

BOARD OF SELECTMEN
NOVEMBER 19, 2014
REGULAR SESSION

Members Present: David Parker, Nelson Almeida, David Andrade,
Michael Brady, Gary Sagar

Town Administrator: Shawn E. Cadime

Chairman Parker opened the meeting at 6 p.m. followed by the Pledge of Allegiance and moment of silence.

He announced that, in accordance with M.G.L. Chapter 30A, Section 20, anybody recording the meeting must notify the Chairman. The Board of Selectmen is recording the meeting both audio and video.

BOARD AND COMMITTEE OPENINGS UPDATE

Mr. Sagar announced that volunteers are needed on the Capital Improvement Committee, Conservation Commission, Cultural Council, Economic Development Committee, Energy Committee, Finance Committee, Property Tax Work-Off Committee, and Zoning Board of Appeals.

Chairman Parker added that the Town Moderator is looking for volunteers to work on the By-Law Review. It requires people from the different precincts.

PRIORITY MATTERS

Preliminary Hearing with Assessors on New Growth

Board of Assessors Chairman Paul Buckley distributed preliminary information prior to the vote on the classification.

He said last year the Board of Selectmen showed a shift of 1.59 with the residential factor as well. It will not be exactly as last year. The CIP is also there without the exemption. For the last five years, the Board of Selectmen has voted for the 10% commercial exemption. Twenty four commercial properties qualified for that exemption last year. There was information to show how the shift factors in with the residential values. This year's factor of 1.5 brings the residential and commercial properties closer together. It also shows the top ten taxpayers for 2014 and the amount they paid. There is also a comparison of tax bills from surrounding towns.

Mr. Andrade asked for similar breakdown for commercial properties.

Mr. Sagar said in some cities or towns assessors make a recommendation.

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Mr. Buckley said it is not required by the DOR. The Board of Assessors voted not to do that. In the past, the Board was doing a slight shift to residential to give commercial properties a break.

Mr. Sagar said the average home has increased \$11,000 in value for the median from \$285,900 to \$296,000. He asked if commercial has gone down.

Mr. Buckley said yes.

Mr. Andrade found the comment strange that the Board of Assessors would rather not make a recommendation because when talking about the by-law amendment the argument by an assessor was that the Board of Assessors wanted to make the decisions because they were more informed. Now they want to stay out of it.

Mr. Buckley said they have never made a recommendation.

Mr. Almeida understood that because the Assessors evaluate the properties.

Mr. Andrade said it is contrary to arguments he heard during the last few months.

Chairman Parker said setting the tax rate is the responsibility of the Board of Selectmen. The Board of Assessors has done its job in presenting this information ahead of time. He thanked them.

Mr. Cadime said it is a 15 cent increase in the tax rate.

Declare the Following Items as Surplus Equipment to be Auctioned

Boat and Trailer from the Fire Department

Sign Machine and Associated Materials

Power Rake – Infield Machine

Recycle Bins

1999 Mercury Mountaineer

A motion was made by Mr. Sagar, seconded by Mr. Almeida, and it was unanimously

VOTED: To declare the following items as surplus: Boat and Trailer from the Fire Department, Sign Machine and Associated Materials, Power Rake – Infield Machine, Recycle Bins, and Mercury Mountaineer.

Communications Department Policy Updates

Communications Director Chris Campbell explained he went through existing department polices and updated where needed. There are six - 3 pre-existing and 3 new policies. The three pre-existing have minor changes to bring them to current times. Those dated back to 2006.

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The new policies include the sexual harassment which mirrors the Town's policy, prohibitive conduct which closely mirrors the Police Department policy, and shift swap. The last one deals with emergency dispatch. This is a critical one because the State mandated pre-arrival instructions or emergency medical dispatch instructions and that is tied into the 911 grants.

Mr. Sagar asked if the sworn members would be uniform members of the Police and Fire Departments.

Mr. Campbell said there aren't any police or firefighters that are certified to answer 911 calls. Under State guidelines, the party would have to attend 80 hours of training (40 hours of basic telecommunicator course, 24 hour emergency medical dispatch and 16 hours specifically for the 911 equipment).

A motion by Mr. Sagar to forward to town counsel for several clarifications was withdrawn after Mr. Campbell explained that representatives from the union voluntarily worked on the policy with him.

A motion was made by Mr. Sagar, seconded by Mr. Brady, and it was unanimously

VOTED: To include that long term suspension of three days or may be imposed by the Town Administrator.

A motion was made by Mr. Sagar, seconded by Mr. Brady, and it was unanimously

VOTED: That the discharge of an employee **shall** be directed by the Appointing Authority (Board of Selectmen).

A motion was made by Mr. Sagar, seconded by Mr. Brady, and it was

VOTED: 3 Ayes; 2 Nays; To approve the Communications Department policy updates, as amended.

The vote: Mr. Sagar – Aye; Mr. Brady – Aye; Chairman Parker – Aye; Mr. Almeida – Nay; Mr. Andrade – Nay.

Mr. Almeida and Mr. Andrade felt the document should be vetted by legal counsel.

Mr. Cadime said he was comfortable with the policy.

Mr. Sagar asked if the system has the capacity to monitor town buildings.

Mr. Campbell said there are 43 cameras. The system is maintained by the School Department. He would defer to them to find out if cameras could be added.

In thinking about a south end station, Mr. Sagar wanted to produce a print out of calls for service.

Mr. Campbell said they could go back a decent amount of time. He said there are other programs within the CAD system.

OLD BUSINESS

None.

COMMUNITY SPEAKS

Alex Dunwoodie stated that she submitted a talent bank form about two weeks ago to serve on the Arts Council.

Mr. Cadime said he follows up with an interview once he gets the forms from Ms. Rogers.

NEW BUSINESS

Discussion and Approval of the Position of Veterans' Graves Officer

Discussion and Approval of New Administrative Policy #67 – Care of Graves of Veterans

Mr. Sagar advised that last week at the Veterans Day ceremony, he was introduced to the caretaker of the Holy Ghost Cemetery, known as the Polish Cemetery. The caretaker's concern was that in years past flags were put on graves of veterans but not this year. The budget was prepared during the time Mr. Stenhouse served as Interim Town Administrator. He was not totally familiar with Mass. law. It states that every Memorial Day a flag has to be put on a veteran's grave. The State will reimburse the municipality up to 75% of the cost. It does not distinguish a private cemetery from a municipal cemetery. If there is an issue with the graves, it is the municipality's responsible to make efforts to repair it. He shared this information with the Town Clerk, who was unaware of it. One of the provisions of this statute is that the Board of Selectmen shall appoint a resident of the Town who is a veteran to be graves officer. Our Veterans Agent is not a town resident. Therefore, the Town is technically in violation of the law. This is an unpaid volunteer position.

Also, since the State law is clear about Memorial Day, he would like to expand on that to include Veterans Day so that on Memorial Day and Veterans Day there is a flag on the grave of every veteran. He included language about town markers and any other memorials. He felt the flags would stay on the graves year round.

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According to figures from the Veteran Agent, a three-year average cost is about \$1,000 and it is 75% reimbursable. Memorial Day is reimbursed by the State, but the Town would be responsible for Veterans Day.

Mr. Sagar read Administrative policy #67 (attached).

A motion was made by Mr. Sagar, seconded by Mr. Brady, and it was unanimously

VOTED: To adopt Administrative Policy #67.

Mr. Brady noted that previous Veterans Agents were town residents and took care of the graves. He asked Mr. Cadime to put out a notice looking for a volunteer.

Consider Approval of Regular Session Minutes of October 15, 2014

A motion was made by Mr. Sagar, seconded by Mr. Brady, and it was unanimously

VOTED: To accept the Regular Session minutes of October 15, 2014.

Authorize Town Administrator to Sign Lease Documents for DPW Dump Truck

Mr. Cadime advised there was a warrant article at the June 19, 2014 Town Meeting for the lease/purchase of a dump truck. The funding will come from the municipal capital stabilization account. The lease rate is 2.37%.

Mr. Lamoureux said this is a multi purpose vehicle.

In response to Mr. Andrade's questions, Mr. Brady clarified that this is a lease/purchase of the vehicle. The actual price is \$166,926.

A motion was made by Mr. Sagar, seconded by Mr. Brady, and it was unanimously

VOTED: To authorize the Town Administrator and Chairman to sign the lease documents for the DW dump truck.

OTHER BUSINESS

Discuss Other Topics Not Reasonably Anticipated by the Chairman 48 Hours Before the Meeting

Board members recognized Mitchell Farren and Dante Volpe who recently achieved the rank of Eagle Scout.

Mr. Almeida said he attended the ceremony when they received the awards. He congratulated the parents for their support.

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Mr. Volpe invited Board members to the Court of Honor ceremony on Saturday at 11 a.m. at Our Lady of Mt. Carmel Church.

TOWN ADMINISTRATOR'S REPORT

None.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Mr. Andrade said he received a phone call with a suggestion. Would it be possible to sell the Old Town Hall and maintain the land. The Town would then have control of the land.

Mr. Sagar asked about the status of the contract for architectural services for the senior center.

Mr. Cadime advised there is a meeting to negotiate the contract on Thursday. If all goes well, it should be on the December 3, 2014 agenda. (Mr. Andrade was not present during this discussion).

Mr. Sagar asked about the status of the ladder truck for the Fire Department.

Mr. Cadime responded that he is drafting an IFP to be forwarded to Kopelman & Paige. It should go out within the next few weeks.

Mr. Sagar announced that the Banna Fire Station will be dedicated on Sunday, December 14, 2014, at 1 p.m.

He noted that last year the Lions Club had McHale's Pond and Gammino Pond tested. The results show that Gammino Pond could maintain trout but McHale's could not. The Lions Club is working with Conservation to try to enhance that area behind the library for recreation.

Mr. Brady was relieved to see the permanent building committee pass at Town Meeting. It will be better for the Town and more efficient to have one standard committee. He was also pleased to have a resolution on the Old Town Hall. He has been dealing with this for a long time.

Chairman Parker about applicants for the part time building inspector position..

Mr. Cadime said there were three applicants – one in house.

Board of Selectmen meetings were scheduled for December 3 and 17, 2014 with the possibility of another one for the licenses.

Mr. Sagar extended best wishes to the Grist Mill on the reopening.

Chairman Parker talked about the defeat of the warrant article on the Town Charter amendment.

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He said three years ago they decided to streamline Town Hall in its form of government. In the last year, Mr. Brady and Mr. Sagar, who has spent countless hours, bringing four boards together and town counsel. They went to Town Meeting completely on the same page. He doesn't know what happened. No one had questions. When the vote came, 30 people voted no. He is disappointed that the moderator did not call for any recommendations from the four boards affected by this. This was an eight to nine months of work from Mr. Brady and Mr. Sagar. He should have asked for a recall at the end because 25 more people had arrived after the first vote. It would have made a much better Town Hall.

Mr. Brady stated there are offices in this building where the Town Administrator directly controls majority of the employees in those offices. Department heads better realize they are the only ones: Conservation, Planning, Assessors, and Board of Health that answers to their boards. Otherwise, the Town Administrator is responsible for other employees in those offices, except for the Board of Health that is in the Charter.

The Board of Selectmen will now exercise its full authority under the Charter. Any person that falls under the control of the Town Administrator will answer to him.

Mr. Sagar suggested they revisit it again in January.

COMMUNITY SPEAKS

None.

EXECUTIVE SESSION

At 7:20 p.m. Mr. Sagar motioned, seconded by Mr. Brady, to go into Executive Session to discuss strategy with respect to collective bargaining per M.G.L. Chapter 30A, Section 21(3) with AFSCME units, United Steelworkers units and Library Association which a meeting in public would be detrimental to the Board of Selectmen's position in negotiations; not to reconvene in Open Session.

The vote: Mr. Sagar – Aye; Mr. Brady – Aye; Mr. Almeida – Aye; Mr. Andrade – Aye; Chairman Parker – Abstained. He would not participate in Executive Session.

Respectfully submitted,

David Andrade, Clerk

Patricia Gamer, Secretary

