

BOARD OF SELECTMEN

July 12, 2011

Minutes

The Board of Selectmen met on Tuesday, July 12, 2011 in the Town Hall Clark Room. Those present were Selectmen Peter Scavongelli, John Gorecki, John D. Williams and Timothy F. Hult.

Vice-Chairman Peter Scavongelli presided over this evening's meeting as Chairman Doug Stevenson was on family vacation. Mr. Scavongelli noted that Town Administrator, Tim Goddard would not be present this tonight.

Mr. Scavongelli said he and the Board would like to thank Florence and Dave Reed and the entire Old Home Day Committee for their hard work on the Fourth of July weekend.

Town Administrator Report (Mr. Scavongelli read this report.)

The Town is renewing its Workers' Comp and Property & Casualty insurance with the Mass. Interlocal Insurance Association (MIIA). The Town Administrator informed the Board that due to the Town's participation in MIIA's Loss Control program and our own efforts to manage risk town-wide we have earned participation credits that will result in almost a 32% discount to our Workers' Comp and Property & Casualty premiums this year.

The Town's electricity supply agreement with Constellation NewEnergy expires in December 2011. Mr. Goddard has begun a successor agreement with them and we have the ability to enter into a 24 month contract at rates that are nearly \$0.02/kwh less than what we are currently paying.

On a motion made by Mr. Gorecki and seconded by Mr. Williams, it was **VOTED 4-0** to approve renewing the contract with Constellation New Energy in the form presented to the Board on behalf of the Town; and specifically authorize the Chair of the Board of Selectmen or the Town Administrator to execute and deliver the contract and take any additional action that he, with the advice of counsel, deems reasonable or necessary to consummate the contract.

The Attorney General has still not officially approved 'remote participation at public meetings'. Enclosed in the Board's materials this evening were the proposed regulations which will be the subject of a public hearing at the State House in September. The draft regulations provide for remote participation only if a quorum (including the chair) is physically present at the meeting. As currently drafted, the Board of Selectmen would have to vote to allow all Town Boards and Committees to avail themselves of remote participation. Mr. Goddard will keep the Board apprised of any changes.

The Board is in receipt of a letter from resident Mark Hersey who has offered his services to conduct a pro bono audit of the Town's technology capabilities and needs as a precursor to developing a Technology plan. There have been discussions on forming a committee that would be charged with putting a five year technology plan together and this could provide the committee with a solid baseline of information and data to initiate that planning effort. The Board was grateful that Mr. Hersey offered his services. Mr. Hult suggested that at the next meeting this matter should be discussed further and perhaps an ad hoc committee could be formed to assist Mr. Hersey.

Warren Lyman, Debby Geltner and Alan Ankers were present from the Cranberry Bog Restoration Committee. Warren explained the Change Orders for the Cranberry Bog House project. He prepared a list (attached hereto) of five change orders for consideration. He said the first three were items that were in the original invitation to bid however, the committee reconsidered placing them on the bid as they were

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concerned that they would not have enough money. The last two items relate to the structure of the building. Warren said he was asking the Board to approve all of these change orders, knowing that they add up to \$31,843.00 which is a significant amount of money. He said they were not going to do all of these change order items at once; that is; they would hold off and see what more important items may appear. Their plan was to do items 2, 4, and 5. In response to Mr. Hult, Alan Ankers said as they were ripping things apart they found a lot of water damage. He seemed sure that they have found everything. In response to Mr. Gorecki, Warren said the project should be done in 2½ to 3 months.

On a motion made by Mr. Hult and seconded by Mr. Gorecki, it was **VOTED 4-0** to approve Change Orders No.1181, 1182, 1183, 1185, and 1186 for the Cranberry Bog House Preservation Project with a not to exceed amounts for each Order on the schedule provided 7/12/11.

The Board of Health is sponsoring a Tabletop Emergency Planning Exercise on Tuesday, July 19th at 6:30 p.m. in the Clark Room. The exercise will be for a hurricane event specific to Carlisle and it is expected that the Town of Concord public safety departments will join with our own departments for this planning exercise. Chief-elect Fisher will be able to join us in an unofficial capacity as well. Selectmen and other Town officials are invited to participate as well.

CCHS Building Project Update

Carla Johnson, Louis Salemy, Stan Durlacher and CCHS Superintendent Diana Rigby were present for this discussion. Chair of this School Building Committee Carla Johnson spoke to the Board. She said the Committee met with the State last week and they approved the education specifications.

She said the Building Committee, the Architectural team, and engineering team is meeting together to discuss costs. She said to keep in mind that their goal was to maintain efficient energy costs. Louis said they were moving full steam ahead with the schematic design. Carla said the schematic design needs to be submitted to MSBA by August 19th.

On August 1st the document from the Engineers and Architects relative to costs is due to MSBA.

In response to Mr. Williams, Louis said there was no change in the reimbursement or non-reimbursement. Mr. Williams said the last time you showed us several options. He said he would like to know more about the repair, renovation, and bringing-up to code option. Carla said if \$75million is the goal, we would not have the necessary square footage required by the education specification and we would not be following the MSBA guidelines and therefore not be eligible for reimbursement. The financial burden would be on both Towns.

Stan Durlacher, committee member spoke to the Board. He said the \$70million was basically for replacing the infrastructure, that is, to fix up the walls, the roof, and mechanical electrical systems. It was simply to fix the accreditation and the physical out-side envelope. Stan said the reason the State would not support this was the energy requirements that the State would mandate could not be done with a footprint of the school that exists currently. He said if you look at the perimeter walls to the roof area of the School, it does not meet State code. Stan said that is because it is a pancake, a flat building.

Mr. Williams asked if the second gymnasium was being kept out of the project. Louis explained it has to be a separate distinct unit because the state does not support after school athletics. It cannot be apart of the big facility, it has to be kept separate for cost reasons.

Mr. Hult said this schedule takes us to approximately November for a Special Town Meeting. He asked Louis and Carla to give the Board at least 90 days notice of an upcoming Town Meeting.

Mr. Scavongelli asked if there were anymore items the Board should be aware of. Louis said there was the Schematic Design submittal at the end of August. He said at the end of September there will be a meeting of the full MSBA Board.

Building Commissioner – Report on Additional Hours

Mr. Scavongelli asked Building Commissioner John Luther how his new schedule was working out. A few months ago, Mr. Luther asked the Board to allow him to work on Monday in addition to Tuesday, Wednesday and Thursday. He said he is still working on budgets. John said since he started the 4 day week,

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he has been able to answer questions and is more available to residents. He said the Building Department is funding themselves, and not costing the Town any money.

Mr. Hult asked John about the Stretch Code. Has the stretch code made a significant amount of work for John since it has passed? John replied, not as much as he thought it would.

Discussion of Meeting Schedule/FY12 Goals Meeting

The Board briefly discussed their Summer meeting schedule. Mr. Scavongelli said in regard to the next three meetings; July 26, August 9th and August 23rd, he would not be able to attend the last meeting. Selectmen Hult, Williams and Gorecki were available for all of the above meetings. Chairman Stevenson, who was not present, will be consulted as to whether he would like to schedule the *Goals Setting* meeting on August 9th.

Liaison Reports

Mr. Gorecki reported on the Financial Management Team meeting that occurred this morning. He said everything in the year-end process was moving along in the accounting department. There were no final numbers yet. There was a discussion on Reserve Fund Transfers, but again the figures were not final. Mr. Gorecki noted that the check from Wheelabrator had been received at Town Hall during the first week of July however we have not received the check from FEMA for the January snowstorm.

Mr. Williams said unfortunately the Investment Advisory Committee did not meet as planned last night. He said as soon as they re-schedule they will prepare a report for the Board of Selectmen.

Mr. Hult said a meeting was scheduled at the Minuteman Regional School on Monday, July 11th, for Town Administrator's and other Town Officials. He said the newspaper reporter, who Mariellen Perugini invited was turned away. The Superintendent determined that the meeting was only for Town Administrator's. Mr. Hult said we will move forward with scheduling a meeting with other Towns. He said he would work with Mariellen on this.

Mr. Hult said the facility is in trouble, and they do need a new facility. He said there are two things going on; 1) how we allocate the funding of that amongst the member towns, 2) how the 40% of the students who do not come from those member towns participate in the funding of that. Those are our concerns.

Executive Session

At 8:10 p.m. a motion was made by Mr. Gorecki to go into Executive Session pursuant to MGL Ch. 30A, §21(a) (2) and (3) to discuss strategy pertaining to both negotiations with nonunion personnel and to litigation as discussing the matter in open session would have a detrimental effect on the Town's bargaining and litigating positions. The motion was seconded by Mr. Williams and the following roll call vote was taken: Scavongelli – aye; Gorecki – aye; Williams – aye; and Hult – aye.

Respectfully submitted by Margaret deMare