



**Board of Selectmen
Minutes
Tuesday, January 20, 2015 at 7:00pm
Town Hall Meeting Room**

The meeting was called to order at 7:00PM by Chair, Stu Sklar in the Town Hall Meeting Room. Selectmen Lucy Wallace, Ron Ricci, Leo Blair and Ken Swanton were in attendance as well as Town Administrator Tim Bragan.

TOWN HALL CONSTRUCTION COMMITTEE UPDATE

Committee Chair Rick Maiore introduced his fellow committee members Laura Andrews and Jack Guswa. He asked Andrews to begin their report. She confirmed the committee plans to continue meeting each Monday morning because this day and time works best to accommodate committee member's schedules. She said the construction project is on track to begin in mid-April.

She outlined important dates coming up:

Jan. 26 th	plan to finalize base bid and add alternates
February 3 rd	OPM will place advertisement for bids in the central register for publishing on February 11 th .
TBD	Site walk with sub-contractors
March 4 th	Sub-contractor bids will be due
March 13 th	General Contractor bids will be due and reviewed by the OPM, Architect and the committee.
March 17 th	Recommendation for General Contractor to BOS for approval

She said the committee has two requests for the Selectmen to act on at this meeting related to the final design drawings.

She briefly reviewed the major actions taken thus far by the committee; hiring of OPM and resolution of 7 of the 11 Fogarty (Dec 2014) add alternates with 4 remaining.

They are recommending the following be removed:

#6 – spray foam (\$148.6k)

#9 - acoustical spray (\$49.7k)

She reviewed the construction cost impact summary which includes removal of #6 & #9.

Documentation will be distributed with reasons why they are recommending these two add alternates be removed. The OPM and Architect agree the two items should be removed from the project. The windows and cupola will remain add alternates.

Andrews said Jack Guswa has been working with the Historical Commission and Planning Board on requirements for the Certificate of Appropriateness. The Historical Commission has set a public hearing date for February 4th.

A financial report prepared by Guswa was distributed. Guswa explained the summary sheet is based on the December 4th, 2014 cost estimate prepared by Fogarty.

Maiore said the committee's charge requires approval from the Selectmen for them to make any changes. On behalf of the committee, he asked the Selectmen to remove the acoustic spray on the second floor and substitute cellulose blown in instead of spray insulation. Maiore reviewed the reasons why. He confirmed the OPM and Architect are recommending the changes and the committee unanimously agrees as well.

Lucy Wallace asked about replacement of the windows. Maiore said at this time the windows cannot be included in the base budget that was voted on at the Special Town Meeting. He did note that replacement of the windows was the #1 alternate, should the bids come in under budget.

Maiore explained the cupola base is in good shape and will be restored so it can accommodate any cupola designed. The cupola can be done at a later date. Guswa confirmed the Historical Commission is on board with restoration of the base for now.

Wallace asked if new windows are not included in the project could that affect the effectiveness of the insulation. Maiore said realistically if the windows cannot be included in the base project we may at that time need to ask the town to consider buying the windows. He believes if a specific reason is given there is a good chance we would get a logical response. Maiore clarified the cupola has not be on the building for many years.

Ken Swanton commented on the good work of the Selectmen on picking up the pieces after the project was not passed at the October 2013 Special Town Meeting. He is happy to have the construction committee in place taking a fresh look at things and excited the project will begin in April.

Wallace said she met with her neighbor (acoustical engineer) who attends various events at the Congregational Church and commented on how well the sound is managed there when multiple people are using the space. He suggested they investigate sound panels instead of the spray which could be a more cost effective approach. Maiore read aloud the reasons why the committee decided the removal of the acoustical spray is the right direction to take.

Stu Sklar asked about cedar siding opposed to cement board/hardy plank. Maiore said the Historical Commission is strongly opposed to the use of material other than cedar.

On a Wallace/Ricci motion, the board voted unanimously to proceed with blown in cellulose as opposed to spray foam.

On a Blair/Ricci motion, the board voted not use acoustical spray on second floor ceiling per building committees recommendation.

PROPOSALS FOR LEASE SPACE

Bragan said one proposal was received from Appleworks in Harvard. They offered a one year lease for \$78,000 which includes utilities and plowing for four days a week and one night. He

said there are two other entities which have space available but did not have to comply with the proposal process and they are Devens and the Town of Shirley. He said Devens is offering the second floor of 94 Jackson Road for a one year lease of \$71,000 which includes utilities and plowing. He said Shirley is offering the second floor of their town hall. An offer still needs to be negotiated. Stu Sklar asked Bragan how much it will cost to upgrade the old library for use as temporary office space. Bragan said the electrical (includes network upgrade) and interior fit up will cost around \$23,000. This cost does not include a ramp. He estimates utility costs for the building to be around \$12,000 to \$14,000.

Blair summarized their options:

Appleworks - \$78,000

Devens - \$71,000

Old Library - \$35,000.

Bragan mentioned the ongoing trouble we have been having with the wireless network in the town hall meeting room. He explained there are only so many connections allotted and with so many devices connecting it can be inaccessible at times. The board suggested changing the current password so the network is locked and only allow limited access.

LETTER FROM SCHOOL COMMITTEE – ADMINISTRATION OFFICES

Superintendent Linda Dwight and School Committee Chair SusanMary Redinger were present to reaffirm the schools interest in occupying the old library for administration offices. Reddinger said as the Selectmen consider use of the old library as temporary office space during the town renovation they felt it was important for them to also consider the benefits of moving the school administrative offices there once the town hall project is finished. She said the School Committee does not think it is prudent to spent \$700,000 to renovate the Bromfield House therefore they are actively looking for an alternate location. They believe it is a win for the town overall and do not want the opportunity to go unnoticed. Blair asked if they would be interested in space in the newly renovated town hall if available. Redinger said they are open to that option as well. Lucy Wallace said selling the Bromfield House property will require a town meeting vote and she is skeptical the town will be in favor of selling land the town owns in the center. Dwight acknowledged it could be difficult but then again they are trying to be responsible about the town owned buildings. She said they have discussed the possibility of adding a second floor to the renovated k-wing but that location would not be easily accessible. Redinger confirmed they would not need all the space available in the building allowing other groups space as well such as Park & Recreation. Leo Blair suggested the School Committee make their decision to find other space separate from where they will go and what will happen with the Bromfield House. The other board members agreed although Redinger felt strongly the decision to move will be easier to make if they know where they are going.

PUBLIC COMMUNICATION

Peter Warren, Lancaster County Road, asked the board to seriously consider revisiting their decision about installing only a lift instead of a fully functioning elevator in the newly renovated town hall. He said the Congregational Church uses a lift like what is proposed which he believes not acceptable. He said as a former public safety official for emergency services he implores the

board to consult with the Fire Chief and Ambulance Director before any final decisions are made. He strongly believes the proposed elevator is not appropriate.

Richard Shrives, 91 Old Mill Road, is upset about having to place a transfer station sticker on his vehicle. He said when he lived in England they never placed stickers on vehicles that identified where you live for safety purposes. He acknowledged regulating the access at the transfer station is a tough job for those working there. He wants the board to find a better solution than instituting a fine schedule. He offered the idea of having a larger sticker which could be hung in the vehicle. He does not believe fines are going to stop those who are using the Transfer Station illegally. Shrives feels the stickers deface his vehicle and he also does not like that they show where he lives. He believes there must be another method to achieve what the board desires and the punitive fines will not achieve what they desire. He asked if Police would actually be stationed at the transfer station issuing fines. Shrives said Massachusetts laws state only the RMV can require residents to place stickers on their vehicles. He believes it is illegal for the town to do this. Tim Bragan reminded Mr. Shrives stickers have always been required, this has not changed the only change to the policy was adding the fine structure. Shrives asked how many residents had been caught so far entering the transfer station without stickers. Bragan answered six. Sklar said they need to maintain equity out of the user based system but he is willing to investigate other options. He is open to suggestions however it must be fair for all who wish to use the transfer station. Ron Ricci clarified the policy is very simple if you pay for a sticker you can access the transfer station without paying any fines.

Bob O'Shea, 357 Old Littleton Road, compared the transfer station stickers to beach stickers. If you do not want to have a sticker on your vehicle you cannot get in, it is as simple as that.

CENTER ON THE COMMON

Robert Hubert came to present a three year projected budget which included some historical cost information and other financial data. He admitted the Center was unable to meet all the expenses of the building while running the organization. He said if the town desires the Center to continue a shared agreement would need to be set up with the town. To be candid, Hubert said they screwed up on renewing their insurance and at the same time needed to renew entertainment and liquor licenses and with no insurance coverage that had no choice but to discontinue operations. At this time, they also decided to halt their fundraising efforts as many residents were questioning the future of the Center. Board member Lillian Burkart explained the decision to close the Center was well thought out and included a number of factors for example trying to hire a new manager/director which proved difficult not knowing what the disposition of the building was going to be. She said the fundraising effort did not have any chance either due to the same reason but they do want to maintain the 501c3 status.

Hubert said it is obvious there are competing needs for the building and his goal tonight was only to respond to the board's request and provide them with all the information they need to make an informed decision on what to do next with the building. Lucy Wallace said she was really looking for more strategy behind the numbers to indicate how they plan to accomplish their goals. Ken Swanton wondered if they would be able to break even in the first year if they were to come back into the building after the town hall renovation is complete. Wallace said there is no

question a cultural center is a viable option but there needs to be more conviction from the group managing it with a clear direction on how. She said the decision would be difficult to make without more of a business plan to support the numbers. Wallace added the town has appreciated the level of activity at the Center especially the evening events. Leo Blair said it is obvious this went off the rails a long time ago with the lease expiring, insurance coverage lapsing, and nonpayment of rent and utilities. The Center has not been a good tenant. Blair wants to save the town money and using space in the old library for temporary office space will do this. Even though the Center has been socially acceptable the operation of it has been sloppy. He could not support the Center based on past performance being a predictor of the future.

Burkart fully admits the Center could not fully support the operation of the building. Hubert believes the mission may be viable under a different set of circumstances. Blair suggested they consider fundraising over the next 12 months to build up working capital which could support their coming back. Stu Sklar pointed out the big advantage of the town using the building for office space is certain upgrades have to be made to the building which will benefit future use of the building. He informed Hubert and Burkart there is another group of residents in town who is also interested in supporting a cultural center in the old library. Sklar encouraged the current Center board to contact them and come up with a collaborative effort. Ron Ricci made it clear they did try to rent other space (Appleworks) in an effort to keep the Center going in the old library but at this point the level of commitment is not there for the board to make the same decision again. Wallace reiterated her request for a strategic business plan which can be implemented over the next three years. The board decided to make a formal vote on temporary office space at their February 3rd meeting.

TOWN ADMINISTRATOR REPORT

Bragan announced the Unitarian Church has submitted their application for an Entertainment license for the annual Schools Trust Gala to be held on Saturday, March 21st. The board will need to act on this request at their next meeting.

Bragan informed the board the Personnel Board will be holding a hearing to review some proposed policy changes related to emergency closures, deferred compensation and insurances.

PROPOSED BYLAW CHANGES – POND ENFORCEMENT & PENALTIES

Ron Ricci said he has been working with Harbormaster Bob O'Shea and Pond Committee Chair Bruce Leicher on a mechanism to enforce the current bylaws. They drafted an enforcement policy. O'Shea explained the town's inability to enforce the current bylaws came up at the Harbormaster forum. The bylaw changes require approval at the annual town meeting. The board will vote on the changes at their next meeting.

CAUCUS WARRANT

On a Swanton/Wallace motion, the board voted unanimously to sign the caucus warrant.

SELECTMEN ARTICLES FOR THE ATM

Bragan said he has been instructed by the Finance Committee to add the \$10,000 for independent department audits as a small warrant article. The bylaw changes discussed earlier (Pond) will also require an article at the ATM. The board members agreed. Lucy Wallace asked about the

status of a facilities manager, as discussed at the Board's annual strategic planning session and if an article funding the position would be necessary. Stu Sklar admitted that matter had been put aside and would not be ready for this year's annual town meeting.

Stu Sklar asked the board to consider adding an article for senior tax relief. He said the plan would mirror what Sudbury has done and passed. He explained the burden shift is a three year trial which in the first year is 1%, 2nd and 3rd years' 1.5% limiting senior's tax burden to 10% of their income. He will provide further documentation about this to the board members and ask them to vote on it at their next meeting.

**** On a Wallace motion, the Board voted unanimously by a roll call vote: (Wallace – Aye, Ricci –Aye, Sklar – Aye, Blair – Aye, Swanton - Aye) to enter into executive session at 9:15pm, as authorized by Chapter 30A, Section 21.3 of the Massachusetts General Laws, at a meeting for which 48-hours' notice has been given, to 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. Following the executive session, the Board will reconvene into open session only to adjourn. ****

The meeting was adjourned at 9:30pm.

Documents referenced:

THCC report – dated 1.20.2015

Letter from School Committee – dated 1.13.2015

Center on the Common – budget report dated 1.14.2015

Bylaw changes – Pond Enforcement Penalties proposed - dated 1.12.2015