

**BOARD OF SELECTMEN
MINUTES OF JULY 15, 2014
SHEPARD MUNICIPAL BUILDING**

PRESENT: Mr. David A. Delanski, Chairman, and Mr. Dario F. Nardi, Clerk

ABSENT: Mr. Robert E. Lavash, Sr Vice-Chairman

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. None

OLD BUSINESS:

Mr. Nardi stated that the Board was trying out a new segment to the meeting agenda as an aid to keeping residents updated. The intent is to provide updates on matters previously addressed by the Selectboard; as an example - the tires and equipment that had been piled up on the side of Town Hall; Mr. Lavash took the lead on this and the materials have been removed. Mr. Nardi addressed the following:

- 1- The grant for the LED light program was due today; he was able to contact a resource in the industry for some help – going through the inventory. This enables us to take advantage of the program; Mr. Nardi will be available tomorrow (Wed) and will meet with the vendor and go around to town buildings to determine how best to utilize the program.
- 2- Council on Ageing Director's position will be posted by the Selectmen's Office. The hope is to have the position filled by the start of September prior to Mr. Dimo's retirement to allow for cross-training. The posting will be made internally as well as published.
- 3- The sill work at the Senior Center is underway and nearly complete. Mr. Dimo has done a good job at getting this accomplished.
- 4- Office is in receipt of the document requested of Mr. John Mooney – relative to entrance to Town Hall to provide a quote to FOTTH for painting/plastering on 2nd floor. Mrs. Prokop reminded the Board members that a Hold Harmless agreement had been requested at a prior meeting. Mr. Delanski responded this was okay and reminded all that Mr. Mooney would have to wear the appropriate masks and clothing to enter.
- 5- Following up on the inquiry of residents to post contracts on the Website, there was an inquiry made to Town Counsel. There are no requirements or obligations that dictate that such documents must be posted on the website; with that said, the position of the Selectboard is to not post the documents which are readily available for viewing or able to be copied from the office upon request. The Board may consider this at some time in the future, at present the Board is working on getting meeting minutes and agenda and some other items up on the website.

COMMENTS AND CONCERNS:

None

CORRESPONDENCE

The Board members reviewed the following:

- The Exchange Club of Spencer will be honoring Senator Brewer with the Book of Golden Deeds on Thursday, September 25, 2014 at the Spencer Country Inn. The Selectboard has been invited to attend to recognize his 26 years of service in government. RSVP is required. Tickets are \$45.00/person. *Noted*
- MIIA Rewards - The Town of Warren has received \$871.00 back on its workers compensation and property casualty insurance costs. Additional credits for participation are in the amount of \$2,677 & \$9,261. *Noted*

- Friends of the Town Hall have requested permission for the Mahan Slate Roofing Company in Springfield to have access to the Town Hall in order to assess for damaged tiles and leaks. The company is fully insured, licensed and registered in MA and CT. An estimate of the work that needs to be done will be provided. *Mr. Delanski added that we need to make sure that the same considerations are granted as to any other vendor wishing entrance to the building; insurance, sign hold harmless agreement; masks & clothing protection – Motion to permit access to Town Hall building after the submission of required documents; made by Mr. Nardi; second Mr. Delanski –unanimous. Mr. Delanski responded to Mrs. Soltys two questions about insurance and access to the building.*
- Correspondence from George & Davis P.C. advised the Board that his clients are purchasing property at 37 St. George Road, Brimfield/Warren which is currently in Chapter 61. Notice is hereby given that the property will remain as such. *Mr. Delanski asked Mrs. Prokop to follow up on this matter and secure that the Town still maintains the “right of 1st refusal” as provisioned in Chapter 61A even though the new owners/buyers are maintaining Chapter.*
- Correspondence from Michael Starsiak advising the Board of his intention to lease a portion of his property which is currently held under Chapter 61A Designation to Housatonic Solar 1, LLC. (9.6 acres at 70 Ware Road and 8.6 acres at 87 Spring Street) *Noted.*
- Notice from the Orange District Court of a Hearing with regard to a Petition for Judicial Review (West Dog Hearing) on August 7, 2014 at 11:30 am. Attendance is mandatory. *Mr. Delanski asked if the ACO was attending. Mrs. Prokop informed the Selectboard that no notice has been given as of yet, to allow the Board time to review and decide on a directive. Mr. Delanski briefly recapped the matter and explained that should the Civil Court ask the Board’s opinion on the matter; the Board would consider the Courts ruling recommendation should it be determined that the “dog” is to not be euthanized and to remain in Orange MA- the Board would consider that option provided the animal does not return to Warren. Mr. Nardi would not be opposed to the possible consideration. Mr. Delanski added that the Board could insist on compliance of the order or wait for the Court’s decision but he made it clear that the Board could not order the “dog” out of town. He requested that Mrs. Prokop remind him of this matter and the particulars a couple of weeks before the hearing.*
- Correspondence from resident Joseph Kondrat, Jr. expressing concern over the recent fire in the City of Lowell which took the lives of seven individuals. He has suggested that the town take a close look at rental properties to ensure fire/building/occupancy codes are in compliance to avoid any similar event. *Mr. Delanski asked that a copy of this correspondence be sent to the Building Inspector.*

YEAR END TRANSFERS

Motion to accept the following year end transfers made by Mr. Nardi; second: Mr. Delanski – unanimous.

Agenda # 8

7/15/2014

FY 14 Year End Transfers Board of Assessors			
72.64	Expense Account	to	Assit. Assessors Salary Account
<u>15.52</u>	Expense Account	to	Princ. Assessors Clerk Salary Account
88.16			
	<u>Police</u>		
393.48	Janitor Salary Account	to	Police Salary Account
1,334.18	School services & Supplies	to	Police Salary Account
<u>350.84</u>	Clothing and Supplies	to	Police Salary Account
2,078.50			
1,100.00	Police Maintenance & Util.	to	Police expense Account

Mr. Delanski added that no monies were being transferred from the Town Hall Maintenance account.

TREASURY WARRANT

Motion to accept warrants #125 and #126 dated June 30, 2014 in the amounts of \$1,409.05 and \$56,107.48 respectively was made by Mr. Nardi ; second: Mr. Delanski – unanimous.

Motion to accept warrants #2 and #3 dated July 7, 2014 in the amounts of \$38,593.67 and \$44,674.59 respectively was made by Mr. Nardi ; second: Mr. Delanski – unanimous.

Motion to accept warrants #4 and #5 dated July 14, 2014 in the amounts of \$37,362.35 and \$176,668.80 respectively was made by Mr. Nardi ; second: Mr. Delanski – unanimous.

MINUTES

A motion to approve the open meeting minutes of June 23, 2014 ; July 1, 2014; and July 10, 2014 as written made by Mr. Nardi; second: Mr. Delanski – unanimous.

7:15 PM Application for MGL Ch 138 §15 Wine & Malt Beverages Liquor License P&B Liquors, Inc. d/b/a Traskas Village Market

Mr. Delanski opened the hearing at 7:15 PM: Present: Mr. Bhavik Patel, his Attorney Jonathan Hurley; Mr. Nick Bhat and Mrs. Leona Wrobel

Attorney Jonathan Hurley informed all present that this was a Petition on the Application of P&B Liquors, Inc. d/b/a Traskas Village Market for a new Wine & Malt Beverages Liquor License at 2240 Main Street, West Warren MA. They are asking the local licensing authority to consider the application as the business location has been vacant for some time. Attorney Hurley announced that Mr. Patel was also the individual that had earlier this year purchased and is now operating the Warren Package Store. Mrs. Leona Wrobel spoke to the need to have the former business re-opened citing it would be “an asset” in West Warren and spoke favorably of Mr. Patel. Mr. Delanski asked Mrs. Prokop if the appropriate notifications had been made. Mrs. Prokop responded that a notice of the hearing had been published in the Worcester Telegram and Gazette on June 26, 2014. Additionally, notice had been sent via first class and certified mail to all abutters per BOA listing. To date, the office has/had not received any calls/correspondence or other from any party for or against the granting of said license. Mr. Delanski inquired as to the new business hours for the re-opened store. Mr. Patel responded that at present the hours would be 7am-7pm; subject to increase in the future. A Motion to accept the Application of P&B Liquors, Inc. d/b/a Traskas Village Market for a new Wine & Malt Beverages Liquor License at 2240 Main Street, West Warren MA was made by Mr. Nardi - Mr. Delanski asked if there was anyone in the audience that wished to address the LLA regarding the Petition; Mr. Stanley Soltys stated that the hours were not appropriate for the sale of liquor. Mr. Delanski responded that the hours for the sale of liquor are set by the State. Ms. Jen Roberts asked for further clarification on the hours – all week? Mr. Patel stated Monday – Saturday; the store is closed on Sunday. Hearing no further discussion; Mr. Delanski seconded the motion – unanimous. Hearing was closed at 7:26 PM.

7:30 PM– HIGHWAY SURVEYOR – CULVERT WORK WALKEEN-KOZIOL ROAD

Highway Surveyor Tom Boudreau provided a handout to the Selectboard with a drawing. (copy attached to end of this document) Per Mr. Boudreau’s inspection; there appears to be a defect in the pipe not along the seam but rather in the pipe itself. Conservative estimates for repair could run around \$10,000.; naturally there would have to be input from DEP and Conservation would could reasonably take the costs tentatively from \$13,000 - \$40,000. Mr. Delanski inquired as to whether this problem was the same pipe that was a prior problem and whether this was the culvert work linked to a possible grant. Mr. Boudreau replied that it was no on both questions. Mr. Delanski asked to where the water was coming from. Mr. Boudreau replied from a spring that crosses the road east of Little Rest Rd to West on 19 Little Rest Rd. The question was raised as to whether the boundaries were on Town or private property; abutters to the matter and size of the area needed– Mr. Boudreau replied it would need further investigation on the part of Conservation to give an adequate response. As the boundaries issue may questionable, Town Council may need to be consulted. Mr. Delanski asked Mr. Boudreau if he had given any thought on how to pay for the work. Mr. Boudreau replied that Chapter 90 – Drainage funds could be used, or the project could be rolled into a grant being considered on another project. Mr. Delanski suggested possibly using Chapter 90 funding in the interim and replenish at the fall STM. Mr. Boudreau’s concern with that is; it could limit his road work to be done this summer. Mr. Delanski asked Mr. Boudreau to research the project further and put together a proposal which he could present in a couple of weeks, at the next Selectboard’s meeting.

Mr. Stanley Soltys inquired about the diameter of the pipe – there was a brief discussion on the topic concluding with Mr. Boudreau stating that there were new storm water guidelines that had to be adhered to.

Mr. Delanski again asked Mr. Boudreau to contact DEP; gather information and pricing – then come back to the Board. The Board would work with him to find the funding.

On a separate matter Mr. Delanski stated that he had received some Spenser Saving Bank customer complaints about the lines for parking in front of the bank. He asked Mr. Boudreau to repaint the lines as soon as feasible. Mr. Boudreau replied he would take care of it.

ADMINISTRATIVE ASSISTANT

Mrs. Prokop informed the Selectboard of the following:

Office had received response from Dave @ Dave's Wood Working regarding the bulletin Board in West Warren: He will take a look at the Board and the issues and create a solution – still pending.

Our office and Becky Acerra received notice of concerns regarding utility poles on Little Rest Road that have been replaced and the old ones trimmed down. Both Mrs. Acerra and Mrs. Prokop are researching the matter further to assess how best to handle.

Warren Veterans' Service Office and Veterans Council would like to thank each Board member for their participation in the Memorial Day Parade/Event held earlier this year and have presented each member with a Certificate of Appreciation.

Correction: In a recent Quaboag Current news article on Warren re: Tax Title Activities; Mr. Robert Lavash was misquoted when giving credit to the successful event. Mr. William Scanlan Town Planner was credited when it should have read, Town Treasurer, William Schlosstein.

OTHER BUSINESS

Ratify: 1 Day Pouring License FOE (Event 7-12-14)

Issuance of 1 Day vendor Permits (FOTTH & Cash Market- Event 7-19-14)

Mr. Delanski stated that the FOE holds a current license; the Board just approved the extension of said license to include the outside area for the one day event. No vote necessary.

Mr. Delanski asked the FOTTH about their event on the 19th. Mrs. Beverly Soltys replied they were holding the Duck Race. Mrs. Prokop requested the Chairman's permission to speak – Earlier in the week Mrs. Soltys had approached the Selectmen's office inquiring about a permit to serve deserts on the Town Common during the Concert. She additionally spoke to the office that Ms. Cieslak of Warren Cash Market may also be interested in serving a small meal (hot dog/chip/drink) at the concert as well. Following discussions with Mrs. Soltys indicated that neither group may need the requested permits. Mrs. Prokop asked the Board members to consider the issuance of the one day permits in the event that FOTTH and/or Warren Cash Market reconsidered. The Board could not give permission to serve on the Common; but would grant permission to use the Municipal lot for the event. A motion to issue a one day vendor permit to FOTTH made by Mr. Delanski; second: Mr. Nardi – unanimous. The consensus of the Board was that Warren Cash Market's current licenses could be extended to include outside for the event as they have the necessary food serve credentials. – Permits could be picked up in the office Wednesday.

Mr. Delanski stated that he has received several complaints about speeding on Bemis Road. He asked Mrs. Prokop to contact the Police department and request that they monitor the area as a follow up to the complaints.

Mr. Delanski spoke to the matter of the current Veterans Agent, Patrick Swain who did a super job working the last month or so. He did not get paid for that time, as he and the former Agent overlapped and there are no monies left in the appropriation. He would like to find a way to compensate Mr. Swain for his work – challenge is finding the resources to handle the matter during the current fiscal year. Mr. Thomas Boudreau asked the Board to consider taking the funding from his Highway Salaries account to satisfy the request. A motion to pay the Veteran's agent and transfer \$275.00 from the Highway Salary Account to the Veteran's Salary accounts; made by Mr. Delanski; second: Mr. Nardi – unanimous. Mr. Boudreau provided the Selectboard with his written authorization to allow the transfer from his department. The Board thanked Mr. Boudreau.

Mr. Nardi read a letter from Senator Brewer's office Congratulating the Town and First Wind on the ribbon cutting ceremony for the completion of the 2nd largest Solar Farm in the State. Request to send Senator Brewer a thank you for the acknowledgement.

NEXT MEETING DATE:

Mr. Delanski announced the next scheduled meeting: Tuesday, July 29th at 7:00 PM.

Mr. Mike Valanzola introduced himself to the Board and the audience; he is a candidate for the State Senate in Massachusetts to succeed long term Senator Stephen Brewer, he is traveling around the district to a number of Selectmen's meeting as the only candidate having been a former Selectmen. His goal as Senator is to work in part with Selectmen much like Senator Brewer has been. He has the support of State Representative Todd Smola and looks forward to working with the residents of Warren if elected.

Motion to Adjourn made by Mr. Nardi; second: Mr. Delanski – unanimous at 7:42 PM.

Respectfully submitted,

Lorena Prokop
Administrative Secretary

Dario F. Nardi, Clerk