

BOARD OF SELECTMEN

January 7, 2014

Minutes

The Board of Selectmen met on Tuesday, January 7, 2014 at 6:30 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:

Police Chief John Fisher

Linda Fantasia, Board of Health Agent

Board of Health members: Cathy Galligan, Bill Risso,

Donna Margolies, and Vallabh Sarma

Attorney Thomas Harrington

Larry Barton, Finance Director

Michael Bishop, Chair - Finance Committee

Jerry Lerman member of Finance Committee

Luke Ascolillo, Chair - Community Preservation Committee

Marc Lemare, Chair - Planning Board

Vanessa Moroney, resident

The meeting was called to order at 6:30 p.m.

At 6:31 p.m. a motion was made by Mr. Gorecki to go into Executive Session pursuant to MGL Ch. 30A, §21 (a) paragraph (3) to discuss strategy with respect to collective bargaining or litigation as discussing this matter in open meeting would have a detrimental effect on the governments bargaining or litigation strategy, to return to open session. The motion was seconded by Mr. Williams and the following roll call vote was taken: Hult – aye; Gorecki – aye; Scavongelli- aye; Williams – aye; and, Stevenson – aye.

At 7:15 p.m. the Board of Selectmen returned to Open Session.

Community Input – There was no community input this evening.

Joint Meeting with the Board of Health – Appointment of new member

Bill Risso said the Board of Health met yesterday and interviewed two candidates that were interested in the vacant position on the Board. He said they were both excellent candidates. Bill said the candidate the Board voted for was Lee Storrs.

A motion was made by Mr. Stevenson to appoint Lee Storrs to an open position on the Board of Health for a term that will expire at the 2014 Town election. The motion was seconded by Mr. Williams and the following roll call vote was taken: Hult –aye; Gorecki – aye; Scavongelli – aye; Williams – aye; Stevenson- aye; Risso- aye; Margolies – aye; Galligan –aye; and, Sarma –aye.

Board of Selectmen

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Approved: 2/25/14

Town Counsel – Request for release of Ch. 61/61A Designation – 81 Russell Street

Mr. Goddard said he asked Town Counsel to attend this meeting to discuss the process the Board should follow on a Ch. 61/61A matter. Attorney Harrington spoke about the Notice the Board received from the owners of 81 Russell Street. He said when someone wants to sell their land or convert the use of that land they need to offer the Town the ‘right of first refusal’. He said it really starts with the Notice. He said it can be hand delivered or mailed by certified mail, depending on the Board’s preference. Attorney Harrington said the Board of Assessors, Conservation Commission, and Planning Board should also receive the notice.

In regard to the Notice the Board recently received, Attorney Harrington said it was deficient in two ways. He said the Purchase and Sale Agreement has two contingencies and under Ch. 61, and there can be no contingencies in the sale. The Notice is also deficient in that the owner needs to define the land. Attorney Harrington added that they need to submit two Purchase and Sale agreements; one for the Ch. 61 land and one for the land outside.

Attorney Harrington said when the Board receives the Notice, it should be sent to his office because there is a lot of case law involved and it changes. They want to make sure it is a bona fide offer.

Attorney Harrington said in this process the Board has 30 days from the day the Notice was sent to notify the Owners that the Notice was deficient, that they have not triggered the statute, and they need to send a Notice again. He said when the Board receives the re-notice we will have 120 days from the day it was posted to make a decision. Attorney Harrington said if the Board decides to exercise its right of first refusal; it will have to do it at a public hearing.

Mr. Hult said tonight our required action is to authorize Town Counsel to send a letter to the land owners. On a motion made by Mr. Gorecki and seconded by Mr. Williams, it was unanimously **VOTED** to authorize Town Counsel to send a letter to the Talbot Family Realty Trust informing them that there are deficiencies in their Notice.

Mr. Gorecki suggested that any further letters from the owner be sent by certified mail.

Mr. Stevenson suggested that the Boards and Committees be notified that this will be coming forward within a few weeks.

Mr. Stevenson mentioned that the Board had drafted a 61a policy in 2001. He asked if Town Counsel would review same to see if it complies with changes in the statutes. Attorney Harrington said he would review the document Mr. Stevenson was referring to.

Attorney Harrington said the Board has also received a Notice from Leo and Pamela Blanchette. He said this Notice is deficient in that they are informing the Board that they are going to sell the property but they do not have a buyer yet. Attorney Harrington said they are too early in the process. He would like to send them a letter asking them to wait until they have a Purchase and Sale agreement and a buyer.

On a motion made by Mr. Gorecki and seconded by Mr. Williams, it was unanimously **VOTED** to authorize Town Counsel to send a letter to Leo and Pamela Blanchette informing them that their notice to take the property located at 267 Rutland Street out of Chapter 61A is deficient.

Annual Town Meeting Coordination Meeting #2

Michael Bishop and Jerry Lerman were present from the Finance Committee. Luke Ascolillo was present from the Community Preservation Committee. Finance Director Larry Barton was also present.

Michael said since the last time we met, the FY15 Guideline Budget letter with a zero percent increase was sent out. He said the Finance Committee has been busy formulating the budget and the main drivers are: the use of free cash, OPEB, and Long Term Capital Requirements (LTC).

Michael said the FinCom has considered applying \$100,000.00 of Free Cash to the LTC’s budget, which is about \$350,000.00. Michael said they did not include the Communication Tower because the FinCom has not heard any recent updates on this project.

Michael said they received \$600,000 of requests for LTC. He said it is up to the committee to go through these requests and decide which ones we can do this year. Mr. Stevenson asked about the Communications Tower. He felt it was a significant priority. Jerry said they have not seen any hard numbers on this project.

Michael added that we are running out of time. Mr. Hult said the Board will ask the Fire Department to come in and discuss the Tower.

Michael said the FinCom is aware that OPEB is on the Selectmen's list of priorities so they are forming a model to deal with it. He said they plan to initially put in \$250,000; \$150,000.00 of that amount will come from Free Cash, \$100,000 from the levy limit. Michael said they want to be conservative in the beginning and this is a one-time free cash contribution. Mr. Hult asked how this contribution relates to our overall liability. Michael said our liability is \$8million.

Michael said they feel like the budget is in good shape. Jerry said we have \$2.6 million in free cash and a large excess levy capacity. He said they are trying to meet the Town's needs without a large tax burden. Michael said in regard to the budget, they have modeled in \$350,000 of free cash to the following: \$150,000 – OPEB; \$100,000 – debt service; and, \$100,000 – LTC.

In response to Mr. Hult, Larry spoke about the High School obligation. He said it is our biggest driver. He said 2016 will be the peak because Carlisle's assessment to the High School will be \$490,000. He said Carlisle's portion from FY16 to FY17 will drop by about \$500,000, and from FY17 to FY18 it will go up \$27,000 and then it starts to drop off about \$100,000 a year.

Larry said in regard to the budget, they have set the guidelines to provide for larger appropriations. He said they are aware of a few contracts pending negotiations, and they have not included any step increases that the Town Administrator is working on. Larry said we have to address the Wage and Classification Study.

Mr. Goddard spoke about the Wage and Classification Study. He said we should have a report by the end of February.

Jerry said he was informed that the Town of Carlisle's assessment for the Minuteman Regional High School is going up from \$316,000 to \$345,000. Larry said he received a second version of their preliminary assessment today. The School is asking for a 5.9% increase in their operating budget over FY14 and they are estimating a 6% increase in enrollment next year. They are also providing for some capital costs in the budget. He said that brings a total of \$345,000 for 12 students.

Luke spoke about the Community Preservation applications which are due to the committee on January 10th. Mr. Hult said our next joint meeting will be February 11th.

FY14 Selectmen's Goals – Update

The Board reviewed their objectives for 2014, commenting on the progress that has been made on each.

Core Initiatives

Mr. Hult said we have made a lot of progress in collecting information for Spring Town Meeting to make a decision on potential shared use on *Banta Davis*.

In regard to the DDS Housing project on the *Goff property*, the Board has had two charrettes and moved forward to where they are ready to select a developer in the spring. Mr. Williams said there will be a public presentation on the Goff project on January 25th.

Mr. Stevenson spoke about the *Carlisle Public School Building Project*. He said they are very near the end of this project and they have met their objective. Mr. Hult said the *CCHS building project* is on schedule for completion of the building in the Spring of 2015 and they are feeling very positive about the costs.

In regard to the *Highland Building*, the Surveys are still coming into Town Hall. Mr. Scavongelli said the proposals for the Highland Building will not include a money request however it will show what the cost will be. He said at Town Meeting there will be a request for funds for whatever the initiative is.

Mr. Hult said in regard to the *Minuteman School*, discussions are being carefully monitored.

It was noted that *Benfield Farms* will be opening soon.

Studies

Mr. Williams said he has been working on the transportation services for the disabled in Town.

Mr. Hult said the Technology Committee has been re-established.

Goals for Focus Areas

Financial Mr. Gorecki read the goals for this area. There was a brief discussion on OPEB and the plan that was presented this evening. Mr. Williams spoke about the Insurance Advisory Committee. He said the committee has had discussions on exploring ways to help employees who have gone through their maximum amount of out of pocket expenses. In response to Mr. Stevenson, Mr. Williams said the money would come out of the levy limit budget.

Education Mr. Stevenson said he believes the Board is supporting both schools.

Community Services Mr. Scavongelli spoke about the Highland Committee. He said they expect to report to the Selectmen in February with a recommendation.

Mr. Williams said for the transportation needs, there have been three information requests that have been published in the Mosquito. There have been three responses. He said 2,000 pieces of mail went out.

Mr. Scavongelli noted that nothing has been done on the pathways. Mr. Stevenson said there have been several requests to have the pathways cleared from snow.

Utilities Mr. Gorecki said we made significant progress on the CCTV contract renewal; we sent out an RFP that was reviewed and awarded. We now need to negotiate the contract with CCTV.

Public Safety Mr. Stevenson we are working to maintain a call Fire Department and we have to work on looking for more volunteers. In regard to the Police Department, the Board agreed that Chief Fisher has does a fine job in maintaining stability.

Communications Mr. Stevenson said he has not heard from either of the Chiefs on whether there are issues in the Communications Department.

Mr. Scavongelli said they have not worked with the Public Safety Committee regarding Bicycle safety as he felt this was an issue for the spring. He spoke about the progress being made by the Medical Marijuana Committee. They are in the process of preparing a draft By-law. He said the committee will be in a position to present the draft by-law to the Board of Selectmen at the end of January or in February.

Housing Mr. Williams said the Goff property is going along well. The charrettes have been very well attended. Mr. Williams said he has done very little in regard to holding discussions with other Boards about zoning options that would promote more diversified housing in Carlisle. He said the work on reviewing the zoning by-laws has been put off slightly.

Conservation In regard to the Cranberry Bog and Carlisle's water rights, Mr. Gorecki said this matter seems to be on hold right now.

Mr. Gorecki said no significant progress has been made on the Greenough Barn issues. He said they are working with the Conservation Commission on the extension of the Cranberry bog/bog house lease.

Town Hall Services

Mr. Hult said the Technology committee has met two times. Mr. Hult said it consists of himself, Larry Barton, Tim Goddard, Nathan Brown, Bill Risso, Steve Israel and Ted Shaw.

Mr. Hult said he has made a conscious effort to re-enforce the administrative scope of the Town Administrator.

Mr. Hult said he was encouraged by the amount of work the Board has done on their goals and he hopes to re-visit them again in a few months.

Consideration of policy statement re:

Housing Goals and Open Space & Recreation Plan

Mr. Hult said at our last meeting we considered the approval of the Open Space and Recreation Plan for the Town. He said there was widespread appreciation and gratitude for the plan however there were a few questions on housing, that is, the plans for Banta Davis. He said the Board decided to approve the Plan unanimously and to prepare a statement [attached hereto] expressing the Boards thoughts.

On a motion made by Mr. Stevenson and seconded by Mr. Williams, it was unanimously **VOTED** to adopt the Selectmen's OS&R statement as presented this evening.

Discussion of Planning Timeline for Housing Projects

Mr. Hult said the document before us 'Consideration of Potential Shared Use of Banta Davis Land' relates to how we will handle the Banta Davis discussion from now to Town Meeting. He said there are seven pieces of information that we've initiated or have had done relating to the shared use of Banta Davis. Mr. Hult said the studies that have been in progress are: the Recreation Facility Study; Marketing Analysis; Financial Analysis; Traffic Study Water Balance Study; Water Treatment Plant Analysis; and, New School analysis. These are pieces of information that are useful. There are three entities that will have to make the decisions regarding the shared use of Banta Davis. They are the Board of Selectmen, School Committee and Town Meeting this spring. Mr. Hult presented a meeting schedule for the School Committee and the Board of Selectmen to review the above studies. [Attached hereto].

Mr. Hult said both committees will make a decision on whether to support this before Town Meeting.

Mr. Hult said in regard to the studies that were discussed, he has asked a member from the Board or Committee who is most involved in this study to be present when the results of same are reviewed. He said the other thing that is significant is the approval. Mr. Hult suggested that we put together a Banta Davis working group. It would be chaired by the Board of Selectmen but have participation including the Carlisle Public School, Recreation Commission, Affordable Housing Trust, and Planning Board. He said the job of this working group is to work with Town Counsel regarding the motions and procedures that would be required for the committee and Town Meeting discussion and votes this spring.

Marc Lemare from the Planning Board asked about the Board's ultimate goal. Mr. Hult said the purpose of this is to put before the Board of Selectmen and Carlisle School Committee and subsequently a proposal to share the parcel of Banta Davis by allocating a certain parcel of land for housing and to see if the two committees support that and to see if the Town supports it also.

On a motion made by Mr. Stevenson and seconded by Mr. Gorecki, it was unanimously **VOTED** to establish a working group to assess the required votes and agreements associated with the shared use of Banta Davis at this Town Meeting to include representatives from the Carlisle Public School, Recreation Commission, Planning Board, Affordable Housing Trust and Board of Health and Recreation Commission

Mr. Stevenson said the Board's responsibility is to put before the Town viable options.

New Business

Mr. Scavongelli said he met with Chief Flannery regarding a shelter committee. Mr. Scavongelli said the Chief suggested having five (5) members on the committee. Mr. Scavongelli felt strongly that this committee should be under the Board of Selectmen and the members should include the following: Board of Health member, Council on Aging member, School Committee member, the Town Administrator and the Fire Chief. He said the Chief agreed that a mission statement should be prepared and he asked that a representative from MEMA attend the first meeting. Mr. Hult said when the Chief comes to discuss his budget at our next meeting we can discuss the committee in further detail. Mr. Stevenson suggested that he and Mr. Scavongelli could prepare a charter prior to the next meeting for discussion.

Liaison Reports

Mr. Hult spoke about the Minuteman School. He said we recently put in some comments to the Minuteman regarding the restructuring plan. He said we will hear more about this.

Mr. Hult said there will be a walk through at Long Ridge Road tomorrow at 10:00 a.m.

Appointments

On a motion made by Mr. Williams and seconded by Mr. Stevenson, it was unanimously **VOTED** to appoint Travis Snell, to the Carlisle Zoning of Appeals as an associate member for a term that will expire on June 30, 2014.

On a motion made by Mr. Stevenson, and seconded by Mr. Williams, it was unanimously **VOTED** to appoint Matt Hamor to the Carlisle Youth Commission for a term that will expire on June 30, 2016.

Town Administrator Report

Board of Selectmen
January 7, 2014

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Approved: 2/25/14

Mr. Goddard said the Carlisle Parents Connection has approached the Town's Youth Commission about a possible affiliation. Mr. Goddard said he has asked Town Counsel to research this matter since the Youth Commission was created through MGL Ch. 40, s.8E. Vanessa Moroney was present to talk about some of the things the Parents Connection does. She said this committee focuses on children from 0-5 years old. Vanessa said it is a volunteer based committee that does holiday events like egg hunts, etc. They would like to be a part of the Youth commission which is for children from 6th grade to high school. She said their goal is to continue to serve families.

Mr. Hult said Vanessa Moroney and Youth Commission should work with Town Administrator and come-up with a proposal and the Board will discuss this at our next meeting.

Minutes

On a motion made by Mr. Scavongelli and seconded by Mr. Gorecki, it was **VOTED** unanimously to approve the Minutes of the December 10, 2013 Board of Selectmen's meeting.

Executive Session

At 10:10 p.m. a motion was made by Mr. Gorecki to go into Executive Session pursuant to MGL Ch. 30A, §21 (a) paragraph (2) to discuss strategy with respect to contract negotiations with non-union personnel, not to return to open session. The motion was seconded by Mr. Williams and the following roll call vote was taken: Hult – aye; Gorecki – aye; Scavongelli – aye; Williams – aye; and, Stevenson – aye.

Respectfully submitted by Margaret Arena