

HOLLISTON BOARD OF SELECTMEN

Meeting Minutes

April 19, 2017

At 7:00 p.m., Chairman Conley convened the meeting with Vice-Chairman Marsden, Clerk Leary and Town Administrator Ritter present.

Mr. Conley said that there was a need to go into Executive Session for the purpose of negotiations with non-union personnel MGL Chapter 30 A, Section 21A (3). Mr. Conley said the Executive Session would last approximately 30 minutes. **MR. MARSDEN MOVED, MR. CONLEY SECONDED AND IT WAS VOTED BY ROLL CALL VOTE TO ENETER EXECTUTIVE SESSION FOR THE PURPOSE STATED ABOVE.**

	Aye	Nay
Mr. Conley	X	
Mr. Marsden	X	
Mr. Leary	X	

At 7:29 p.m., Chairman Conley convened the open session portion of the meeting.

Warrant

MR. LEARY MOVED, MR. MARSDEN SECONDED AND IT WAS UNANIMOUSLY VOTED TO APPROVE THE FOLLOWING FINANCIAL WARRANT:

17-41	General Warrant	\$361,232.06
	Special Fuels Tax	1,314.48
	Confiscated Trusts	1.39
	Capital Projects	5,928.71
	Health Insurance Trust	9,970.51
	Expendable Trust	378,447.15
	Town Payroll	103,812.61
	For a total warrant of:	482,259.76
	Accountant's Note: Accrued Deduction Liabilities not paid	\$ 30,588.68
	Treasurer's Note: Wire to Health Insurance Trust	19,554.15

Public Comment

There was no comments from the Board or the audience.

Report of the Town Administrator – Mr. Ritter said that he had some brief updates the Flagg Demolition bids are due on Monday and then he would have some hard numbers to go to Town Meeting. There will be a surplus auction sale in June. And, after 7 months of pursuit of money from the State for the downtown project, the check arrived today.

Mr. Conley said that Donald Kramer had passed away this week. He was on the Fire Department for 50 years. He gave the specifics of his arrangements. Condolences from the Board went out to the family.

Mr. Conley asked about the signalization project. Mr. Ritter gave an update and said a bid would be issued in the next few weeks with construction to start this summer. Mr. Leary commended Mr. Ritter for his diligence in pursuing the grant from the state for this project.

Public Hearing – Street Acceptance – Bartzak Drive – at 7:45 p.m., Mr. Leary read the notice and opened the hearing for the street acceptance. Mr. Barbieri represented the owners of the road. He gave background information on the industrial park. The process for acceptance of the street has been going on for about 2 years. They got a list of things that needed to be completed. That was done over the summer. They looked to get the Bond released. The Planning Board determined the street was ready to be accepted. They worked with the DPW Department. All lists have been completed at this time. The deed has been drafted. There is a water loop going through private property and at the request of DPW, the deed includes that the Town is not responsible for the easement of the water loop. There were some questions on the drainage basins. Some of these were built in the 80s and 90s. They are hoping for shared responsibility and Town Counsel is working on the basins and easements. They should have it all figured out before Town Meeting. Karen Sherman said the only issue she had was with the drainage issue. The only complication is that it will have both public and private drainage. Mr. Leary said the guidelines for acceptance weren't really followed. There is nothing from the Conservation Commission and Certificate of Compliance. Mr. Leary was also concerned with the water loop. Mr. Smith said that you can isolate and shut down the water. Mr. Leary was concerned about something breaking and the owners not wanting to repair it. He was also concerned with the detention basin and what if that breaks? Who will maintain it in the event something happens? Mr. Barbieri said it would be in the deed. Mr. Smith said there has to be something that says the property owners need to know that they have some responsibility. Chief Cassidy said his issues have been addressed. Mr. Leary said that he would like to continue the hearing to address these concerns. Mr. Marsden said he was interested in what Town Counsel had to say. He added that he had the same concerns as Mr. Leary. He wanted clarity on the deed. If everything doesn't get everything in place, it can always be postponed at Town Meeting. Mr. Conley said this has been a confusing issue. There needs to be an updated and simplified checklist. Mr. Leary asked Mr. Ritter contact the Conservation Commission to get their recommendation. He would like to continue this hearing until all these issues are cleared up. He would like written notification of everyone by next week. There is a 7 day time limit. **MR. MARSDEN MOVED, MR. LEARY SECONDED AND IT WAS UNANIMOUSLY VOTED TO CONTINUE THE HEARING UNTIL THE MEETING OF APRIL 26, 2017.**

Board Business:

Economic Development Committee Resignation – Mr. Conley said that a letter of resignation was received from Kate Lamontagne. **MR. MARSDEN MOVED, MR. LEARY SECONDED AND IT WAS UNANIMOUSLY VOTED TO ACCEPT WITH REGRET THE LETTER OF RESIGNATION.** Ms. Sherman said that there are now two vacancies on the Committee.

Travel Policy – Mr. Leary asked if this had been sent out to the Department Heads. Mr. Ritter said yes. This is to bring the Policy into compliance with IRS regulations. Mr. Marsden said

that now everyone will have the rules. **MR. LEARY MOVED, MR. MARSDEN SECONDED AND IT WAS UNANIMOUSLY VOTED TO APPROVE THE TRAVEL POLICY.**

Chapter 90 Contract – Mr. Smith was invited to the table. He said that this is the contract for the ten year contract from the State to the Town. Every ten years they re-new the contract. **MR. LEARY MOVED, MR. MARSDEN SECONDED AND IT WAS UNANIMOUSLY VOTED TO ACCEPT THE CONTRACT AND AUTHORIZE THE CHAIRMAN TO SIGN ON BEHALF OF THE TOWN.** Mr. Smith said road construction would be starting in May. There was some discussion on the downtown paving. Mr. Smith said the paving would be last. They also spoke about the lack of a tree warden and how it is an important position. Mr. Smith said maybe they could look at other towns and see if they have a tree warden and whether they would share the position. They could reach out at the next 5 Board Meeting.

Mr. Marsden said that he had a high school intern. One of her tasks is to tackle an Article on the Warrant and take a stand. Mr. Marsden asked that in case she was so inclined to speak at Town Meeting, could she be added to the list of non-voting attendees.

Annual Town Meeting Warrant – The Board was fine with the first 15 articles. He wanted to rearrange Articles 16 and 17. Mr. Conley read the list of Capital Items. There were a few questions on the Zoning By-law Articles. Ms. Sherman was available to answer them. There are four map changes. Three are original proposals and one was changed after discussion. Article 25 is a petition article regarding amending prohibited uses. Mr. Leary was under the impression that the supporters were withdrawing their support. Town Counsel said that it still had to be a part of the Warrant. Mr. Leary said that he would move to indefinitely postpone the Article. He wanted people to know that the Article was still in the Warrant. Mr. Marsden said that someone could stand up at Town Meeting and say that there are flawed procedures with this article. Mr. Leary asked Mr. Ritter to check with the Secretary of State to seek their opinion on whether a petition article can be withdrawn. Ms. Sherman said that there is also a procedure they have to follow on Zoning Articles. She has reached out to Special Counsel to seek their opinion. Mr. Marsden said that we can't guarantee that there won't be people at Town Meeting who are in support of this Article. Elizabeth Borque Theiler said that she was not at the meeting they were referring to, but she did sign the petition. She had a statement that she had given to the Town Clerk. She said the statement said that she was withdrawing her name from the petition. She hoped that all signatures were withdrawn, the Article should be removed. Mr. Conley said he liked it being on the Warrant in case someone was intimidated into withdrawing their names. Ms. Borque Theiler said that there had been a lot of intimidation regarding this topic, but that is not what caused people to withdraw their names. She said it is not the right time due to what has happened at meetings. It is not the right time to do this. Mr. Marsden said that one of the Board members should indefinitely postpone. Ms. Sherman said that there are some things that should be looked at in the petition that are valid. This should be studied at multiple levels. Ms. Theiler said that these are important issues that needs to be discussed. There was some discussion on the Flagg Building Article. Bids are due on Monday. Article 31 was a change in the General By-laws. Mr. Leary said although he will no longer be on the Board for the next Town Meeting, he

thought it was time for a review and update of the entire General By-law. Article 34 is refined language of a Water Emergency. MR. MARSDEN MOVED, MR. LEARY SECONDED AND IT WAS UNANIMOUSLY VOTED TO APPROVE THE WARRANT FOR THE ANNUAL TOWN MEETING.

At 9:00 p.m., MR. MARSDEN MOVED, MR. LEARY SECONDED AND IT WAS UNANIMOUSLY VOTED TO ADJOURN.

Respectfully submitted,

Approved: _____

Andrea Minihan
Recording Secretary