

## **BOARD OF SELECTMEN**

Tuesday, December 13, 2016

Minutes

The Board of Selectmen met on Tuesday, December 13, 2016 at 7:00 p.m. at the Town Hall (Clark Room). Those present were Nathan Brown, Luke Ascolillo, William Risso, Kerry Kissinger and Claude von Roesgen.

### ***Also Present:***

Town Administrator Timothy Goddard  
Silvia Willard, Wetlands Administrator  
Scott Triola, Finance Committee chair  
James Darr, Finance Committee  
Finance Director Kerry Colburn-Dion

### ***Community Input:***

The Board of Selectmen heard from Lyn Lemaire (West Street) regarding the proposed 40B project at 100 Long Ridge Road. Ms. Lemaire described the site as unsafe and risky in terms of the septic and drinking wells based on data collected by three (3) water quality experts. She requested that the Board of Selectmen schedule a future agenda item to discuss this important matter and urged the selectmen to make a strategic decision to defend the Town's zoning by supporting the Zoning Board of Appeals in retaining the legal services of Attorney Daniel Hill who is currently representing the abutters and has experienced with filing appeals with the Massachusetts Housing Committee.

### ***2017 Annual License Renewals – Fern's Country Store***

The Board of Selectmen met with Mr. Larry Bearfield, Licensee/Owner of Carlisle Center Ventures, LLC, doing business as Ferns Country Store at 8 Lowell Street in Carlisle. This agenda item was continued from November 22, 2016 for the purpose of notifying the direct abutters to allow them an opportunity to provide public input prior to voting on the license renewal for the on-premise sale of alcohol.

All license/permit fees have been paid in full and local inspections were performed by Police and Fire.

Note: Direct abutters were notified on 11/28/16 regarding this meeting and the pending license renewals for Calendar Year 2017. There were no objections or concerns regarding this matter.

### **Beer/Wine Package Store**

On the motion by Luke Ascolillo and seconded by William Risso, it was unanimously VOTED that the Board of Selectmen approve the renewal of the Off-Premise License application for Carlisle Center Ventures, LLC, doing business as Ferns Country Store as presented on December 13, 2016.

### **Common Victualler's license**

On the motion by Luke Ascolillo and seconded by William Risso, it was unanimously VOTED that the Board of Selectmen approve the application for a Common Victuallers License as presented by Carlisle Center Ventures, LLC, doing business as Ferns Country Store as presented on December 13, 2016.

### **BYOB (Carry-In) license**

On the motion by Luke Ascolillo and seconded by William Risso, it was unanimously VOTED that the Board of Selectmen approve the application for the Carry-In Liquor License for the Carlisle Center Ventures, LLC, doing business as Ferns Country Store as presented on December 13, 2016.

***Communication Dispatcher Appointment***

Chief Fisher has requested the appointment of a new dispatcher in the Communications Center. There were 30 individuals who applied for the open Dispatcher position. Twelve (12) finalists were selected for testing and interviews. The interviews were conducted by Chief Flannery, Mike Taplin, and Chief Fisher. The candidate being recommended for appointment is Joseph Bower of Lowell, MA. He has a Bachelor of Science Degree from Salem State University in Criminal Justice and currently serves as a guard at a federal facility. Mr. Bower proposed start date is December 14, 2016 with the approval of the Board of Selectmen. Mr. Bower will be scheduled to be trained for three (3) weeks in Carlisle before attending the mandatory State Dispatchers Academy in January for six (6) weeks. After the academy training he will return to Carlisle to complete his local training.

On the motion by Claude von Roesgen and seconded by William Risso, it was unanimously **VOTED** that the Board of Selectmen appoint Joseph Bower Lowell MA to the Dispatcher position upon the recommendation of Police Chief John Fisher with an effective date of December 14, 2016.

***Minutes:***

On a motion made by William Risso and seconded by Luke Ascolillo, it was unanimously **VOTED** to approve the minutes of November 22, 2016 as amended.

***Cemetery Deeds:***

On a motion made by William Risso and seconded by Luke Ascolillo, it was unanimously **VOTED** to transfer land in the public burial ground to John H. and Margaret Blanz at Green Cemetery section D-340 Graves 1, 2, 3, and 4.

On a motion made by William Risso and seconded by Luke Ascolillo, it was unanimously **VOTED** to transfer land in the public burial ground to Robert and Janice Micarelli at Green Cemetery section D-277 Graves 1, 2, and 3.

***One Day Alcohol License Request:***

The Gleason Public Library has applied for a one-day liquor license for the annual art reception to be held on January 27, 2017.

On the motion by William Risso and seconded by Luke Ascolillo, it was unanimously VOTED that the Board of Selectmen approve a One Day License to serve beer and wine at an Art Reception to be held on January 27, 2017 from 7pm to 9pm at the Gleason Public Library, 22 Bedford Rd, Carlisle MA.

***Liaison Reports:***

Claude von Roesgen - Solar Bylaw Advisory Committee has requested the Board of Selectmen schedule an agenda item at its next regular meeting to allow the Planning Board to open a public hearing on the proposed solar bylaw created by the Planning Board's Solar Bylaw Advisory Committee. -- The Planning Board has already voted to recommend that the Selectmen take such action.

William Risso - Financial Management Team meeting was cancelled today. The Town Accountant will need the Board of Selectmen to approve expense warrants during the week of Dec. 27<sup>th</sup>.

Kerry Kissinger attended a housing seminar last week in Worcester and the Housing Authority Committee on December 12, 2016.

***Dog Control Subcommittee:***

The Board of Selectmen briefly interviewed Stacy Lennon (39 Stearns St) and Ms. Elizabeth Spatola (19 Pine Brook Rd) for the Citizen-at-large/Non-dog owner position on the Dog Control Subcommittee.

Nancy Kuziemski (117 Judy Farm Rd) also submitted applications but was not present to be interviewed.

On the motion by Claude von Roesgen and seconded by Luke Ascolillo , it was unanimously VOTED the Board of Selectmen appoint Stacy Lennon of 39 Stearns Street to be the Citizen- a- large/Non-dog owner representative on the Dog Control Subcommittee for an indefinite term.

***Enforcement Order at 63 Old East St. Discussion***

The Board of Selectmen met with Molly Obendorf, E.I.T. from Stamski & McNary, Inc. and Attorney Evens Huber from Law Offices of Frieze Cramer Rosen & Huber, LLP on behalf of the property owners Seth and Lisa Early.

Also present was Carlisle Conservation Commission Administrator Sylvia Willard.

The Board of Selectmen conducted a site walk at 63 Old East Street at 2:00PM on 12/13/16. In attendance were Nathan Brown, Claude von Roesgen, William Risso, Kerry Kissinger and Town Administrator Timothy Goddard.

The Board of Selectmen reviewed a copy of the Enforcement Order (EO) issued by the Conservation Commission last October for work being done within a bordering vegetated wetland area without a permit. Conservation Commission Administrator Sylvia Willard stated that at the time the EO was issued there was no clear understanding of where lot lines were in relation to the work and bordering vegetated wetlands. Copies of photographs taken in 2010 show an old farmer's stonewall which was subsequently removed by the property owners. The old stonewall once followed the edge of the town property line allowing vehicles to park on the shoulder of the road. The pictures of a newly constructed stonewall and stairs installed by the owners of 63 Old East Street appear to be located on town owned land. Ms. Willard pointed out that new stonewall system includes parking spaces perpendicular to the road and appear to be private property and not public parking.

Other documents reviewed by the Board of Selectmen include:

- Record Deed & Plan
- Landscape Plan
- As-built Sewage Disposal Plan
- Notice of Intent Application & Wetland Permitting Plan

Selectmen Ascolillo and Risso both express their concerns about the removal of the old stone wall without the permission of the Town and they do not wish to establish a precedent by allowing this property owner to proceed.

Selectmen Kissinger after attending the site walk offered the following observations: (1.) Does not appear to have an adverse impact on the wetlands area even though it is partially within the buffer zone, (2.) Does not appear to have a potential adverse health impact re: septic design and construction and (3.) Appears to have taken precautions to prevent siltation of the wetlands area. However, it is the unwarranted use of public land to improve a private business and single family house. The owner has applied for an exemption from the buffer zone violation on the basis that it is a “Single Family House”, and not a “Commercial Property”, yet checks made out to the town during the application process are signed “Early Information Science, Inc.” According to their Web Site, Early Information Science, Inc. has Corporate Headquarters in Carlisle, MA; It characterizes its size as a business as between \$1 million and \$50 million annually; it has just been named one of the “Top 100 Companies in Knowledge Management” and lists Sharon Foley (Mktg), Mark Allan (COO), Christine Ward (Controller), and Karen Howley (Exec. Asst. to Mr. Early) among its employees. This business has taken Town property to improve its value. The designated use for this Town property is problematic in that the additional parking spaces are designed such that they will partially block traffic on Old East Street and make snow removal on Old East Street especially problematic. It is evident that the companies involved with planning for the additional parking spaces on Town property knew that they were doing so, and completely ignored the facts or the requirement to seek permission to make the changes to the site that they have completed. Nor have they suggested any remedies or compensation for these egregious acts.

After carefully review all of the documents as provided, the Board of Selectmen agreed to continue this matter to its next regular scheduled meeting on Tuesday, January 24, 2017 pending clarification from Town Counsel regarding the Town property boundary whether the stone wall was owned by the Town and legal guidance to require that the old stonewall be restored to its original location.

***2<sup>nd</sup> ATM Budget Coordination Meeting:***

The Board of Selectmen met with Finance Committee chair Scott Triola and Long Term Capital Requirement Committee chair Josh Kablotsky to review the following FY2018 budget requests as submitted and subject to change:

<u>Departmental Budgets</u>	<u>FY2017</u>	<u>FY 2018</u> <i>subject to change</i>	<u>Percentage Change</u>
General Government			
General Expense & Town Hall	786,674	788,756	0.3%
Technology	-	70,000	
Citizen Recognition	275	275	0.0%
Treasurer	186,888	175,088	-6.3%
Town Clerk	78,510	82,260	4.8%
Registrar & elections	19,237	22,987	19.5%
Assessors	137,939	138,489	0.4%

Planning Board	98,583	108,583	10.1%
<b>sub-total</b>	<b>1,308,106</b>	<b>1,386,438</b>	6.0%
Protection of Persons & Property			
Police	1,487,100	1,568,940	5.5%
Fire (net of ambulance fund support)	492,809	523,754	6.3%
Communications	352,088	352,088	0.0%
Conservation	111,283	131,268	18.0%
Dog & animal control	14,998	14,998	0.0%
Inspection services	35,814	35,814	0.0%
Street Lighting	24,000	24,000	0.0%
<b>sub-total</b>	<b>2,518,092</b>	<b>2,650,862</b>	5.3%
Board of Health	<b>106,292</b>	<b>106,292</b>	0.0%
Public Works			
DPW (incl'd trees)	741,356	741,356	0.0%
Snow & Ice	65,785	65,785	0.0%
Transfer Station	264,684	264,684	0.0%
Road maintenance	88,416	88,416	0.0%
<b>sub-total</b>	<b>1,160,241</b>	<b>1,160,241</b>	0.0%
Public Assistance			
Youth Commission	3,651	3,651	0.0%
Council on Aging	203,047	211,047	3.9%
Senior Tax Voucher Program	25,000	25,000	0.0%
Veteran's Agent	11,600	11,600	0.0%
<b>sub-total</b>	<b>243,298</b>	<b>251,298</b>	3.3%
Education			
Carlisle public school	10,629,420	10,946,247	3.0%
CCRSB (w/o debt)	6,107,238	6,463,043	5.8%

CCRSB debt service	1,344,047	1,320,380	-1.8%
Vocational	167,444	167,444	0.0%
Vocational debt service	6,115	-	-100.0%
<b>sub-total</b>	<b>18,254,264</b>	<b>18,897,114</b>	<b>3.5%</b>
Library	<b>618,899</b>	<b>627,134</b>	1.3%
Recreation	<b>159,973</b>	<b>189,973</b>	18.8%
Insurance and Benefits			
Blanket Insurance	220,000	220,000	0.0%
Group Insurance & medicare	900,000	1,120,000	24.4%
OPEB Trust	225,000	225,000	0.0%
Unemployment insurance	50,000	50,000	0.0%
<b>sub-total</b>	<b>1,395,000</b>	<b>1,615,000</b>	<b>15.8%</b>
Unclassified			
Interest, fees, & costs	1,000	1,000	0.0%
Public Celebrations	1,000	1,000	0.0%
Reserve fund balance	150,000	150,000	0.0%
<b>sub-total</b>	<b>152,000</b>	<b>152,000</b>	<b>0.0%</b>
County Retirement	<b>820,032</b>	<b>864,216</b>	5.4%
<b>Total Departmental</b>	<b>26,736,197</b>	<b>27,900,568</b>	<b>4.4%</b>
<b>Long Term Capital Requirements</b>	377,295	377,295	0.0%
<b>Total Departmental and LTCR</b>	<b>27,113,492</b>	<b>28,277,863</b>	<b>4.3%</b>

***Establish Facilities Committee:***

Mission/Charge: The Town shall have a Municipal Facilities Committee consisting of five (5) interested and qualified people appointed by the Board of Selectmen for annual terms. At least one member shall be a member of the School Committee, or its designee, pursuant to M.G.L. c. 71, §68. The Committee shall be responsible, when authorized by the Board of Selectmen, and/or Town Meeting vote, for investigating and advising the Town regarding the design, construction, reconstruction, maintenance alteration or enlargement of all buildings and facilities owned by the Town or constructed on land

owned, leased or operated by the Town. The buildings within the scope of the Committee include, but are not limited to, the waste water treatment plant, Library, Town Hall, police and fire buildings, Department of Public Works, Highland, and all school buildings.

The Committee will also be responsible for developing and implementing long term maintenance plans and overseeing selection of maintenance contractors and major maintenance activities for all municipal facilities.

The Committee will also approve all Facility Projects that will be submitted to the long term capital committee for funding requests. The committee will establish and maintain a 10-year master plan for each facility that will assure that the facility will maintain level performance and does not deteriorate.

All solicitations for maintenance and designer services and invitations for bids for construction shall be coordinated with the Town Administration through its Chief Procurement Officer, to assure compliance with the applicable provisions of the General Laws. The Town Administrator and Facilities Building Committee chair shall award and co-execute all services contracts and construction contracts.

In support of construction projects, the Board of Selectmen shall appoint the department head and/or two (2) committee members for which a project is being planned or constructed as non-voting ex officio members of the Permanent Municipal Facilities Committee for the duration of said project.

Appropriations:

A. The funds for construction activities for facilities and for capital expenses of existing facilities shall be appropriated to and expended under the direction of the Committee.

B. Whenever funding approval is sought from Town Meeting, the Committee and the Board or committee for which a project is being planned, or capital expenses for a building being requested, shall provide a detailed report to Town Meeting that includes an explanation of the project need, scope of work, alternatives, schedule, costs, and how it fits into an overall cohesive plan.

C. Funding for some projects may also come from existing department budgets to enable the town to leverage services and contracts across municipal facilities.

On the motion made by Luke Ascolillo and seconded by William Risso, it was unanimously **VOTED** that the Boards of Selectmen approve the Carlisle Municipal Facilities Committee as presented on December 13, 2016.

***LED Streetlights Program:***

Town Administrator Timothy Goddard confirmed that the Town has officially purchased the streetlights from Eversource.

The Board of Selectmen met with Deborah Bentley, Energy Task Force regarding the updated LED Streetlights Report which includes new pricing and scope options along with an updated list of streetlights marked to be eliminated all of which will need to be approved by the Board of Selectmen. - The board agreed to contact all of the neighbors where specific streetlights have been requested to be eliminated.

The locations of streetlights requested to be eliminated include:

- 195 Acton St.
- 38 & 59 Rutland St.
- 1138 North Rd.

- Elizabeth St.

358 Curve St. – No neighbors surrounded by Conservation Land

The selectmen agreed to keep pre-existing conditions if conflicting requests were received from neighbors.

On the motion by Claude von Roesgen and seconded by Luke Ascolillo, it was unanimously **VOTED** to approve Option No. 4 to replace all of the existing streetlights except where specific lights have been requested to be eliminated subject to conflicting requests from direct abutters.

***Action Items from previous meetings***

**Comcast** - Request for town-wide coverage

- Still attempting to schedule meeting in with Comcast Representatives

**Greenough Barn Property**

- Restoration is estimated cost (75K)

**Personnel Board** – Reduce membership from 5 to 3 members not including the 2 citizen- at- large.

- Personnel Board will discuss on 12/21/2016.

***Town Administrator's Report***

**Local 201A Negotiations** - The President of Local 201A (Dispatchers' union) has requested to begin negotiations toward a successor collective bargaining agreement to replace the one which will expire June 30, 2017.

The board agreed to appoint William Risso and Kerry Kissinger (remote participation) to represent the Board of Selectmen on the negotiating team. Start the 3<sup>rd</sup> week of January when Mr. Risso returns

The Town Administrator to follow up with the Finance Committee to see if a member would be interested in participating.

**DEP Recycling Grant** - The Town received notification from MA DEP regarding a grant award under the Sustainable Materials Recovery Program in the amount of \$7,500 to purchase a single stream recyclables compactor and up to \$900 to publicize the new collection program.

“Special Thanks” to DPW Supt. Gary Davis, Carlisle Household Recycling Committee and the Energy Task Force for their efforts.

**Perpetual Care Trust** - The current balance of the Green Cemetery Perpetual Care Trust Fund is \$166,000. DPW Superintendent Gary Davis is expending approximately \$18K on a cemetery upgrade that will yield new grave sites.

**Working Groups/Subcommittees** - Open Meeting Law Training held last week. Town Counsel described the differences between Board-appointed subcommittees and so-called task forces or working groups organized by the Town Administrator. The working groups established by the Town Administrator are not subject to the Open Meeting Law.

**Eagle Scout Proclamation** - On the motion by Luke Ascolillo and seconded by Claude von Roesgen, it was unanimously **VOTED** the Board of Selectmen approve the proclamation to honor Boy Scout Jacob Burke to be presented at the Eagle Scout ceremony on December 17<sup>th</sup> at 1:00pm.

Selectmen Von Roesgen has offered to present the proclamation at Eagle Scout ceremony on behalf of the Board of Selectmen.

***Upcoming Meeting Schedule:***

December 20, 2016

- Facilities Update
- Working Session regarding Town Finances

January 10, 2016

- FY18 General Expense/Town Hall, Building Department, Council on Aging budgets

January 24, 2016

- 3<sup>rd</sup> ATM Coordination Meeting with Finance Committee
- Draft Town Meeting Warrant review

On a motion made by Luke Ascolillo and seconded by William Risso, it was unanimously **VOTED** to adjourn the meeting of the Board of Selectmen.

11:45PM MEETING ADJOURN