

PRESENT: Selectmen Joseph A. Sergi and Patrick J. McNabb; Robert Hanson, Town Administrator; Peggy Mazzola, Administrative Assistant

The meeting was called to order at 7:05 PM.

APPROVE WARRANT/SIGN PURCHASE ORDERS: The Board signed the warrants.

PUBLIC COMMUNICATIONS: Judy Dalton read a letter she received from Kathy Harris regarding the budget meeting and override. Ms. Dalton is wondering why the override can't be attached to departments other than those proposed, and what the real reason is for the shortfall. Mr. Sergi stated the letter addresses a valid concern and is something to be mindful of as we go through these trying fiscal times. Mr. Sergi feels that transparency is important and explained the reason for the error discovered last Monday evening where we went from a \$1.3 million deficit to \$1.9 million. As a result of the miscalculation, there is no other option but for an override. The referendum must be attached to a specific purpose. Mr. Hanson stated the referendum can't say "general government," but must be to a specific budget, and can't be used to pay the debt exclusion. Ms. Dalton asked why the decision was made to attach the override to the Council on Aging, Library and Community Center. Mr. McNabb stated this was partly because of the amount of those budgets, because the total equaled the amount of the deficit, but partly strategy as these are the departments most likely to have support. The seniors are taking a hit, but so is everyone. Mr. Hanson stated that five months ago a document was prepared based on the amount of money we needed to cut to balance the budget. The last item at \$1.5 million or more was the Library and Senior Center; this was discussed at several meetings. Mr. Sergi stated it is his sense that folks will support an override for the senior center, library and community center. To look at others operationally doesn't make sense. Mr. Sergi commented he received several calls this weekend and there is support. Mr. Dalton asked why the Board won't explain why this happened. Mr. Sergi stated the Board will fully explain. Mr. McNabb stated this board has more work to do on getting information out, and we need to clarify what the numbers were and why/how they were recalculated. Ms. Dalton remarked that the information contained in Mr. Johnson's press release regarding the cost of the override was inaccurate.

Eric Smith asked for a status report on the Middlesex Retirement issue. Mr. Hanson stated that everyone is "on the same page" except for the legislature. Mr. Sergi suggested we contact Rep. Hargraves and Sen. Panagiotakos. Mr. Smith asked if the legislature wants the towns to have to vote an override. Mr. Hanson stated the legislature has been withholding initiatives by the MMA.

Mr. McNabb announced a vacancy on the Agricultural Advisory Board, term to expire 6/30/2011. Letters of interest/citizen activity forms should be submitted to the Board of Selectmen's office.

ACTION ITEMS:

Item #1 – Public Hearing: Julia Lane Extension Road Layout: Mr. Sergi opened the hearing at 7:28 PM. Present was Attorney Paul Alphen representing the developer, who called attention to Town Engineer Bob Lee's report and the fact that he has approved the as-built and road layout plans. They are working on the punch list of items to be resolved before Town Meeting.

Mr. McNabb read into the record a memorandum from Mr. Lee dated 3/30/09.

Mr. McNabb read into the record a memorandum from Mr. Lee dated 11/13/08.

Mr. Sergi read into the record a memorandum from Mr. Lee dated 1/2/09.

Mr. Sergi read into the record a memorandum from the Planning Board dated 3/23/09.

Mr. Sergi read into the record a memorandum from the Conservation Commission dated 3/16/09.

Mr. Sergi spoke with Mr. Lee and it is his recommendation to move forward with the condition that all items on the punch list be completed prior to Town Meeting. Mr. Lee has indicated to Mr. Sergi that all items will be addressed before Town Meeting.

Mr. McNabb asked Atty. Alphen if he feels the punch list will be completed. Atty. Alphen stated that part of it will be contingent upon good weather, but he feels all issues will be addressed before Town Meeting. The list may be modified or revised.

Mr. Sergi invited questions or comments from those in attendance. Hearing none, and on a motion by Mr. McNabb and seconded by Mr. Sergi, it was voted to approve the road layout of Julia Lane Extension subject to satisfactory completion of all outstanding deficiencies to the satisfaction of the Town Engineer.

Item #2 – Licensing Authority: Junk Dealer License Renewals: Mr. Hanson explained the licenses before the Board are renewed annually. On a motion by Mr. McNabb and seconded by Mr. Sergi, it was unanimously voted to approve the following Junk Dealer License renewals with an expiration date of May 1, 2010:

Ms. Susan M. Newmaire, The Bronze Bell, 183 South Road

Ms. Kathleen McGuire, South Row Antiques, 24 River Road

Mr. Miltiades Tzitzenikos, Mel's Barber Shop, 160 Main Street

Forrest W. Irons, The Smithy Shop, 181 South Road

OLD/NEW BUSINESS:

Item #1 – Any other Old/New Business: Library Director Deb Spratt asked for clarification regarding an article she read in the Lowell Sun which indicated the library's budget will still be cut by \$22,000 if the override passes. The Board stated the article is incorrect, and the library will be fully funded. Ms. Spratt asked if the override vote had to be on June 22nd. Mr. Hanson stated the date is predicated on the Town Clerk's schedule. Ms. Spratt expressed concern with the vote being so close to the end of the year. Mr. Hanson stated there are timeframes by which an override can be called. Ms. Spratt asked if it could be moved up a week, stating that if it fails she will have just eight days to wrap everything up at the library and close the building. Mr. Hanson indicated it would be impossible to have two referendum votes by the end of the fiscal year. Ms. Spratt asked what the earliest date would be for a second referendum if the first one fails. Mr. Hanson stated the earliest it could be held would be mid-July. Mr. McNabb asked if there could be an article on the warrant to fund the library during this period. Mr. Hanson stated the warrant closed two months ago, and it is unrealistic and incredibly difficult to amend previously voted budgets. Mr. Hanson stated this would open a can of worms at Town Meeting. Mr. Hanson stated if the Board wants to consider funding the library for one month that money has to be found outside an override, and as a practical matter this shouldn't be done. Ms. Spratt asked if Town Meeting could be moved up a week. Town Clerk Lois Libby stated this is not possible. Ms. Spratt explained the Town would lose the library totally for one year, and then it would take 2 ½ years to get its accreditation back. Mr. Sergi stated people are realizing this is not an option and they must support the override.

Mr. McNabb asked when the Board would vote on the Board of Fire Engineers appointments. Mr. Hanson stated this will be on the agenda for April 27th. Mr. McNabb asked for a list of candidates.

Mr. McNabb stated because of the feedback he has been receiving, he thinks the Board needs to clarify why the budget numbers changed and we need to get this information out to the public. Mr. Hanson stated he can have something prepared by noon tomorrow for the Board's input. Mr. McNabb stated he would like to see a table of tax increases and override cost in \$50,000 increments. Mr. Hanson stated that Associate Assessor Susan Smith is working on this document.

Mr. Sergi asked what is being done with the money from the sale of the water department property on Canal Street. Mr. Hanson stated it is being used to pay debt service on the renovations to the Belmont Springs property.

Mr. Smith remarked that a previous discussion surrounded a 1/12 budget appropriation could be included in the warrant for the library, and asked if the same could be done for the senior center and community center. Mr. Hanson stated if a 1/12 budget is in the warrant for town meeting, there would need to be a funding source. Mr. Sergi asked if this could be taken from reserves. Mr. McNabb asked if this could be taken from reserves and replenished with the override vote. Ms. Spratt asked if this could be addressed at the fall town meeting along with closing the buildings and resulting unemployment costs. Mr. Hanson stated we don't have that much in free cash. Mr. McNabb felt this complicates things. Mr. Smith remarked this item could be contingent upon whether the override passes. Mr. Hanson asked if the Board would do the same for the senior center and community center. Mr. Sergi stated he was not sure if this was the right approach, and we have to get the override passed. We have to come up with cuts somewhere else, and the language to accomplish this legally. Mr. Sergi doesn't think free cash is an option as we need some reserves. We are trying to hold the line having made \$400,000 in cuts and using reserves; he does not believe this would be fiscally prudent. Mr. Hanson stated that Town Meeting could be adjourned to a date following the referendum vote; if the override fails, but wondered where the Board would propose to cut to fund these items. Mr. Sergi stated he is not in favor of shutting down another department, and those decisions don't need to be made tonight. Mr. Hanson commented if the Board wants to include an article cover 1/12 budgets this can be done and then passed over at Town Meeting if the override passes. Mr. Sergi asked when a decision would need to be made. Mr. Hanson stated the warrant must be posted on Friday. Ms. Spratt stated she doesn't know how she can close her building in eight days. Mr. Hanson stated there is no money in the budget for the maintenance of Peter Fitzpatrick. Ms. Spratt stated the library can not be unheated, and it's not as simple as shutting of the lights on June 30th. Mr. Sergi stated that given this discussion, we should consider providing a 1/12 budget. Mr. McNabb agreed. Mr. Hanson asked if the board wanted 1/12 funding to run the department or maintenance money to close the buildings. Mr. Sergi stated we should accommodate both scenarios. Mr. Hanson stated standard accounting practice would be to indicate specific line items. If the funds are not spent they would go into the general fund. Mr. Sergi asked Mr. Hanson to e-mail Mr. Johnson regarding the issue.

Mr. McNabb asked if we have heard anything about the closing of Peter Fitzpatrick. Mr. Hanson stated the rumor is that the school will be mothballed prior to being turned over to the Town. If the building is left unheated for a year there would be major problems with the building.

NEXT MEETING: Saturday, April 25, 2009 at 10 AM at the Senior Center

BOARD OF SELECTMEN MEETING MINUTES

7:00 PM

April 13, 2009

Page 4 of 4

ADJOURNMENT: On a motion by Mr. Sergi and seconded by Mr. McNabb, it was unanimously voted to adjourn at 8:17 PM.

Respectfully submitted,

Peggy Mazzola, Administrative Assistant

APPROVED:

absent

Lyndon B. Johnson, Chairman

Joseph A. Sergi, Clerk

Patrick J. McNabb