

Members present: Kevin M. McCormick Michael J. Kittredge, Jr.  
Christopher A. Rucho (arrived at 6:06) Siobhan M. Bohnson  
John W. Hadley

Mr. McCormick convened the meeting at 6:00 p.m.

**OLD BUSINESS**

1. Concurrence on the appointment of Kopelman and Paige as Town Counsel, effective July 1, 2014 for a term to expire on April 30, 2015 at a rate of \$175 an hour

Motion Ms. Bohnson to concur with the appointment of Kopelman and Paige, seconded by Mr. Kittredge. Mr. Gaumond explained that one his responsibilities as Town Administrator is to make the appointment of town counsel. The Board authorized him to send out an RFP to seek bids for legal services, which he did. He reviewed the proposals received, interviewed three firms including Petrini & Associates, Mirick O'Connell and Kopelman and Paige. He feels all three were capable and competent to perform the duties and he recommends we stay with Kopelman and Paige for general legal services. While he will be making a change in another aspect, he is more than satisfied with the work they have done with the town.

Mr. Hadley asked if we had to use them for everything and if something came up and we wanted to use somebody else would that be possible. Mr. Gaumond explained that the town's bylaw, under Article 8 says that the Town Administrator may employ additional or special counsel. Over the years the town has used a number of law firms for things like tax title or environmental analysis. Mr. McCormick noted that many years ago we hired another law firm to work on our sewer issues and it didn't work out at all. Mr. Rucho joined the Board at 6:06 p.m.

Mr. Rucho advised that he sat through two of the interviews and most of the first one. He thought Mirick O'Connell would be the choice for labor and town counsel as they are a local company familiar with Central Mass.

Vote on the motion – Mr. McCormick, Mr. Kittredge and Ms. Bohnson yes; Messrs. Rucho and Hadley no.

2. Concurrence on the appointment of Mirick O'Connell, DeMallie & Lougee as Labor Counsel, effective July 1, 2014 for a term to expire on April 30, 2015 at a rate of \$190.00 an hour

Motion Mr. Hadley to concur with the appointment of Mirick O'Connell, seconded by Mr. Kittredge. Mr. Gaumond advised that they are a local firm with about 14 attorneys in the municipal field, town counsel in a few towns and one of the things that makes them special is they have expertise in municipal labor. He has had the pleasure of seeing them at work and he finds them to be very cleaver in their approach to labor issues. He thought it might be a good idea to have a fresh set of eyes as a lot of our labor contracts will be coming up for renewal.

Mr. Rucho pointed out that they are town counsel in a couple of towns. Mr. Gaumond added that even they would admit that their area of expertise is labor.

Vote on the motion – Messrs. McCormick, Rucho, Hadley and Kittredge yes; Ms. Bohnson abstains

**NEW BUSINESS**

1. Concurrence on the hiring of Laura Prunier, Millbury to the position of dispatcher at Step 1 of Grade 4, \$15.00 per hour effective July 1, 2014

Motion Mr. Hadley to concur with the hiring, seconded by Mr. Kittredge, all in favor.

**Review, Approve, Sign and Close Warrant for July 14, 2014 Special Town Meeting**

The warrant is made of one articles, which reads as follows, ‘To see if the Town will vote to appropriate a sum of money by taxation, transfer from available funds (including, but not limited to, transfers between line items in the FY2015 budget and/or from previous appropriations or special funds), or borrowing in accordance with the provisions of M.G.L. Chapter 44, section 7(9) and (3B), or any other enabling authority, or by some combination of the foregoing, for the purchase or lease-purchase, and installation in various school and Town buildings, of energy conservation measures and equipment pursuant to a 20-year energy management services contract authorized by M.G.L. c. 25A to be executed by the Board of Selectmen and further, to raise and appropriate or transfer from available funds a sum of money for FY2015 to implement, monitor or otherwise support the energy conservation program described herein, or take any other action relative thereto.”

Mr. Gaumond explained that this article is needed in order for us to move forward with our Energy Management Program and in the next two days he will have a draft version of the Scope of Services on the Investment Grade Audit being recommended by ABM. He has invited the School Department, Finance Committee and other building managers to come to the meeting next week and hear the presentation by ABM as to what is being recommended. They have been working to try to complete this task before the end of June and this article gives us the widest ability to manager the project. It was crafted by Town Counsel, reviewed by Bond Counsel and gives us flexibility to implement the project.

Motion Mr. Hadley to approve and sign the warrant, seconded by Mr. Kittredge, all in favor.

Mr. Rucho noted that there was discussion last week about including a second article for some money. Mr. Gaumond reports that town counsel advised if it is all for the same project, we could incorporate that as part of the article and articulate it within the motion. Mr. Rucho questioned the cost to have that person monitor the project. Mr. Gaumond understands that the Board recommends some funds be given to David Eckhardt as our own project manager guy. However, what Mr. Eckhardt said was that he was volunteering his time to get us to the point of construction. He thinks it would be unfair for the town to have him get us through construction and he is not recommending that Mr. Eckhardt be the one to do this. He would find somebody to get through the construction phase. He would leave it open ended at this point and he is talking several thousand dollars. He will bring the Board up to speed as we get closer.

Motion Mr. Rucho at 6:20 p.m. to enter into executive session under the provisions of Massachusetts General Laws, Chapter 30a, Section 21, Part 3 to discuss strategy with respect to litigation, the Reservoir Motor Lodge, if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. The Chair declared that an open meeting may have a detrimental effect on the negotiating position of the public body and the Board will not reconvene in open session. Motion seconded by Mr. Hadley. Roll call vote: Mr. Kittredge yes, Mr. Hadley yes, Mr. McCormick yes, Ms. Bohnson yes, Mr. Rucho yes. Attorney Thomas McEnaney of Kopelman and Paige will join the Board in executive session.

Motion Ms. Bohnson at 7:05 p.m. to come out of executive session, seconded by Mr. Rucho. Ro Roll call vote: Mr. Kittredge yes, Mr. Hadley yes, Mr. McCormick yes, Ms. Bohnson yes, Mr. Rucho yes.

With no further business to come before the Board, motion Mr. Rucho at 7:05 p.m. to adjourn, seconded by Ms. Bohnson, all in favor.

Respectfully submitted,

Approved: July 2, 2014

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Nancy E. Lucier, Municipal Assistant

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Kevin M. McCormick, Chairman

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John W. Hadley, Vice Chairman

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Christopher A. Rucho, Clerk

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Michael J. Kittredge, Jr., Selectman

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Siobhan M. Bohnson, Selectman