

BOARD OF SELECTMEN

December 23, 2008

Minutes

The Board of Selectmen met on Tuesday, December 23, 2008 in the Town Hall Clark Room. Those present were Selectmen Douglas A. G. Stevenson, John D. Williams, William R. Tice, Jr., Alan Carpenito, Timothy F. Hult, and Town Administrator Madonna J. McKenzie.

Town Administrator Report

Mrs. McKenzie reminded the Selectmen of the *Employee Appreciation* event at the Fire Station on January 14th. The second item Mrs. McKenzie spoke about was the *New Trench Safety Regulations*. She said the Trench Opening Permitting Officer, John Luther has provided proposed fees for this service. She asked the Selectmen to review the proposed fees. The Board had various questions on the fees. Mr. Stevenson commented that the fees seemed to be on the high side. The Board asked if Mr. Luther could come to the next meeting to provide an explanation on how the fees were determined.

Mrs. McKenzie said a representative from the Division of Energy Resources under the Energy Audit Program has visited the Town buildings and is in the process of drafting recommendations for the community. These recommendations will be shared with the Board when they are complete.

Mrs. McKenzie gave the Selectmen a copy of a document Finance Director Larry Barton received from Moody's Investors Service. The document confirmed the Town's rating of Aa2.

Cemetery Deeds

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

On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to transfer to John and Patricia Laskey of Carlisle, Massachusetts, Deed 629 for Cemetery Lot D288, Graves 1 through 4 and Deed 630 for Cemetery Lot D289, Graves 1 through 4 and in the Green Cemetery.

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On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to approve the Minutes to the Meeting of December 9, 2008 as presented.

Liaison Reports

Mr. Williams reported that last Thursday the Housing Authority chose a developer. He said the Housing Authority and Elizabeth Barnett have done a very good job. Mr. Williams said they would like to discuss their progress at a future Board of Selectmen's meeting.

Mr. Tice said a few nights ago the High School had their holiday performance and it was simulcast to their sister-city in Japan by CCTV.

Mr. Stevenson spoke about the FinTeam meeting this morning. He said Priscilla reported that Schedule A was sent to the State. Priscilla also said local receipts were coming in slowly. Mr.

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Stevenson said the FinCom reported that the Guideline letter would be sent out within a few weeks. He said it was noted at the meeting again that no additional Free cash will go into the operating budget. Mr. Stevenson said at this point the Town is still \$80,000 off from the High School's request. Mr. Stevenson said the Town Clerk has requested to be at the next Selectmen's meeting to discuss fees.

Mr. Hult said he and Mr. Carpenito met with the negotiating team that is working on an agreement with the Communications Department. Mr. Hult also spoke about the Parish Committee of the First Religious Society. He said they have approved the design of the Honor Roll Memorial. On that subject, Mr. Stevenson said the next step will be to obtain an application from the Historical Commission.

Mr. Williams said he met with the teacher's negotiations group yesterday and they are making progress.

Highland Update

Mr. Carpenito said the Highland Building Study Group met last week. At that meeting they decided to obtain a Community Preservation application and then meet with the CPC in January. In reply to Mr. Hult, Mr. Carpenito explained that by requesting \$409,000.00 the building could be brought to a safety and preservation level. With that amount, Mr. Carpenito said the porch would be rebuilt, it will have fire safety, that is, a cistern and sprinkler system, plumbing, heating, and electrical repairs. Mr. Carpenito said the roof leaks and it would be repaired. The building would be usable on a limited basis, but it would have the fire safety that is so critical. The \$409,000.00 includes no educational uses, and it would not make the building ADA compliant. In reply to Mr. Stevenson, Mr. Carpenito said the cost for the demolition of the building is approximately \$134,000.00. The Board briefly discussed how they will put this item on the warrant. Mr. Hult said the warrant article depends on the Selectmen's discretion.

Open Warrant for Annual Town Meeting

On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to open the Warrant for the Annual Town Meeting of May 4, 2009.

The Board reviewed the Timeline for the Annual Town Meeting and Mr. Stevenson brought the Boards attention to some of the upcoming joint meetings with the FinCom and the Town Caucus which is scheduled on March 2nd.

Mrs. McKenzie presented two potential warrant articles from the CCRHS.

Audit Report

Mrs. McKenzie announced that the Audit Committee would not be able to attend the Selectmen's meeting as scheduled at 8:00 p.m. This item was postponed until the January 27, 2009 meeting.

Valentine Conservation Restriction

Mr. Hult spoke briefly about this matter. He reviewed what had transpired with the Valentine Conservation Restriction a few months ago. He said the conservation restriction would contain 17 building lots on about 190 acres. Mr. Hult said the State has some questions relating to 5 of the 17 building envelopes where the plan has been to locate the septic facilities within the restriction area. He said the State did not want to approve a restriction with the septic facilities within the area. Mr. Hult said as an alternative, the Carlisle Conservation Foundation has suggested a conservation easement. Mr. Carpenito asked if the Conservation Restriction Advisory Committee would oversee these restrictions. Mr. Hult said CCF will do a majority of the work.

The Board took a brief recess until the Planning Board members arrived for the next agenda item.

Planning Board /Wireless By-law

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Michael Epstein from the Planning Board was present to discuss the changes to the Wireless By-law. He said he has been working with Peter Yelle, Brian Larson and David Freedman, who complete the Wireless Bylaw sub-committee. Michael said the Planning Board would like the 'new' Wireless By-law to be placed on the annual Town Meeting warrant. He said the Planning Board will be holding a Public Hearing in January for the Wireless By-law. Michael requested that Town Counsel review the new Wireless Bylaw prior to the Public Hearing.

Michael gave a brief history on the wireless issue in Carlisle starting from 1997. He said in 1999 there was a study group which implemented a 900 foot setback. In 2006 the Board of Selectmen put together the sub-committee that he has been working with. He said they have made changes to the bylaw that would keep a very low impact affect on the Town and its characteristics.

He spoke about the four wireless facilities in Carlisle, which are: 871 Bedford Road (Anderegg), 1022 Westford Street (Sorli), 27 School Street (FRS), and 886 Lowell Street (Erickson).

Michael provided a chart that showed the proposed changes to the existing wireless bylaw, as opposed to the way they are now. He said bylaws of this type have to be looked at periodically. Afterward the Board asked Michael and the committee several questions. Mr. Stevenson asked Michael to ask the 1999 Wireless Committee to review the changes to bylaw.

Valentine Conservation Restriction (con't)

Attorney Tuchmann was present representing the Valentines. He said that the item tonight was a recrudescence. He explained briefly all of the steps and the procedures the Valentines have followed to get to this point for the Conservation Restriction on their 156 acres of property on Acton/West Street. Attorney Tuchmann said all of the hurdles were crossed without any problem until the Conservation Restriction was brought to the State for final approval. He said a problem was found with septic systems on five of the lots. Mr. Tuchmann explained that problem was remedied by creating a Conservation Easement to the Carlisle Conservation Foundation and the Conservation Commission.

On a motion made by Mr. Tice, and seconded by Mr. Williams, it was unanimously **VOTED** to approve the modified Conservation Restriction for the J.H. Valentine, Jr. and Elizabeth H. Valentine property in the West Street-Acton Street area in the Town of Carlisle.

On a motion made by Mr. Tice and seconded by Mr. Williams it was unanimously **VOTED** to authorize the Carlisle Conservation Commission to accept the Conservation Easement that has been proposed related to the Valentine property in the Acton/West Street sector in the Town of Carlisle, one easement on five parcels.

The meeting adjourned at 9:30 p.m.

Respectfully submitted by Margaret M. deMare