

## **BOARD OF SELECTMEN**

July 14, 2015

Minutes

The Board of Selectmen met on Tuesday, July 14, 2015 at 7:00 p.m. in the Town Hall Clark Room. Those present were Selectmen John Gorecki, Vanessa Hunnibell Moroney, Nathan Brown, and Lyn Lemaire. Town Administrator Timothy D. Goddard was also present.

Also in attendance:

John Luther, Building Commissioner

David Flannery, Fire Chief

Bob Koning, former Fire Chief

Verna Gilbert, chair of Council on Aging

David Klein, Council on Aging Director

Steve Davis, Prospect Street resident

John Bakewell, Firefighter

Jason Molten, Westford Street resident

Sally Hayen, Church Street resident

Larry Barton, Finance Director

Priscilla Dumka, Town Accountant

Judy Asarkof, Dog Issues Working Group

Judy Hodges, Dog Issues Working Group

Susan Provenzano, Dog Issues Working Group

Dave Smith, Russell Street resident

Jerry Lerman, Minuteman School Building representative

### **Community Input**

David Klein and Verna Gilbert were present to talk about an event the Carlisle Council on Aging is proposing to schedule on Veterans Day, November 11, 2015. Verna said this event is a fun run/walk and is open to all generations. She said since this is a school holiday, the COA has made arrangements with the Carlisle Public School to use their parking lot for additional parking and they have discussed this event with Police Chief John Fisher. Mr. Gorecki asked Verna to put this proposal in 'letter' form, outlining the routes the event will cover and send it to the Board.

David added that the Council on Aging is receiving some money from the Community Chest to fund this event.

Steve Davis from Prospect Street spoke to the Board about a problem with many GPS products which show that Prospect Street is connected with Nowell Farme Road. He said there is no outlet at the end of Prospect Street. Mr. Davis said the width of Prospect Street is 13ft. and the Town of Carlisle guidelines call for 20ft. therefore when large trucks come down Prospect Street and realize there is nowhere to go, they have great difficulty trying to back out or turn around. He suggested placing a sign at the entrance of Prospect Street stating that there is no-outlet or no connection and

that a GPS error states otherwise. Mr. Gorecki said the Traffic Safety Advisory Committee will schedule a meeting to discuss this matter.

### **Building Commissioner – ISO Rating**

Building Commissioner John Luther said that every three years the Insurance Services Office, Inc. (ISO) performs a survey to analyze the building codes adopted by the Town and the efforts put forth to enforce these codes. He said the rating system goes from 1 to 10; 10 being the lowest rating. John noted that this rating affects the insurance rates of people who are building new houses in Town. He said last year the Town received a rating of 9 and this year the rating is 5. John said he believes that the improved rating is due to the increase in hours for him and the inspectors.

Mr. Gorecki said this was good news and it reflected well on the Building Department.

John said he has found other employment and Friday, July 17<sup>th</sup> will be his last day as the Building Commissioner. There was a brief discussion over hiring a temporary Inspector from the Town of Chelmsford, Martin (Marty) Allan to cover this Department until a new Building Commission is hired. Mr. Gorecki thanked John for his service to the Town.

### **Fire Chief David Flannery – Discussion re: Fire Horn**

David Flannery spoke about the history of the fire horn which he felt was relevant to this discussion. David said in 1925 there was a severe fire in the Center of Carlisle. He said if our neighboring communities did not come to assist in putting out the fire, the center would have burned to the ground. David said a committee was appointed in 1927 to look into fire safety. They proposed establishing a fire department in Carlisle according to the laws in the Commonwealth of Massachusetts. This included building a fire house, hiring a Fire Chief and firefighters and the use of a horn which would provide the primary communication to the firefighters. The system of notifying firefighters through the air compressed whistle was used from 1938 to 1979. The tone-alert pager then became a means of notifying the firefighters. In 2005 a computerized system was established. David said there are no real policies for using the horn. He said the horn/whistle was used thirteen (13) times in 2014. David said every day at 12:00 noon the horn is sounded as a 24 hour test. He said according to L.W. Bills Company, who services the municipal fire alarm system; it is not possible to effectively test the fire horn without sounding it.

Bob Koning, former fire chief said he was surprised that after 77 years someone is complaining about the horn. He felt that it would be disastrous to discontinue using the horn because it serves as a back-up system. Bob added that the horn is a part of Carlisle's ruralty.

The Board suggested that perhaps the horn did not have to be tested daily at noon and once a week on the weekend would suffice.

Jason Molten from Westford Street [across from the Fire Department] said he did not want to jeopardize the safety of the Town however he would appreciate a review of the entire process and the way the horn is used.

Church Street resident Sally Hayen said she welcomes the sound of the horn and is happy with the way things are regarding the use of the horn.

John Bakewell, resident and firefighter said he would like to have the horn sounding simplified to just a few different signals.

David Flannery said he understood the concerns that were presented tonight. Mr. Gorecki said the Board will discuss this item again at a subsequent meeting.

### **New Business**

Finance Director Larry Barton and Town Accountant Priscilla Dumka were present to talk about the Reserve Fund Transfers. Larry said the Finance Committee met this evening to review the Reserve Fund Transfer requests for FY15 and they voted to expend \$147,536.57 to cover overages in the following accounts: Town Counsel, Board of Appeals, Snow/ice and the veteran's agent benefits. He

said the issue that faces us is that the amount that the deficits are for is \$157,536.57. The Finance Committee had only \$150,000 available in the Reserve Fund. Larry said this deficit could be resolved by going to Town Meeting or by raising taxes in FY16.

Larry said there is another way to handle this matter. He said there is a chapter and section in the

Mass General Laws that allows the Finance Committee and Board of Selectmen to vote concurrently on a budgetary transfer during the last sixty days of the fiscal year or the first 15 day of the subsequent fiscal year, which is where we are now. He said rather than raising the money through taxation, he has recommended that we do a budgetary transfer of \$10,000.00 from the unexpended Police Department appropriation and allocate that amount to the General Expenses/Town Hall budget, specifically for the Town Counsel line item.

On a motion made by Ms. Lemaire and seconded by Mr. Brown, it was unanimously **VOTED** that pursuant to M.G.L. Chapter 44, sec. 33B, paragraph (b), and in concurrence with the vote of the Finance Committee of July 14, 2015, the Board of Selectmen approve a FY'15 budgetary transfer of \$10,000.00 from the FY'15 appropriation for the Police Department to the FY'15 appropriation for General Expenses and Town Hall – Town Counsel.

### **Dog Issues Working Group Discussion**

Mr. Gorecki said the Board created the Dog Issues Working Group in response to complaints from people about aggressive dogs and owners who do not pick-up after their dogs. He said a charter was established for the working group and members were appointed to same. Mr. Gorecki said there has been some difficulty with communication among the members in the working group and tonight the Board will discuss how they might influence this group.

Susan Provenzano, member of the group said they have worked on and made progress on a few issues. She felt that the group members should try to remember that they are not in the group to change each other's viewpoint.

Judy Asarkof agreed with Susan. She said it is important that the members remember that they are on this committee to work on the issues.

Ms. Lemaire said she attended one of the meetings where a lot of good suggestions were made. She suggested that perhaps the group should work on ideas to solve the issues.

Judy Hodges said when she joined the group she was looking for moderate changes and hoping to educate the public about dogs.

Mr. Gorecki said perhaps the Working Group should concentrate on making recommendations to the Board of Selectmen instead of working on a by-law proposal.

Mrs. Moroney said she preferred the idea of not working toward a by-law; but for the working group to continue addressing issues and to be a point of contact when new ones arise. She also suggested increasing the number of members.

Ms. Lemaire said she liked the idea of making this working group a standing committee.

David Smith from Rutland Street said he has attended all but one meeting of this working group.

Mr. Gorecki said we may want to change/update the charter for the group with a different set of goals. He will re-draft the working group charge and circulate it to the Board and the present members. He said the Board will address this issue again at a future meeting.

### **Minuteman Building Project Issues**

Jerry Lerman was present for this discussion. He said the Minuteman School Building Committee has not met for the past month. He the School Building Committee made a presentation to the Massachusetts School Building Authority (MSBA) and it was positively received. Jerry said this presentation was made prior to the Town of Belmont's letter of June 23, 2015 where they requested that MSBA indefinitely postpone taking action on the recent request by the Minuteman Regional

Vocational and Technical School District to move the building design project to serve 628 students. He said it will be interesting to see how MSBA reacts to Belmont's letter.

Jerry said there are several issues for the Town of Carlisle to consider. He said if MSBA agrees to go ahead with the process, it seems likely that the Minuteman School District will request a district-wide vote to approve the funding.

Mr. Gorecki noted that the Town of Wayland has requested to leave the District and this has to be unanimously approved by all of the member Towns. He said the Board of Selectmen has to decide if we should approve the district-wide vote. The Board also discussed drafting a letter indicating that they support the letter submitted by the Town of Belmont. The advantages/disadvantages of the district wide vote were discussed.

Mr. Gorecki said the Board should inform Judy Taylor, our Minuteman School Committee representative, on how the Board would like to see the vote for authorizing the debt is taken.

Mrs. Moroney suggested writing a letter to MSBA that includes the Town of Carlisle's issues with this process. Mr. Gorecki proposed sending a letter to MSBA stating that we support the Town of Belmont's letter. He said the MSBA will be addressing this matter on August 6<sup>th</sup>. Mr. Gorecki said he will draft a letter to MSBA and the Board can review and approve same at their next meeting on July 28<sup>th</sup>.

On a motion made Mr. Brown and seconded by Mrs. Moroney, it was unanimously **VOTED** to send a letter to MSBA outlining the Town of Carlisle's concerns with the process and current proposal.

On a motion made by Mr. Brown and seconded by Mrs. Moroney, it was unanimously **VOTED** not to support the district-wide ballot and request that our Minuteman School Committee representative to oppose any measure of that nature.

### **Board of Selectmen Vacancy**

Mr. Gorecki said Selectman Peter Scavongelli has moved to another Town and cannot serve on the Carlisle Board of Selectmen. He said this Board will have to determine how to fill this vacant position. He said due to our own personal summer schedules there will be a few meetings where only three members will be present. Mr. Gorecki said the Board should decide tonight whether we take the necessary steps to fill this vacant seat on the Board of Selectmen. He said M.G.L. states that there are two ways we could move forward with this issue. Mr. Gorecki said the Board of Selectmen can decide to have a special election or, 200 residents or 10% of the voters can request in writing that the Board of Selectmen hold a special election. He said he supported the idea of scheduling an election. He felt it was necessary to have another person on the Board. Mrs. Moroney was concerned with the cost of an election and the timing. Mr. Gorecki said he would look into the costs. In regard to the timing, he said we would have to allow thirty days for people to submit nomination papers and fifteen days after that to hold the election.

Ms. Lemaire suggested not beginning this important process until September, which would allow time for vacationing residents to return to Town. Mrs. Moroney suggested an October 1<sup>st</sup> election.

Mr. Gorecki said at the next meeting the Board will have a better understanding of the timing and then proceed to take a vote on how to move forward.

### **Disposition of the Greenough Barn**

On a motion made by Ms. Lemaire and seconded by Mrs. Moroney, it was unanimously **VOTED** to accept the recommendations of the Greenough Barn Committee and request that they take steps to have the Greenough Barn removed.

### **FY 2016 Board of Selectmen Goals**

Mr. Gorecki said the last discussion on the Goals was on May 12, 2015. He said since then he has met with many individuals and has drafted a set of Goals for the Board to review tonight. Mr. Gorecki said he took the goals from last year's list and added in what he had learned from feedback

from those meetings to the new list. The Board went through the FY15/16 Goals & Objectives (attached hereto) and modifications and additions were made to the document.

Mr. Gorecki said his next steps in this process will be to meet with those remaining individuals that he has not spoken to have their input in this process. He said he will integrate the modifications and additions that were offered at this meeting to the Goals.

### **Town Administrator Report**

Temporary Building Inspector Mr. Goddard said as discussed earlier, he has made arrangements with Chelmsford Town Manager Paul Cohen to hire one of Chelmsford's Building Inspectors on a temporary basis to cover the Building Department while we conduct a search for John Luther's replacement. He noted that the position has been advertised. Mr. Goddard said the Building Department also has Scott Hammond from Billerica as a part-time inspector.

Draft 2016 Annual Town Meeting Timeline Mr. Goddard said he spoke with the Town of Concord's Town Manager Chris Whelan last week regarding Concord's preliminary 2016 Town Meeting schedule. He said Mr. Whelan informed him that Concord will not have their 2016 Town Meeting on a Sunday and they will move it to a day earlier in the month of April. Mr. Gorecki suggested holding Carlisle's Town Meeting on May 9<sup>th</sup> and the Town Election on May 17<sup>th</sup>.

Salvation Army fundraiser Mr. Goddard said the Salvation Army has requested approval to conduct a portion of their September 12<sup>th</sup> bike ride through the streets of Carlisle.

On a motion made by Mr. Brown and seconded by Mrs. Moroney, it was unanimously **VOTED** to approve the Salvation Army's request to conduct a portion of its' Saturday, September 12, 2015 bicycle ride in the Town of Carlisle with the understanding that they shall consult with the Police Department regarding traffic and roadway safety and comply with the Town's Policy regarding marking of the route.

Community Compact program Mr. Goddard said attached to this report the Board will find a copy of the Baker Administration's Community Compact program. He said the 'Administration' is asking that cities and towns commit to implement certain *best practices* in policy areas of their own choosing and in return they will receive preferred status regarding state grants and other assistance. Mr. Gorecki asked Mr. Goddard to follow-up on this program and prepare a proposal for same.

Contract for Organic Fertilizer Application Mr. Goddard asked the Board to review and approve an agreement between the Town of Carlisle and Mahoney's Safe Lawns, Inc. for Organic Fertilizer Application on behalf of the Recreation Commission in the amount of \$35,000. Mr. Gorecki said he would like more time to review this contract and therefore postponed approving same to the Board's first meeting in August.

The Board discussed their up-coming meeting schedule. The next three meetings were scheduled on July 28<sup>th</sup>, August 5<sup>th</sup> and August 27<sup>th</sup>.

### **Liaison Reports**

Mr. Brown said the Technology Committee would like to give a presentation at the Board's meeting on August 5<sup>th</sup>. He said this presentation will include updates on the progress of the committee and a few proposals.

Mrs. Moroney said the Housing Production Plan Committee will meet on Thursday, July 15<sup>th</sup> and the Housing Trust will meet on Monday, July 20<sup>th</sup>.

### **Appointments/Resignations**

On a motion made by Mr. Brown and seconded by Ms. Lemaire, it was unanimously **VOTED** to appoint the one year Committee members as presented [attached hereto] with the addition of J. Thomas Brownrigg to the Conservation Restriction Advisory Committee.

On a motion made by Ms. Lemaire and seconded by Mr. Brown, it was unanimously **VOTED** to accept the resignation of Barbara Culkins from the Carlisle Celebrations Committee with gratitude for her services.

**Minutes**

On a motion made by Mr. Brown and seconded by Mrs. Moroney, it was unanimously **VOTED** to approve the Minutes to the Board of Selectmen's meeting of June 23, 2015.

**Executive Session**

At 11:05 p.m. a motion was made by Mrs. Moroney to enter into Executive Session pursuant to MGL Ch. 30A, §21(a) paragraph (3) to discuss strategy with respect to litigation as an open meeting may have a detrimental effect on the Town's litigating position and that afterwards the Board will not return to open session. The motion was seconded by Mr. Brown.

There was a discussion regarding stating the topics to be discussed in the Executive Session Motion. Mr. Gorecki said he would like to discuss this issue with Town Counsel and the motion above would remain as moved for tonight.

The following roll call vote was taken: Gorecki – aye; Moroney – aye; and, Brown – aye; and, Lemaire – nay. [3 yes, 1 no].

Respectfully submitted by Margaret Arena