

Board of Selectmen  
May 15, 2007

Present: Kenneth F. Troup  
Panny Gerken  
Curt Plante

The Board of Selectmen met at the Town Hall at 7:00 p.m. David Lindsay was present.

Town Secretary Linda Day called the meeting to order and accepted nominations for Chairman. On a motion made by Plante and seconded by Troup, the Board of Selectmen voted to appoint Ms. Gerken as Chairman. (Gerken – yes, Plante – yes, Troup – yes)

On a motion made by Plante and seconded by Gerken, the Board of Selectmen voted to appoint Mr. Troup as Clerk. (Gerken – yes, Plante – yes, Troup – yes)

#### NICK SOZIO, EAGLE SCOUT PROJECT

Nick Sozio met with the Board of Selectmen to inform them of his proposed Eagle Scout Project to build benches for the Derby field for spectators to watch various games scheduled at Derby Field. He proposes building six benches that will be located on one side of the field and will be removable if necessary. Mr. Sozio proposed painting the benches green which is the Florence Sawyer School color and will contact Mr. Tucker, Principal of Florence Sawyer School to see if he has any preference. Mr. Sozio was also asked to coordinate his project with DPW Director Harold Brown and to contact Building Inspector Frank Krysa to see if he needs a building permit. On a motion made by Troup and seconded by Plante, the Board of Selectmen approved of this project. Mr. Sozio informed the board that his family will be moving out of town in August, but that he should be able to finish the project before then. The board wished him luck and expressed its regret that he was moving.

#### LIBRARY OPM

The Board of Selectmen reviewed the contract for the Owner's Project Manager awarded to Daedalus Projects, Inc. of Boston for the renovation and expansion of the Bolton Library. The Library Construction Committee has approved the contract and the Library Trustees will be meeting on Friday, May 18, 2007 to review the contract.

Ms. Ross stated she made minor revisions to the contract previously sent to the Board of Selectmen for their review that included revising the termination clauses and combining them into one to get rid of the redundancy.

Ms. Ross stated that Daedalus has done several projects throughout the Commonwealth including many in Franklin. Ms. Ross stated that she attended a seminar with John Rodenhiser on Owner's Project Manager Requirements and tried to incorporate as much as possible into the contract.

Mr. Plante discussed comments he had in regard to his review of the contract.

1. Mr. Plante stated there seemed to be confusion in Article 1 regarding the “price not to exceed” versus “lump sum” language and asked if the “lump sum” language should be omitted for clarification.

2. It wasn’t clear in #6 of article 2 on Page 3 who answers the questions when the project is out to bid.

3. Mr. Plante felt that there was a small loop hole in #7 of Page 4 regarding the “meetings and additional charges as appropriate” phrase and his concern with what is considered “appropriate”. Mr. Plante recommended that unanticipated charges be defined. Ms. Ross explained that any additional charges would be for something outside the scope of work they were hired for. (i.e. If we asked them to build a garage once the project is completed).

4. Mr. Plante was concerned with #16 of Page 5 with the 4 hours per day being on the low side. Ms. Ross explained that the Committee felt that this was sufficient. A schedule has been laid out and it may vary from day to day. Ms. Ross stated that most project managers work far more hours than they are paid for and she was sure they would do what was necessary to properly supervise the project.

5. Mr. Plante recommended that the language in paragraph 1 of Page 8, be changed to read “shall” instead of “may”. Mr. Rodenhiser stated “may” was originally recommended and Town Counsel recommended it be revised to “shall”. Mr. Troup explained his interpretation of the sentence was that the parties will try to work things out and if they couldn’t they would have the option of going to mediation.

5. In article 22 on page 13 the contract represents the entire agreement but the agreement does not reference all the addenda.

6. On a motion made by Troup and seconded by Gerken, the Board of Selectmen voted to execute the contract with the following revisions. (Gerken – yes, Plante – yes, Troup – yes)

The contract will be changed to read “lump sum” versus “not to exceed”.

Addenda C & D will be labeled in the contract.

A phrase will be added to clarify that the architect will respond to questions.

Ms. Ross will add the above mentioned revisions to ones she has already incorporated and provide a final copy to the Board of Selectmen.

## BATCO

Mr. Johnson met with the Board of Selectmen to request approximately \$20,000.

The request included: \$10,000 for a production switcher; \$5,000 for two cameras with tripods, microphones and some monitors. Right now they only have one camera; \$5,000 is for operating costs including training, tools, equipment being evaluated, fees for registration and attending conferences.

Mr. Johnson stated they would like to have an appreciation event for all their volunteers. Ms. Ross will contact Town Accountant regarding this expense. Mr. Johnson stated that he felt they had done a good job of keeping costs down.

Mr. Troup asked what their operating expenses were for 2006. Mr. Johnson did not have this information at the time of the meeting but will forward to the Board of Selectmen.

Mr. Plante asked what their budget was for 2007. The Board and Mr. Johnson agreed that a budget would be discussed when BatCo next meets with the Board to review its performance over the last year. Ms. Ross explained that BatCo was set up in October of 2005 at which time the Board of Selectmen provided them with approximately \$15,000 and they then came back one time for an additional \$20,000.

Ms. Ross stated that she has received requests for BatCo to televise more meetings including Advisory Committee, Board of Health, and Planning Board meetings. If BatCo can't find volunteers they may have to pay someone to record some of the meetings.

On a motion made by Troup and seconded by Plante, the Board of Selectmen voted to authorize \$20,000 be transferred to the Bolton Access Television Committee. (Gerken – yes, Plante – yes, Troup – yes)

#### POST ANNUAL TOWN MEETING DISCUSSION

Ms. Ross stated that Mr. Anker could not be here this evening but it was his opinion that for the most part town meeting went very well. There was a problem with residents being able to check in at the front door because of congestion as a result of various groups handing out brochures, etc. A suggestion was made to move them down the hallway further away from the front door.

Mr. Troup stated that the highlight of the meeting was the smiles on sticks provided to the Board of Selectmen and Advisory Committee members by Selectman Plante to be used in place of any applauding. Mr. Troup felt that not being able to use a previous speaker's name when speaking added confusion to the meeting and the message should be to behave in a civil manner and not derogatory way. Mr. Plante stated that one of Mr. Anker's reasons to keep names out of the discussions is to keep any personal attacks out of the discussions. Mr. Plante, Mr. Lindsay and Mr. Troup all agreed that "polite applause should be permitted following a presentation. Mr. Plante noted that the volunteers who prepare these presentations work hard and their efforts should be acknowledged by the town meeting. Ms. Ross will make these suggestions to Mr. Anker.

Everyone agreed that the presentation by the Advisory Committee was good. Mr. Lindsay suggested that debt level data should be provided as part of the presentation.

#### TOWN ADMINISTRATOR REPORT

**PMC Kids Ride:** On a motion made by Troup and seconded by Plante, the Board of Selectmen approved the PMC kids ride to be held in Bolton on Saturday, June 9, 2007. (Gerken – yes, Plante – yes, Troup – yes)

**DPW Road Paving Schedule:** The Board of Selectmen reviewed the updated paving schedule for FY08 provided by Mr. Brown. The list includes Forbush Mill Road, Spectacle Hill Road (beginning 642 Feet from the intersection of South Bolton Road), South Bolton Road (beginning at Century mill Road going 1,556 feet west of south Bolton Road), Teele Road, Burnham Road, Powder Hill Road, McNulty Road, Chase Street and Lancaster Road. These roads will be paved using the Chapter 90 funds totaling approximately \$298,000. Mr. Brown will be asked to provide the total mileage for this paving schedule. On a motion made by Troup and seconded by Plante, the Board of Selectmen approved this paving schedule. (Gerken – yes, Plante – yes, Troup – yes)

**Verizon:** Ms. Ross informed the Board of Selectmen that a letter was received from MMA asking municipalities to come together to defeat the Verizon's state franchising bill. A letter will be drafted for the next meeting. A copy of the letter will be provided to BatCo. Verizon will be invited to a future Board of Selectmen meeting.

**Public Safety RFQ:** The Public Safety Building Task Force will be meeting on Wednesday, May 16, 2007 at 7:30 p.m. at the Firestation to review the Request for Quote (RFQ). Any comments regarding the RFQ should be forwarded to Chief Alfano. The document is set to be released on Monday, May 21, 2007.

**Bonazzoli property:** Ms. Ross sought quotes for the testing of the Bonazzoli parcel. The two quotes received were the same but one quote referred to 5 test pits and doing up to 8 test pits if we use our town backhoe and the second quote referred to 8 test pits. Ms. Ross stated that both quotes refer to digging versus drilling. Mr. Plante stated that we are looking for soil testing and would therefore like to confirm the testing both firms have quoted. Mr. Plante and Ms. Ross will get more information on the cost and process for the soil testing.

**Tree Planting Program:** Ms. Ross reported that trees will be planted along Main Street on Wednesday, May 16<sup>th</sup>. Property owners have been notified.

**National Grid:** Ms. Ross reported the Board of Selectmen received received an email from Mr. Parker of West Berlin Road regarding tree cutting done by National Grid. Mr. Parker questioned the notification requirements when this type of work is done. The trees cut down remain along Mr. Parker's property. Ms. Ross stated that Mr. Caisse, Tree Warden informed her that National Grid is suppose to notify all property owners but she had not been able to confirm if this did happen. The Town does not clean up trees on private property but Mr. Caisse will clean up trees on the Town's easement. Mr. Caisse will be asked to evaluate the location of the cut down trees and who is responsible for removing them. Ms. Ross will report back to Selectmen on the notification process.

On a motion made by Plante and seconded by Gerken, the Board of Selectmen voted to execute a letter to be sent to National Grid requesting a meeting with them to discuss the possible use of the undeveloped 21 acre New England Power parcel to help resolve the drainage problem on Golden Run Road and Quail Run in Bolton.

**Turner, 256 Green Road:** The deadline for the extension granted to Mr. Turner for the clean up of his property is today, May 15, 2007. The Board requested that Building Inspector Frank Krysa contact Mr. Turner for permission to conduct an inspection on Wednesday, May 16, 2007. Mr. Krysa will report back to the Board with his findings.

**House numbering from Betsy Cussen:** Mr. Plante recommended that the house numbering issues outlined in a memo from Ms. Cussen, Town Clerk be addressed. If the numbers are wrong they need to be addressed for emergency personnel. Ms. Gerken said the bigger issue is house numbers not being on mail boxes. The Board of Selectmen suggested a meeting with Building Inspector Frank Krysa, Ms. Cussen and residents that are named in Ms. Cussen's memo.

#### SLATER, MEADOW ROAD

The Board of Selectmen received a letter from Scott Slater requesting a culvert along Meadow Road be replaced with a larger one to address the street runoff from Long Hill Road on to Meadow Road. Ms. Ross stated that she is aware Mr. Brown has talked with Mr. Slater regarding this matter. Ms. Ross will follow up with Mr. Brown regarding this and report back to the Board of Selectmen.

#### SALT BOX SIDEWALK ISSUE

The Selectmen recommended that the Handicap Access Board be contacted for their opinion regarding the requirements for the sidewalk from the Saltbox to the Bolton Country Manor.

On a motion made Troup and seconded by Gerken, the Board of Selectmen voted to adjourn at 8:40 p.m.