

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

The meeting was called to order at 7:45 PM. Mr. Sergi remarked that the Board had attended the open houses held at the Senior Center, Community Center and Library; there was a lot of public interest and support, and folks want to make sure they make an informed decision.

APPROVE WARRANT/SIGN PURCHASE ORDERS: The Board signed the warrants. The Board reviewed a reserve fund transfer for the Street Light account. In response to the Board's concern regarding next year's budget, Mr. Hanson stated there is a possibility of a rate decrease for 2010. Following a brief discussion, and on a motion by Mr. McNabb and seconded by Mr. Hallisey, it was unanimously voted to recommend a transfer from the reserve fund in the amount of \$5,000 to the street light account.

The Board reviewed a line item transfer from the Board of Health. Following a brief discussion, and on a motion by Mr. McNabb and seconded by Mr. Hallisey, it was unanimously voted to recommend the transfer of \$6,233.92 from Board of Health – Wages Hourly to Nursing Services – Salaries.

APPOINTMENTS/RESIGNATIONS:

Item #1 – Joint Appointment – Board of Health: Present were Board of Health Members Robert Lambert and John Marriner, and Alfred Buckley and Virginia Malouin, candidates for the Board of Health vacancy. Mr. Lambert stated that both candidates are very good people, and personal friends; therefore he would abstain from voting. Mr. Marriner stated he knows both candidates, and both are qualified. He has heard good things lately about Mr. Buckley and his work on the Nashoba Valley Technical High School Committee. Mr. Marriner asked if the Board of Health would vote. Mr. Hanson stated this is a joint appointment, and both the Board of Health and Board of Selectmen would vote. Mr. Marriner asked if the vote could be by secret ballot. It was agreed that could be done.

Mr. Sergi invited each of the candidates to speak. Mr. Buckley stated he currently serves on the NVTHS Committee, and served for three years on the Conservation Commission. Mr. Buckley stated he wants to help the Town, serving on various committees is a learning experience, and he enjoys volunteering his time. He works in Town, so is around most of the time. Mr. Sergi asked if Mr. Buckley planned to run for the position at next spring's election. Mr. Buckley stated he does plan to do that. Mr. Sergi asked for Mr. Buckley's position regarding Nashoba Board of Health. Mr. Buckley stated he has no qualms with contracting with NBOH; that's where we should go because that's what the people voted for at Town Meeting. Mr. McNabb asked if he saw any challenges in implementing the change to NBOH. Mr. Buckley stated they have to follow State regulations, as the Board of Health does. The Board of Health needs to determine if they can serve the town properly. Mr. McNabb asked if the time commitment would be an issue. Mr. Buckley stated he is around most evenings, with the exception of the 2nd Tuesday evening of the month, when he must attend NVTHS Committee meetings. Mr. Marriner commented the Board of Health is currently meeting on the 1st and 3rd Tuesday of the month; Mr. Lambert stated that may change to Wednesdays. Mr. McNabb asked why Mr. Buckley was particularly interested in the Board of Health. Mr. Buckley stated he has been searching for a committee that he'd like to be a part of for about a year and a half, and feels he can help the Town by serving on the Board of Health.

Ms. Malouin stated the basis for her interest in being appointed is to help facilitate and negotiate the contract with NBOH. Ms. Malouin stated it is in the best interest of the Town to meet two or three times with NBOH to make sure it's what's best for the town. Ms. Malouin stated she has reviewed the

draft contract and sees some areas that need changes. Ms. Malouin would like to see more information on the nursing services, and would like to serve as the liaison for nursing. Mr. Lambert stated that Jim Garreffi from NBOH is meeting with the Board on Wednesday morning to go over the nursing aspect of the contract. Mr. Sergi asked if Ms. Malouin planned to run for the position at next spring's election. Ms. Malouin stated she would give her all to the Board of Health this year, and has a strong commitment to the position; however she couldn't guarantee 100% that she would run. Mr. McNabb asked what other major challenges, other than the NBOH, face the Board of Health. Ms. Malouin would like to see the Board of Health promote educating the public, and focus on more than just the elderly. Mr. Hallisey asked how Ms. Malouin would accomplish this. Ms. Malouin stated she would have information put on the website, speak at the library or senior center, work closely with the nurse on a weekly basis at first, and then monthly. Ms. Malouin stated the Board needs to more information on communicable diseases.

Mr. Sergi asked if the Board of Health would like Mr. Hanson's assistance with the contract. Mr. Hanson stated it is not a contract, but a memorandum of understanding. Mr. Lambert stated he would not have a problem working with Mr. Hanson, and the Board of Health is meeting with representatives from NBOH on Wednesday. Mr. Sergi asked if the Board of Health has reached out to other towns involved with NBOH. Mr. Lambert stated the only issue he feels they will have is with performing tasks on time. Mr. Sergi asked if the Board would have a contract in place by July 1st. Mr. Lambert stated he did not see a problem with meeting this deadline.

Mr. McNabb moved to place both names in nomination for the open seat on the Board of Health, term to expire at the April, 2010 elections. Mr. Lambert seconded the motion, which was unanimously passed. The Board of Health and Board of Selectmen voted by paper ballot; Mr. Buckley received four votes, and Ms. Malouin received one vote. Mr. Buckley received the appointment, term to expire at the April 2010 elections.

Item #2 – Reappointments: On a motion by Mr. McNabb and seconded by Mr. Hallisey, it was unanimously voted to appoint the following, all with terms to expire 6/30/10, unless otherwise indicated:

ADA Coordinator: Robert Plet

Animal Control:

Alicia M. Flagg, Animal Control Officer

Christopher Comeau, Assistant Animal Control Officer

Wayne, Comeau, Assistant Animal Control Officer

Labor Counsel: Mirick, O'Connell

Board of Survey:

Robert E. Lee, Jr.

Harold Cullinan

Conservation Commission (term to expire 6/30/2012):

Robert Elliott

Robert Rand

Patricia Swain Rice

Constables:

Neil J. McGorty

David H. Muscovitz

Frank Quattrochi
Robert Russell

Designer Selection Committee:

Robert B. Hanson
Robert E. Lee, Jr.

Planning Board Associate Member: Steven Brittain

Sealer of Weights & Measures: Eric Aaltonen

Systems Administrator: Den Connors

Town Counsel:

Ned Richardson
Peter A. Zahka, II, Assistant

Veterans' Service Officer: Joseph J. Mazzola

Veterans' Grave Officer: Terry Spaulding

Zoning Board of Appeals:

Cheryl A. Lutcza, ZBA Assistant
Annette R. McLean (term to expire 6/30/2011)
Sean E. McCaffery, Associate Member (term to expire 6/30/2011)

On a motion by Mr. McNabb and seconded by Mr. Hallisey, it was unanimously voted to approve the following appointments, all with terms to expire 6/30/2010:

- Debbie J. Nutter, Assistant Tax Collector and Jane Carrubba, Assistant Treasurer/Benefits Coordinator, by Michael Hartnett, Treasurer/Collector
- Margaret M. Mazzola, Administrative Assistant to the Board of Selectmen/Town Administrator, and Albert White, Town Hall Custodian, by Robert B. Hanson, Town Administrator

ACTION ITEMS:

Item #1 – Discussion: with George Russell, NMCOG, re: 43D Permitting Process: Mr. Hanson explained that Mr. Russell has put together the rules of procedure applicable to 43D projects. Mr. Russell explained this would apply to the Mill site, which had previously been approved as a priority development site, and the Town is obligated to adopt procedures whereby decisions on applications would be made within 180 days. If no decision is made within 180 days, it would be automatically approved. The Board of Selectmen is sometimes the permitting authority, or has authority over other departments. Mr. Russell has already been before the Board of Health and Planning Board, and they have already approved the procedures. He will be meeting with the ZBA and Conservation Commission next week. Mr. Russell reviewed the rules of procedure, and is asking the Board to take a formal vote to adopt the procedures. Mr. Hanson stated that both the ZBA and Conservation Commission have reviewed and informally approved the rules of procedure. The Board could vote to adopt contingent upon adoption by the other two boards. Mr. Russell remarked this would not apply to building permits or subdivision permits. Following a brief discussion, and on a motion by Mr. McNabb and seconded by Mr. Hallisey, it was unanimously voted that the Town of Pepperell adopt the rules of procedures as presented, contingent upon ZBA and Conservation Commission approval, such rules of procedure to only apply to the Mill site.

OLD/NEW BUSINESS:

Item #1 – Discussion: with Al Patenaude, re: Proposed LIP: Atty. Ray Lyons presented revised plans for the Proposed 40B project off Leighton Road, and explained the new plan would have 40 units, 29 single family and 11 multi-family/duplex units. Atty. Lyons stated they are at a point where they need a decision from the Board so they can move to the next steps. Atty. Lyons had prepared a Memorandum of Understanding, which he distributed to the Board for review. Comments had been requested from other boards; the plan may need additional revisions, but they feel they have an overall good plan. Mr. Sergi asked if they had seen the comments from other boards, and whether they had any response. Atty. Lyons stated the Conservation Commission's concern relative to the roadway in the 50' no disturb area has been addressed, and this new configuration is environmentally superior as no wetlands filling will be needed; this will minimize the impact on the wetland. Atty. Lyons believes they can meet the environmental concerns with this proposal. Mr. Sergi asked if they would be requesting waivers. Atty. Lyons stated there are 27 waivers listed in the MOU.

Mr. Sergi asked what they would like the Board to do this evening. Atty. Lyons stated they would like to hear that the Board likes the new plan. Mr. Patenaude stated that major issues were taken into account with the new plan; the firing range issues has been solved, and the wetlands issue is a laundry list with different levels of perception. Mr. Patenaude is confident he can work with the boards to find the right way to build this project. In general, the original plan is pretty similar to the plan currently before the board. The snow storage concern can be addressed by moving to a different location. Atty. Lyons remarked that they still have to go before the Conservation Commission, and will be curious about their concerns with snow storage. Mr. Patenaude remarked that he doesn't have a problem with this being a town road, and it seems that a lot of boards want that. Most of the town standards have been met. Regarding the rain shelter for children waiting for the school bus, he doesn't see this as necessary unless all developments are required to provide this, and it will just end up graffiti covered.

Mr. Sergi stated he would like additional time to review the new proposal and MOU. Mr. Hanson will send a copy of the MOU to Town Counsel for review. Atty. Lyons stated he is trying to get a sense from the Board that this is the right plan. Mr. Sergi stated he believes this plan is going in the right direction. Mr. McNabb agreed, commenting that he would like to know how they intend to address concerns outlined in department comments. Mr. Sergi suggested that Mr. Patenaude meet with the Board again and give the Board time to review. Mr. Hanson suggested the waiver list be circulated to the Planning Board for further comment.

Discussion ensued relative to a future meeting date. It was suggested that the Board do a site visit. The Board tentatively agreed to do a site visit with Mr. Patenaude on June 20th at 8 AM. The Board members will check their calendars, and confirm with Mr. Hanson.

Item #2 – Any other Old/New Business: Mr. Sergi remarked that there was a public hearing held regarding the Mill Street bridge reconstruction. Mr. Hanson stated only one person attended the public hearing and there were no questions or comments regarding the project, which will take two years to complete. Mr. Sergi requested that Mr. Lee provide a report to the Board for discussion at the next meeting. Mr. Hanson remarked the covered bridge should be completed by October.

Mr. Sergi stated the Board needed to follow up on outstanding items, the first being Board liaisons to Town Departments. It was decided to table this discussion to a later date.

Mr. McNabb stated that changes to the Town Administrator's job description were previously agreed to, including grant writing and fiscal oversight. Mr. McNabb also feels the Systems Administrator

should fall under the Town Administrator's supervision. He wants to finalize the job description for the search committee. The Board agreed that the Systems Administrator should be under the Town Administrator.

Mr. McNabb commented that he would like a legal review of the Army Community Covenant, and wants to keep this moving. Mr. Sergi stated we need to follow-up coordination with Townsend.

Mr. McNabb asked about the Town Accountant's job description. Mr. Hanson stated he had provided a copy of the current job description to the Board, as well as salary information and a job posting he found on the web. Mr. McNabb stated that Mr. Hanson was going to draft a job posting. Mr. Hanson stated that if the board didn't make substantial changes to the job description, he could have a posting published on the MMA website. Mr. Sergi stated he would also like the posting published in the Beacon. Mr. Hanson will check on the deadline for the Beacon.

Mr. Hanson advised the Board that he had forwarded a draft letter to the editor, and asked the Board to let him know if any changes needed to be made. Mr. McNabb stated the letter should stress that there is no hidden money to save these departments, and should reference the information available on the Town's website. Mr. Sergi stated the message needs to get out that Peter Fitzpatrick is closing, and if the override does not pass there will be three more town buildings closed, which will put a series of events into play that will have long-term financial implications. Mr. Hallisey remarked it will cost money to close these buildings. Mr. Hanson stated it will cost even more to reopen the buildings. Following a brief discussion, the Board agreed to other changes to the letter, and would like to get the letter in this week's paper, with personal messages from each board member after that.

Mr. Sergi stated that in last week's executive session, the Board of Selectmen and Town Administrator agreed to negotiate an extension to Mr. Hanson's contract for three months. Mr. Sergi thanked Mr. Hanson for agreeing to the extension.

ADJOURNMENT: On a motion by Mr. McNabb and seconded by Mr. Hallisey, it was unanimously voted to adjourn at 9:14 PM.

Respectfully submitted,

Peggy Mazzola, Administrative Assistant

APPROVED:

Joseph A. Sergi, Chairman

Patrick J. McNabb, Clerk

Joseph Hallisey