

BOARD OF SELECTMEN

September 10, 2013

Minutes

The Board of Selectmen met on Tuesday, September 10, 2013 at 7:00 p.m. in the Town Hall Clark Room. Those present were Selectmen Timothy F. Hult, John Gorecki, Peter Scavongelli, John D. Williams and Douglas A. G. Stevenson. Town Administrator Timothy D. Goddard was also present.

Also in attendance:

Joan Wickman, Carlisle Public Schools Superintendent

Mary Storrs, School Committee Chair

Lee Storrs, School Building Committee Chair

Larry Barton, Finance Director

Dennis Regan, Permit Representative – NationalGrid

David Flannery, Fire Chief

Marc Lamere, Planning Board Chair

John Fisher, Police Chief

Attorney Tom Harrington, Town Counsel

Larry Bearfield, Ferns Country Store

Welcoming the new Superintendent, Joan Wickman

Mary Storrs, Carlisle School Committee chair was present to introduced Joan Wickman, the new Principal/Superintendent at the Carlisle Public School. Mary spoke about the Superintendent search process which began in February 2013. She said they interviewed many great candidates however in May, they chose Dr. Wickman. Mary said the School Committee is very excited to have Dr. Wickman working with them.

Dr. Wickman thanked the Board for inviting her to this meeting and she said it is an honor to serve the Carlisle community. She said it was a very smooth transition; and there is tremendous team effort at the school. Dr. Wickman spoke about her background. She said one of the big attractions about being in Carlisle is that she can be a Principal again and interact with the teachers and students which she enjoys, and work as a Superintendent.

Mr. Scavongelli welcomed Dr. Wickman to the Carlisle community.

Mr. Hult said one of the most important things in this small Town environment is to preserve excellence in education.

Mr. Stevenson welcomed Dr. Wickman to the Carlisle schools too. He said he was looking forward to her leadership.

Mr. Williams and Mr. Gorecki also welcomed Dr. Wickman to Carlisle.

School Building Committee – Progress Report

Lee Storrs was present to give the Board an update on the Carlisle School Building project. He said they are in the final throes of the project. Lee said at the Board's last meeting there was a very significant Change Order with the Contractor. He said they are finishing up the final punch list items. Lee said to give an example of where they are financially; the Town had voted to approve \$19,550,000.00 and it looks like the final costs will total \$19,026,089.42. He said there remains about \$400,538.25 of unexpended funds.

Board of Selectmen

September 10, 2013

1

Approved: Sept. 24, 2013

Lee said hopefully over the next six weeks they will wrap up the remaining items and recommend final payment for same and go back to MSBA to discuss the Change Orders. He said they have made some preliminary determinations regarding the Change Orders. He said there have been a total of 21 Change Orders for this project.

Mr. Stevenson asked about the amount of money the Town has received so far from MSBA for this project. Lee said it was his understanding that MSBA was funding 40% of all eligible costs. Larry said the original estimate was slightly under \$7million. Larry said when we went to contract for the construction of the project that number was revised down to \$6.7million. He said given how the project has developed thus far with the Change Orders, it will most likely come in at \$6.4million. He said we have received about \$6.1million. Larry said we have already bonded about \$13million. He believes we will not have to bond any additional money.

Lee said there were some discussions about the tax credits and HMFH. He said HMFH has requested the tax credits, which the Town is not eligible for because it is a public entity. He said HMFH also put forth a request for some extended construction administration and in discussion with them earlier they have since withdrawn their request for the additional construction administration provided that the Town sign-over the tax credits.

Lee said a motion was not necessary tonight on this matter.

Mr. Stevenson said he would like to inform HMFH that the Board is in agreement in regard to passing over the tax credits. He said the Board will work on the right language for a motion.

Mr. Hult said the School Building Committee has been working on this project for nine years and Lee has been a great leader in the project.

Public Hearing – Grant of location for Gas Main on South Street

On a motion made by Mr. Scavongelli and seconded by Mr. Williams, it was unanimously **VOTED** to open the Public Hearing for a grant of location for a gas main on South Street.

Dennis Regan, Permit Representative from NationalGrid was present to ask the Board to approve their request to install and maintain approximately 208 feet, more or less of 2 inch gas main in South Street, Carlisle, MA, starting from the existing 2 inch gas main near Wildwood Drive westerly to house #393, for a new gas service.

Mr. Scavongelli asked about disruption of traffic on South Street while construction is going on. Mr. Regan assured the Board that he will consult with the DPW prior to construction.

In response to Mr. Williams, Mr. Regan said this particular construction will take about three days to complete.

On a motion made by Mr. Scavongelli and seconded by Mr. Gorecki, it was unanimously **VOTED** to close the Public Hearing.

On a motion made by Mr. Scavongelli and seconded by Mr. Williams, it was unanimously **VOTED** to approve the requested gas main location on South Street, Carlisle, MA as described in the August 2, 2013 petition of NationalGrid and to authorize the Chairman to execute the Order for Gas Main Location on behalf of the Board; provided that before beginning the work, NationalGrid shall consult with the Carlisle Police Department on traffic safety issues.

Update on Proposed ALS Legislation

Fire Chief David Flannery was present to talk to the Board about a Petition accompanied by House Bill No. 863 relative to insurance payments for use of ambulance services. Chief Flannery said presently Carlisle bills directly for our ambulance service and the revenue from that goes directly into an account which we regularly draw from. He said approximately 50% of the receipts goes to the operating budget for the Fire Department Ambulance service. Last year we had an excess of about \$80,000.00 income so \$40,000.00 of that amount went into the Capital fund for the purchase of an ambulance.

Chief Flannery said the state and insurance industry are trying to regulate two things which would have a negative effect on our community. He said there is a move to regulate the setting of the ambulance rates by the state and insurance companies and take that away from the local authorities; and allow the insurance

companies to send the payment for the ambulance charge directly to the patient. He the Massachusetts Fire Chiefs have been working with the legislative agents over the past few years and they have a Bill before the House that was sent on to the Joint Committee on Health Care and Financial Services. Chief Flannery said this Bill is now with that Committee and he asked the Board of Selectmen to become familiar with this House Bill 863 & 862 because they both have the ability to protect our revenue that we use locally to run our ambulance service and pay for our capital equipment. He said secondly we are in the consortium with (8) eight other communities that operate and maintain Advanced Support Life Service. The revenue we receive makes it possible for us to pay for the ALS service without any charge to the taxpayer. If they do not prevail we will have a revenue stream problem and the funds will have to come from the taxpayers. He asked the Board to support the passage of these two Bills as they have a significant impact on the Town of Carlisle. In reply to Mr. Scavongelli, Chief Flannery said this Bill will give Carlisle the majority of services that we are likely to take advantage of, instead of the minority.

Mr. Stevenson said in clarification; this Bill is to ensure that when we provide the Town services, we will be able to set the rates for our ambulance service, and ensure that the insurance company pays the Town instead of the patient.

Discussion with Fire Chief and Planning Board Chair – Telecommunications Tower & Proposed New subdivision Regulations

Telecommunications Tower

Planning Board chairman Marc Lamere spoke to the Board about a memo that was sent by Chief Flannery regarding a separate wireless tower that would be placed on top of the Carlisle Public School. He said the Planning Board checked the Regulations to see what would be the correct review process to follow. Marc said they determined that the right process is the site plan review process. Marc said they met with Town Counsel to confirm that their decision was accurate and Attorney Tom Harrington, who was also present tonight, agreed that it is.

Marc said that Chief Flannery does not have detailed plans for the tower yet, however when he does, he will have to come before the Board of Selectmen to start the site plan review process, which is a 45 day process. Mr. Hult asked Chief Flannery what he had in mind, time-wise for construction. Chief Flannery said he would like to begin construction one year from now. He would like to have the plans ready and begin the site plan review within 90 days.

Chief Flannery said at the 2012 Spring Town Meeting there was an appropriation made through the Long Term Caps in the amount of \$31,192.19 to replace the emergency generator at the Fire Station. He said the present generator is 28 years old and it is undersized due to the added equipment in the building. He said he was recommending tonight that the Board approve \$31,192.19 for the purchase of a replacement generator from Southworth-Milton CAT, who has supplied emergency generators to many municipalities in Massachusetts. Chief Flannery also recommended that the old Kohler generator be repurposed to the Carlisle DPW for use at the transfer station as a back-up power.

In reply to Mr. Hult, Chief Flannery said this is the installed cost. The amount appropriated was \$35,000.00.

On a motion made by Mr. Williams and seconded by Mr. Gorecki, it was unanimously **VOTED** to approve the purchase of an emergency power generator from Southworth-Milton CAT Power Systems in the amount of \$31,192.19 to replace the Kohler emergency power generator at the fire station.

Proposed New subdivision Regulations

Marc Lamere said the Planning Board has been working on updating the Rules and Regulations that govern the Sub-division Plans. He said this started a few years ago when former Planning Board member Dan Holtzman, a civil engineer who was well versed in stormwater regulations, started to review the stormwater regulations. He found a few places that could be changed. Marc said that is when the Planning Board decided to go through all of the rules and regulations to see which others may need enhancing and then go

through a public hearing process. He said they provided copies of the updated rules and regulations to Nitsch Engineering, Places Associates, Inc. (an engineering firm), and Town Counsel for review.

Marc said the Planning Board is holding a Public Hearing on Monday, September 30th at 7:45 p.m. A copy of the Rules and Regulations with the changes outlined is available on the Town website and at the Planning Board office.

Marc said the Planning Board will make a decision to accept the updated Rules & Regulations at a subsequent meeting.

Mr. Stevenson asked if the enhancements will add to the cost of doing business in Carlisle. Marc said he did not think the Planning Board raised costs. Their intent was to make this a more consistent document.

Mr. Hult asked Mr. Williams and Mr. Stevenson to go through the updated Rules and Regulations and we will discuss them at our next meeting.

Recommendation to hire new Police Officer

Police Chief John Fisher was present to discuss hiring a new police officer. He said he is recommending hiring part-time special officer Christian Seminatore. The Chief said Special Officer Seminatore has worked in Carlisle for 3 ½ years. Chief Fisher said Special Officer Seminatore is part-time academy certified and therefore will have to attend the academy in the spring to become certified.

On a motion made by Mr. Stevenson and seconded by Mr. Williams, it was unanimously **VOTED** that upon Chief Fisher's recommendation, the Board appoints Christian W. Seminatore of Revere, Massachusetts as a Patrolman for the Carlisle Police Department.

Chief Fisher spoke about Joseph O'Hearn who is a senior at UMass Lowell. He is majoring in criminal justice and looks forward to working as a police officer. The Chief said he worked as an intern at the Carlisle police department last year. Currently he has been accepted into the reserve academy (part-time). He said they would like to have him as a part-time police officer.

On a motion made by Mr. Stevenson and seconded by Mr. Williams, it was unanimously **VOTED** that upon Chief Fisher's recommendation, the Board appoints Francis Joseph 'Joe' Ahern of Hudson, New Hampshire as a part time officer with the Carlisle Police Department.

Chief Fisher spoke to the Board about the purchase of a new police vehicle. He presented a quote for a Ford Police Interceptor Sedan FWD, per the Greater Boston Police Council Contract RFB # GBPC 2013 – Law Enforcement Equipment Ford. Chief Fisher said he requested \$33,061.00 for the car however there is one item the car did not come with, which was a Blind spot monitor. He said he had to add this feature on and it brought the cost up.

In reply to Mr. Gorecki, Chief Fisher there were no hybrid vehicles on the list.

On a motion made by Mr. Scavongelli and seconded by Mr. Gorecki, it was unanimously **VOTED** to authorize the Police Chief to purchase the police cruiser as presented at tonight's meeting.

Mr. Goddard said per the Board's decision, he prepared Addendum #2 to Chief Fisher's employment agreement. Mr. Goddard noted that the Addendum reflects a 2.5% salary increase for FY14.

On a motion made by Mr. Stevenson and seconded by Mr. Williams, it was unanimously **VOTED** to approve Addendum #2 to the employment agreement between the Town of Carlisle and Chief John Fisher indicating his annual compensation at \$126,444.00 for the period of July 1, 2013 through June 30, 2014.

Quarterly status report/update – Town Counsel

Attorney Tom Harrington from Miyares and Harrington was present. He said the last four months have been very productive. Attorney Harrington said he and Attorney Heep met with as many Boards as they could and made sure they were up to speed on ethics issues and open meeting law issues. Attorney Harrington said he met with the Planning Board and helped them with their Rules & Regulations and he also

met with the Zoning Board of Appeals, Conservation Commission, Board of Health and Carlisle Affordable Housing Trust, and the Building Commissioner.

The next meeting they have scheduled is with the Community Preservation Committee; however he has met with Luke Ascolillo.

Attorney Harrington said one of things he would like to report on is relative to the Community Preservation Committee. He spoke to Luke Ascolillo about a grant agreement. He explained that when a project is submitted to the Community Preservation Committee and they chose to have it placed on the Warrant, Town Counsel will come in and introduce the grant agreement which will specify the terms of the deal, that is what we are giving, what we expect of them, and what will happen on the project if they don't deliver. He said this will better educate the Town at Town Meeting.

In response to Mr. Hult, Attorney Harrington said they have not experienced any surprises and there are no particular concerns now. He added that in talking with various Boards, they decided to do an educational piece, perhaps on 61A 61B, 61C. for a few selected Boards. Mr. Williams said he liked that idea. Mr. Hult agreed.

Cemetery Deeds

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

On a motion made by Mr. Stevenson and seconded by Mr. Williams, it was unanimously **VOTED** to transfer to Norman and Annie Fredkin of Carlisle, Massachusetts the following: Deed No. 668 for Cemetery Lot D 281 Graves 1, 2, 3 and 4 in the Town of Carlisle, Green Cemetery.

Appointments/Resignations

On a motion made by Mr. Stevenson and seconded by Mr. Williams, it was unanimously **VOTED** to accept the resignation of Kevin T. Smith from the Carlisle Zoning Board of Appeals with gratitude for his service.

On a motion made by Mr. Stevenson and seconded by Mr. Williams, it was unanimously **VOTED** to appoint Luke Ascolillo as the Conservation Commission's representative on the Community Preservation Committee for a term that will end on June 30, 2014.

Town Administrator Report

1. Mr. Goddard said he recently attended a meeting at the Minuteman Regional School where the preliminary draft conclusions of the Regional Agreement Task Force were discussed. He said one of the major changes proposed is a new capital formula which is based partially on 'ability to pay' as measured by the Department of Education rather than strictly on enrollment. He said attached to this report is a facility's agreement for out-of-district communities. Mr. Goddard highlighted some of the points in the agreement which were very positive. Mr. Hult said he would to meet with our Minuteman Representative and Wayne Davis, Mariellen Perugini, and Larry Barton to discuss this document. He said at the next meeting we will bring back to the Selectmen the results of that discussion and formulate a response.

2. Mr. Goddard spoke about a meeting he attended with the Mass Municipal Association where there was a discussion on OPEB and what communities are doing regarding their obligation to retirees. He said more communities have established trust funds and have started to fund them minimally. Mr. Goddard said as far as rating agencies are concerned, they prefer to see that like-rated communities are addressing the issue in a similar fashion. He said this may be something the Board would like to discuss with the Finance Committee at a future meeting.

Mr. Williams said at two Town Meetings ago we voted to establish the trust. He said we should move forward and form the trust. Mr. Hult asked Mr. Goddard to talk with Town Counsel about beginning the process of forming the trust. He added that the Board should discuss this matter with the Finance Committee.

3. Mr. Goddard said the Recreation Commission is interested in undertaking a Fields Needs assessment study similar to what the Town of Concord is doing by hiring a professional consultant. He said he and Larry Barton are looking into ways to fund the study as currently there is no appropriation for same.

Mr. Hult said he met with Rick Amodei recently. He said Gale Associates is the same organization that is working in Concord which makes a lot of sense because both communities work very close together. He said there is merit to this idea however we need to determine how to pay for the study which will cost about \$10,000.00

Mr. Williams spoke about the restrictions on natural turf. He said he would like to have more information about that. He said he would like this study to be done with and without housing at Banta.

Mr. Scavongelli said that it seems that RecCom is ready to engage Gale Associates, and all they need is the funding. Mr. Hult said he suggested to the Recreation Commission that come before the Board of Selectmen and explain what they recommending. Mr. Hult asked if he would Mr. Scavongelli work with them in formulating this recommendation.

4. Mr. Goddard said we have a proposed Proclamation declaring September 21st as Wounded Warrior Day in the Town of Carlisle. Larry Bearfield was present and he said this is the annual Wounded Warrior ride. He said the ride will begin at the Manse in Concord at 9:00 a.m. and will arrive at Ferns in Carlisle at about 9:30 a.m. for a water stop.

On a motion made by Mr. Stevenson and seconded by Mr. Gorecki, it was unanimously **VOTED** to accept the Wounded Warrior Proclamation.

Liaison Reports

Mr. Gorecki said at the Financial Management Team meeting this morning the School Business manager reported that she been working on on-line fee payments for various fees that the School charges and it has made a big difference time-wise.

The Town Accountant said she has been working on year-end reports. She said she is working on Free Cash and hopefully will have the documents submitted for that by the end of September. Schedule A will be done by the end of November.

In regard to 669 Bedford Road, it was reported that the Town now has possession of the building.

Mr. Williams said last Thursday a kick-off meeting was held for the Master Plan on the Goff property with Abacus and Associates present. He said it was a good meeting.

Mr. Scavongelli said the Highland Committee will be presenting their proposal to the School Committee in September and the Board of Selectmen in October.

Minutes

On a motion made by Mr. Stevenson and seconded by Mr. Scavongelli, it was **VOTED 3 yes 2 abstain** to approve the Minutes to the meeting of July 23, 2013 as presented

On a motion made by Mr. Gorecki and seconded by Mr. Williams, it was **VOTED 4 yes, 1 abstain** to approve the Minutes to the meeting of August 27, 2013 with amendments.

The meeting adjourned at 9:45 p.m.

Respectfully submitted by Margaret Arena