

Members present: Kevin M. McCormick Christopher A. Rucho
John W. Hadley Siobhan M. Bohnsen

Mr. McCormick convened the meeting at 7:00 p.m.

Read and Acceptance of Minutes from Previous Meeting

Motion Mr. Hadley to approve the regular session meeting minutes from April 14, 2015, seconded by Mr. Rucho, all in favor.

Motion Mr. Hadley to approve the executive session meeting minutes from April 14, 2015, seconded by Mr. Rucho, all in favor.

Motion Mr. Hadley to approve the regular session meeting minutes from April 15, 2015, seconded by Mr. Rucho, all in favor.

Motion Mr. Hadley to approve the executive session meeting minutes from April 15, 2015, seconded by Mr. Rucho, all in favor.

Motion Mr. Hadley to approve the regular session meeting minutes from April 22, 2015, seconded by Mr. Rucho, all in favor.

Motion Mr. Hadley to approve the executive session meeting minutes from April 22, 2015, seconded by Mr. Rucho, all in favor.

Motion Mr. Hadley to approve the regular session meeting minutes from April 28, 2015, seconded by Mr. Rucho, all in favor.

Consider Signing Sewer Connection Fee Agreement from Sajda Gardens, LLC for Oakdale 40b Project

Mr. Hadley would like to table this item for two weeks as the Board just received the updated agreement and hasn't had an opportunity to review it. Mr. Rucho asked about the timeline to sign the agreement. Carolyn Murray, town counsel from Kopelman and Paige explained that the Comprehensive Permit does say that within ten days, when the Board is presented with an Agreement, otherwise it is considered a waiver. The permit is between the Permittee and the Town. This is an agreement between Sajda Gardens, who is expected to be the Permittee, but still has hoops to jump through. Mr. Ali still needs to present a Regulatory Agreement, housing plan and a surety has to be posted. That is still the same. The ten days would not trigger yet.

Mr. Ali explained that the bank needs the agreement for their approval before they can close the loan. Mr. McCormick stated that the Board understands and we are not trying to hold it up. Ms. Murray added that the financing agreement dated March 25, 2015 that Mr. Ali presented at the last meeting speaks about the fact that prior to 40B final approval MHP must receive a regulatory agreement, delivery a financial surety and receive a satisfactory fair housing and marketing and resident selection plan. There is still the question of the permit. It is still in the name of Lever Developer. The permit has to be in the name of Sajda Gardens. There is a process for the ZBA to do that. Mr. Ali advised that it is in the paperwork, it says Sajda Gardens is the applicant and Crescent Builders is the sponsor. Ms. Murray noted that the ZBA permit is still in the name of Lever Developer, LLC and Mr. Ali has to go to the ZBA and get it transferred. Mr. Ali states that he sent a letter before he bought it and he didn't hear anything back. They had 20 days to say no, after 20 days it gets approved. Ms. Murray disagrees, Mr. Ali's counsel at that time said you were not formally submitting the request to the ZBA to take that action. Mr. Ali states that he gave a letter before he bought the property. Ms. Murray added that Mr. Ali presented it, however, he presented it in the name of Crescent Builders. It was not an entity under Chapter 40B to hold a comprehensive permit. You are

going through that now with Sajda Gardens, but it has to be transferred into the name of Sajda Gardens. Mr. Ali feels it has nothing to do with the sewer and water agreement. He has a meeting with the ZBA next week on the 14th of May.

Mr. McCormick explained that he needs to go to the ZBA and gets the permit transferred to Sajda Gardens LLC, as the agreement is between Sajda Gardens and the Town, however, Sajda is not the Permittee yet. If the ZBA said no, the Board would have signed an agreement that has no validity. Mr. Ali understands and is fine with coming back on May 20th. He noted that the Decision say the permit is transferrable. Mr. McCormick would like to sign an agreement with the proper Permittee.

Anthony Sylvia, Director Of Public Works

Mr. Sylvia is not available this evening.

1. Consider signing contract with Lenard Engineering for engineering services for our MassWorks Grant Program

Ms. Lucier reports that Town Counsel reviewed the contract on Monday, it was forwarded to Lenard for review and the gentleman who needs to review the changes is away until tomorrow night. Thus, this item will be tabled and on the Board's next agenda.

2. Consider Sewer Enterprise Fund Transfer in the amount of \$14,000 from Sewer Reserve to Administration Purchased Services to pay for previously approved Oakdale Sewer Capacity Study

Ms. Lucier advised that in discussion with the Chair of the Finance Committee this request did not qualify as unforeseen. As such, Ms. Lucier spoke with the Town Accountant and after a review of the sewer budget, there is capacity in this year's budget to cover this item. The transfer is no longer needed.

3. The town will be receiving a FY16 Chapter 90 payment in the amount of \$294,683

Mr. Hadley requested the current balance and a listing of Chapter 90 projects including those in the works and not yet closed out, those which have been approved and the costs associated with them.

NEW BUSINESS

1. Consider Reserve Fund Transfer in the amount of \$950 to Selectmen Purchased Services to pay for inspection for Bethlehem Baptist Church

Motion Mr. Rucho to approve the transfer, seconded by Mr. Hadley, all in favor.

2. Consider request for Transient Vendor Licenses for the following Pinecroft Farmer's Market businesses: Balance Rock Farm & Tasty Harvest Shrimp (note owner of property has provided a letter amending hours of operation)

Motion Mr. Hadley to approve the licenses, seconded by Mr. Rucho, all in favor.

3. Consider accepting donation in the amount of \$250 from the Committee to Elect James O'Day for the Bandstand Fund on behalf of the town

Motion Mr. Hadley to accept the donations, seconded by Mr. Rucho, all in favor.

4. Acknowledge notification from Thomas Cohan, Director of Government Affairs Charter

Communication that the Comcast Corporation has terminated its merger agreement with Time Warner Cable and its related transactions with Charter Communication

The Board acknowledged the information.

5. Discuss hiring a landscaper to take care of town hall property

Mr. McCormick requested this agenda item. The Board budgeted \$1,200 in the FY15 budget for landscaping at town hall. Ms. Lucier advised that the DPW employees spent time at town hall sweeping the parking lot, cleaning the grounds and edging out beds. Town hall employees have been working on weeding dandelions and planting perennials. The Board felt the DPW did a great job and we will use the \$1,200 budgeted for landscaping towards plants and shrubs. Nothing was budgeted in FY16. We may revisit this at a future date and sent out a Request for Proposals.

Selection of Permanent Interim Town Administrator

Mr. McCormick suggested nominating a candidate and voting.

Motion Mr. Rucho to nominate Jim Purcell and enter into contract negotiations with him, seconded by Mr. Hadley. Mr. Rucho feels that all the candidates had good interviews, Mr. Purcell had a very good interview and he liked some of things he said. Ms. Bohnson added that we had three good candidates and it is nice to know that people have an interest to come to our town. Some of the knowledge of some of the candidates was strong in different areas. She thanks them for coming before the Board and having an interest. Mr. McCormick noted that was involved with the selection of the last interim and doesn't think we had candidates of this caliber. Vote on the motion- Messrs. McCormick, Hadley and Rucho yes; Ms. Bohnson no.

Mr. McCormick asked to reconsider the vote for a show of support.

Motion Mr. Rucho to nominate Jim Purcell and enter into contract negotiations with him, seconded by Mr. Hadley. Vote on the motion- Messrs. McCormick, Hadley and Rucho yes; Ms. Bohnson present.

Discussion ensued over how many days a week the interim should work. Mr. Rucho recommends three and attendance at night meetings. Mr. Rucho suggests having him submit a sample contract for the Board's consideration and counsel's review.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. Announce that the town will be getting a \$666,856 PILOT payment from Department of Conservation & Recreation, a 4% increase
2. May 13, 2015, 10:00 a.m., Public Hearing on Cable TV Rates, 1000 Washington Street, Hearing Room 1-E, Boston
3. May 13, 2015, 7:00 p.m., special meeting of the Board of Selectmen to discuss capital items which will be on the warrant. The Capital Investment Board and any department head who has an item on the warrant will also be invited to attend.

SELECTMEN REPORTS

Mr. Hadley reports that on May 12th the Council on Aging will have a kick off presentation for their new senior center at 4:00.

FUTURE AGENDA ITEMS

Mr. Hadley would like to discuss the recycling bins in town. The Selectmen are supposed to be licensing the donation bins. He would like to invite the owners in and establish rules. He is not trying

to stop donations he wants them done right. The state has been notified to take a look at the bins on their land. We will invite the Building Inspector in for those discussions.

With no further business to come before the Board, motion Ms. Bohnson at 7:35 p.m. to adjourn, seconded by Mr. Rucho all in favor.

Respectfully submitted,

Approved: May 20, 2015

Nancy E. Lucier, Municipal Assistant

Kevin M. McCormick, Chairman

John W. Hadley, Vice Chairman

Christopher A. Rucho, Clerk

Siobhan M. Bohnson, Selectman