

PRESENT: Selectmen Melissa M. Tzanoudakis, and Roland P. Nutter; Mark Andrews, Town Administrator; Tracie Looney, Administrative Assistant

The meeting was called to order at 6:00 PM. Pledge of Allegiance was said. Ms. Tzanoudakis announced that the meeting is being broadcast live and recorded for rebroadcast.

4/9/2018 - Minutes

1. **Acceptance Of Minutes**

1.1. February 26, 2018 Minutes

On a motion made by Mr. Nutter and seconded by Ms. Tzanoudakis out of necessity, it was unanimously voted to accept the regular minutes of the meeting of February 26th, 2018, as submitted.

1.2. March 12, 2018 Minutes

On a motion made by Mr. Nutter and seconded by Ms. Tzanoudakis out of necessity, it was unanimously voted to accept the regular minutes of the meeting on March 12th, 2018, as submitted.

2. **Approve Warrant And Sign Purchase Orders**

The Board members signed the warrant prior to meeting.

3. **Public Communications**

Ms. Tzanoudakis read a letter from Tara Hanley from Varnum Brook Elementary School, thanking the Pepperell Police Department working in partnership with the school. Mr. Nutter read off important dates as following:

April 12th – Candidates' night, 7:00 PM Senior Center

April 14th- Veteran's Breakfast, 8:30 AM Pepperell VFW

April 19th- Finance Committee Meeting, 6:00 PM Town Hall

April 19th- Master Plan Meeting, 7:00 PM Library

April 23rd- Annual Town Election, Polls will be open from 7:00 AM-8:00 PM at the Gymnasium of the Varnum Brook School at 10 Hollis Street

May 7th- Annual Town Meeting, Nissitissit Middle School at 33 Chase Avenue

April Healey spoke on behalf of the Master Plan Committee and looking at the demographics of the committee. She is looking to add to the group so that it was be more demographic equivalent to what the Town of Pepperell currently is. Their concern is ethnicity, gender, party and business owners are not represented equally within the town's own demographics. They would like to add 6 females, 3 democrats and 3 unenrolled.

Ms. Tzanoudakis made note that first this issue should go on the agenda for a BOS meeting to discuss, and secondly also thinks that the Master Plan Committee needs to make that decision if they would like more Board members. Ms. Tzanoudakis mentioned to Ms. Healey and concerned citizens to attend the April 19th, 2018 Master Plan Committee meeting to bring this issue up as it is out of the hands of the Board of Selectmen at his point. Mr. Andrews mentioned there were approximately 25 applications submitted for this committee.

There was follow up conversation with the audience how to get on the BOS agenda and how information is relayed to the community about open vacancies on committees. There were ideas brought up how to reach the community with outreach ideas.

4. **Town Administrator's Report**

Pepperell Hosts Regional meeting with the Massachusetts Department of Environmental Protection-MS4 Permit: New Permittee Major Requirements:

On March 15th, 2018, The Town of Pepperell hosted a regional meeting with the MassDep. Discussion centered upon the implementation of the MS4 Storm water Permit for municipalities in the Commonwealth of Massachusetts. The effective date is July 1, 2018. Mr. Andrews discussed the public outreach that will need to be implemented in order to educate the public. This will be back on the May agenda for discussion further.

Massachusetts Department of Energy Resources Conducts Webinar on the New Massachusetts SMART Program and Municipalities:

Mr. Andrew told the Board about the new SMART program that is designed to promote a vast array of solar energy projects, including: small, medium and large solar projects.

Wild and Scenic Study Committee Moves Toward Stewardship Plan-Nashua, Squannacook, and Nissitissit Rivers:

Mr. Andrews told the Board about the "Wild and Scenic River Designation" and Stewardship Plan that has provided the final draft on March 19, 2018. This was initiated and supported by Congresswoman Nikki Tsongas. The Study Committee has developed a Warrant Article for our Annual Town Meeting on May 7th, 2018. There are 9 communities in MA and 2 in NH that are simultaneously considering this Warrant Article. This action, if approved, would have a positive impact on our rivers- protect the rivers from adverse Federal action: make preservation a crucial factor for all river-related projects that require federal permits; potentially bring perspective federal funding and technical assistance to the region; raise awareness for our rivers and create future working groups dedicated to implementing and monitoring the Stewardship Plan. Mr. Andrews expressed his sincere appreciation to Ms. Paula Terrasi, the Town Conservation Administrator for her time, efforts and work on the Wild & Scenic Study Committee.

5. Appointments / Resignations

5.1. Election Warden Precinct 3 - Barbara Bennett

On a motion made by Mr. Nutter and seconded by Ms. Tzanoudakis out of necessity, it was unanimously voted to appoint Barbara Bennett to the position of Election Warden in Precinct 3 term to expire August 31, 2018.

5.2. Auxilliary Police Officer - Vanessa Tenore

David Querze, Town of Pepperell Auxiliary Police Captain, gave the Board a brief overview of Vanessa Tenore's experience and the Board asked her a few questions pertaining to her joining the Pepperell Auxiliary Police. On a motion made by Mr. Nutter and seconded out of necessity by Ms. Tzanoudakis., it was unanimously voted to appoint Vanessa Tenore to the Auxilliary Police.

5.3. Veteran's Agent - Joe Mazzola

On a motion made by Mr. Nutter and seconded by Ms. Tzanoudakis out of necessity, it was unanimously voted to reappoint Joe Mazzola to the Veteran's Agent for the fiscal year of 2019.

6. Action Items

6.1. 7:30 PM Public Hearing: Pierce Street Pole Petition

Ms. Tzanoudakis opened the Pole Petition hearing at 7:36 PM on April 9th, 2018 and read the notice of hearing. Present was DJ Alberti, engineer for National Grid. The petition of National Grid and Verizon New England, Inc., requesting permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures along and across the following public way, Pierce Street. National Grid will install one JO pole on Pierce Street beginning at a point approximately 2,680 feet west of the center line of the intersection of Nissitissit Lane. National Grid to install one new 40' Class 2 Pole at the end of Pierce Street and ~2,680 feet from the intersection of Nissitissit Lane. Approximately 100' west of existing Pole 16. The pole will need an anchor for supporting the wire tension. This pole will be installed for the purpose of serving a new house at #25 Pierce Street. Mr. Nutter read the original Petition for Joint or Identical Pole Locations. DJ made note there will be no underground it will be all above ground. One abutter is present as well as the builder. Conservation had no problems with the pole locations. DJ, from National Grid, addressed an abutter who asked if they could move the pole down a bit. DJ explained there is a water main nearby and the pole needs to be that close to the newly constructed house due to length of house to the pole has to be approximately 100'. On a motion by Mr. Nutter and seconded by Ms. Tzanoudakis out of necessity, it was unanimously approved to grant the Pole petition for Pierce Street as defined in the application.

6.2. FY2019 Budget

Mr. Andrews reviewed the budget with the Board that included:

Operational Budget Highlights

- Recommending one Full Time Police Officer that would start on October 1st , 2018.
- Recommending one Full Time EMT/Ambulance staff
- Adding one Part Time Assistant Town Clerk
- Adding one Part Time Council on Aging staff member to assist at the Senior Center
- Adding \$14,033 to help fund the Lawrence Library
- Funding \$3,000 for new auditing requirements for OPEB

Capital Plan Budget Highlights Include: Funded the fourth year of a 5 Year Capital Plan at \$488,812 including:

- \$50,00 for one New Police Cruiser
- \$20,000 for the replacement of the Police Department Recording System
- \$100,000 for Replacement of the roof on the Public Safety Complex
- \$54,000 for the Replacement of monitors for our Ambulance
- \$143,000 for the New Dispatch Console
- \$2,500 for the Replacement of New Fire Hose
- \$16,479 for New Fire Department Pagers and Radios
- \$11,000 for New Computer Equipment and Workstations
- \$9,962 for the Replacement of the telephone system at Town Hall(removed and place on FY2020)
- \$12,000 for Capital Adaptation and Renewal (reduced by \$3,000)
- \$20,000 for MS4 Storm Water Federal EPA Compliance (reduced by \$25,000)
- \$40,000 for the Peter Fitzpatrick School utilities(reduced by \$10,000)
- \$4,000 for the Peter Fitzpatrick School Property Management and Safety(reduced by \$4,000)
- \$16,638 for the Replacement of one Highway Department Front End Loader (reduced by 50%-Lease 1 of 5 payments)
- \$3,370 for one Ton Static Roller for the Highway Department(lease payment)
- \$8,500 for the Board of Health Landfill Closure Monitoring Required by the Massachusetts Department of Environmental Program.
- \$7,325 for the Board of Health Hazardous Waste Disposal Program- Mass Toss Program

Green Communities Grant Funding has totaled \$402,910 in FY2016 and FY2017 which included weatherization improvements and upgrades with lighting, new boilers and energy management systems. A new \$250,000 Green Communities Grant Application is in process. The Town will find out in July the grant amount approved for Town.

Ms. Tzanoudakis addresses the audience regarding the Regional School District's part of the budget and there has to be a different mindset with the dollars that are going to the School versus the Town budget. Even though it is a balanced budget, it is at cost. Ms. Tzanoudakis also explained how the Town cannot pull Free Cash for operational budget only for Capital Budget. Phil Durno asked what is happening with the Peter Fitzpatrick School. Ms. Tzanoudakis said that the School Administrator's office is moving out of the building in the fall. Mr. Greathead asked if there were copies of the budget for the audience to view and Ms. Tzanoudakis replied that the School Committee was meeting tonight and once their meeting was final with the budget being reviewed, the document would become public. Mike Levesque asked about the School budget. Renee D'Argento asked if each of the Towns has to approve the budget in the School district. Mr. Andrews spoke to the overlay surplus from the Assessor's department and the new growth that is up and wanted to thank Maureen Bolger with her hard work. Tony Beattie asked with the new growth is there a cost to the town. Ms. Tzanoudakis replied that the school enrollment has dropped even though cost is up. On a motion by Mr. Nutter and seconded by Ms. Tzanoudakis out of necessity, it was unanimously approved to accept the Town Administrator's FY19 budget.

6.3. Board Of Selectmen Code Of Ethics

Ms. Tzanoudakis explained that the Code of Conduct is lacking in the Town Charter so it is necessary to implement. This document outlines three general areas of a member's responsibility 1. Community responsibility, 2. Responsibility to Town Administration: and, 3. Relationship to fellow Select board members, and other persons appearing before the Select board. Mr. Nutter said it was long overdue with Selectmen coming and going. Mr. Nutter said he would like to see this for the whole town to adopt with other employees and committee members. This document deals with how to treat people, social

media etc. Tony Beattie wanted to know if this was common practice from other towns. Ms. Tzanoudakis said this document was drafted from other towns. Crystal Jefferies asked if it will be posted to the website and was answered yes. Follow up discussion on the role of the Selectmen and the Town Administrator. Also discussed was who is the appointing authority within the Town, Town Administrator or Board of Selectmen. The Selectmen referred to the Charter for many answers to the Citizen's questions. On a motion made by Mr. Nutter and seconded by Ms. Tzanoudakis out of necessity, it was unanimously voted to accept the 2018 Pepperell Select board Code of Conduct.

6.4. Licensing Authority: Junk Dealer License Renewals

The Board recognized the 4 Junk Dealer Licenses that are up for Renewal: The Bronze Bell, South Row Antiques, Mel's Barber Shop, and The Smithy Shop. According to the Tax Collector, they all up to date with paying Town Taxes. On a motion made by Mr. Nutter and seconded by Ms. Tzanoudakis out of necessity, it was unanimously voted to approve the four Junk Dealer Licenses for the next year.

7. Old Business

7.1. Regional Emergency Communications Center

Mr. Andrew told the Board he expects a meeting with Frank Pozniak in the coming weeks regarding the Regional Emergency Communications Center.

7.2. Expansion Of Fire Stations

Mr. Andrews made a note that Chief Tyler was not able to make the meeting tonight.

8. New Business

Mr. Andrews introduced Tracie Looney as the new Administrative Assistant and Green Communities Coordinator that just recently replaced the retired Peggy Mazzola. Mr. Andrews gave a brief discussion on Ms. Looney's past employment and new role within Town Hall.

Ms. Tzanoudakis announced the retirement breakfast at Mariano's for Peggy Mazzola on April 20th from 8:00AM-9:00AM and cost is \$12 per person.

9. Executive Session

9.1. 6:00 PM Executive Session #1

On a motion by Mr. Nutter and seconded by Ms. Tzanoudakis out of necessity, it was unanimously voted that the Board of Selectmen go into executive session at 6:00 PM under # 1 of the Open Meeting Law. 1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, complaints or charges brought against, public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session: provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights:

- i. To be present at such executive session during deliberation which involve that individual:
- ii. To have counsel or a representative of his own choosing present and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session:
- iii. To speak on his own behalf: and
- iv. To cause an independent record to be created of said executive session by audio-recording or transcription, at the individual's expense.

The rights of an individual set forth in this paragraph are in addition to the rights that he may have from any other source, including, but not limited to, rights under any laws or collective bargaining agreements and the exercise or non-exercise of the individual rights under his section shall not be construed as a waiver of any rights of the individual.

This complaint remains confidential.

Further, the Chair declares that the Board will reconvene back in open public session for the purpose of continuing with the posted agenda. A roll call vote was taken as follows:

Melissa Tzanoudakis Aye

Roland Nutter Aye

ADJOURNMENT:

On a motion made by Mr. Nutter and seconded by Ms. Tzanoudakis, it was unanimously voted to adjourn the meeting at 8:00PM.

Respectfully submitted,

Tracie Looney, Administrative Assistant

APPROVED:

Melissa M. Tzanoudakis, Chairman

Roland P. Nutter, Clerk

Lisa Ferolito