

**BOARD OF SELECTMEN  
MINUTES OF OCTOBER 21, 2014  
SHEPARD MUNICIPAL BUILDING**

PRESENT: Mr. David A. Delanski, Chairman, Mr. Robert E. Lavash, Sr. Vice-Chairman and Mr. Dario F. Nardi, Clerk  
ATTENDEES: See list (attached)

---

**Chairman Delanski called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance in the Selectmen's Meeting Room in the Shepard Municipal Building.**

Chairman Delanski announced that tonight's meeting was being both video and audio taped and requested anyone in the audience to disclose if they are recording tonight's meeting.

**OLD BUSINESS:**

Mr. Nardi read a brief statement relating to the Bemis Road drainage issue; there would be no further discussions concluding there would be no action taken on the matter moving forward.

There was a brief discussion on the Wittenbert Dog Hearing from October 7<sup>th</sup> – Mr. Delanski asked ACO to make comment on her findings following an inspection of the property where the dog "Lucy" is presently. ACO summarized her statement to the Selectmen indicating that she found the dog to be well cared for and in an adequate location. She further indicated that spent time around the dog that was "cautious" until she became familiar with ACO. ACO concluded the dog is protective of surroundings but not aggressive. After careful consideration of the testimony given by both parties present at the hearing of October 7<sup>th</sup> the consensus of the Board is that Complainant entered home where the dog "Lucy" resides and such action(s) may have contributed to the event cited in the complaint. With no further discussion a Motion to dismiss the Complaint was made by Mr. Nardi; second: Mr. Lavash – unanimous. Mr. Delanski asked that a letter be sent to the owner of the dog asking that it be restrained when in public and placed outside/or out of area when visitors come to home.

**COMMENTS AND CONCERNS:**

Co-Emergency Management Director Timothy O'Brien addressed the Board members as a follow up to seeking assistance with determining insurance coverage for CERT members. Mrs. Prokop asked Chairman Delanski permission to address Mr. O'Brien. Mrs. Prokop stated that MIIA has been contacted regarding Mr. O'Brien's concerns and the office is awaiting their response. The Selectmen's office is aware that West Brookfield has provided Mr. O'Brien with a response to his inquiry; however would like the opportunity to review MIIA's response as West Brookfield has a different insurer. Following a brief discussion, the Selectboard agreed to put in writing coverage afforded CERT Volunteers; once they have confirmation from MIIA for coverage in Warren.

Mr. John Williams addressed the Board citing his dissatisfaction with the Board on the Bemis Road drainage issue. He then presented the Chairman with a Cease and Desist order regarding the matter. Mr. Delanski stated that the document would be forwarded to Town Counsel for further handling.

Mrs. Sue Como addressed the Board stating she has accepted a position with the Quaboag Regional School District. As this is a potential conflict of interest, she contacted the state ethics commission for guidance. Regrettably, she must tender her immediate resignation from the Finance Committee. The Board members thanked her for her many years of service to the Town and requested that a formal letter recognizing her work be sent to Mrs. Como.

ACO, Sara Prideaux asked the Board for a joint meeting. Mr. Delanski agreed and would have the office contact her.

Mr. Stanley Soltys asked the Board about their meeting schedule. Mr. Delanski responded that the Board has a regular schedule and a summer schedule where they meet every other week. At this time, the Board is still on a summer schedule. He proposed the Board will open up discussion of hours at their next meeting.

## **CORRESPONDENCE**

The Board members reviewed the following:

- A letter from the Friends of the Town Hall requesting permission for Seth Blackwell to enter the town hall & inform the committee about needed repairs to the clock tower and provide an estimate for parts to put the clock in running condition. He has been advised to use all safety precautions. *The consensus of the Board is to grant Mr. Blackwell access and asked he follow all safety precautions.*
- Notification of the FY2014 Community Development Block Grant – Open comment period has passed with no objections therefore subject to Request for Release of funds and Certification the Pleasant Street Improvement Project and Housing Rehab Program will move forward. *Board noted this was good news.*
- A letter from residents Phil & Nancy Nowak and Len and Debra Burnham expressing concern over a town tree that is in danger of coming down. They have contacted the Tree Warden, Ken Lacey several times for months and he has yet to return any calls. They are looking for support from the Board of Selectmen regarding this matter. *Board requested that a letter be sent to Mr. Ken Lacey, Tree Warden asking him to respond to resident request: copy to be sent to resident as well.*
- A letter from Dina Merwin, President of the Warren Public Library Board of Trustees wishing to move forward with the library merger. They have supplied a draft copy of the “Agreement to Merge”. *Board asked that the matter be placed on the Agenda for the next meeting and invite Ms. Dina Merwin to the meeting as well.*

## **7:15 NATIONAL GRID/VERIZON – POLE HEARING PETITION #16684239 TOWN FARM DRIVE**

Mr. Delanski opened the hearing at 7:15 PM. A representative from National Grid was present and informed the Board of a proposed new pole & anchor to be placed on Town Farm Drive across the street from existing pole #4. A brief discussion took place between NG representative and town residents present in the audience as to location of new pole and anchor. Hearing no further discussion a motion to allow Petition made by Mr. Nardi; second: Mr. Lavash – unanimous.

## **DISCUSSION ON SMITH ROAD**

Mr. Delanski offered a brief recap on the matter of Smith Road- some time ago RHERT was granted permission for a temporary gate on Smith Road at Gilbert while RHERT accessed a separate road to a gravel pit. It has come to the attention of the Board by resident complaints that the gate is still up and there is signage posted to keep residents off the public road. Mr. Delanski has asked that a letter be sent to RHERT asking them to remove the gate and signage that is prohibiting access on Smith Road. Mr. Lavash and Mr. Nardi were in agreement.

## **KIRT MAYLAND – HOUSATONIC SOLAR 1 LLC – TAX AGREEMENT**

Mr. Mayland was present to hear any questions or concerns from the Selectmen as to his request to place an article(s) on the Special Town Meeting Warrant for a Tax Agreement on a solar project to be developed in West Warren. A discussion was had on the project which is on two separate parcels and therefore requiring two tax agreements. Mr. Mayland asked the Board to consider a \$5,000.00 administration fee for both agreements. Mr. Nardi cited that in past projects the Town was able to recover a fee per agreement to cover associated costs. Mr. Mayland formally agreed to honor the Town’s \$5,000.00 per site/per agreement fee assessment. With no further discussion a motion to approve the request to place two articles on the STM warrant and approve a tax agreements once formalized was made by Mr. Nardi; second: Mr. Lavash – 1 Abstention.

## **SPECIAL TOWN MEETING WARRANT – APPROVE – Possible Vote**

Mr. Nardi read each proposed Article on the prepared Special Town Meeting Warrant

There was brief discussion on the following Articles:

#8 –Ambulance - as to funding – from Stabilization Special Use and Free Cash

#14 – Town Clerk – Mr. Delanski explained Town Clerk’s position with regards to voter registration falling on Saturday’s There was a discussion on the topic of the Tax Rate and the current Town Revaluation; the Board will place an intent Article to possibly offset the Tax rate pending the outcome at STM; Mr. Nardi stated that in his opinion, he would be not be in favor of putting monies against the Tax rate; but rather paying down debt. There was a discussion on the police cruisers- current vehicles; mileage. Mr. Nardi explained that alternate ideas are being explored that may provide viable options for the Town

in the future when it comes time to replace other aging police vehicles. With no further discussion a motion to approve and sign the STM Warrant was made by Mr. Nardi, second: Mr. Lavash – unanimous. Request was made to provide copies to departments and post accordingly.

**TREASURY WARRANT(S) AND INVOICES**

Motion to accept warrants #31 (payroll) and #32 (vendor) dated October 13, 2014 in the amounts of \$34,703.59 and \$143,637.10 respectively was made by Mr. Nardi; second: Mr. Lavash – unanimous.

Motion to accept warrants #33 (payroll) and #34 (vendor) dated October 20, 2014 in the amounts of \$37,431.94 and \$21,086.30 respectively was made by Mr. Nardi; second: Mr. Lavash – unanimous.

**MINUTES**

A motion to approve the open meeting minutes of October 14, 2014 as written made by Mr. Nardi; second: Mr. Lavash – unanimous.

**OTHER BUSINESS**

Mr. Lavash updated the residents and audience as to the recent work done at the Town Hall as part of the remediation project. He additionally announced that the Park & Rec department would be hosting its annual Haunted House at the Shepard Building Gymnasium on October 26, 27 and 28<sup>th</sup> from 7:00-9:00 PM.

Mr. Nardi updated the residents and audience that the Board has met with two companies regarding opportunities for energy credits and net metering. He is following up on references at this time and actively seeking other options for residents. There will be some additional meetings with these two companies and more information given to residents in the future.

Mrs. Beverly Soltys inquired as to the proposed re-inspection of the Town Hall. Mr. Nardi responded that a joint meeting with Board of Health Chair, Ken Lacey has not taken place due to scheduling conflicts. He requested that a letter be sent to the Board of Health seeking a Board member facilitate said re-inspection. Mr. Nardi stated that the Town Hall Remediation Committee has been busy and moving things along assuring that monies are appropriately used.

Mr. Delanski wished to congratulate the Fire Department for their highly successful Spaghetti Supper last weekend– which is believed to be the largest they hosted thus far. “Great Job”

Mrs. Prokop addressed the Board bringing to their attention multiple contracts brought to the office by the Highway Surveyor. Mr. Delanski stated the contracts would be signed and asked that they be listed on the next meeting agenda to Ratify.

**NEXT MEETING DATE:**

Mr. Delanski announced the next scheduled meeting: Tuesday, October 28<sup>th</sup> at 7:00 PM – and reiterated the Board will take up discussion on setting meeting schedule.

Motion to Adjourn made by Mr. Lavash; second: Mr. Nardi – unanimous at 8:05 PM.

Respectfully submitted,

Lorena Prokop  
Administrative Secretary

\_\_\_\_\_  
Dario F. Nardi, Clerk