

PRESENT: Selectmen 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. Mr. Greathead announced that the meeting is being cablecast live, and recorded for future cablecast by Pepperell Community Media.

1. AGENDA PACKET

2. ACCEPTANCE OF MINUTES

No minutes for acceptance.

3. APPROVE WARRANT AND SIGN PURCHASE ORDERS

Town Counsel has agreed that the current board makeup allows us to invoke the Rule of Necessity in signing the payroll. Invoking the rule should be done with legal counsel input and should be reinforced with a vote of the Board at a Board of Selectmen Meeting. The Town Clerk will be able to be the third signatory.

On a motion made by Ms. Scarsdale and seconded by Mr. Greathead, it was unanimously voted to approve the Rule of Necessity for this payroll.

There was a bill warrant for the Board to sign at the meeting but both Selectmen opted to review the warrant in more detail after the meeting and to sign at a later date.

4. APPOINTMENTS / RESIGNATIONS

The TA explained that the current appointment to the Charter Review Committee, Phil Durno, had to resign and that left a vacancy.

On a motion made by Ms. Scarsdale and seconded by Mr. Greathead, it was unanimously voted to appoint Harvey Serreze to the Charter Review Committee with the term to expire on June 30, 2020.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to appoint Bridget Morris to Election Worker with the term to expire on August 15, 2020.

A Task Force has been formed with representatives from both MA and NH to address issues of the current soil reclamation policies. Selectperson Margaret Scarsdale would like to be appointed to the Task Force Board to be a representative from the Pepperell Board of Selectmen.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale out of necessity, it was unanimously voted to appoint Margaret Scarsdale as the representative from the Pepperell Board of Selectmen to the MA / NH Task Force.

The Board signed a Proclamation for David Querze, Director of the Emergency Management Agency, who will be acknowledged for his dedication and volunteerism with a proclamation that will be read and handed to him at the 9/11 Recognition Breakfast sponsored by State Rep. Sheila Harrington at the Senior Center.

September 17, 2019 marks the 232nd anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention. Mr. Greathead read a special Proclamation that the Board signed, announcing that September 17th-23rd, 2019 will be declared as Constitution Week.

The Board signed a special Proclamation acknowledging the 100th Year Celebration for the Community Church of Pepperell that will take place on September 15, 2019.

5. PUBLIC COMMUNICATIONS

Written Submittals: Mr. Greathead read a letter from Brad Morgan, Superintendent of NMRS, acknowledging the Pepperell Fire and Police Departments that participated in the Varnum Brook and Nissitissit first day of school.

Audience Comments: Mr. Greathead made note that the Car Show over the previous weekend went well and had a great attendance.

6. TOWN ADMINISTRATOR'S REPORT

The Town Administrator informed the Board about a few key points on the report.

- Thanked United Installations for the donation of free furniture to the Town Hall, and thank you to the different departments that helped pull it all together
- The Peter Fitzpatrick Request for Proposals went out and are due back on Sept. 19, 2019
- Tier 2 planning for the Complete Streets is underway
- A marijuana retailer has reached out to the Town and the TA will meet with him next week
- Line painting has begun on the newly paved roads
- Chief Borneman has announced a statement of mission and values for the Fire Service
- COIN program received an additional \$1,000,000 by an anonymous donation
- The Town Field Walkway project has been sent out for construction bidding. Depending on the response it will be installed in the fall or early spring 2020.

Also noted by the TA:

- We are publicly bidding the Peter Fitzpatrick heating system repair. We expect to award the bid by late October and completed by Veterans' Day.

Deb Fountain asked when the review committee will be formed to review the RFP for the Peter Fitzpatrick. The TA mentioned it will be done ASAP. Ms. Scarsdale mentioned a thank you to the Recreation Dept. and the Friends of Pepperell for the walkway progress and also thanks to the Fire Dept. and the Highway for helping with the moving of the donated furniture to Town Hall.

7. DISCUSSION / ACTION ITEMS

6.1 Review Alleged Liquor License Violation

The VFW is alleged to have violated the parameters of their liquor license. The Board will consider the allegations with the managers of the VFW and consider consequences. The Board is the Local Licensing Authority and is authorized to sanction violations. Sanctions could be anything from a warning to cancelling the license.

The TA gave a summary of the allegations to the Board which included serving alcohol outdoors on August 17th, 2019 at the 2nd annual Burnouts for Brett event. The TA read a letter from Pepperell Police Chief regarding the violations that were observed by the Police Dept. which included alleged underage drinking as well as outside liquor serving. David Walsh, Senior Vice Commander, from the VFW spoke to the Board regarding the incident that occurred. Mr. Walsh noted how the crowd got out of control and became much larger than anticipated. Mr. Greathead mentioned that poor decisions were made and a disregard for public safety. Ms. Scarsdale asked why people were not turned away once the crowd became much larger than anticipated. The VFW did not turn them away but instead set up a bar outside to serve alcohol. At one point, a family member opened a tab for participants. Stuart Young, Post Commander, spoke on behalf of the incident and mentioned this is not a reflection of what the VFW stands for and all the good that it does. Mr. Young apologized for all the trouble that was caused that day and that they will make it right so that it will not happen again. According to the VFW representatives, the Town has been aware of serving alcohol outside but looked away. Mr. Greathead and Ms. Scarsdale both thanked the VFW for what they have done in the community and for the veterans in Pepperell however the license is a privilege. Ms. Scarsdale reviewed the past violations that have come in front of the Board. Zachary Goss, President of the event, also spoke on behalf of the event. He mentioned that they will help repair the parking lot at the VFW since it was

damaged with the event. The event was scheduled from 3:00- 8:00 PM and the police showed up at 6:45PM. There were 2 bartenders and one bar back on staff that day. The Board asked if they had the TIPS certification in hand to show the Board but they did not have at that moment. Mr. Greathead mentioned he would like to see more police presence at the VFW and more reviews by the licensing authority. He also mentioned that the record keeping is horrible and needs to be done better. According to Mr. Walsh, the sign in book has since been modified. Robert Foss, resident, spoke on behalf of the VFW. He mentioned that the VFW cannot survive on serving just soda water and is a great place for veterans to gather and share a drink. Mr. Foss also was disappointed with the burnouts that were happening in the parking lot and being out of control. Ms. Scarsdale mentioned that the Board, as the Licensing Authority, cannot allow the violations to continue and is concerned with liability. Mike Flaminio, who is listed as the Manager on the liquor license, told the board that the VFW is made up of good people. He was not in attendance at the event that day however. According to the Chief, the VFW was anticipating a large crowd as they had porta potties located outside and cones set up for the burn outs in the parking lot. The Board told the VFW they would like to have them back to the next Board meeting scheduled for September 23, 2019. At this meeting the Board would like the VFW to provide a schedule of the bartenders, policy for opening bar tabs, SOP, security report, log book, and TIPS certification.

6.2 Soil Reclamation Proposal Update

Special Counsel David McCay has provided an update on the discovery process and next steps. The discovery process is due at the end of September. Ms. Scarsdale gave a brief overview of the Task Force that is being formed which currently includes 3 representatives from the Pepperell Watchers Group, 5 New Hampshire Representatives, one Massachusetts Senator and one New Hampshire Senator. This group will meet to discuss the Soil Reclamation Proposal and the opposition position being taken by the surrounding communities.

6.3 Special Town Meeting Articles

The Town Administrator presented to the Board four articles to be included on the Town Warrant for the upcoming Special Fall Town Meeting to be held on October 21, 2019.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to place an article on the October 21, 2019 Special Town Meeting Warrant to tie Assessment Exemption 17D to an annual cost of living increase as set by the Commonwealth of Massachusetts.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to place an article on the October 21, 2019 Special Town Meeting Warrant to tie Assessment Exemption 41C to an annual cost of living increase as set by the Commonwealth of Massachusetts.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to place an article on the October 21, 2019 Special Town Meeting Warrant to accept the 2017 Annual Report.

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to place an article on the October 21, 2019 Special Town Meeting Warrant to consider a zoning by-law for Solar Installations.

The TA mentioned there will be more Articles to be accepted at the next Board meeting such as a Peter Fitzpatrick revolving fund, a bylaw from the LAN Committee, and fixing the strong chief / weak chief issue that the Town currently has.

6.4 Board of Selectmen Priorities

The Town Administrator and the Board discussed the goals and priorities moving into FY2020. The TA would like to focus on economic development, communication, staffing and administration, and capital planning and infrastructure, financial sensibilities. Ms. Scarsdale and Mr. Greathead discussed what they would like to focus on such as affordable housing, sustainability and resiliency.

Mr. Greathead asked if Pepperell will be spraying for mosquitos and the TA said not at this moment.

8. ADJOURNMENT

On a motion made by Mr. Greathead and seconded by Ms. Scarsdale, it was unanimously voted to adjourn the meeting at 9:07 PM.

Respectfully submitted,

Tracie Looney, Administrative Assistant

APPROVED:

Bill Greathead, Chairman

Margaret Scarsdale