

**BOARD OF SELECTMEN  
MINUTES OF FEBRUARY 27, 2018**

**PRESENT:** Mr. James A. Gagner, Jr., Chairman and Mr. Marc W. Richard; Vice-Chairman and Mr. Dario F. Nardi, Clerk

**ATTENDEES:** See Attached List

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**Opened the Meeting at 7:00 PM**

Chairman Gagner Opened the Meeting and led with the Pledge of Allegiance. He notified all in attendance that this evening's meeting was being both video and audio recorded. Ms. Colleen Montague advised her audio taping this evening's meeting.

**MINUTES**

Motion to approve the Minutes of February 20, 2018 as written made by Mr. Nardi; second: Mr. Richard – unanimous.

**CORRESPONDENCE**

1. As a reminder, the Quaboag Regional Middle High School will be holding ongoing budget meetings to discuss the FY 19 Budget. The next scheduled meetings are:  
March 5<sup>th</sup> – School Committee March 12<sup>th</sup> – Initial Budget Presentation to full committee and March 19<sup>th</sup> – School Committee adopts FY 19 budget- **Mr. Gagner again urged all residents to attend. All meetings are held at the Quaboag Regional M/H School Library beginning at 6:30 PM**
2. Chief Spiewakowski gave notice to the office that Officer Matthew Hipple resigned from the department due to scheduling conflicts. – **Noted. The office will send a letter of thanks to Officer Hipple.**
3. The Conservation Commission has been notified that they have been chosen recipient of a \$3,000.00 grant from the Realtor Association of Central MA. – **Noted.**
4. The office received confirmation from the West Warren Water District that although they are in no position to fund any portion of the Reed Street Water Issue project, they remain ready and willing to help the Reed Street residents once the town has secured funding for the project.- **Noted.**
5. The office received correspondence from the Highway Surveyor regarding the road to the transfer station. This past weekend, the road was nearly impassible and in order to clarify, the town pays Solid Waste Solutions to maintain this road. It is not the town's responsibility to do so. Any complaints should be directed to the Board of Health who will contact SWS. – **Mr. Richard stated that since the weekend, the road has been graded and should residents have concerns, they can contact the Board of Health who will in turn contact SWS.**
6. The office received notice from MassDOT that pending final passage of the bond authorization, the Town of Warren's Chapter 90 apportionment for FY 19 is \$288,107. –**Noted.**

**WEST WARREN PUBLIC LIBRARY – 1 DAY LIQUOR LICENSE**

The West Warren Library has requested a one-day liquor license for their Trivia Night which is scheduled for Saturday, April 14<sup>th</sup> at the Senior Center. The event is scheduled to run from 5 PM to 9 PM. With no objections and all paperwork in order, the following motion was made: Motion to grant the West Warren Public Library a one-day liquor license for April 14<sup>th</sup> as presented made by Mr. Richard; second: Mr. Nardi – unanimous.

**JANET PIERCE – CENTRAL MASS REGIONAL PLANNING COMMISSION**

Mrs. Acerra invited Ms. Pierce in this evening to discuss the programs that CMRPC has available that address Tax Title Properties/Auctions. The town is eligible to use Technical Assistance Funds which would allow this process to move forward at no cost to the town. Ms. Pierce stated that typically, the Treasurer serves as the Tax Title Custodian. After a discussion with members of the Board, Treasurer, Mr. Lavash as Assessor and members of the Citizens Action Committee (CAC), it was decided

that Mrs. Acerra will coordinate a meeting with all to discuss the next steps in moving our tax title properties forward. Mr. Lavash offered full support from the Assessor's Office.

### **JOHN ANTONOVITCH - 34 QUABOAG STREET**

Chief Lavoie met this evening with the Board to discuss the property that abuts Fire Station A in Warren. The owner, who is now deceased wished that the town have the right of first purchase should we (town) be interested. Chief Lavoie stated that he wanted to have this discussion in order to be able to advise the family as to where the matter stands. There has been informal discussions on the possibility of expanding the current station, moving the Police Department and other possibilities, however nothing formal at this point. Mr. Nardi was grateful for the opportunity, however expressed concerns over the fiscal constraints that the town is facing in light of the school's projected budget proposal. Both Mr. Gagner and Mr. Richard echoed Mr. Nardi's position and too, expressed gratitude. A letter will be sent to the family on the board's current position.

### **BOARD OF HEALTH - DISCUSSION ON LANDFILL - STATUS OF NON-COMPLIANCE**

Although invited, there were no Board of Health members in attendance this evening to discuss the matter. All discussion was tabled this evening.

### **ATTORNEY JEFFREY BLAKE - KP-LAW - TOWN COUNSEL RE: OPIOID LITIGATION**

Atty. Blake was in attendance this evening to discuss the current opioid litigation that is currently being discussed. Taken from the Massachusetts Opioid Litigation Attorneys (MOLA), it is a "consortium of local and national law firms filing suit against the world's largest pharmaceutical manufacturers and distributors to hold them accountable for flooding our communities with opioids, resulting in massive economic damages to Massachusetts cities and towns".

Attorney Blake summarized the case as it is a Mass Tort litigation, NOT a Class Action. A class action suit requires all participants to have essentially the same injuries. Here, the damages from one municipality to another are very different and thus this will not be a class action. MOLA is filing suit on behalf of individual municipalities. Individual doctors or pharmacies will not be included in the suit and municipalities will not bear the cost of litigation.

KP-Law is representing many of their communities as they (KP) specialize in municipal law. The attorneys will work with primarily the Fire and Police Chiefs in order to accurately assess the damage to the town in the way of costs including "law enforcement, needle exchanges, Narcan, EM, treatment services, etc., as well as future mitigation/abatement damages for the foreseeable expenditures of taxpayer dollars toward treatment, education, and prevention."

Both Chiefs have discussed this epidemic in detail with their peers and fully support this move. With no further discussion or objections, the following motion was made: Motion to enter into the Mass Tort Litigation as described this evening with KP-Law representing the town made by Mr. Nardi; second: Mr. Richard - unanimous.

### **FY 19 BUDGET - ONGOING DISCUSSIONS**

Mr. Gagner stated that he attended the budget meeting at the school last evening, which will be by far the biggest issue for the town and again urged all residents to attend the meetings in order to gain a full understanding of the fiscal climate.

### **CANDIDATES NIGHT**

Mr. Gagner suggested that the town host a candidate's night for contested races. Arrangements will be made and a tentative date of Tuesday, April 17<sup>th</sup> at 7 PM was chosen. This event will be televised.

### **TREASURY WARRANTS & INVOICES**

Motion to approve and sign Warrant numbers 70 & 71 dated February 26, 2018 in the amounts of \$43,570.74 and \$49,828.91 respectively made by Mr. Nardi; second: Mr. Richard - unanimous.

### **NEW BUSINESS**

Mr. Richard requested that the office send a memo to all employees reminding them that parking in front of the building is reserved for residents and visitors. Employee parking is in the paved parking lot or in the back of the building. In addition, he

requested that the memo also include a reminder as to where the designated smoking area is. All members were in full support.

The Board extended their sympathies to Mrs. Beverly Russell and her family for the recent loss of her husband. Mrs. Russell served as Town Clerk for over 25 years.

Mr. Nardi stated that he has created an account with Munici-Bid and online auction site for the town's surplus equipment. An 8% fee will be charged to the winning bidder for the cost of the service. He is hoping to meet with the Highway Surveyor soon on his equipment and is looking at sometime around the third week of April for the auction.

#### **COMMENTS & CONCERNS**

Mr. Fountain questioned as to whose responsibility it is for all of the trash on South Street that is being lost along the way to the landfill. It is unsightly and not his job to have to pick it up. The same issue is occurring on Brook Road. Mr. Gagner requested to Chief Spiewakowski who was still in attendance to beef up patrols in the area on Tuesdays and Saturdays. Also, Mr. Gagner stated that he would contact the Board of Health for enforcement.

Mr. Fountain also took a moment to point out that he did not want Mr. Gagner taking all the credit for the Tebo's building in his list of accomplishments for his re-election. Mr. Gagner responded that he also included a statement thanking all boards and committees.

Mr. Nason stated that he was uncomfortable at last week's meeting and felt that Mr. Nardi should have not been on trial and faulted Mr. Gagner for allowing it to go on. Mr. Gagner stated that he shut the discussion down as required.

Mr. Mundell expressed concern over the new sidewalks that were put in. They are already pitting and peeling in some areas. The office will contact MassDOT.

Next Meeting Date: March 6, 2018 at 7 PM.

Motion to Adjourn made by Mr. Nardi; second: Mr. Richard – unanimous at 7:45 PM.

Respectfully submitted,

Rebecca Acerra  
Administrative Secretary

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Dario F. Nardi, Clerk

