

BOARD OF SELECTMEN MEETING MINUTES
7:00 PM

April 29, 2019
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PRESENT: Selectmen Lisa Ferolito, Bill Greathead and Margaret Scarsdale; Andrew MacLean, Town Administrator; Tracie Looney, Administrative Assistant

The meeting was called to order at 7:00 PM. Pledge of Allegiance was said. Ms. Ferolito announced that the meeting is being cablecast live, and recorded for future cablecast by Pepperell Community Media.

2. EXECUTIVE SESSION

On a motion made by Ms. Ferolito and seconded by Mr. Greathead, it was unanimously voted that the Board of Selectmen go into Executive Session at 6:45PM as authorized by Chapter 30A Section 21(a) of the Massachusetts General Laws. The purpose of this meeting is to:

- a. Discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

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

Lisa Ferolito	Aye
Bill Greathead	Aye
Margaret Scarsdale	Aye

The Board reconvened at 7:00 PM for the regular Board meeting.

3. ACCEPTANCE OF MINUTES

3.1 April 8, 2019 Meeting Minutes (Exhibit 1)

On a motion made by Mr. Greathead and seconded by Ms. Ferolito, it was voted to accept and release the April 8, 2019 meeting minutes as written. Ms. Scarsdale abstained from the vote as she was not in attendance of that meeting.

4. APPROVE WARRANT AND SIGN PURCHASE ORDERS

There were no warrants to sign for this meeting.

5. PUBLIC COMMUNICATIONS

Audience Comments: Ms. Scarsdale informed the audience that the Groton-Pepperell Rotary Club in association with NM Cares presents HOPE (Hub of Opioid Prevention and Education) on Sunday, May 5th, 2019 at 10:00 AM-1:00 PM at the Pepperell Town Field, 4 Hollis Street.

Written Submittals: None submitted

6. TOWN ADMINISTRATOR'S REPORT (Exhibit 2)

The Town Administrator informed the audience of the upcoming 2019 Annual Town Meeting. Mr. Greathead informed the audience about Samantha Archer, daughter of Nancy Archer, Recreational Director, who was chosen from the State of Massachusetts to compete at the national level for vocational post-graduate success. Ms. Ferolito also informed the audience about the Town Hall ramp that was recently fixed by the Highway Department and the resulting positive feedback that has been heard from the community.

7. DISCUSSION / ACTION ITEMS:

7.1 Soil Reclamation Proposal Update (Exhibit 3)

Special Counsel McCay has provided the Board with an updated opposition letter to MassDEP in response to the March 19, 2019 revised proposal from MCGI. Ms. Ferolito read the letter into record. On a motion made by Ms.

Ferolito and seconded by Ms. Scarsdale, it was unanimously voted to accept the letter and submit to MassDEP immediately.

7.2 Proclamation for Letter Carriers' Stamp Out Hunger Food Drive Day (Exhibit 4)

Every year on the second Saturday in May, letter carriers across the country collect non-perishable food as part of the nation's largest one-day food drive, distributing the donations to local food banks. This year the food drive will support our local PACH Outreach. Mr. Greathead read into record the Proclamation and presented it to the Town of Pepperell USPS Letter Carrier Representative.

7.3 Licensing Authority: Junk Dealer License Renewals (Exhibit 5)

On a motion made by Ms. Ferolito and seconded by Mr. Greathead, it was unanimously voted to approve the South Row Antiques their annual Junk Dealer License which will expire on May 1, 2020.

7.4 Peter Fitzpatrick Feasibility Committee Final Report Presentation

The Peter Fitzpatrick Feasibility Committee (PFFC) was appointed by the Town of Pepperell Board of Selectmen (BOS) in July 2018 to research options for the former Peter Fitzpatrick School property. The committee was charged with making a recommendation to the BOS regarding the best use for our community. Craig Hansen, Committee Chair gave a short presentation to the Board of the work that has been done and the compiled report that is available on the Town website. Mr. Hansen spoke to the Board regarding the recommendation of the Committee is to keep the property as a mixed use center. The Peter Fitzpatrick Feasibility Committee asks for the Board's support of their recommendations in the near future once the Board has time to consider the options. The Town Administrator will place on a future agenda for adoption. Mr. Greathead, who was part of the Committee, thanked Brett Pelletier from Kirk and Company for his work done with the Committee. Mr. Greathead read a letter from Senator Kennedy, from the Massachusetts State Senate, acknowledging his dedication to this group. The Board also thanked the Committee for all the hard work done over the past year. No action taken by Board.

7.5 7:30 Public Hearing: Pierce Street Pole Petition (Exhibit 6)

Ms. Ferolito opened the Public Hearing regarding the request from National Grid to install two poles on Pierce Street. The petition calls for installation of 2 SO Poles on Pierce Street beginning at a point approximately 2630' feet west of the centerline of the intersection of Nissitissit Lane and continuing approximately 200 feet in a westerly direction. National Grid to install 2 new poles #18 and #19 in the public way to feed one new residential home at lot 5. Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes. The petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes. Laura Napolitano was in attendance from National Grid to answer any questions. Ms. Napolitano mentioned there would be a planned power outage for a short time.

On a motion made by Ms. Ferolito and seconded by Ms. Scarsdale, it was unanimously voted to approve the National Grid request to erect poles on Pierce Street.

7.6 Review Annual Town Meeting Warrant for Board of Selectmen Meeting (Exhibit 7)

ARTICLE 1 – 2017 ANNUAL TOWN REPORT

To see if the Town will vote to accept the reports of the Town Officers and Committees for 2017 as printed, or take any other action relative thereto.

Summary: *This article is to accept the reports of the Town Officers and Committees for 2017 as printed.*

Recommendation: The Finance Committee recommended 4 to 0 to skip this article since there is no financial implication.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to take no action on Article 1 on the Town Warrant.

ARTICLE 2 – 2018 ANNUAL TOWN REPORT

To see if the Town will vote to accept the reports of the Town Officers and Committees for 2018 as printed, or take any other action relative thereto.

Summary: *This article is to accept the reports of the Town Officers and Committees for 2018 as printed.*

Recommendation: The Finance Committee recommended 4 to 0 to skip this article since there is no financial implication.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 2 on the Town Warrant.

ARTICLE 3 - FY2019 FREE CASH APPROPRIATION

To see if the Town will vote to appropriate sums of money from Free Cash certified as of August 7, 2018, or take any other action relative thereto.

Summary: *The following appropriation from free cash is needed to cover costs associated with Snow and Ice Removal.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 4 to 0.

<u>Amount</u>	<u>To</u>	<u>Reason</u>
\$144,075.57	FY2019 Fund 42300 Snow & Ice budget	Snow & Ice Deficit spending

TOTAL FREE CASH APPROPRIATIONS: \$144,075.57

General Fund Free Cash balance is \$902,399.00 less \$144,075.57 = \$758,323.43

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 3 on the Town Warrant with the option of changing the amount.

ARTICLE 4-FY2019 SEWER ENTERPRISE FUND RETAINED EARNINGS APPROPRIATIONS

To see if the Town will vote to appropriate sums of money from Sewer Enterprise Fund Retained Earnings certified as of August 7, 2018, or take any other action relative thereto.

Summary: *This article was put on the draft warrant as a place holder, if needed.*

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to take no action on Article 4 on the Town Warrant.

ARTICLE 5-FY2019 WATER ENTERPRISE FUND RETAINED EARNINGS APPROPRIATIONS

To see if the Town will vote to appropriate sums of money from Water Enterprise Fund Retained Earnings certified as of August 7, 2018 or take any other action relative thereto.

Summary: *This article was put on the draft warrant as a place holder, if needed.*

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to take no action on Article 5 on the Town Warrant.

ARTICLE 6 - FY2019 TRANSFER STATION ENTERPRISE FUND RETAINED EARNINGS APPROPRIATIONS

To see if the Town will vote to appropriate sums of money from Transfer Station Enterprise Fund Retained Earnings certified as of August 7, 2018, or take any other action relative thereto.

Summary: *The Transfer station budget will go into a small deficit by June 30, 2019; these funds will be used to bring it into balance. Any unneeded funds will return to Transfer Station Enterprise Retained Earnings.*

Recommendation: The Finance Committee recommendation will be made at Town Meeting.

Transfer Station Retained Earnings balance is \$58,031.00 less \$10,000.00 = \$48,031.00

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 6 on the Town Warrant.

ARTICLE 7 - REVOLVING FUNDS - MGL CHAPTER 44, SECTION 53E1/2

To see if the Town will vote according to Massachusetts General Laws Chapter 44, Section 53E1/2 and the Town’s Revolving Funds By-law adopted by vote under Article 12 of the May 1, 2017 Annual Town Meeting, to set expenditure limits for the Fiscal Year July 1, 2019 through June 30, 2020 for the Town’s revolving funds, or take any other action relative thereto.

Summary: *This article is required by Massachusetts General Laws Chapter 44, Section 53E1/2 which states that the town shall, on or before July 1 of each year, vote on the limit on the total amount that may be expended from each revolving fund.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 to 0.

Revolving Fund	Authorized To Spend	Revenue Source	Use of Fund	FY2020 Spending Limit
L.R.T.A. Van Transportation	Council on Aging Director	L.R.T.A. Van Transportation Revenue	Part-time wages & Operational Expenses	\$ 35,000.00
Senior Center Meals	Council on Aging Director	Donations for Meals	Part-time wages & Operational Expenses	\$ 25,000.00
Recreation	Recreation Director	Revenue from Recreation Dept. Activities	Part-time wages & Operational Expenses	\$ 80,000.00

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 7 on the Town Warrant.

ARTICLE 8 – NASHOBA VALLEY TECHNICAL HIGH SCHOOL – AUTHORIZATION TO BORROW

To see if the Town will approve the **Three Million, Seven Hundred Four Thousand, Six Hundred and Sixteen Dollars (\$3,704,616)** borrowing authorized by the **Nashoba Valley Technical High School District** for the purpose of paying costs of **the Replacement of Roofs, Windows, and Doors at Nashoba Valley Technical High School, 100 Littleton Road, Westford, MA 01886**, including the payment of all costs incidental or related thereto (the “Project”), which proposed repair project would materially extend the useful life of the school and preserve an asset

that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended at the direction of the **School Committee**, with the understanding that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities, and that any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) **fifty-five percent (55%)** of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

Summary: *This borrowing is for the replacement of roofs, windows, and doors at the Nashoba Valley Technical High School District (NVTHSD). The full amount to be borrowed by the district must be authorized by the Pepperell Town Meeting. Pepperell’s share of the borrowing is estimated to be \$40,000.00 per year, beginning in FY2021. The payment will be replacing the current NVTHSD borrowing of a similar annual cost which ends in FY2020. Therefore, the change in cost to the taxpayer is expected to be very slight. The exact cost will be set when the borrowing actually occurs.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 to 0.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 8 on the Town Warrant.

ARTICLE 9- FISCAL YEAR 2020 WATER ENTERPRISE FUND – AUTHORIZATION TO BORROW FOR TREATMENT PLANT UPGRADES

To see if the Town will vote to appropriate Eight Million Dollars (\$8,000,000.00) for the construction of a Water Treatment Facility as required to comply with the Secondary Maximum Contaminant Levels (SMCL) promulgated by the Massachusetts Department of Environmental Protection (MADEP) as part of its drinking water regulations, and any other costs incidental or related thereto, and further, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said sum under and pursuant to Chapter 44 of the MA General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore; and to authorize the Board of Public Works, with the approval of the Board of Selectmen, to apply for, accept, and expend any federal, state or other grants or gifts from any sources that may be available for the project, or take any other action relative thereto.

Summary: *In order for the Bemis Well to comply with the Massachusetts Department of Environmental Protection (MADEP) Secondary Maximum Contaminant Levels (SMCL) of Iron (Fe) and Manganese (Mn) for drinking water, a significant treatment upgrade is required. A study was performed in 2016, and a Greensands Filtration facility was determined to be the most effective and efficient solution. Article 9 of the 2016 Fall Special Town Meeting authorized the borrowing of \$350,000 for the design of this facility. The plans and specifications are currently at the 90% stage and the construction cost estimate is \$8M. The project is eligible for a low-interest rate loan through the State Revolving Fund (SRF) program, and it has been included on the Drinking Water State Revolving Fund 2019 Intended Use Plan (IUP). Construction is expected to begin in the fall of 2019, and be completed by the end of 2021.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 to 0.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 9 on the Town Warrant.

ARTICLE 10 - FISCAL YEAR 2020 TOWN GENERAL FUND BUDGET

To see if the Town will vote to raise and appropriate or transfer from available funds, \$27,834,646.25 to defray the regular expenses of the Town for the Fiscal Year July 1, 2019 through June 30, 2020 for General Government, Public Safety, Nashoba Valley Technical High School, North Middlesex Regional School District, Public Works,

Human Services, Culture & Recreation, Debt Service, Employee Benefits & Insurance, and Capital Outlay, or take any other action relative thereto.

Summary: *The Town Administrator shall submit to the Board of Selectmen and Finance Committee a comprehensive budget for all town functions for the ensuing fiscal year and an accompanying budget message. The budget shall provide a complete financial plan for all town funds and activities in such a format as the Finance Committee may suggest.*

Recommendation: The Board of Selectmen recommends the passage of this article by a vote of 3 to 0.

			<u>Finance Committee Vote</u>
Part I	General Government	\$1,210,407.96	4 to 0 to approve
Part II	Public Safety	\$3,309,307.72	4 to 0 to approve
Part III	Nashoba Valley Technical High School	\$1,686,204.00	0 to 4 (not recommended)
Part IV	North Middlesex Regional School District	\$16,694,472.00	0 to 4 (not recommended)
Part V	Public Works	\$1,169,633.38	4 to 0 to approve
Part VI	Human Services \$463,643.00	4 to 0 to approve	
Part VII	Culture & Recreation	\$557,893.00	4 to 0 to approve
Part VIII	Debt Service	\$149,282.00	4 to 0 to approve
Part IX	Employee Benefits & Insurance	\$2,340,803.19	4 to 0 to approve
Part X	Capital Outlay	<u>\$280,000.00</u>	4 to 0 to approve

TOTAL FY2020 TOWN GENERAL FUND BUDGET \$ 27,834,646.25

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 10 on the Town Warrant.

ARTICLE 11 - GENERAL BUDGET SUPPLEMENT

To see if the Town of Pepperell may assess an additional \$1,400,000.00 in real estate and personal property taxes for the purposes of funding the general operation budget of the Town for the fiscal year beginning July 1, 2019.

Summary: *The budget presented in Article 10 does not provide for all the services currently being provided to the Town of Pepperell. This supplemental budget request restores cuts made to the proposed FY2020 budget and eliminates the use of savings needed to balance the FY2020 budget. It will be used across all town departments.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 4 to 0.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 11 on the Town Warrant.

ARTICLE 12 - FISCAL YEAR 2020 SEWER ENTERPRISE FUND

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to defray the regular expenses of the Sewer Enterprise Fund, in accordance, with the provisions of Massachusetts General Law Chapter 44, Section 53F1/2 for the Fiscal Year July 1, 2019 through June 30, 2020 or take any other action relative thereto.

Summary: *This article is to comply with Massachusetts General Laws Chapter 44, Section 53 F1/2 Enterprise Funds which requires submission of an estimated income and expenditure budget to town meeting, to be voted on in the same manner as all other budgets, prior to the beginning of each fiscal year.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 4 to 0.

SEWER DEPT REVENUE				SEWER DEPT EXPENSES	
USER FEES,	MISC	REV.		DIRECT	OPERATIONAL COSTS
\$2,382,104.00				\$2,267,316.00	
SEWER RETAINED EARNINGS				INDIRECT COSTS (GEN'L FUND)	
\$0.00				\$114,788.00	
TOTAL REVENUE				TOTAL	EXPENSES
\$2,382,104.00				\$2,382,104.00	

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 12 on the Town Warrant.

ARTICLE 13 - FISCAL YEAR 2020 WATER ENTERPRISE FUND

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to defray the regular expenses of the Water Enterprise Fund, in accordance, with the provisions of Massachusetts General Law Chapter 44, Section 53F1/2 for the Fiscal Year July 1, 2019 through June 30, 2020, or take any other action relative thereto.

Summary: *This article is to comply with Massachusetts General Laws Chapter 44, Section 53 F1/2 Enterprise Funds which requires submission of an estimated income and expenditure budget to town meeting, to be voted on in the same manner as all other budgets, prior to the beginning of each fiscal year.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 4 to 0.

WATER DEPT REVENUE				WATER DEPT EXPENSES		
USER FEES,	MISC	REV.		DIRECT	OPERATIONAL	COSTS,
\$1,767,000.00				\$1,747,217.00		
WATER RETAINED EARNINGS				INDIRECT COSTS (GEN'L FUND)		
\$78,945.00				\$98,728.00		
TOTAL		REVENUE		TOTAL		EXPENSES
\$1,845,945.00				\$1,845,945.00		

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 13 on the Town Warrant.

ARTICLE 14 - FISCAL YEAR 2020 TRANSFER STATION ENTERPRISE FUND

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to defray the regular expenses of the Transfer Station Enterprise Fund, in accordance, with the provisions of Massachusetts General Law Chapter 44, Section 53F1/2 for the Fiscal Year July 1, 2019 through June 30, 2020, or take any other action relative thereto.

Summary: *This article is to comply with Massachusetts General Laws Chapter 44, Section 53 F1/2 Enterprise Funds which requires submission of an estimated income and expenditure budget to town meeting, to be voted on in the same manner as all other budgets, prior to the beginning of each fiscal year.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 4 to 0.

TRANSFER STATION REVENUE				TRANSFER STATION EXPENSES			
USER FEES, MISC REV.			\$	DIRECT	OPERATIONAL		COSTS
323,486.00				\$334,934.00			
TRANS. STA. RETAINED EARNINGS				INDIRECT	COSTS	(GEN'L	FUND)
\$45,000.00				\$33,552.00			
TOTAL			REVENUE	TOTAL			EXPENSES
\$368,486.00				\$368,486.00			

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 14 on the Town Warrant.

ARTICLE 15 - FISCAL YEAR 2020 STORMWATER ENTERPRISE FUND

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to defray the regular expenses of the Stormwater Enterprise Fund, in accordance, with the provisions of Massachusetts General Law Chapter 44, Section 53F1/2 for the Fiscal Year July 1, 2019 through June 30, 2020, or take any other action relative thereto.

Summary: *This article is to comply with Massachusetts General Laws Chapter 44, Section 53 F1/2 Enterprise Funds which requires submission of an estimated income and expenditure budget to town meeting, to be voted on in the same manner as all other budgets, prior to the beginning of each fiscal year.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 4 to 0.

TRANSFER STATION REVENUE				TRANSFER STATION EXPENSES			
USER FEES, MISC REV.				DIRECT	OPERATIONAL		COSTS
\$199,897.00				\$178,000.00			
STORMWATER RETAINED EARNINGS				INDIRECT	COSTS	(GEN'L	FUND)
\$0.00				\$21,897.00			
TOTAL			REVENUE	TOTAL			EXPENSES
\$199,897.00				\$199,897.00			

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 15 on the Town Warrant.

ARTICLE 16 – ZONING BYLAW AMENDMENT, RECREATIONAL MARIJUANA

To see if the Town of Pepperell will vote to amend the Zoning Bylaw by adding in its entirety Section 6500, Adult Use Recreational Marijuana Establishments.

Summary: *This section would provide for the placement of Marijuana Establishments in appropriate places and under conditions in accordance with the provisions of Massachusetts General Laws Chapter 94G, to minimize the adverse impacts of these establishments on adjacent properties, residential neighborhoods, schools and other places where minors congregate by regulating the siting, design, placement, security and safety monitoring, and modification of Marijuana Establishments.*

Recommendation: The Finance Committee took no action on this article as there is no financial implication to the town.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was voted to support and insert Article 16 on the Town Warrant. Ms. Ferolito voted in opposition.

ARTICLE 17 – LOCAL OPTION EXCISE TAX ON MARIJUANA SALES

To see if the Town will vote to accept Massachusetts General Laws Chapter 64N, Section 3 and impose a local sales tax upon the sale of recreational marijuana originating within the Town by a marijuana retailer at a rate of 3% of the gross receipts of the retailer from the sale of recreational marijuana, marijuana products, and marijuana edibles, said excise to take effect on the first day of the calendar quarter commencing at least 30 days after the vote of Town Meeting hereunder, or take any other action relative thereto.

Summary: *If a marijuana retail shop is approved to operate in Pepperell, 3% of gross receipts of all sales would be received by the Town.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 4 to 0.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was voted to support and insert Article 17 on the Town Warrant. Ms. Ferolito voted in opposition.

ARTICLE 18 – ACCEPTANCE OF STATUTE

To see if the Town will vote to accept the provision of Massachusetts General Laws Chapter 140, Section 139 relative to dog license fees, so as to provide that no fee shall be charged for a license for a dog owned by a person aged 70 or over, or take any other action relative thereto.

Summary: *In Pepperell's Town Code under Chapter 81, Section 11(Licensing required) this Massachusetts General Law is referenced but has not been adopted by the Town. Therefore, to comply with wording in the Town Code this section of MGL should be adopted by the Town.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 to 0.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 18 on the Town Warrant.

ARTICLE 19 – GRANT OF EASEMENT / FARRAR STREET

To see if the Town will vote : (a) to authorize the Board of Selectmen, for and on behalf of the Town and upon such terms and conditions as the Board deems to be in the best interest of the Town, to convey to the Massachusetts Electric Company, and to Verizon New England, a perpetual right and easement to construct, reconstruct, repair, maintain, operate and patrol, for the transmission of high and low voltage electric current and for the transmission of intelligence and telephone use, lines to consist of, but not limited to, two (2) poles, (which may be erected at different times) with wires and cables installed thereon, and all necessary foundation, anchors, guys, braces, fittings, equipment and appurtenances over, across, under and upon the land in which the Town has or may have an interest, being known as Farrar Street, to serve property located on the northerly side of Farrar Street and shown as Lot 2 on a plan recorded with the Middlesex South District Registry of Deeds as Plan #938 of 2017; and (b) to authorize the Board of Selectmen to take any and all action necessary for the purpose of accomplishing such easement conveyance, or take any other action relative thereto.

Summary: *This article authorizes the grant of a permanent utility easement on land known as 'Farrar Street.' This easement replaces a temporary license from the Board of Selectmen to provide this utility easement on this discontinued street so that adjacent properties may receive utilities.*

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to support and insert Article 19 on the Town Warrant.

ARTICLE 20 – CITIZEN’S PETITION

To create zoning bylaws for solar power generation designed to allow landowners, farms, municipalities and businesses to reduce their dependency on outsourced power grids, reduce our carbon footprint and expenses and have the opportunity to increase our income.

Summary: *Applicant Jeffrey L Ratta of 96 Mount Lebanon St. in Pepperell, is requesting approval for environmentally friendly commercial solar farm zoning by-laws for farms and other parcels of land in the Town of Pepperell. This proposal will help ensure the viability of these farms and create an opportunity for farms and landowners to generate additional income instead of the income draining situation they are now in. At the same time, adding to the tax base of the town.*

In turn:

- *Land owners generating solar income will not be forced to sell their property to developers. This will help modify town growth and infrastructure.*
- *Solar projects will allow the Town to become more self-reliant and its citizens will have more available income.*
- *The common goal of reducing global warming has become an important point in municipal, state and federal government elections. Solar projects will allow our town to be at the fore front of the renewable energy revolution.*
- *Solar producing energy farms will generate employment opportunities for town residents through needed up-keep and maintenance of systems and create new business opportunities.*
- *These projects are 100% green. They will reduce and improve our carbon footprint and produce negative pollution credits. At the end of the project, the land is returned to its original state or better.*
- *When a commercial solar project is established, the licensing company supplies all security fencing as well as camouflaging by way of natural hedging.*
- *It will reduce dependency on outsourced resources and help defray additional town expenses.*
- *It will help meet future state and federal mandates to control global warming*

Recommendation: The FINCOM took no position on this article.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to take no action on Article 20 on the Town Warrant. This motion was withdrawn. The Board took **no position on this article being a citizen petition.**

8. APPOINTMENTS / RESIGNATIONS (Special Appointing Committee)

On a motion made by Ms. Ferolito and seconded by Ms. Scarsdale, it was unanimously voted to adjourn the Board of Selectmen meeting at 8:18 PM with the intention to reconvene after the appointment of Nashoba Valley Technical School District School Committee member.

Scott Blackburn, Town Moderator, opened the meeting for the appointment of Mike Morgan to the Nashoba Valley Technical School District School Committee for April 1, 2019 to March 31, 2022. Craig Hansen, nominated Mike

Morgan, and was seconded. No other nominations heard from the floor. Pepperell School Committee members from NMRSD to were in attendance, David Carney, Craig Hansen and Thomas Casey.

All Board of Selectmen and School Committee members voted in favor of the appointment of Mike Morgan.

On a motion made by Mr. Greathead and seconded it was unanimously voted to adjourn and reconvene back in to the regular meeting at 8:20 PM.

7.7 One Day Liquor License Discussion

The Town Administrator informed the Board about his recommendations to the current one day liquor license application. The TA recommended the Board increase the fee from the current \$25.00 to \$75.00. There was discussion among the Board regarding liability concerns. The Town Administrator will provide more information to the Board at a later board meeting. No action was taken from the Board.

7.8 Light, Air and Noise By-Law Committee Appointment

The Chairperson of the LAN is now a member of the Board of Selectmen. Town Counsel indicated that there is no conflict with a BOS member serving in this capacity, however, as the BOS did not initially appoint a BOS member to the LAN, counsel recommends the BOS affirm the member’s continued presence on the Committee.

On a motion made by Mr. Greathead and seconded by Ms. Ferolito, it was voted to support the continued involvement of Margaret Scarsdale on the Light, Air, and Noise Committee. Ms. Scarsdale abstained from the vote.

7.9 Upcoming Meeting Schedule

The Town Administrator informed the Board of the upcoming dates for Board meetings that conflict given the upcoming Special Town Election and Memorial Day falling on Mondays. The Board decided to meet on May 22 instead of May 13. The Town Administrator mentioned a few conflicts later in the fall for the Board to consider at the next Board meeting.

9. ADJOURNMENT:

On a motion made by Mr. Greathead and seconded by Ms. Ferolito, it was unanimously voted to adjourn the meeting at 8:20 PM.

Respectfully submitted,

Tracie Looney, Administrative Assistant

APPROVED:

Lisa M. Ferolito, Chairman

Bill Greathead, Clerk

Margaret Scarsdale

- Encl:
- *Exhibit 1 – April 8, 2019 Meeting Minutes
 - *Exhibit 2 – Town Administrator’s Report
 - *Exhibit 3 – Soil Reclamation Proposal Update / Letter of Opposition to MassDEP
 - *Exhibit 4 – Proclamation for Letter Carriers’ Stamp Out Hunger Food Drive Day

- *Exhibit 5 – Junk Dealer License / South Row Antiques
- *Exhibit 6 – National Grid Pierce Street Pole Petition
- *Exhibit 7 – 2019 Annual Town Meeting Warrant