

## BOARD OF SELECTMEN

July 8, 2008  
Minutes

The Board of Selectmen met on Tuesday, July 8, 2008 in the Town Hall Clark Room. Those present were Selectmen Douglas A. G. Stevenson, John D. Williams, William R. Tice, Jr., Alan Carpenito, and Timothy F. Hult, and Town Administrator Madonna J. McKenzie.

### Town Administrator Report

Mrs. McKenzie presented to Board a Fire Protection Easement from Wilkins Hill Realty. A map was prepared for the Board to review. Mrs. McKenzie said the easement is for the following purpose(s): ‘... to construct, inspect, repair, renew, replace, install, operate, and forever maintain fire protection systems benefiting the land shown on the Plan and neighborhood properties and ways, public or private along with any cisterns, wells, pipes, conduits, and other appurtenances related thereto, and to do all acts incidental to the foregoing including the right to pass along and over the easement areas and any private ways for the aforesaid purposes..’. Mrs. McKenzie said the Planning Board has approved this easement. On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to approve the Fire Protection Easement shown on a plan of land entitled “Hanover Hill in Carlisle, Massachusetts (Middlesex County) Lot Layout Plan, for: Wilkins Hill Realty, LLC, Scale 1” = 40’, August 24, 2007” prepared by Stamski and McNary, Inc., dated August 24, 2007, last revised, June 3, 2008.

Mrs. McKenzie said there has been another request from the Communities for Restorative Justice Board. They would like to sell raffle tickets on July 12<sup>th</sup> at the Transfer Station in addition to the already approved date of July 26<sup>th</sup>. On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to approve the Communities for Restorative Justice Raffle be held on July 12<sup>th</sup>, as well as July 26, 2008 at the Transfer Station and that the SmartCar be parked on site during the raffle and that the organizing committee work out all details with Gary Davis, DPW Superintendent.

Mrs. McKenzie informed the Board that a letter from the Department of Revenue was received, approving the Town, under General Laws Chap. 44, Sec. 31, to make payments not to exceed \$25,000 to cover the costs resulting from the lightning strike at the Town Hall.

Mrs. McKenzie said the Carlisle Garden Club is requesting permission to use the Carlisle Town Common for the Pumpkins on the Common celebration from October 10<sup>th</sup> through October 19<sup>th</sup>[2008]. In addition, they are requesting permission to place scarecrows and signs at various locations around Carlisle, to keep several hundred pumpkins on the Common during the event, and to place up to four ‘open’ signs around the Common during hours of operation. After a brief discussion, a motion was made by Mr. Tice to approve the use of the Town Common by the Carlisle Garden Club for the “Pumpkins on the Common” from Friday, October 10<sup>th</sup> through Sunday, October 19, 2008, and further that the Garden Club be allowed to place advertising scarecrows and signs at up to 20 high visibility locations throughout Carlisle, keep several hundred pumpkins on the Common during the event and place four ‘open’ signs around the Common during hours of operation with the understanding the Garden Club will coordinate this event with Police Chief, John Sullivan

and DPW Superintendent Gary Davis as well as the First Religious Society. The motion was seconded by Mr. Williams and the Board **voted affirmatively 5-0**.

Mrs. McKenzie provided a memo from Fire Chief David Flannery relative to a transfer from the ambulance receipts to the FY08 Budget. Chief Flannery noted in his memo that the additional ambulance expenditures were due to the increased amount of calls that had not been budgeted for. Chief Flannery recommended that the Board approve the amount of \$2,188.60 be expended from the ambulance receipts account to cover the ambulance budget overrun for fiscal year 2008. On a motion made by Mr. Hult and seconded by Mr. Williams, it was unanimously **VOTED** approve the transfer of \$2,188.60 from the Ambulance Receipt Account to cover the ambulance overrun for fiscal year 2007-2008.

### **Cemetery Deeds**

The Board of Selectmen, in their role as Cemetery Commissioners, made the following deed transfer.

On a motion made by Mr. Tice and seconded by Mr. Carpenito, it was unanimously **VOTED** to transfer to Susan Ventura of Carlisle, Massachusetts, Deed 625 for Cemetery Lot D117, Graves 1 through 4, in the Green Cemetery.

### **Appointments**

On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to appoint Robert Wiggins and Bill Fink to the School Building Committee for a one year term that will end on June 30, 2009.

### **Liaison Reports**

Mr. Tice reported that the Alternative Clean Energy Generation Committee met last night. He said it was a very well attended meeting and a very informative meeting. He said the committee is formulating criteria they would like to see in a by-law. They will have a by-law ready for the Spring Town Meeting. Mr. Tice said the committee is now comparing other community by-laws. Mr. Carpenito added that it was an excellent meeting with great discussion.

Mr. Carpenito spoke about the Highland Building Study Group. He said the Group would like to attend the Board's meeting on August 12<sup>th</sup> to give a report.

Mr. Williams said the 40B Working Group will be meeting tomorrow night (Wednesday, July 9<sup>th</sup>) and hopefully then they will conclude the next version of their report. He spoke briefly about the Housing Authority and the Housing Trust joint meeting. He announced that there are 21 applicants on the waiting list for Benfield.

Mr. Stevenson spoke about the FinTeam meeting that took place this morning. He said the discussion was mostly about the year end close-out of 2008. The discussion was also about the \$20,000.00 shortfall of local receipt. There was also a discussion about Reserve Fund Transfers. Mr. Stevenson spoke about the Honor Roll Memorial Committee. He said they have chosen *Levi and Wong* as the design firm for the War Memorial. He added that they would like to have a public input session in September.

### **Public Hearing/Conservation Restriction #38 Amendment for the Bedford Road Pathway**

Mr. Stevenson called the Public Hearing to order. He said the purpose of this meeting was to discuss an Amendment to the Carlisle Conservation Restriction #38, on Bedford Road. He said the amendment is to allow marking, clearing and maintenance of a footpath as described in the Easements, including paving of up to a five foot (5') width with asphalt or other impervious surface, provided that the Path shall be used solely for the purposes stated in the Easements. Attorney Valerie Swett from Town Counsel was present for this discussion. She said the pathway is touching the Conservation Restriction. The Conservation Restriction was granted by four property owners and all of the owners have granted easements to the Town. She said the amendment to the Conservation Restriction has to follow the same procedures that took place when the restriction was set.

The Board asked a few questions about the width of the pathway. Mr. Hult offered appreciation to the Carlisle Conservation Foundation. He said in regard to the seriousness of the Conservation Restriction, he

wanted to make a point that this action today is clearly an exception for the purpose of public safety and that the Board is not trying to create a precedent.

Deb Belanger spoke from the Pedestrian and Bike Safety Committee. She said she was very grateful for all the easements that were given by homeowners in this project, particularly on Bedford Road.

Wayne Davis, a Concord Street resident and a member of the Conservation Restriction Advisory Committee and the Carlisle Conservation Foundation, spoke from the CRAC. He said he wanted to reiterate what Mr. Hult said about Conservation Restriction. He said Grantors of Conservation Restriction's rely on the Town to take the Conservation Restriction very seriously.

On a motion made by Mr. Tice and seconded by Mr. Carpenito, it was **unanimously voted** to close the public hearing.

On a motion made by Mr. Tice and seconded by Mr. Williams, it was **unanimously voted** to approve the amendment to the Carlisle Conservation Restriction #38-8-1 – Bedford Road allowing the marking, clearing and maintenance of a footpath as described in the easements, including paving of up to a five foot (5') width with asphalt or other impervious surface, provided that the Path shall be used solely for the purposes stated in the Easements.

Deb gave an update on the Pathways construction. She said Allied has completed all binder area course that was available to them. That means we are not waiting for Allied. She added that there is a cluster of unfinished pieces. They are: the Conservation Restriction area on Bedford, the ATM, the Fern section, the remaining section of Concord Street to the intersection Church Street and the continuation on Church. She said the target date for completion of these areas was the end of July or the first week of August.

### **Town Common Circulation Task Force**

Mrs. McKenzie said the letters recruiting members for this task force went out just a few days ago. Therefore Mr. Stevenson said this discussion will continue at the next meeting.

### **The Carlisle Energy Committee**

Mr. Hult said he and Mr. Williams collaborated on the preparation of a document relative to forming an Energy Task Force that was discussed at a previous meeting. He said the purpose for the forming the committee was to provide a focus for the reduction of Carlisle's expenditures for and use of energy resources in a pragmatic manner.

Mr. Hult said the scope of the committee would be to accomplish four objectives within six months. These objectives were: 1) To produce a thorough study of energy use and cost in all Town buildings, equipment and contractual services; 2) Working with Town departments, analyze and prepare a composite of potential areas of cost reduction effected by lower consumption, revise contractual relationships, alternative materials or alternative modes of energy production; The analysis should include use of low carbon producing ('green') energy production wherever practical. Coordination with the Carlisle Climate Action Committee and EPA (currently provides benchmarking software to municipalities seeking to save energy and reduce carbon output) is encouraged. 4) To consider the possibility of an ongoing role for a standing Carlisle Energy Committee and make recommendations for the ongoing purpose, charter and make-up of such a Committee to support an ongoing role (if any).

In summary, Mr. Hult said the end product envisioned is a thorough review of current expenditures and recommendations for pragmatic and environmentally sound methods of reducing Carlisle's energy costs along with future goals. Where alternative modes of production or materials are proposed, a cost/benefit with emphasis on time for return on investment (payback) analysis would be central.

Mr. Hult suggested that the make-up of the committee consist of three to five members who have experience in the area of energy utilization and conservation. He added that liaisons with representation of Town and school departments should be encouraged.

The Board was pleased with the document. A few changes were made. First, to the name of the committee, which was 'The Carlisle Energy Task Force' and secondly, adding to the make-up of the committee to include '...experience in the area of energy utilization and conservation and or building design and maintenance'.

On a motion made by Mr. Tice and seconded by Mr. Williams it was unanimously **VOTED** to establish the Carlisle Energy Task Force with the amended document presented as its charter.

### **Board of Selectmen Planning Process FY09**

In preparation for the Boards planning meeting, on July 22<sup>nd</sup>, Mr. Hult handed out Planning Process for FY09 documents. He reviewed the documents with the Board.

### **Budget Transfers:**

Larry Barton, Finance Director and Town Accountant Priscilla Dumka were present to discuss Budget Transfers. Larry said a few weeks ago the Town learned that the Appellate Tax Board ruled against the Town on a 61A Tax matter. He said this meant the Town would have to repay \$105,000.00 in roll back taxes. He said we knew we could handle this in a few different ways. Unfortunately, at the same time he said they were dealing with a deficit in the DPW - snow and ice budget. Larry said they made their best effort to meet the challenge and pay everything in fiscal 08. He spoke about statute Ch. 44, s 33B that permits the Board of Selectmen, with the concurrence of the Finance Committee to transfer funds between departments up to 3% of that budget or up to \$5,000.00. Larry said they looked at five operating budgets to see what they could transfer into the DPW budget to absorb the snow and ice deficit. The departments they chose were: the General Expense – Town Administrator (less than 3%); Treasurers budget (3%), Board of Assessors (3%), Planning Board (3%), Police budget (less than 3%). These amounts totaled \$17, 916.53. He said this would be applied to the deficit in the Snow and Ice (DPW) \$21,610.33, leaving a balance of \$3,693.80.

Larry said the following were all of the Reserve Fund transfer requests;

Beginning Reserve Fund Balance:	\$149,554.00
DPW- Snow & Ice	3,693.80
Communications	20,769.60
Short-term Interest	16,640.68
Town Clerk	429.05
Memorial Day	179.11
Tax Title/Foreclosures	5,098.24
Allowance for Abatement- 2005	83,603.40
Ending Balance -	<b>\$19,140.04</b>

Larry asked the Board to approve the above transfers between the departments under Chapter 44, Sec. 33B.

On a motion made by Mr. Hult and seconded by Mr. Williams, it was unanimously **VOTED** to transfer from \$4,138.85 from General Expenses-Town Administrator to DPW-Snow and Ice; \$5,061.96 from the Treasurer to DPW - Snow and Ice; from the Assessor's \$2,925.66 to DPW - Snow and Ice; \$2,806.77 from the Planning Board to DPW –Snow and Ice; \$2,983.29 from Police to DPW - Snow and Ice.

The next Board of Selectmen's meeting will be at Selectmen Bill Tice's home. The regularly scheduled meeting will resume on August 12<sup>th</sup> at 7:00 p.m..

The meeting adjourned at 8:53 p.m.

Respectfully submitted by Margaret deMare