

Board of Selectmen  
August 9, 2007

Present: Panny Gerken  
Curt Plante

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

Advisory Committee Chairman David Lindsay was present.

The Board of Selectmen expressed their sincere sympathy in the loss of William Tate, a volunteer firefighter for 38 years. Mr. Tate was active in bringing the department from where it was to where it is today. The Board sends their condolences to the family.

#### WARRANT

#08-3A        \$580,277.94

#08-3        \$106,609.27

#### INTERVIEWS – AGRICULTURAL COMMISSION

Present: Martha Ashe and Nancy Caisse

The Board of Selectmen interviewed Ms. Ashe and Ms. Caisse for the Agricultural Commission.

Ms. Caisse has been in town since 1958 with approximately 180 horses, sheep, pigs and chickens over the years. She graduated from Colby College with science as her major interest. She runs a low key business farm breeding horses to sell and show. She is retired and only steps forward when things are very important. She is very active in the American Morgan Association and New England Morgan Association. She worked for the Bolton Citizen's News before it became the Bolton Common. Most of her activities have been through youth groups such as 4-H activities here in town. Youth is very important to her and she has worked at the National level of Morgan Associates to develop programs. She feels it is important to step up and preserve agriculture in town. She stated that she thought the Commission should be a little conservative, and provide a pleasant atmosphere to the public. She feels that it is important to find out all the facts before solving problems to reach some sort of compromise.

Ms. Ashe has been in town for 22 years. She was very active in the school system as her children were growing and served on the Recycling Committee. She is very interested in the town and the atmosphere of the town and also interested in keeping it agricultural.

She is a neighbor of a couple of farms. Ms. Ashe would like to keep the Commission balanced and make sure neighbors are represented and their concerns are met. She is also interested in other activities the Agricultural Commission would be involved in such as educational possibilities for townspeople and involving the schools.

Mr. Plante suggested the idea of guidelines regarding the number of livestock per acre or square foot as he felt some farmers could or might have the ability to over populate their land. Ms. Caisse stated that it is her understanding that the Board of Health would be

required by the state to adopt some sort of animal health regulations once the town reached the population of 5,000. Ms. Caisse stated that Weston and Carlisle have done an excellent job at drafting their regulations.

Ms. Gerken stated that the Commission was established to consist of 5 members and the Board of Selectmen would be interviewing 8 interested parties. Ms. Caisse stated she was willing to work behind the scenes as well.

Ms. Caisse encouraged the Board of Selectmen to consider three people for the Commission. Mr. Nicewicz, a commercial farmer who has contacts in the field of agricultural at the State and Federal level; Joe Kovac, who has preformed very well for the town, is involved in the Bolton Fair and worked very hard in organizing the Agricultural bylaw and establishing of the Commission, and Rob Held who is a knowledgeable person with a feeling for the town. She highly endorses his involvement. Chairman Gerken asked that Mr. Plante and Mr. Troup provide their recommendations on members to Town Administrator Jodi Ross. The Board of Selectmen will make the appointment at their next meeting.

It was noted that Martha Ashe would qualify for the non-farming member of the Commission.

#### TY-RODS CLUB INC. MASS.

Mr. Maurer met with the Board of Selectmen to request permission to place signs in Bolton for their annual Old Timers Reunion Car Show to be held at the Bolton Fairgrounds in Lancaster. Mr. Maurer stated that the Ty-Rods Club has been in existence since 1952. Ever since then they have held an Old Timers reunion and have planned their 35<sup>th</sup> consecutive annual event for September 9, 2007 at the Bolton Fairgrounds in Lancaster. Approximately 2000-3,000 spectators are expected for the hot rod custom car show.

Mr. Maurer proposed a total of nine (9) 24" X 24" signs on ground stakes installed by Ty-Rods personnel. All signs will be mounted approximately 48" above grade to the center line of the sign. The signs will be put up on September 2, 2007 and removed on September 9, 2007 between the hours of 2 to 4 p.m.

The locations requested included:

Route 495 North at Exit 27 – Route 117 off Ramp

Route 495 South at Exit 27 – Route 117 off Ramp

Route 85 at intersection of Route 117

Route 117 West near East End Road

Route 117 West between Wilder Road and Green Road

Route 110 North at intersection of Route 117

Route 110 South at intersection of Route 117

Route 110 South at intersection of Route 117 Vaughn Hill Road (2 signs)

The Board of Selectmen also received a letter from Frank Krysa, Building Inspector stating he did not see any problems with the request for signs.

On a motion made by Plante and seconded by Gerken, the Board of Selectmen voted to approve only five (5) signs as follows: (Gerken – yes, Plante – yes)

Route 495 North at Exit 27 – Route 117 off Ramp  
Route 495 South at Exit 27 – Route 117 off Ramp  
Route 85 at intersection of Route 117  
Route 110 North at intersection of Route 117  
Route 110 South at intersection of Route 117

The Board of Selectmen cautioned Mr. Maurer to be sure that signs are placed in location not to block the view at intersections. A building permit is not required for these signs.

#### TOWN ADMINISTRATOR REPORT

**Chapter 70 aid:** Ms. Ross provided the Board of Selectmen with a copy of a letter from the Stow Finance Committee to the Nashoba Regional School Committee regarding excess Chapter 70 aid. It is their feeling that any additional state aid received should be returned to the member towns of the District in the form of lower FY08 assessments. The Board of Selectmen agreed that they would discuss with Superintendent Wood and the School Committee at the Board of Selectmen's meeting being scheduled for September 13, 2007.

**Municipal Coalition for Affordable Housing (MCAH):** Ms. Ross provided the Board of Selectmen with a letter and newsletter from Dick Heaton of the Municipal Coalition for Affordable Housing inviting the Board to join the MCAH. The Board will take under advisement. The documents will also be forwarded to the Planning Board and Affordable Housing Partnership.

#### APPOINTMENT

Present: Doug Storey and James Owen

The Board of Selectmen received a recommendation from the Planning Board to appoint Mr. James Owen as an Associate Member. The Board of Selectmen interviewed Mr. Owen of Century Mill Road who stated he was introduced to the planning process during his participation at hearings for the Century Mill Road Estates Project. Mr. Owen is a software engineer. He has not served on a Planning Board or Board of Appeals or any other town committee in the past.

Mr. Plante asked if this opening had been advertised. He would like to advertise if it had not been in order to be fair to the general public.

Mr. Storey stated that they did not advertise, but have been soliciting interest for almost two years now. Mr. Storey reminded the Board that according to the bylaw it is a majority vote of the Board of Selectmen and the Planning Board.

The Board of Selectmen recommended that we advertise in the Bolton Common and defer appointment to the next Board of Selectmen meeting.

#### **PUBLIC WAYS SAFETY COMMITTEE – SIDEWALKS**

Public Ways Safety Committee members and residents of Main Street met with the Board of Selectmen to discuss Mr. Plante's concerns regarding assorted type mailbox containers blocking the sidewalks. The Board would like to find alternatives for anchoring mailboxes along Main Street so that they do not block the sidewalk.

Mr. Senie, Chairman of the Public Ways Safety Committee stated the Committee has looked at the sidewalks on Main Street and other areas of towns and prepared a report that he summarized for the Board. (The report titled "Existing Sidewalks Report, Public Ways Safety Committee, Daniel Senie, Chair, dated 8 August 2007" is available at the Town Secretary's office) The report stated that there are many obstacles along the sidewalks that include utility poles, school zone signs, assorted tubs, mailboxes. There is also lack of ramp access at side street entrances. Maintenance of the sidewalks was also an issue. There is brush, weeds, sand cracked pavement and shrubs growing out over the sidewalk.

The Public Ways Safety Committee recommendation is to maintain what we do have at the moment. The committee would like a line item for regular maintenance of the sidewalks added to the budget.

The mailbox issue is an immediate concern and the Public Ways Safety Committee talked with the Postal Services regarding options. There are options but they are limited. Walk up service to the door is not an option the Postal Service is willing to provide. Mailboxes set back on the lawns beyond the sidewalk would still require the letter carrier to be out of their vehicle the Postal Services does not wish to do this. The Postal Services was in favor of shared mailboxes such as those at the Freidus building on Main Street. The Postal Services would be willing to pay for and install the mailboxes to fit the character along Main Street.

Selectmen Plante and Gerken both stated they have talked with the Postal Services who confirmed that walk up service would not be an option.

The other alternative would be to find a way to install mailboxes on permanent posts at the curb of Main Street. The town would probably need to provide guidelines for this option. Public Ways Safety Committee proposed a longer term solution to remove one of the parking lanes on Main Street, narrowing the pavement, and providing space for a grass strip between the curb and sidewalk to accommodate mail boxes, utility poles and school zone lights. Telephone poles could be moved from sidewalks and utilities buried or the sidewalks moved making our sidewalks ADA compliant which would be a wise thing to do.

An inventory of current sidewalks in town and conditions were provided. The inventory includes Main Street, Coventry Wood Road, Danforth Lane, Drumlin Hill Road, Fox Run

Road, Mechanic Street, Wattaquodock Hill Road and the bridge area over I-495 on Sugar Road.

Photographs were provided that showed areas of concern related to location of utility poles, mail boxes, and school zone signs.

Mr. Brown, DPW Director stated that this is his first review of the report and therefore has not had any discussion with the Public Ways Safety Committee as yet.

Mr. Plante noted the build up of sand on the outside edge of the sidewalk between the Salt Box and Parsonage and asked Mr. Brown if this is something that could be addressed.

Mr. Brown stated there are bushes hanging over the sidewalks in that area. The Board agreed that a letter could be sent to the residents asking them to prune back the bushes.

Mr. Brown stated there is a bigger problem on Coventry Wood Road regarding trees. He stated that residents would like to see the sidewalk removed.

Mr. Brown agreed that his summer crew would work to remove the weeds, sand and overhanging bushes from the sidewalks during the month of August. The poison ivy removal is done once a year by his licensed employees and must be posted prior to any removal. Mr. Brown agreed to meet with the Public Ways Safety Committee to discuss areas to be addressed.

Mr. Brown stated that Mass Highway is still compiling the data related to the Route 117 traffic. The traffic study has been done, the Mass Hwy engineering department is looking at the intersections and the Police Chief has provided Mass Hwy with data related to accidents. Ms. Bensetler of 674 Main Street recommended that residents be more involved or at least made aware of Mass Highway involvement.

When asked if anyone would be interested in the idea of a group mailbox, there was only one resident present out of approximately 15 residents who favored this option. The postmaster will be provided with a copy of the tape from this evening.

Ms. Philbin, of 725 Main Street stated she had lived in town since 1939 (when she was the last class at the Houghton building to have non-flushing toilets.) She recommended that the Wisell property be used as an annex for the post office. She also stated she would like to see the sidewalks maintained and snow plowed. Mr. Brown stated that he has brought this up in the past with the Board of Selectmen and they were opposed to sidewalk snowplowing. Other concerns included the fact that when cars are parked in front of their mailbox the postal carrier will not deliver mail and they feared that shared mailboxes would cause more chance of mixing up resident's mail.

Mr. Burnett of 730 Main Street asked if the town presently had a bylaw stipulating that residents clear snow on sidewalks in front of their property and if not why was the DPW

not doing this. Ms. Boynton of 702 Main Street stated that the wine barrels tend to travel around therefore making it difficult for the snowplowing but she seemed to recall them being plowed as recent as two years ago. Mr. Brown stated the sidewalks are blocked making it difficult for a snow blower to pass by and funding is an issue. Ms. Ross noted that \$50,000 was turned back from snow and ice for FY07.

Chief Alfano stated he resolved the issue for himself by getting a post office box at the post office. Maybe something could be worked out so residents getting a post office box would get a tax break.

Mr. Lindsay, Chairman of the Advisory Committee suggested that perhaps the town could pay for the posts and installation for those affected along Main Street. Public Ways Safety Committee estimated approximately 18 mailboxes along Main Street. They noted that if this was the course of action the town decided to take there might be additional residents along Main Street that would opt to go back to mailboxes versus having a post office box.

Ms. Bensetler stated having a post office box is an issue for anyone that works all day and can not get to the post office during the Post office open hours. She does not feel having a mail box along Main Street is a big issue and does not want to see choices forced on residents.

Mr. Burnett stated that he is willing to get rid of the big bucket if the town would drill a hole for him to place a post in the ground. He also suggested the Board of Selectmen put pressure on the postmaster as he does not consider Main Street to be a rural route.

Mr. Woolston of 651 Main Street stated that when the postmaster was asked about post office boxes he was told there was a shortage. Mr. Plante confirmed that he was informed by the postmaster that there are plenty of post office boxes at this time. Ms. Gerken suggested that the Public Ways Safety Committee have a meeting with residents of Main Street and DPW Director Harold Brown to discuss ways to solve the problems.

Mr. Brown stated that the drilling permanent holes would require equipment he does not have. Mr. Brown suggested that the whole picture be looked at rather than just concentrating on the mailbox issue. Mr. Plante stated core drilling through the asphalt and concrete was possible and that there are companies that could do that. This would be a cost effective way to get through the elements under the pavement. Ms. Brown also expressed a concern with liability if the town were to install the posts.

Mr. Burnett recommended that the town talk with Frank Chiodi, as he is aware that Mr. Chiodi has the equipment to drill holes. Mr. Brown will talk with Mr. Chiodi, explain the situation and report back to the Board of Selectmen. Many of the residents were will to pay for and install their own posts if the town was responsible for drilling the holes for the posts.

## VIDEO/AUDIO TAPING OF TOWN BOARDS/COMMITTEES/COMMISSION MEETINGS

Ms. Ross reported that she sent an email to departments effected by the decision to have their meetings audio recorded. The Board of Health had concerns with audio recordings of discussions of sensitive material such as quarantine reports and executive sessions.

Ms. Ross stated executive sessions would not be recorded. At public meetings measures could be taken to provide some privacy of the information so that names were not broadcasted. There was also concern that it would stop volunteers from joining a board or committee. Ms. Ross stated that the Mullins Rule, adopted at Town meeting, allows a member of a board who misses a public hearing to continue to vote on the issue if they view a video or audio recording of the meeting.

On a motion made by Gerken and seconded by Plante, the Board of Selectmen voted to implement audio recording of Board of Health, Conservation Commission, Advisory Committee, Planning Board and Board of Appeals. (Gerken – yes, Plante – yes) The Board of Selectmen agreed to revisit the topic of discuss after three months. Equipment will be purchased for all the Boards and Committees, and a filing system developed to store the recordings.

## GOLDEN RUN ROAD

Present: Peter Casello, Bill Toth, Harold Brown

The Board of Selectmen received response from National Grid stating they would consider the proposal to use the north side of their property as an outflow for water along Golden Run Road. National Grid recommended that an engineering study and plan be done for the project and that the wetlands be delineated prior to drainage being allowed. They also asked who would delineate the wetlands, if the water was going to be treated before being discharged on to the property and who will be paying for and responsible for the project and liability? Ms. Gerken recommended deferring discussion until September when Mr. Troup returns and then consider putting on the 2008 May town meeting. Mr. Toth of Sugar Road did not think putting water on someone's land is a question of town meeting until you have a study and know where the water will be directing. Mr. Plante stated that we have done remediation work over the last couple of weeks which is not a cure all but a step in the right direction to prevent less water from flowing onto the street. With permission from the Fitzgerald's and National Grid the next step would be to get approval from town meeting for funds for the engineering. Mr. Toth also expressed concern with where the water goes from the National Grid property. Mr. Plante stated that this would be part of the study. Mr. Callinan, Golden Run Road suggested that a representative of National Grid work with the engineer to facilitate matters.

Golden Run Road residents Mr. Callinan and Mr. Casello expressed concern with the purpose of the catch basin and how it will help the situation.

Peter Casello stated that he has three concerns that include the safety of the road being flooding and icing; his driveway getting washed away and his leach field flooding. He is also concerned with the possibility of Fitzgerald's selling.

Ms. Gerken stated this discussion will be deferred until late fall when annual town meeting process begins.

Mr. Brown confirmed that the Chapter 90 funding from the state is for all town roads and therefore could be used for Golden Run Road if that was decided.

#### TOWN AD REPORT

**Governor's Serve Program:** Governor Patrick has started a new program that allows state employees to volunteer one day per month with approved agencies to encourage volunteerism. Ronald Pawelski, a resident of Bolton, has contacted Ms. Ross to offer to volunteer for the town. We will find suitable projects for him to do one day a month. Mr. Pawelski has a BA in science, an MBA, and he has also taken Management of Technology (computers) classes at WPI.

**Special Town Meeting:** Draft Articles received include drainage easement for Klauminzer property; the public safety building and ambulance. Ms. Ross has also been informed that the Parks and Recreation would like to place an article on the special town meeting for the engineering to design a playing field in the horse show field. Ms. Gerken stated that it is her opinion that this is an article for the annual town meeting. Ms. Ross stated she has not received a written request and suggested the Selectmen encourage Parks and Recreation come up with cost estimates for the field and the engineering. Mr. Plante suggested that Parks and Recreation be contacted for more information. It was suggested that the Golden Run drainage issues be placed on the annual town meeting.

**Next meeting tentative agenda to include:** Report of Public Ways Safety Committee and Mr. Brown, DPW on Main Street mail boxes, Agricultural Commission appointments, Planning Board Associate member appointment.

On a motion made by Gerken and seconded by Plante, the Board of Selectmen voted to adjourn at 9:00 p.m. (Gerken – yes, Plante – yes)