

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.

1. AGENDA PACKET

2. ACCEPTANCE OF MINUTES

August 12, 2019 Meeting Minutes

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to accept the August 12, 2019 Meeting Minutes as submitted.

3. APPROVE WARRANT AND SIGN PURCHASE ORDERS

There were no warrants to sign.

4. APPOINTMENTS / RESIGNATIONS

According to Massachusetts General Law Chapter 54 Section 12, the Selectmen shall appoint the Town election workers no later than August 15th of the current year.

On a motion made by Ms. Ferolito and seconded by Mr. Greathead, it was unanimously voted to appoint the following list of Election Workers for a term to expire on August 15, 2020.

Precinct One

Patty Bagby

Lisa Crain

Cosmo Sabatino

Phyllis Lang

Harvey Serreze

Precinct Two

David Barton

5. PUBLIC COMMUNICATIONS

Written Submittals:

Ms. Ferolito read a correspondence from Police Chief David Scott acknowledging Officer Daniel Adams for his recent actions regarding a local autistic child who was lost.

Mr. Greathead read an announcement from the Pepperell Community Church which is celebrating their 100th Anniversary Commemoration to take place on September 15, 2019.

Audience Comments:

On September 11, 2019 there will be a 9/11 Recognition Breakfast sponsored by State Representative Sheila Harrington at the Pepperell Senior Center from 8:30-10:30AM.

6. TOWN ADMINISTRATOR'S REPORT

The Town Administrator gave a brief overview of his report:

- The paving on Townsend Street was completed this afternoon and the striping process is next. Mr. Greathead noted that the DPW Dept. did an outstanding job with the paving process. The TA also noted that under Mike Schrader's leadership at the DPW, communication to the residents of the Town was a great help in being able to make the project run smoothly.
- The budget process with the schools has begun and School starts on this Wednesday

- The Conservation Agent received a grant from the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs for \$86,000.00.
- The Charter Review Committee met last week to begin the process of reviewing and suggesting edits to the Town Charter
- Vandalism was reported to the covered bridge and an investigation is open
- Mr. Greathead encouraged the audience if they “see something, say something” to help protect the community.

7. DISCUSSION / ACTION ITEMS

7.1 Common Victuallar’s License Application: The Lazy Bubble, LLC. , 112 Main Street

According to Massachusetts General Law Chapter 140 Section 2, the Board of Selectmen is the licensing authority for Common Victuallar's licenses. The Lazy Bubble, LLC is seeking to obtain a Common Victuallar's license to be held at 112 Main Street. This is a new establishment in Town and they are still currently working on the property getting it ready for opening. The owner, Christopher Finn, has filled out an application with the Board of Selectmen. Mr. Finn and his business partner, Ann Marie Meuse, were in attendance to speak to the Board about their pending Common Victuallar’s License. Mr. Finn and Ms. Meuse both told the Board about their experience in the restaurant industry. The Lazy Bubble would only be serving dinner from Tuesday through Saturday with special events on the weekends and with the hopes to open the middle of October. The establishment will be serving foods made from scratch with foods from local farmers.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to accept the Common Victuallar's License for The Lazy Bubble, LLC.

7.2 7:15 PM Public Hearing; Licensing Authority, All Alcoholic Beverages License, The Lazy Bubble, LLC. , 112 Main Street

Ms. Ferolito opened the public hearing and read the procedure for the public hearing followed by the hearing notice. The Lazy Bubble is applying for an All Alcoholic License from the Local Licensing Authority. Mr. Finn and Ms. Meuse were in attendance to answer questions from the Board regarding such. Ms. Meuse made it a point to tell the Board that The Lazy Bubble will be a restaurant that is serving alcohol not a bar that serves food. She has been in the industry for a long time and is certified to teach alcohol awareness and other classes. She is fully aware of the responsibilities that come with an alcoholic license and does not want a repeat of the establishment that occupied that location previously which had issues with their license. Ms. Meuse also pointed out that all the staff will be trained in alcohol awareness not just the waiters. Mr. Beattie, town resident, mentioned that he is looking forward to the business and the support of the local farmers that the restaurant will partake in. No other comments from the audience. Ms. Ferolito asked if the license could have a restriction of no bar for two years. This discussion did not move forward.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to adjourn the public hearing.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously vote to approve the All Alcoholic Beverages License to The Lazy Bubble, LLC at 112 Main Street.

7.3 Soil Reclamation Proposal Update

The Pepperell Watchers Group held a well-attended Community Information Forum on August 19, 2019 at the Nissitissit Middle School. Selectwoman Scarsdale informed the Board of the information that was shared that night. The purpose of the forum was to educate the public about the project at 161 Nashua Road. The audience was given several call-to-actions they could take to help stop this proposed project. Over 150 people attended the forum including a spokesperson from Uxbridge and a representative from the Nashua River Watershed Association. Ms. Scarsdale noted there was discussion of the seven soil reclamation projects in the state and all seven have had violations. Hollis, Brookline and Nashua would like to join Pepperell in a task force with Pepperell as they are concerned with water contamination due to the water flow.

7.4 Plastic Bag Bylaw

More than 120 Massachusetts communities have adopted plastic bag bans. This bylaw is thoughtfully crafted to reflect the needs of Pepperell in reducing waste and litter. Duncan and Denene Premus were in attendance to speak to the plastic bag bylaw that they had created. Duncan gave a brief history of himself and how he grew up being environmentally friendly as a result of his parents' guidance. Duncan mentioned there were many bylaws reviewed to come up with the current draft for Pepperell. He mentioned he had visited many stores in town to speak about the bylaw and they were in favor and a January 1, 2020 time frame to enact the bylaw gave the stores plenty of time to make the switch. There will be a public hearing in September. The Board thanked the Premus family for their work on this bylaw.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to move the article to Special Town Meeting warrant on October 21, 2019.

7.5 Adoption of MGL Chapter 41 Sec 56 / Warrants for Payment of Bills and Payroll

The Town Administrator told the Board of the conflicts that have arose due to two Board members having direct involvement with the payroll. Mr. Greathead works detail for the Police Department and Ms. Scarsdale's adult daughter works for the Fire Department. This leaves Ms. Ferolito the only Board member that does not have a conflict with the payroll to sign however the majority of the Board is required to sign the payroll. The TA spoke with a Department of Revenue attorney of the day, Don Gordon, and he explained to him that this is actually fairly common in smaller towns and with three person boards. Mass General Law Ch. 41 Section 56 was written, in part, to make this legal. In summary, the law allows the Board to delegate signatory power to one member. All members should see the payroll and may have comments to make about it, but only one specifically delegated member's signature is required for proper, legal payroll processing. The second sentence of the law is the critical portion for this discussion.

On a motion made by Ms. Scarsdale and seconded by Mr. Greathead, it was voted to accept the MGL Chapter 42 Section 56 and assign authority to Chairman Lisa Ferolito and designate Lisa Ferolito sole signatory approval for all bill and payroll warrants. Ms. Ferolito abstained from the vote.

8. ADJOURNMENT

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to adjourn the meeting at 8:16 PM.

Respectfully submitted,

Tracie Looney, Administrative Assistant

APPROVED:

Lisa M. Ferolito, Chairwoman

Bill Greathead, Clerk

Margaret Scarsdale