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Present: Joseph E. Flanagan, Wayne R. Walker, and Heather M. Billings

CALL TO ORDER

Mr. Flanagan called the meeting to order at 6:00 p.m. in the Selectmen’s Office at Town Hall. He announced that the meeting was being broadcast live and recorded by Ashburnham Westminster Community Access TV. He also noted that Kerry O’Brien from the Gardner News was recording the meeting.

ANNOUNCEMENTS

- The Board of Health has issued a Health Alert: Due to the increase in EEE and West Nile Virus in Central Massachusetts, we urge everyone to take precautions to reduce the change of exposure to these serious conditions.
- Crocker Pond Recreation Area Committee is seeking volunteers to serve on the CPRAC. Anyone interested please submit a letter of interest to: Town Administrator, Karen Murphy, Town Hall, 11 South Street, Westminster, MA 01473
- The Town is working with MRPC to file a Community Development Block Grant application. The MRP staff will be conducting neighborhood surveys in the Pleasant and Elliott Street neighborhoods in the next couple of weeks.

APPROVAL OF WARRANTS/MINUTES

Mr. Walker moved that the Board approve the regular session minutes of August 20, 2012, as printed. Ms. Billings seconded the motion. The motion passed unanimously.

Ms. Billings moved that the Board approve the regular session minutes of August 27, 2012, as printed. Mr. Walker seconded the motion. The motion passed unanimously.

Board members reviewed and approved the following warrants:

September 12, 2012	Deduction #15D	\$ 171,296.46
September 17, 2012	Accounts Payable #17	\$ 151,880.71
September 24, 2012	Payroll #19	\$ 175,104.68
	Accounts Payable #18	\$ 1,032,976.36

PAYROLL AUTHORIZATION

Mr. Walker moved that the Board approve a payroll authorization for a part time Administrative Aid. Ms. Billings seconded the motion. The motion passed unanimously.

CONTRACT – USI CONSULTING GROUP – GASB ACTUARIAL VALUATION

Mr. Walker moved that the Board sign the contract with USI to perform GASB45 actuarial valuation services in the amount of \$3,900. Ms. Billings seconded the motion. The motion passed unanimously.

INTERFUND BORROWING – DPW PROJECTS

Treasurer/Collector Melody Gallant was on hand to request the Board’s approval to borrow \$92,000 from the general stabilization fund for Town Farm Road berm in the amount of \$22,000 and various road guardrails in the amount of \$70,000.

Mr. Walker moved that the Board approve inter fund borrowing from the general stabilization fund in the amount of \$92,000. Mr. Flanagan seconded the motion. The motion passed unanimously.

ENERGY ADVISORY COMMITTEE – REQUEST TO APPROVE FUEL EFFICIENT VEHICLE POLICY

Ms. Billings explained that the Fuel Efficient Vehicle policy is one of the steps for the Town to become a designated green community.

The Board agreed to review the proposed policy and schedule the approval at their October 1, 2012, meeting.

TRICK OR TREATING

Mr. Walker moved that based on the recommendation of the Police Chief, Trick or Treating be held on Wednesday, October 31, 2012, from 5 to 7 p.m. Ms. Billings seconded the motion. The motion passed unanimously.

TREASURER/COLLECTOR – REVIEW TAX TITLE PROPERTIES

Treasurer/Collector Melody Gallant was on hand to review with the Board the outstanding tax title properties which have unpaid taxes totaling \$598,000. She explained to the Board that she would like to take aggressive action and come back during budget season to request approval of funding to do one of two options. One option would cost \$2,000 per case to bring legal action in land court. Another option would be to hold a ‘Land of low value auction’. This would be to hold an auction and sell the tax title receivables. She stated this would be a good way to get cash fast.

EXIT CONFERENCE - FY 2011 FINANCIAL AUDIT

Tony Roselli of Roselli, Clark & Associates CPA was on hand to review the FY11 financial audit. He commended the financial team for a job well done and reviewed the financial audit and recommendations on various items with the Board.

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WESTMINSTER ELEMENTARY SCHOOL WINDOW SILLS

Peter Normandin introduced Peter Reynolds of McKenzie Engineering Company, Inc. who explained to the Board that the purpose of his review was to review the report and information presented by both Simpson Gumpertz & Heger (SGH) who are building consultants hired by the Town to review and comment on the sill movement, and the Mount Vernon Group (MVG), the architectural firm that originally designed the elementary school.

Mr. Reynolds indicated that the following represents the scope of work that all parties at a meeting agreed would be acceptable:

1. Remove, clean off mortar and caulking, and reset in mortar all sills with ½” or more movement
2. Reset sills to have weep holes installed 2’ o.c. as originally called for.
3. Sills with less than 1/2” of movement to be pushed back into place and have the side joints re-mortared as required and to be cleaned of old caulking and re-caulked as required. MAVG to specify a caulking to have proper flexibility and adhesion to all surfaces.
4. All sills in the building including those that did not experience movement to be mechanically attached to the brick veneer by two stainless steel SPIRALOK fasteners per side installed at 45 degrees (plus/minus) through the mortar joints of the adjacent brick.
5. All sill mortar joints to be re-pointed as required and caulked as required to be waterproof.
6. All sill to window joints to be cleaned of old caulking and re-caulked with specified caulking as required to be made waterproof.
7. The existing sill currently on the ground that is cracked was inspected and MVG stated that a new sill could not be produced to match the existing sills and they recommend the repair of the existing cracked sill. I was agreed the existing sill would be repaired to match with an epoxy mortar system as specified by MVG.

Mr. Reynolds also indicated that there should be an ongoing maintenance program for the sills. He also stated that this type of fix may never have to be done again.

Dr. Hicks stated that it is customary to have an engineer like Mr. Reynolds inspect the work.

The Board agreed to take the matter under advisement and discuss at their next meeting scheduled for October 1, 2012.

FINALIZE/ACCEPT LAYOVER STATION NOISE STUDY

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Mr. Flanagan stated that the Board received KM Chng’s responses to MART’s criticisms regarding the noise study late Friday.

Mr. Flanagan moved that the Board:

1. Officially accept the noise study prepared by KM Chng
2. Accept KM Chng’s environmental response to Mart’s comments
3. Proceed to follow Town Counsel’s advice to send the study with a cover letter to DEP and EOEPA indicating the Board’s wishes to keep the noise at DEP standards.

Mr. Walker seconded the motion. The motion passed unanimously.

WESTMINSTER BUSINESS PARK – EARTH REMOVAL PERMIT – LOT I-7

Mr. Flanagan stated he would like to add wording on page 5, #13 ‘in the form of a Surety Bond’.

Mr. Flanagan stated he would like to add wording that states the Board can rescind this earth removal permit in the unlikely event rail access is denied by Pan Am.

Mr. Walker moved that the Board approve the Westminster Business Park earth removal permit as amended. Mr. Flanagan seconded the motion. The motion passed unanimously.

REFER ZONING AMENDMENT TO PLANNING BOARD – WIND BYLAW, DEFINITION OF SHADOW FLICKER

Mr. Walker moved that the Board refer the proposed Zoning amendment – Wind Power Bylaw definition to the Planning Board for the required public hearing. Ms. Billings seconded. The motion passed unanimously.

DISCUSS CONTINUATION OF HOME HEATING ASSISTANCE PROGRAM

Mr. Flanagan explained that the interest generated (\$2,600 last year) would not allow for the Fred Smith fund to be sustainable if the Board was to continue funding the Heating Assistance Program at \$10,000 each year.

The Board agreed to take the matter up at their next meeting.

LETTER TO FEDERAL TRANSIT ADMINISTRATION RE LAYOVER STATION

Mr. Flanagan stated that late this afternoon the Board received a draft letter from Town Counsel to the FTA. It is a concise six page letter explaining the Town’s position regarding the current design of the layover station.

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Based on the revisions from Town Counsel’s email that was sent during the Board of Selectmen’s meeting, the Board agreed to bring the matter up at their next meeting.

ANNOUNCEMENTS

Three candidates for the Veterans’ Agent position will be interviewed at the next BOS meeting from 6:05 p.m. to 6:30 p.m.

7:44 PM EXECUTIVE SESSION

Mr. Walker moved that the Board enter into executive session to discuss strategy with respect to potential litigation, further that the Chair declare that an open meeting may have a detrimental effect on the litigating position of the body; and that the Board adjourn directly from executive session. Mr. Flanagan seconded the motion. The motion passed on a roll call vote.

ADJOURNMENT

The Board adjourned from executive session at 8:25 p.m.

Respectfully submitted,

Heather M. Billings, Clerk
(Prepared by B. Kazan)