

PRESENT: Selectmen Roland P. Nutter, Lisa M. Ferolito and Bill Greathead; John Moak, Interim Town Administrator; Tracie Looney, Administrative Assistant
The meeting was called to order at 7:01 PM. Pledge of Allegiance was said. Mr. Nutter announced that the meeting is being broadcast live and recorded for rebroadcast.

6/25/2018 - Minutes

1. Acceptance Of Minutes

1.1. June 18, 2018 Minutes

On a motion made by Mr. Greathead and seconded by Ms. Ferolito, the minutes of June 18th, 2018 were approved as submitted.

2. Approve Warrant And Sign Purchase Orders

Mr. Nutter and Mr. Greathead signed the warrant. Ms. Ferolito abstained.

3. Public Communications

Mr. Greathead read the announcement for the Electronics Recycling Event to be held on Saturday, July 14th at Our Lady of Grace Parish, 28 Tarbell Street, Pepperell, MA from 9:00AM-2:00PM. Phil Durno asked for a moment of silence to be held for Ralph Henry Blood who passed. Mr. Greathead also asked for a moment of silence for Jack Wilbur who passed away this week. Paula Terrasi from Conservation Commission informed the crowd about Sunday, July 8th the Conservation Commission will be holding a Natural History Walk.

4. Town Administrator's Report

Mr. Moak wanted to mention that Mr. Mead came in to start the process of replacing all the American Flags on the poles in the downtown and also the brackets that were newly purchased. Mr. Moak also mentioned that he had met with the Planning Board on June 25th regarding the advertising for the position of Town Planner. Mr. Moak mentioned they would like to get the ad for the position out by July 15 and place someone by mid-September. Mr. Moak would like to have a clerical position come in to fill while the position is vacant since there is a void. This would be a minimum of 24 hours a week. Mr. Nutter made note that the town employees would like to meet with the HRS Compensation and Classification Study organizers. Mr. Moak said he would put that back on his radar. Mr. Wetherbee asked about the Town Planner job description.

5. Appointments / Resignations

5.1. End Of Year Appointments/Contracts

End of Year Appointments/Contracts: Mr. Moak presented his appointments to the Board. Mr. Greathead made a motion to accept the 1 year appointments. Seconded by Ms. Ferolito. All in favor. Ms. Ferolito made a motion to accept the 3 year appointments excluding Tracie Looney and Lori Bolasevich(already been appointed recently). Mr. Greathead seconded the motion. All in favor.

Dana Barnes Alternate Building Commissioner 1 year
Cheryl A. Balkan Council on Aging Activities Coordinator 1 year
Michelle Ross Council on Aging Outreach Coordinator 1 year
Paul Nelson Emergency Management Deputy Director 1 year
Ralph Gilmore Inspector, Assistant Electrical 1 year
John Dee III Inspector, Electrical 1 year
Eugene Douglas Inspector, Gas 1 year
John Cryan Inspector, Gas, Assistant 1 year
John Cryan Inspector, Plumbing 1 year
Eugene Douglas Inspector, Plumbing, Assistant 1 year
Eric E. Aaltonen Sealer of Weights and Measures 1 year

Mary Letourneau Animal Control Officer 3 years
Robin A. Hebert Animal Health Inspector 3 years
David Stairs Communications Department Director 3 years
Paula Terrasi Conservation Agent 3 years
Susan McCarthy Council on Aging Director 3 years
Ken Kalinowski DPW Director 3 years
David F. Querze Emergency Management Director 3 years
Bob Kelly Inspector of Buildings/Zoning Enforcement Officer 3 years
Nancy E. Archer Recreation Facilities & Program Director 3 years
Tracie Looney Selectmen's Administrative Assistant 3 years
Martin Cadek Systems Administrator 3 years
Lori J. Bolasevich Town Accountant 3 years
Jeanne Survell Town Clerk 3 years
Debbie J. Nutter Treasurer/Tax Collector 3 years
Sharon Tetreault Assistant Treasurer/Tax Collector 3 years
Terrence Spaulding Veterans' Grave Officer 3 years
Jeanne Survell Records Access Officer 3 years

6. Action Items

7. Old Business

The board discussed their participation in the upcoming 4th of July parade.

7.1. 161 Nashua Road Project

Mr. Greathead read a letter from a Town Counsel regarding 161 Nashua Road. In the letter it states that the DEP has not received any proposals or applications for any projects related to soils reclamation at this address. So as a result there has been no application pending for 161 Nashua Road. Tony Beatie informed the Board that the property owner of 161 Nashua Road will be sending the Town Hall a packet of information to apply for approval for a reclamation project. Mr. Nutter made a note there has not been any filing with the state but the Board would like to send a letter to state that the Board is not in support of any reclamation project on that property. Mr. Wetherbee asked if the land owner would send proposal to Town Counsel or to the Town Hall. Mr. Nutter responded with he believes any information will be sent to the Town Hall. Mr. Wetherbee also informed the Board about the letter that was given to the town on February 12, 2018 from Terra Environmental, LLC. Mr. Beatie advised the Board to talk to the property owner regarding the options for the property. April Healy asked what rights the town has in approaching this project. Debbie Nutter asked if the \$1 million dollars that the town would receive go to fixing the damage to the town roads as a result of the truck traffic. Mr. Lavender wanted to know how much soil was taken out of the property. Paula Terrasi made note that the town building department would have a good idea of how much was taken out. Mr. Moak said that he has dealt with this type of project before. Mr. Nutter asked Mr. Moak if this project was something that was brought up at the Planning Board meeting. Mr. Moak said it was not. The Board of Health has not had discussions about project at this point. Mr. Durno made note that any changes would have to come to Town Meeting. Mr. Pillsbury asked if this would be a special Town Meeting for the Town to discuss/vote on this project. Mr. Wetherbee mentioned that the local regulations should be put into place but also to reach out to the state legislators. Mr. Greathead asked if the Town Counsel will be able to handle this. Mr. Moak said this is definitely a situation that counsel is needed. The Board agreed this is beyond the scope of the current Town Counsel. Mr. Moak said he will draft a letter of opposition on behalf of the BOS. Mr. Moak said he had been involved in a similar project that cost the town half million dollars to fight it. Mr. Lavender voiced his concern that this has been delayed 5 months. Mr. Nutter mentioned that we are fighting an uphill battle.

7.2. Town Administrator And Public Records Requests

Mr. Nutter mentioned a letter that was sent by Ms. Ferolito which spoke about interference with public records requests. Mr. Nutter said if she was going to accuse someone in open session she needs to provide facts to back it up. Mr. Greathead said that Ms. Ferolito spoke with a lawyer and she does not need to mention anything that was dealt with back when she was acting as Town Clerk. Ms. Ferolito said it was a dead issue. Maureen Bolger mentioned that she filed two grievances with the BOS

regarding the Town Administrator and nothing was done. There was no reply as the Chair of the Board did not run for re-election so the issue was never dealt with. Mr. Moak said he will look into it going forward. Margaret Scarsdale asked if the letter could be resubmitted to the Board so it can be dealt with and Mr. Nutter said yes.

7.3. Discussion Of Providing Legal Counsel To Former Town Administrator, Mark Andrews

Mr. Moak read a letter regarding the policy from MIIA stating that the town does have a policy for \$1,000,000 each claim, annual aggregate limit \$3,000,000 with \$7,500 deductible. This policy would become pertinent once a claim has been filed, and at that point MIIA would be involved in selection of attorney and other administrative tasks. Regarding the issue of Mark Andrews wanting to have an attorney to accompany him to interview with Police that would be our responsibility. Sharon Siegel from Town Labor Council, mentioned she would provide a contact for the interview but wants to make sure anyone she suggests is willing to be involved before submitting their name. Mr. Moak said that he will have a name this week and as acting Procumbent Officer he will move ahead with choosing someone to move ahead with the representation. Mr. Wetherbee wanted to know why the town is extending protection beyond his indemnification clause in his contract and incurring any extra cost to the town. Mr. Nutter mentioned that the Police would like to question Mark Andrews regarding an investigation that is ongoing that happened while he was in the role of Town Administrator and has asked for representation and under his contract, the town is to provide that. Mr. Nutter said that we are following what the labor council advised the Town to do. Ms. Ferolito as the Board what ever happened with Mark Andrews's time card being filled out incorrectly. Mr. Nutter said nothing was done as it was never submitted as Ms. Ferolito had taken away Mr. Andrews privileges to fill out his own time card while out on leave. Martin Cadek mentioned that he never had his privileges taken away for his own time card submission but for approval for other town employees. Mr. Wetherbee said the town has the right to know what the situation that the town will have to pay for legal representation for Mark Andrews is about. Mr. Nutter said that it is covered under Executive Session so it cannot be released currently. Mr. Lavender spoke about the Executive Sessions that involve Ms. Ferolito and wondering what was resolved. Mr. Nutter said they will have to review the Executive Session minutes. Tracie Looney made note to say thank you to April Healey and her husband who have come into the Town Administrator's office to volunteer their time and also a few other volunteers as well.

8. **New Business**

9. **Executive Session**

ADJOURNMENT: On a motion by Mr. Greathead and seconded by Ms. Ferolito, it was unanimously voted to adjourn the meeting at 8:10 PM.

Respectfully submitted,

Tracie Looney, Administrative Assistant

APPROVED:

Roland P. Nutter, Chairman

Lisa M. Ferolito, Clerk

Bill Greathead