

## BOARD OF SELECTMEN

August 12, 2008  
Minutes

The Board of Selectmen met on Tuesday, August 12, 2008 in the Town Hall Clark Room. Those present were Selectmen Douglas A. G. Stevenson, John D. Williams, Alan Carpenito, William R. Tice, Jr. and Timothy F. Hult, and Town Administrator Madonna J. McKenzie.

The meeting was called to order at 7:00 p.m. by Chairman Stevenson.

### Town Administrator Report

Mrs. McKenzie reported that the Town Clerk has provided the Warrant for the State Primary. On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to approve the Warrant notifying the inhabitants of Carlisle of the State Primary Election to be held on Tuesday, September 16, 2008, from 7:00 a.m. to 8:00 p.m., at Precinct 1, 66 Westford Street.

Mrs. McKenzie said the Board has been asked to accept the Easement for 546 Westford Street from Lisa and Kevin Flavin. On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to accept the Grant of Non-exclusive Pathway Easement for the land situated at 546 Westford Street, Carlisle, Middlesex County, Massachusetts, Map 20, Parcel 10, shown on Plan entitled "Plan of Land in Carlisle, Massachusetts, Middlesex County for Wilkins Hill Realty, LLC, dated May 12, 2008 by Stamski and McNary, Inc".

Mrs. McKenzie said the Bruce Freeman Rail Trail Uniformity Committee has asked the Board to appoint a representative to the committee. She explained that the representative will have voting rights and will be speaking for the Town at these meetings. She said Alan Cameron is interested in being appointed to this organization. On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to appoint Alan Cameron to the BFRT Uniformity Committee.

Mrs. McKenzie said the Concord Board of Selectmen has scheduled a joint meeting of the Concord and Carlisle Selectmen and their respective Finance Committee's with the Regional School Committee on Thursday, September 18<sup>th</sup> at 7:30 p.m. at the Town House Hearing Room. Selectmen Hult, Carpenito and Stevenson will attend this meeting.

The Concord-Carlisle Community Chest has requested the use of the Town Hall to hold their Annual Meeting on Wednesday, November 12<sup>th</sup>. On a motion made by Mr. Tice and seconded by Mr. Carpenito, it was unanimously **VOTED** to approve the request of the Concord Carlisle Community Chest to use the Town Hall Clark Room on Wednesday, November 12<sup>th</sup>, 7:00 p.m. for their Annual Meeting.

Mrs. McKenzie informed the Board that the Town received an insurance premium credit of \$3,597.00 for their proactive loss prevention and risk management activities.

The residents of Carriage Way have requested the Board of Selectmen to lay-out Carriage Way as a Town Way. On a motion made by Mr. Carpenito and seconded by Mr. Tice, it was unanimously **VOTED** that it is the intention of the Board of Selectmen to lay-out as a Town Way, Carriage Way,

in the Town of Carlisle, and further that this matter be referred to the Planning Board for a non-binding recommendation.

Mrs. McKenzie said the Board has received a request from Mr. Theodore Mark of 24 Bingham Road to install a wall and change topography in the Town's Right of Way. Present this evening was Lisa Standley, consultant from Vanasse Hangen Brustlin, Inc., who spoke on Mr. Mark's behalf. She gave a brief background on this matter. She said Bingham Road is on Mr. Marks' property. She said he has had to go back to the Conservation Commission for a new order of conditions on the work that has already been done under the Mass. Wetlands Protection Act. Ms Standley said tonight he is asking the Board to approve the work that has been done in the Town's right of way.

After a brief discussion, the Board asked Mr. Mark, (through his attorney) to draft an agreement that would clearly define the continued ownership of the land by the Town and also, with the understanding that Mr. Mark and all future owner will be responsible for removing the stone wall, fill, and any other construction in the right-of-way, returning the land to the original grade and state at the expense of Mr. Mark (or future owners). The Board further requested that this document be tied to the deed so that there will not be any question by current or future owners as to ownership or responsibility for removal of changes and return to original state. This document will be reviewed by Town Counsel and should be available for the Boards approval at the September 9<sup>th</sup> Board of Selectmen meeting.

Mrs. McKenzie said the Board has received a proposal from Phyllis and Helaine Hughes relative to removing poison ivy on Church Street between the Carlisle Schools and Carlisle Village Court. There was a discussion over the cost and process of removing the poison ivy.

The Board was in receipt of a letter from the Burnham family announcing that their son, James Burnham has achieved the rank of Eagle Scout with the Carlisle Troop 135. A Court of Honor will recognize James' accomplishment on August 24<sup>th</sup>. On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to congratulate James Burnham on his attainment of Eagle Scout and issue a proclamation recognizing his achievement. Mr. Stevenson noted that he will attend the Court of Honor Ceremony.

Mrs. McKenzie said she has been working with a representative from the Department of Energy Resources relative to an energy audit for the Town buildings, except the schools. She noted that the School is already participating in this program and that they provided this initial contact. Mrs. McKenzie said that the Town will receive technical assistance from this group most likely late in August or early September. Currently, they are reviewing the Town's energy bills.

Mrs. McKenzie said Senator Susan Fargo's office contacted her relative to a General Government Bond Bill in the amount of \$100,000.00. The Town was asked to submit requests in specific areas. Mrs. McKenzie said the requests she included were relative to recreation fields, infrastructure for the Housing Authority affordable housing project, and building and equipment for the DPW. A letter will be sent to Senator Fargo thanking her for her efforts on behalf of Carlisle.

The Carlisle Public School is requesting to dispose of books that are no longer usable by the School. On a motion made by Mr. Carpenito and seconded by Mr. Tice, it was unanimously **VOTED** to declare as surplus real property the items on the attached list pursuant to M.G.L. c. 30B., Section 16 and dispose of them by 'donation' and to sign the attached Declaration of Surplus Real Property.

A request was made by the Pedestrian and Bike Safety Advisory Committee to appoint two associate members to the committee. On a motion made by Mr. Hult and seconded by Mr. Tice, it was unanimously **VOTED** to increase the membership of the Pedestrian and Bike Safety Advisory Committee by two associate members and appoint Mary-Lynn Bohn as an associate member and pending further documentation appoint Dan Donahue as the second associate member (for one year).

Mrs. McKenzie said in regard to the Wastewater Treatment Plant/Robbins Elementary School Project, the Town has received the final decision from the Board of Directors of MSBA. Mrs. McKenzie noted that the Chairman of the Board of Selectmen is requested to sign the agreement to the decision. On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to authorize Chairman Douglas A. G. Stevenson to sign the agreement to the Decision.

Board of Selectmen

August 12, 2008

Approved by Board of Selectmen -9/9/08

Also in regard to the Carlisle Public School, the Board of Selectmen was asked to approve the Designer selected to be the Owners Project Manager (OPM). The School Building Committee has approved the selection of Daedalus to be the OPM. This discussion was postponed to later in the meeting.

### **Community Input**

Mr. Norman Daigle of Westford Street spoke about the hay-bales at the end of his driveway that have been left there by Keyspan (now known as Nationalgrid). Mr. Daigle said he would like to have the hay bales removed so he could have his driveway paved. Mrs. McKenzie explained that Keyspan said they would remove the hay on or about September 1<sup>st</sup>, but Mr. Daigle said that would be too late to have his driveway paved. Mr. Stevenson said he would try to help Mr. Daigle with this problem. Jack O'Connor from Church Street spoke about the Pathway on Concord Street. The choice of paving material was Mr. O'Connor's concern. Mr. Stevenson said this matter may be discussed later in this meeting or at a future meeting, depending on the amount of time available.

### **Public Hearing**

Mr. Stevenson opened the Public Hearing for the Site Plan Review of Carlisle Center Ventures, LLC (dba Ferns Country Store). Present for this discussion was store managers Larry Bearfield and Robin Emerson.

Larry said Fern's Country Store was at the final stage of it's build out. He said prior to this meeting, he met with the Center Residents, the Fire Chief, and the Police Chief and he had preliminary meetings with the Historic Commission and the Board of Health, and the Zoning Board of Appeals and Pathways Committee.

Larry explained the proposed work on Ferns. He said it is mainly between the existing store and garage. The middle building will house the grocery, checkout and soda and dairy refrigeration. Larry talked about the new front and rear access to the store and also the handicapped access to the store. Larry said the store currently serves approximately 500 customers daily. He said although the looks of the store will change, it is their intention to maintain the historic quality of the Town.

Larry presented several layouts of the new store with the addition and the garage attached. He also discussed the parking issue.

Larry Bearfield and Robin Emerson requested waivers of certain provisions to the Site Plan Approval Rules and Regulations. These waivers related to Article III Site Plan Procedures, Section 1. Site Plan Submission Requirements; (m), (o) (i), (ii), (iii), (p) and (u).

Section 7. Fees Mr. Bearfield and Ms Emerson requested relief from the \$1,000 Filing fee due to the volatile nature of their small business.

The Board discussed their concerns with the parking spaces in front of the store. Mr. Hult said although he did not feel there was a need for a traffic study, he was concerned with the traffic in that corner. He said backing out of the Fern's parking lot is very dangerous. He suggested moving the parking further away from that corner.

On a motion made by Mr. Williams and seconded by Mr. Tice it was unanimously **VOTED** to grant exceptions to the [Site Plan Submission]Requirements under Section 1, as listed on a letter dated July 18, 2008.

On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to waive the Section 7. Fees.

Mr. Stevenson asked if there was anyone present who would like to offer public comment. Francene Amari-Faulkner asked Mr. Bearfield if he would disclose the names of his investors. She also asked a few questions about whether Larry was applying for a special permit for a retail business. Mr. Stevenson explained the purpose of tonight's site plan review; it was a change of use, from a smaller store to a larger store.

On a motion made by Mr. Tice and seconded by Mr. Carpenito, it was unanimously **VOTED** to continue the Public Hearing to September 9, 2008 at 7:30 p.m.

### **Highland Building Study Group – Report**

Board of Selectmen

August 12, 2008

Approved by Board of Selectmen -9/9/08

Mr. Stevenson thanked the Highland Building Study Group for their work on this report.

Mr. Carpenito said the members on the committee are Bob Stone, Ken Hoffman, Bob Hilton, John Ballantine, Dale Ryder, Wendell Sykes and himself. Mr. Carpenito spoke for the group. Mr. Carpenito said initially they looked at all of the options and they decided that the building was worth saving. He read highlights from the report presented. He said a determination was made that the decision regarding the Highland Building must be lifted from the School Committee. Mr. Carpenito read the Study Group's Recommendations: 1)The Carlisle Board of Selectmen takes control of the Highland as soon as possible; 2)A plan that presents a logical thoughtful process justifying the expenditure of CPA funds, approximately \$409,000.00, to stabilize the Highland is immediately prepared and presented to the Town Meeting; 3)Immediately following item #2, a repair RFP (estimated cost \$409,000) is created, issued and awarded for stabilization of the Highland Building; at the same time a Highland Building Committee, in parallel with the School Building Committee, would begin an in depth study of all the possible adaptive re-uses of the building as presented in this report; 4) Repairs are completed to stabilize the building by October 2009, if not earlier, 5) Adaptive re-use options studies for the stabilized Highland Building are presented to the Town of final determination of use.

The Committee also discussed two other options. One option was to demolish the Building; however the committee felt that the building had value, that is, financial value, historical value, and architectural value. The cost to demolish the building was approximately \$133,000.00. The other option was to move the building, but that did not seem logical either. The cost for that was \$333,000. The moth-balling option, which is basically repairs to the exterior problems, was \$114,195.00. Mr. Carpenito said the School Committee was very understanding and they want to come to a conclusion that works for everyone.

Dale Ryder and Bill Fink spoke briefly about supporting the Highland Building Study Group. In reply to Mr. Williams, they said they could foresee using the building for Town offices. Mr. Hult said that it is important to keep the Highland Building project separate from the School Building Project. Mr. Hult also praised the Highland Report. He added that the next steps should be to prepare the Town. He suggested that perhaps the Board should have one or two public sessions for Public input.

Thornton Ash from the Finance Committee asked about the uses of the Highland Building. Would they be Administrative or Recreation Commission? David Verrill from the Finance Committee asked if any of these uses could bring in any money.

Mr. Stevenson asked that the Highland Building Report be made available for other Boards and Committees to review. Mr. Tice suggested posting the report on the website for everyone to view. Mr. Stevenson said the Board should begin thinking about what their next steps will be. He and Mr. Tice are the liaisons to the School and they will add this to their responsibilities.

### **Finance Committee Update**

Finance Committee Chairman David Model spoke to the Board about the upcoming year. He said it is very early in the process, noting that everyone did a good job last year FY09. David said every year is different. He said new growth is still down but it seems that the Town will receive a little more in Chapter 70 aid. He said tonight the FinCom wanted to discuss three things to keep in mind. He said first, this is the second year of flat time. Secondly, the Town will have to continue to prioritize projects. David said the assessment ratio [at CCHS] is not going up this year but it will go up in 2011. David also said it is important to keep in mind the school project.

Mr. Stevenson said that setting the tone last year that things were flat helped us through the process from the beginning. Our goal last year was to minimize, and we will have to look at that again so we do not raise taxes. Mr. Stevenson talked about money the Town receives from the State and the unpredictability of the estimates.

David said the main thing is to prioritize projects and to stay focused.

Mr. Hult spoke briefly about the School Building project. He talked about the school population and enrollment. He said it is in the high 700's. He said from the financial stand point, the Board should

Board of Selectmen

August 12, 2008

Approved by Board of Selectmen -9/9/08

start working with the school administration and perhaps discuss what a school's financial structure would look like with a 600 person school versus a 780 person school.

Mr. Hult added that he felt we had fallen behind on the capital plan. David agreed that it is important to maintain a list. Mr. Stevenson thanked the Finance Committee for their hard work.

#### **Conservation Restriction – Valentine**

Mr. and Mrs. Valentine, of 566 Acton Street and owners of Stillmeadow Farm have decided, for estate planning purposes and insuring preservation, to place 150 acres into Conservation Restriction. The Valentine's attorneys have filed the necessary documents with the Planning Board and the Conservation Restriction Advisory Committee will review and make comments for the Board of Selectmen at a future meeting. The Board said this was a very generous offer from the Valentine's.

#### **Formation - Carlisle Energy Task Force**

The formation of this committee was postponed to a future meeting.

#### **Formation - Town Common Circulation Task Force**

Mr. Stevenson explained that this is a committee that would assist in completing the pathways around the Town Common.

On a motion made by Mr. Tice and seconded by Mr. Carpenito, it was unanimously **VOTED** to appoint Alan Cameron (Honor Roll & Unitarian Church), Jack Troast (Pathways), and Marc Lamere (Planning Board) to the Town Common Circulation Task Force.

#### **Liaison Reports**

Mr. Tice said the Accessory Alternative Clean Energy Generation Committee will meet in September. Mr. Tice spoke about CCTV and their recent planning session. Mr. Tice suggested that more Carlisle Boards televise their meetings. He also mentioned as a general announcement, that on February 17, 2009 all the local channels will be *going digital*.

Mr. Williams said the Housing Authority RFP for the Benfield property will be published in the newspaper on Wednesday August 13<sup>th</sup>.

Mr. Carpenito said in regard to the Pathways, the contractor will come back during the week of August 24<sup>th</sup> to put on the top course of paving. He might do Church Street too. In three to four weeks, or late September the chip-sealing will be done. Mr. Carpenito said the Pathway Committee is considering ideas on how to spend the remaining amount of their money. Some of the suggestions were – chip-sealing everything, the Church Street leg, the Fern's connection, or the ATM leg. They are looking to the Board of Selectmen for direction. The Board will discuss this matter again in September.

#### **Appointments**

On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to appoint J. Thomas Brownrigg to the Conservation Commission for a three year term that will expire on June 30, 2011.

On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to appoint Jeffrey Bloomfield to the Recreation Commission for a three year term that will end on June 30, 2011.

On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to appoint Steven Pearlman from the Housing Authority and Kelly Guarino from the Conservation Commission to the Community Preservation Committee for one year.

On a motion made by Mr. Williams and seconded by Mr. Tice it was unanimously **VOTED** to accept Tim Hult's resignation from the School Building Committee.

On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to appoint Doug Stevenson to the School Building Committee.

Board of Selectmen

August 12, 2008

Approved by Board of Selectmen -9/9/08

The Board reviewed the documents from the School Building Committee relative to the selection of the Owners Project Manager.

On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to approve the School Building Committee's recommendation of Daedalus Project Inc. as OPM for the School Building Project.

**Minutes**

The Minutes from the Board of Selectmen meeting of July 22, 2008 were approved as presented.

The meeting adjourned at 10:15 p.m.

Respectfully submitted by Margaret M. deMare