

Don Miller said that instead of putting banners across Route 20 and Route 131, to put them at the Town Common and Senior Center. M. Blanchard said that Mass. Electric will not allow banners because of the liability issue. She said that the Town should live up to the spirit of the bylaw.

M. Dowling said that she had no problem with putting up a banner for the public good. T. Creamer suggested posting an attention grabbing notice on the Town Hall doors telling people the date of the Town Meeting one month ahead of time.

D. Miller said that he could go to the businesses in town and ask them to post a notice. T. Creamer said that he would not support the Town doing that, as people could misconstrue it. M. Dowling agreed.

It was the consensus of the Board to support suggestions #1 and #2; not #3 or #4.

Suggestion #5 was to use the information sign at the Public Safety Complex to inform residents of the Town Meeting. Suggestion #6 was to continue holding the Pre-Town Meeting meeting. It was the consensus of the Board to support #5 and #6.

D. Miller suggested putting together an instructional video to explain how Town government works, and make it available at the Library and on the cable access channel.

Suggestion #7 was to inform the residents of what the property tax impact would be as a result of Town projects. M. Dowling said that the Town is already doing a good job of that, and Barbara Barry, Finance Director, provides that information. D. Miller said that when the residents are voting on a line item, there is no price tag indicated. He said that people should know what it will cost them.

Barbara Search said that there are a lot of people living on \$15,000/year and they need to know what the projects will cost them. She suggested that the information be put in chart form in the Finance Committee's book to help people to understand where their money is going. T. Creamer said that the discussion would be best had with the Finance Committee. D. Miller said that he would discuss it with Barbara Barry.

D. Miller said that Allan Butts had suggested #8: To enlist neighborhood volunteers to remind the residents about the upcoming Town Meeting. He noted that it may take a while to get a network of volunteers organized.

It was the consensus of the Board to not address Old Business/New Business.

Ask the Selectmen/Citizens' Forum

T. Creamer received a call from a resident regarding the potential for traffic congestion as a result of holding Town Meeting on Saturday, with all of the different sports and other activities at Tantasqua High School. Also, parking could be problematic. The caller said that it could be beneficial to wait until there is a larger auditorium at Burgess that could be available for Town Meetings.

T. Creamer said that the other call was to thank the Board for placing the article on the warrant.

Marilyn Desy asked about the status of the doors at the Center Office Building. T. Creamer said that the hearing had taken place on September 26th, but he did not yet know the outcome of the variance request. He said that if the administrative review feels that there is sufficient information, then it will be approved. If additional information is required, he said that he would provide testimony on behalf of the community. He noted that regardless of the outcome of the variance request, an external handle will be installed on the front door to allow access from the front of the building; the decision had been made not to put a handle on the door because it was never going to be open to use by the public.

Don Miller asked how the Route 15 water line would be paid for, and who would decide that. T. Creamer said that it could be paid for by a private/public funding approach as used in the past, and the voters at Town Meeting would decide.

Linda Seguin expressed concern about a hazardous situation in her neighborhood involving water and debris, which is a foot deep. M. Blanchard suggested that she discuss the matter with the Town Administrator, as the Board does not have any recourse to direct anyone to do anything. M. Dowling noted that the Town Administrator was not present, and suggested that she consult the Board of Health. T. Creamer said that all of the members of the Board had received a copy of the correspondence sent by S. Suhoski to the owners of the property indicating that they were responsible for maintaining it. He noted that there was correspondence from the Conservation Agent indicating that it was outside of her jurisdiction, and that it rests with the EPA. He said that it is a private property matter, and questioned whether there was any other recourse. Ms. Seguin questioned whether there was a possibility of using FEMA funds for that purpose. T. Creamer stated that if it were a direct result of the tornado/hurricane, perhaps that would be an alternative.

MOTION: To adjourn, by M. Blanchard.

2nd: P. Gimás

Vote: Four in favor; A. Ellison absent.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date