

Board of Selectmen
March 1, 2007

Present: Kenneth F. Troup
Panny Gerken
Curtis Plante

The Board of Selectmen met at the Town Hall at 7:00 p.m.

Present: Advisory Committee member David Lindsay, Andrew Burnett,

WARRANT

#07-18 \$94,317.80

#07-18A \$113,557.82

BATCO - CONTROL BOOTH AT TOWN HALL

Mr. Bob Johnson met with the Board of Selectmen to request approval of a plan from BatCo to build an L-shape control booth in the back corner of the big meeting room located at the town hall. A large safe presently occupies this space and the proposal included moving the safe. The booth will be built with drywall so that it can be painted to blend with the meeting room and can easily be removed if necessary. It will have a plexiglas window and built in desk. The equipment can then be stored and locked in this booth and the big blue cabinet in the hallway of the Town Hall may be moved to Emerson School. The work will be done on Fridays and weekends so it will not interfere with any town hall business. No additional power will be needed. The door located next to the proposed area of the booth will not change in anyway. Ms. Cussen, Town Clerk expressed concern with taking up more of the space she uses for voter check-in during election. Mr. Plante suggested reversing the flow of traffic through the Selectmen's meeting room but Ms. Cussen stated that would not work. Mr. Plante also questioned whether the booth could be used as the check-in location. Mr. Troup stated that we have discussed moving the elections to another location which would then help to resolve any concerns of Ms. Cussen. This work will be funded out of the BatCo budget. On a motion made by Gerken and seconded by Plante, the Board of Selectmen voted to approve the request for this project with the understanding that BatCo would mark off the area to be used with tape for review by Town Clerk Betsy Cussen and Town Administrator Jodi Ross. (Troup – yes, Gerken – yes, Plante – yes) Mr. Johnson was reminded to get a building permit for this project and the fee will be waived.

The Board of Selectmen plan to review the progress of BatCo at an April or May Board of Selectmen meeting.

KEARNS, 556 WATTAQUADOCK HILL ROAD - CLASS II LICENSE

Present: Frank Krysa

Mr. Kearns of 556 Wattaquaddock Hill Road met with the Board of Selectmen to request a Class II license from the Town so that he can purchase vehicles at auctions for resale at a small profit to supplement his income for saving for college tuition for his children. Mr. Kearns proposed that he would only have two vehicles at a time on site and they would not be on display outside of his two car garage. Detailing of the vehicles would be done in the garage and no repairs would be done on site. Buyers would be screened and there would be no noticeable traffic. The Board explained to Mr. Kearns that although there are several commercial businesses in the area of the Kearns residence, it is a residential district and not a commercial district as Mr. Kearns referred to.

It was the opinion of Building Inspector Frank Krysa that this type of business was not allowed in a residential area. Mr. Kearns stated that it was not a business and that he would move it out of town if it became a business. Ms. Ross explained that although she understood Mr. Krysa's concerns the Board of Selectmen have issued Class II licenses in the manner Mr. Kearns proposed and that the Board could put restrictions on the license. Mr. Kearns was also informed that he would be required by the State to provide a bond in the amount of \$25,000.

On a motion made by Gerken and seconded by Plante, the Board of Selectmen voted to approve this request with the following restrictions: No more than two unregistered vehicles will be on the property at one time; the vehicles will be stored in a garage at all times; there will be no outdoor signage or lighting and there will be no repairs done on the premises. (Troup – yes, Gerken – yes, Plante – yes)

CULTURAL COUNCIL

Kate Weiss-Gordon, Chairman of the Cultural Council met with the Board of Selectmen to recommend that Gong-jia Xing and Judith Leonard be appointed to the Cultural Council, term expiration March 1, 2013. Ms. Gordon stated they do not have a limit on the number of members they can have. Ms. Leonard has been a resident of Bolton for 36 years and is a project administrator. Ms. Xing who was present for the meeting moved to Bolton in 1993 from China and is a retired teacher.

On a motion made by Gerken and seconded by Plante, the Board of Selectmen voted to appoint Ms. Xing and Ms. Leonard to the Cultural Council. (Troup – yes, Gerken – yes, Plante – yes)

PROPOSED RELOCATABLE RFP

The Board of Selectmen discussed the proposed RFP for the relocatable adjacent to Emerson School. Ms. Ross will draft an RFP for review. Based on discussions the RFP will include building improvements, parking requirements, will be restricted to not for profit organizations in the Bolton area. Sealed proposals will be required and opened at a certain date and time. The report of inspection conducted by Building Inspector Frank Krysa and DPW Director Harold Brown of the relocatable will also be referenced.

TRAFFIC ENGINEERING

Present: Public Ways Safety Committee members Dan Senie and Leslie Breeze; Chief Alfano; DPW Director Harold Brown; John & Jean Jesensky, resident of Harvard Road; and Chris Slade

Mr. Slade met with the Board of Selectmen to express his concerns regarding the intersection of Harvard Road, Manor Road and Route 117 and request their support in finding a solution to making the intersection safer. Mr. Slade had drafted an article for the Annual Town Meeting requesting a feasibility study be done of the intersection. He noted that development projects going on in neighboring towns would also increase the traffic on Route 117 through Bolton and maybe the developer would be willing to help fund the project. Mr. Slade also met with the Public Ways Safety Committee the evening before to discuss this matter. In general, the Public Ways Safety Committee endorsed the idea of a feasibility study. They also felt that the Wattaquadock Hill Road, Manor Road, Route 117 area needed to be part of the study because of the traffic impacts and proposed

plans of a public safety building at the fire station location which they felt would require some sort of traffic lights at Wattaquadock Hill Road and Route 117. Ms. Ross suggested that the Police and Highway Departments along with the Public Ways Safety Committee try to formalize a course of action. Mr. Troup did not have a problem with the article being placed on the annual town meeting warrant. He also stated that another option would be to use funds available in the Board of Selectmen's engineering line item of their budget or an Advisory Committee transfer could be requested to start the study right away. Mr. Brown estimated that a feasibility study would cost from \$7,000 to \$14,000. Chief Alfano stated that a traffic light would cost anywhere in the vicinity of \$150,000 to \$200,000. Mr. and Mrs. Jesensky stated that the feasibility study and traffic lights was an ideal solution from their prospective but that something needed to be done now to align Manor and Harvard Roads. Mr. Senie stated that a short term solution could be to use some type of striping to improve the alignment when coming up to the intersection. It was also noted to be sure pedestrian crossing and bike lanes were taken into account.

A motion by Gerken to recommend Town Administrator Jodi Ross draft an RFP for the traffic study was not seconded and therefore withdrawn.

Mr. Plante was not favorable to spending the funds on a feasibility study when it would only provide information that Mr. Plante feels we already know. He agreed that a traffic light was needed in the intersection and would prefer to get information on what an engineering analysis would cost to consult, design and engineer a solution in accordance with Mass Highway standards. Mr. Senie stated that it was his hope that the feasibility study would help to provide information as to how we should proceed to correct the intersection.

Ms. Ross agreed to get more information on traffic studies, available grants and Mass Highway requirements before the next Board of Selectmen's meeting. Mr. Brown stated he would make a visit to Tom Waruzila, Mass Highway representative to discuss the intersection and see if he could point us in the right direction. Mr. Plante agreed to attend the meeting with Mr. Brown.

CENTURY MILL ROAD DISCUSSION

Mr. Troup stated that when the Public Ways Safety Committee met with the Selectmen at a previous meeting they came to an agreement that a short term solution to the Century Mill Road and South Bolton Road intersection would be to take out the island and put in the appropriate striping on the road. Mr. Brown stated the cost would be minimal including an estimated \$700-800.00 to have some trees taken down with the rest of the work being done in-house. Mr. Brown agreed to confirm the costs for the short term solution for the intersection and in the meantime the neighbors will be notified of the proposed solution.

Mr. Brown stated that the Route 85 and Century Mill Road intersection was more of a problem because Century Mill Road drops down below Route 85 which limits sight visibility from the north and south. Mr. Brown's opinion is that with the addition of 800 more vehicles to the area because of the upcoming development the intersection should be redesigned.

Mr. Brown stated that he has sent a letter to the Planning Board regarding this intersection.

Mr. Brown also informed the Board of Selectmen that it will cost \$2,000 a year to clean the cisterns and has also brought this to the Planning Board's attention.

ANNUAL TOWN MEETING

The Board of Selectmen reviewed the draft annual town meeting warrant and any changes that have occurred since the last meeting:

Article 3: Fiscal Year 2007 Budget Transfers – Ms. Ross stated that nothing has been changed in this article but there are some discussions on how much money will be transferred from Ambulance Receipts Reserved for Appropriation to Ambulance Purchase of Service.

Article 6: Amendments to the Personnel Bylaw 1.14.3 – The Personnel Committee submitted amendments to their Personnel Bylaw today that have not been reviewed by Ms. Ross or Town Counsel at this point. The proposed articles clean up language related to clerical duties of the Personnel Committee and is not related to employee benefits.

Article 11: Lease Agreement for the Relocatable Building on Mechanic Street (adjacent to Emerson School) and **Article 12: Lease Agreement to Allow a Cell Tower at the Transfer Station** - language has been tweaked a bit and summaries written.

Article 15: Funding for the New Ambulance – Ms. Ross stated she has not spent a lot of time on this article because of the question as to whether it will remain on the warrant. Mr. Troup asked if the information had ever been submitted regarding the repairs needed on the present ambulance. Mr. Plante stated that members of the Ambulance Department met with the Advisory Committee and it is their opinion that the time is right to replace the 9-10 year old ambulance with funds from the ambulance reserve account. The ambulance has 40,000 miles on it, is valued at \$4-5,000 and requires repairs in the amount of \$4-7,000. The recurring repairs are outside the warranty and any repairs must be made in Connecticut which means leaving the vehicle for a while. The Ambulance Department would like to be on a 5 year purchase plan.

Article 16: Fire Truck – The Fire Department has submitted an article in the amount of \$20,000 to offset the Federal grant for the purchase of a new 2007 fire truck. Ms. Ross stated that one bid was received and opened today for the fire truck. The bid is being reviewed by John Stephenson and Don Baum. Mr. Stephenson and Mr. Baum would like to meet with the Board of Selectmen and Advisory Committee at the March 6th joint meeting to discuss entering into a contract for an amount of more like \$12,000 rather than the previously quoted \$20,000.

The fire and ambulance departments are also looking for funds to install a radio in the fire station that will allow contact directly MEMA during a disaster. On a motion made by Gerken and seconded by Plante, the Board of Selectmen voted to approve the amount of \$450 from the Board of Selectmen's account to install the MEMA radio in the fire station. (Troup –yes, Gerken – yes, Plante – yes) Ms. Ross stated that at a LERPC meeting the location of the radio was discussed and it was their opinion it should be located in a separate location from the dispatchers.

Article 17: Purchase of a 6-Wheel Truck for the Department of Public Works for \$150,000 - Mr. Brown is willing to wait a year for this truck and therefore recommended that the article be pulled from the warrant. Mr. Plante agreed to talk with Mr. Brown and get back to the Board of Selectmen at their next meeting.

Article 19: Public Safety Building Task Force – Public Safety Building Task Force received quotes that they are evaluating tomorrow and asked to keep a place holder for an article.

Article 20: Continuation of Cleanup of Gasoline Contamination – Mr. Troup questioned the funds being requested in this article. He suggested the summary explain the process and reason for funds being requested.

Ms. Ross stated that Mr. Brown had \$14,600 left from a prior article and \$30,000 from another article. Since the discussion he has spent the \$14,600 and an additional \$4,000 out of the \$30,000 article for a remaining balance of \$26,000.

Article 21: Purchase of a Vehicle for Use by Town Department –Mr. Brown asked that this article be left on the warrant. The original plan was to purchase a van or small truck and then the town did receive a gift of a van. This request of a vehicle is for the custodian, Conservation Commission and the Board of Assessors to share with the primary user being the custodian.

Article 22 – Installation of Sidewalk along Main Street – Sidewalk RFP quotes have been received and references are presently being checked. It is anticipated that the price will be \$35,000 or less.

Article 23 - Retiree Health Insurance - The Insurance Advisory Committee had not yet voted but it is anticipated that the Committee will recommend the town establish a mandatory retiree and senior health insurance program per Massachusetts General Laws, Chapter 32B, Section 18. This Insurance Committee will attend the next Board of Selectmen meeting.

The Planning Board pulled the submitted article related to definitions. There is a possibility that the Oak Trail acceptance article will be pulled.

Question of discussing CPA at town meeting: Mr. Lindsay's feeling is that not everyone reads the town meeting warrant and would like opportunity to discuss the CPA at the Annual Town Meeting. His feeling was the discussion could be worked into Article 25 that authorizes the town election. The Moderator's opinion is it should not be discussed at the annual town meeting.

Ms. Ross stated that the deadline for draft articles was a couple of weeks ago and the deadline for final articles is March 2, 2007.

CITIZEN'S PETITION

A citizen's petition has been received with over 200 certified signatures. The Board of Selectmen was provided with a copy of the citizen's petition. The Board has 45 days to call a special town meeting and the recommended date of a special town meeting is April

2, 2007. Mr. Troup asked if it would be of any help to take any articles for the annual town meeting and place them on the special town meeting warrant.

On a motion made by Plante and seconded by Gerken, the Board of Selectmen voted to call a special town meeting on April 2, 2007 at 7:00 p.m. for the purpose of a citizen's petition for the Community Preservation Act. (Troup – yes, Gerken – yes, Plante – yes)

On a motion made by Gerken and seconded by Plante, the Board of Selectmen voted to close the special town meeting warrant. (Troup – yes, Gerken – yes, Plante – yes)

APPOINTMENTS

On a motion made by Plante and seconded by Gerken, the Board of Selectmen voted to appoint the following individuals to the Energy Committee. (Troup – yes, Gerken – yes, Plante – yes)

Chinloo Lama

Joel Lindsay

Martha Broad

Paula Berg

Robyn Roberts

Michael Gorr

Laura Kischitz

Kevin Lord

On a motion made by Troup and seconded by Plante, the Board of Selectmen voted to appoint the following individuals to the Public Safety Building Task Force, term expiration June 30, 2009. (The Police Station Study Committee originally formed at town meeting was dissolved).

Vin Alfano

Andy Bagdonas

Jeff Buffum

Mark Giunta

Dennis Mahoney

Thomas Kelly

David Farrell

John Mentzer

Dina Rich

Margy Diaz

Liaisons to the Public Safety Building Task Force will be: Ken Troup – Liaison from Board of Selectmen; David Lindsay – Liaison from the Advisory Committee.

TOWN ADMINISTRATOR REPORT

Ms. Ross reported that Bolton Orchards has requested permission for a self service ice cream window. The request has been referred to the Board of Appeals.

COST OF LIVING ADJUSTMENT (COLA)

Ms. Ross reported that the Advisory Committee has not voted on the 3% cost of living adjustment recommended by the Personnel Committee. Ms. Ross stated that

recommended COLA would be an additional \$35,000. Ms. Gerken recommended the Board of Selectmen vote on the COLA but Mr. Lindsay felt it was premature at this time.

SPACE NEEDS COMMITTEE

On a motion made by Gerken and seconded by Troup, the Board of Selectmen voted to form a Space Needs Committee – Phase II for the Emerson 1952/1972 to develop architectural drawings and costs for the upgrading of the space for school use and to investigate possible state funding as well as grants for the renovation of the 1952/1972. The Committee will also be charged with monitoring the school population growth to give the town adequate time to renovate the 1952/1972 to meet student needs in the future. They will also provide oversight over the renovation process. The Board of Selectmen will advertise via the Bolton Common to seek volunteers to serve on the Committee. The Committee will include someone from the Board of Selectmen, Advisory Committee, Board of Selectmen, principal, a teacher. They would also like someone from the Capital Planning Committee to serve or be a liaison to the Committee.

EXECUTIVE SESSION

On a motion made by Plante and seconded by Gerken, the Board of Selectmen voted to go into executive session under Chapter 39, Section 23B (6) at 9:45 p.m. to consider the purchase, exchange, taking, lease, or value of real property if such discussion may have detrimental effect on the negotiating position of the governmental body. The Board voted not to reconvene to open session. (Roll Call: Troup – yes, Gerken – yes, Plante – yes)

Meeting adjourned at 9:45 p.m.