

## BOARD OF SELECTMEN MEETING MINUTES

7:00 PM

April 12, 2010

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**PRESENT:** Selectmen Joseph A. Sergi, Patrick J. McNabb, and Joseph Hallisey; John Moak, Town Administrator; Peggy Mazzola, Administrative Assistant

The meeting was called to order at 7:02 PM.

**ACCEPTANCE OF MINUTES:** On a motion by Mr. McNabb and seconded by Mr. Hallisey, the minutes of the meeting of March 29, 2010 were unanimously approved.

**APPROVE WARRANT/SIGN PURCHASE ORDERS:** The Board signed the warrants. On a motion by Mr. McNabb and seconded by Mr. Hallisey, it was unanimously voted to approve a purchase order to Fire Tech and Safety for the Fire Department to purchase 1¾" hose in the amount of \$2,900.00.

**PUBLIC COMMUNICATIONS:** Mr. McNabb announced that the 14<sup>th</sup> Annual Pepperell Green-up Week will be held April 17-25. A map of the Town, sign up sheets and bags are available at the Library. Mr. McNabb read a letter of resignation from the North Middlesex Regional School District Committee from Kathy Low. The Board thanked Ms. Low for her service to the Town. Mr. McNabb announced several vacancies on the newly formed Covered Bridge Committee. Letters of application or Citizen Activity Forms can be submitted to the Selectmen's office by Thursday, April 29<sup>th</sup>. Mr. McNabb reminded the public that Candidate's Night will take place at the Senior Center on Tuesday, April 13<sup>th</sup> at 7 PM. Mr. Sergi stated the event will be broadcast live from the Senior Center, and thanked Charter Communications for working with the Town on this initiative. Mr. McNabb thanked the NMRSD teachers who voted on concessions that will save the district a substantial amount of money. Mr. Moak stated the DPW Highway Division voted to take a 2-day furlough to prevent further layoffs at the Highway Department.

### **APPOINTMENTS/RESIGNATIONS:**

**Item #1 – Board of Fire Engineers:** Letters of interest from current Board of Fire Engineers members Toby Tyler, Jonathan Kinney and Peter Shattuck were read by the Board. A brief question and answer session followed relative to their continued interest in serving. On a motion by Mr. Hallisey and seconded by Mr. McNabb, it was unanimously voted to reappoint Mr. Tyler, Mr. Kinney and Mr. Shattuck to the Board of Fire Engineers, term to expire 4/30/2011.

### **ACTION ITEMS:**

**Item #1 – Public Hearing – Beaver Creek Road Layout:** Mr. McNabb read the notice of public hearing. The hearing was opened at 7:25 PM. Mr. McNabb read a memo from the Planning Board. Mr. Sergi explained the procedure for a road acceptance, and stated that the Planning Board has approved the layout and he feels comfortable moving forward. Mr. McNabb and Mr. Hallisey agreed. Mr. Sergi invited comments from those in attendance. Hearing none, and on a motion by Mr. McNabb and seconded by Mr. Hallisey, it was unanimously voted to close the hearing and accept the layout of Beaver Creek Circle as presented.

**Item #2 – Public Hearing – Parker Hill Way Road Layout:** Mr. McNabb read the notice of public hearing. The hearing was opened at 7:30 PM. Mr. Sergi remarked this layout is a little unconventional, as it encompasses an extension of Parker Hill Way. The Board had scheduled a road layout hearing last year but the hearing was cancelled. Mr. Sergi read a letter from Bruce Roberts requesting the road layout. Mr. Sergi read correspondence from the Planning Board, Town Engineer/DPW Director Bob Lee, and the Conservation Commission. Mr. Sergi stated it is up to the Board to proceed. Edward Razzaboni, 5A Parker Hill Way, stated he had no objection to the layout. Mr. Shattuck provided information and explained the challenges relative to the layout. Mr. Sergi stated that Town Meeting provided funding to complete the layout, and he would like to proceed. Mr. Shattuck provided the Board with information relative to the challenges to his department. Following further discussion, and on a motion by Mr. McNabb

and seconded by Mr. Hallisey, it was unanimously voted to close the hearing and accept the layout of Parker Hill Way as presented.

Item #3 – Public Hearing – Cable TV License: Mr. Sergi explained the current license expired on January 18<sup>th</sup>; this one year license will give the Cable TV Advisory Committee ample time to put a permanent contract in place. Committee members Richard Potts, David Pease, Deb Spratt and Jeff Sauer were present. Mr. McNabb read the notice of public hearing. The hearing was opened at 7:50 PM. Mr. Moak stated that Tom Cohan from Charter was unable to attend the hearing, but is aware of the proceedings. The proposed contract contains the current criteria and allows the CATV Advisory Committee time to negotiate a long-term agreement. Mr. Sergi asked if the license was reviewed by Town Counsel. Mr. Moak replied that it was. Mr. Potts stated the proposed license is simple and straightforward, and that the previous agreement had expired before the CATV Advisory Committee had time to renegotiate. Mr. Moak stated his office would provide administrative support but will need legal expertise. Mr. Moak stated he has received two proposals. Mr. Hallisey asked if it was necessary to hire an attorney. Mr. Potts stated this is strongly recommended, as the Committee is not qualified to negotiate the contract. Finance Committee Chairman Chris DeSimone has also strongly recommended hiring an attorney with expertise in cable contracts. Discussion ensued relative to what the committee would like to see in a new contract and the proposed length. Following further discussion, and on a motion by Mr. McNabb and seconded by Mr. Hallisey, it was unanimously voted to close the hearing. Mr. Sergi suggested the term of the contract should be 1/18/10 through 4/12/11; if Charter has concerns relative to the term the Board can vote to amend. On a motion by Mr. McNabb and seconded by Mr. Hallisey, it was unanimously voted to approve the cable TV license with Charter Communications with a term of 1/18/10 through 4/12/11.

Item #4 – Discussion: Request for waiver of hiring freeze, anticipated vacancy in Treasurer/Collector's Office: Treasurer/Collector Michael Hartnett appeared before the Board to discuss an anticipated opening in his office pending the outcome of the upcoming Town election, and stated if Debbie Nutter wins the election he would need to fill her position fairly quickly. Following a brief discussion, and on a motion by Mr. Hallisey and seconded by Mr. McNabb, it was unanimously voted to waive the hiring freeze to fill an anticipated vacancy if necessary in the Treasurer/Collector's office.

Item #5 – Reserve Fund Transfer Request: The Board reviewed a Reserve Fund Transfer Request from the Town Administrator to add \$106.72 from the reserve fund to Account #1290-52306 Town Administrator Advertising – Legal Notices, which has a current balance of \$5.48. The transfer is necessary to pay the cost of advertising for the legal notices for the Cable TV License hearing. Mr. Moak remarked there is \$67,000 in the reserve fund. On a motion by Mr. McNabb and seconded by Mr. Hallisey, it was unanimously voted to recommend the transfer as submitted.

Item #6 – Licensing Authority – Junk Dealer License Renewals: The Board reviewed the list of Junk Dealer licenses to be renewed. Mr. Sergi read a memo from Treasurer/Collector Michael Hartnett noting there were no outstanding taxes, liens or other issues relative to the licensees. Mr. Sergi remarked the Board will be developing a policy relative to license renewals. Following a brief discussion, and on a motion by Mr. McNabb and seconded by Mr. Hallisey, it was unanimously voted to renew the following Junk Dealer Licenses with an expiration date of May 1, 2011:

Ms. Susan M. Newmaire, The Bronze Bell, 183 South Road

Ms. Kathleen McGuire, South Row Antiques, 24 River Road

Mr. Miltiades Tzitzenikos, Mel's Barber Shop, 160 Main Street

Forrest W. Irons, The Smithy Shop, 181 South Road

**OLD/NEW BUSINESS:**

Item #1 – Discussion: ATM/STM Warrant Review: The Board reviewed the draft ATM and STM warrants. Lengthy discussion was had on many of the articles, with FinCom member Holly Seiferth, Chief Tyler and Mr. Shattuck participating in the discussion. It was noted that the Selectmen and FinCom will hold a public meeting on the Town Meeting warrants and budget on Saturday, April 24<sup>th</sup> at 8 AM at the Senior Center.

Item #2 – Discussion: Town Administrator Report: Mr. Moak summarized his report, which was comprised solely of discussions regarding the Library budget. Present were Library Director Deb Spratt as well as several library employees, members of the board of trustees, and residents. A lengthy discussion ensued relative to the cuts the Finance Committee made to the library budget, the current state of the Town’s finances and cuts made to other budgets, and possible repercussions of the cuts to the library. The Board agreed to support the Finance Committee’s recommendation.

Item #3 – Any other Old/New Business:

**ADJOURNMENT:** On a motion by Mr. McNabb and seconded by Mr. Hallisey, it was unanimously voted to adjourn at 10:00 PM.

Respectfully submitted,

Peggy Mazzola, Administrative Assistant

**APPROVED:**

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Joseph A. Sergi, Chairman

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Patrick J. McNabb, Clerk

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Joseph Hallisey