

**Selectmen Meeting  
Minutes  
April 27, 2022**

**Public Comment**

There was none.

**Review of Minutes**

The board received minutes from March 16, 22 & 30 2022 including Executive Sessions Collective Bargaining Prep. & School Non-Union Negotiations and March 22 & 30, 2022 joint budget Finance Committee & Selectmen's meeting for review and approval. Selectman Boisoneau made a motion to approve minutes as presented. Selectman Devault seconded the motion. The vote was unanimous.

**Earth Removal Permit**

Chairman Kerrigan opened the hearing for the Earth Removal Permit request for 14 Shore Lane. He invited the applicant forward and asked for him to state his name. Mr. Dennis Shivo of 14 Shore Lane was before the board. Mr. Shivo explained he plans to build a three car garage and expand his lawn area moving the embankment back to make room for the garage. He will use some of the loom to landscape the yard. Chairman Kerrigan opened the hearing for Public Comment. He asked for comment in favor of the request, there was none. In opposition. Mr. David Castillio was before the board, he explained he has had a lot of experiences with Mr. Shivo. In 2020 he was removing material from the back of the lot and then it sold. Mr. Shivo explained the allegations are untrue, he hasn't removed anything from the property. He understands this is protected under MGL and there are conditions to follow. Solicitor Gibbons agreed the MGL 640 section 20 mandates the conditions. Chairman Kerrigan asked about the soil to be removed, how long will the process be, is it going to take how many days and hours this all needs to be spelled out in the permit. He asked about the Conservation Commission notice of a dock installation, a cease & desist notice from the Conservation Commission has been issued for the dock. Are you currently working with the Conservation Commission? Mr. Shivo explained he has no current plan and no earth removal has been done for a dock. He will work with the Conservation Commission regarding the dock. Selectman Kobus stated based on the Conservation Commissions initial statement there has been some unpermitted activity on 14 Shore Lane. The speculation is there is unpermitted activity near the wetlands resources, there needs to be clean up before you may proceed. Selectman Devault stated he was uncomfortable to move forward, he'd like to take a look

at it. Selectman Boisoneau made a motion to table the request until they hear back from the Conservation Commission. Selectman Devault seconded the motion. The vote was unanimous. Mr. Shivo explained he has no plans to build a dock with the plans submitted, there is a buffer zone and the proposed work is well outside the buffer. Selectman Perusse asked if the plans submitted are for earth removal, not something for the Conservation Commission. Chairman Kerrigan explained no this is for Earth Removal approved by the board of Selectmen. Chairman Kerrigan closed the public comment part of the meeting, there was no one in favor and 1 in opposition. He explained the hearing will be continued until the Conservation Commission discussion. Mr. Shivo agreed explaining he doesn't want any issues with the Conservation Commission. Chairman Kerrigan explained he will speak with the Town Administrator to review next steps. Selectman Kobus informed Mr. Shivo to contact the Conservation Commission permitting office immediately to be scheduled for the May meeting. Mr. Shivo explained he will reach out to Dinorah.

### **Utility Pole Installation Public Hearing - Catherine Street**

Chairman Kerrigan opened the hearing and invited the representative from National Grid forward for discussion. Mr. Benn Kloczkowski of 55 Cove Road Sterling MA and National Grid Engineer Mr. Javier Morales. Mr. Morales explained to the board the request is to relocate a utility pole on Catherine Street which is on private property to 12 feet from the edge of the road, at this time the pole is directly on the property line and anchored on the private property. Chairman Kerrigan asked if the pole will remain on the same side of the road. Mr. Morales explained yes it will be in line with the other poles on the road. Mr. Kloczkowski reviewed the pole is in the way of the demolition of the existing structure he has planned. Mr. Morales reviewed the property owner has a proposed construction project. Mr. Kloczkowski explained he intends to build a single family home. Chairman Kerrigan opened the meeting for Public Comment, in favor, there was none. In opposition, Ms. Lori Donini of 1 Catherine Street was before the board. Ms. Donini explained the proposed new location will be closer to her driveway, now it is directly across from her driveway. Mr. Morales reviewed the pole is on the property line and anchored on private property. Ms. Donini explained if moved 12 feet forward it will be closer to her driveway, making it difficult for the oil truck to make delivery and emergency vehicles like a firetruck to fit. This would be a public safety issue if the pole was moved too close. She has lived there 35 years and the pole has been where it is which is fine. There is no permission to build on this property either. Ms. Denise Camacho of 128 Greeley Street was before the board she explained technically the pole is located on the property line and is close to town land, the pole is well over 50years old. If it were moved 12 feet it will impede the driveway and be a huge issue with snow removal. No snow can go on the land at 128 R Greeley, and moving the pole will make this issue worse. He has no approval legally to build on the property, there has been no permission granted to build. Chairman Kerrigan

invited Building Inspector Jim Salmon before the board to comment. Mr. Salmon explained there is an existing garage which loses protected status as commercial and the property reverts back to residential. This is a more conforming use to have a single family home, and the proposed structure is a small single family home, smaller than the existing structure. Selectman Devault asked if there is anything to prevent the resident from building. Mr. Salmon explained it meets all the building requirements, except one increase from one foot to six foot. Chairman Kerrigan explained the pole has to be moved to create access to the property, there is no other access to property. Mr. Morales explained the pole is unstable and anchored to a tree at this time. Selectman Boisoneau explained it is in line with all the other poles. Mr. Morales explained if the pole is relocated it will not affect the driveway, he heard the concerns and can shift the pole not to be in front of the driveway, he will check with Mr. Kloczkowski to adjust and accommodate the concerns. Selectman Devault asked if the pole can be moved temporarily to accommodate the demolition project and then once construction has been completed can it be moved back. Mr. Morales explained that is not possible. Discussion continued, Selectman Devault explained this had been before the board prior and the last time you were here it was the same proposal, this has been reworked and they are willing to accommodate by moving the location to the left or right to be more accommodating to blocking the driveway. The property owner has a right to develop the property, it is his property. Chairman Kerrigan explained he will continue this hearing until we know more about where to move it. Mr. Morales asked for some input from the Director of the DPW, he was very helpful with another site recently. Selectman Devault explained the board is scheduled to meet next week and we can try to resolve quickly.

### **Frannie Hodge – Clinton Greenway Conservation Trust Funding for Mass Trails Grant Application**

Chairman Kerrigan invited Ms. Frannie Hodge of Clinton Greenway Conservation Trust forward to discuss the application for the Mass Trails Grant. Ms. Hodge explained she was before the board with an update on several items to discuss regarding the grant application. She explained the repairs to the tunnel need to be decided on, she is waiting for response from the Police & Fire Chiefs on their recommendation. She explained there is a second opportunity to apply for an additional grant. She has received assessments of the tunnel and is aware of the repairs needed. The first application program the town will have to front the funding of \$400,000 and be reimbursed through a grant \$300,000, the second program can be up to \$500,000, which would be great because there are things that were left out of the first application to stay within the threshold. There is a 20% match, so the first match is \$100,000 and the second match is 20%. She is aware this will have to receive town meeting approval. She explained she is unsure if it should be one warrant article or two, it's difficult because she isn't sure on the amounts yet. Chairman Kerrigan opened the discussion to board members with questions. There were

none. Ms. Hodge explained she will get the information to Town Counsel for warrant articles. Mr. Gibbons explained he will work with Ms. Hodge. Selectman Kobus made a motion to support the town meeting articles and authorize a letter of support of the grant applications as requested. Selectman Boisoneau seconded the motion. The vote was unanimous. Ms. Hodge announced a few upcoming events to support the Clinton Greenway Conservation Trust, on May 19 at the Holder Memorial there will be a program on the History of the Rail Roads.

### **C & ED Director Phil Duffy – Clinton Civic Fair Street Closing for June 25, 2022**

Community & Economic Development Director Phil Duffy was before the board to update the board on the plans for the civic event he had presented a few meetings ago. He has been working with a consultant and a volunteer committee to coordinate hosting civic groups. The proposed date is Saturday June 25, from 10AM to Noon. He is requesting approval to close Church Street from 8AM to 3PM for set up. At this time there are 60 organizations interested. Selectman Devault asked if this will be a disruption to the neighbors. Mr. Duffy explained he has included the church in part of the planning. Mr. Duffy explained the plan is to bring together all of the community organizations allowing them an opportunity to promote their memberships. Selectman Perusse asked about the promotional plan for the event. What social media platforms will be used, Facebook and or mailings, have graphics been designed to promote the event. Selectman Devault asked if he had contacted the Police and Fire Departments. Mr. Duffy explained it is two months away and the planning is underway he has a representative of the Olde Home Day Committee on the advisory committee so she can advise on the timeline to contact public safety departments. Selectman Devault made a motion to approve the street closing on June 25, 2022 to accommodate the Civic Fair as requested. Selectman Kobus seconded the motion. The vote was unanimous.

### **Diligentia Express Cannabis Delivery Business-20 Cameron Street Revisions to Final Draft of Host Community Agreement**

Chairman Kerrigan explained the Town Solicitor has submitted a final draft of the HCA for the Diligentia Express Cannabis Delivery business, an exclusion license for transport. Selectman Boisoneau made a motion to approve the HCA as presented for Diligentia Express Cannabis Delivery business. Selectman Kobus seconded the motion. The vote was unanimous.

### **2022 Annual Taxi/Livery License Renewals**

Chairman Kerrigan explained the board received a renewal application from Clinton Livery, Inc. Selectman Boisoneau made a motion to approve the renewal for the livery license for Clinton Livery, Inc. Selectman Kobus seconded the motion. The vote was unanimous

## **Administrative Business**

There was none.

## **Old and New Business**

### *Girl Scout Silver Award Citations*

Chairman Kerrigan congratulated the Girl Scouts from Clinton who were awarded the Silver Award, he stated he was tremendously proud of their accomplishments. Selectman Kobus made a motion to send a letter of support and recognition to the participants. Selectman Boisoeneau seconded the motion. The vote was unanimous.

### *New Business Pathway Discussion*

Chairman Kerrigan explained Selectman Devault has requested discussion on a process to assist new businesses in Clinton. Administrator Ward reviewed some background to this discussion the town had hired a consultant a few years ago to work with town departments to formulate a business guide. A preliminary guide had been presented to Community & Economic Director Duffy who was reviewing. He explained the guide was included in the packet for the boards review. Selectman Devault explained the new Assistant Town Administrator position will have a focus on this and help navigate applicants that inquire to open a new business. They will offer a road map of which departments and boards to work with. A software should be purchased to assist the work of the Assistant Town Administrator to create the needed path for businesses to pursue through the boards and departments. Administrator Ward explained Mr. Duffy has had this guide and is finalizing it to be added to the website and have live links to assist applicants. Discussion continued Chairman Kerrigan asked for this to be moved up on Mr. Duffy's list for completion. Selectman Perusse explained she does this for a living and would love to work on the proper placement of the information. Chairman Kerrigan explained he hoped Mr. Duffy could put this together and get completed to get the information out there.

### *Data Tracking Radar Signs*

Chairman Kerrigan explained Selectman Kobus requested this discussion. Selectman Kobus explained he is proposing the own purchase radar speed signs, he has spoken with the Police Chief and explained he wants to update the current signs. The new signs will have the ability to retain data of the time and speeds at locations. A person's license plate will not be recorded. The cost is \$25,000 to purchase new signs and the current signs can be repurposed in the school zones. This cost will cover the purchase of 4 signs. Selectman Kobus made a motion to approve the warrant article requesting \$25,000 be approved to purchase new radar traffic signs to record data. Selectman Boisoeneau seconded the motion. The vote was unanimous.

### *Draft Town Meeting Warrant*

Chairman Kerrigan reviewed the board received a draft town meeting warrant for review. Administrator Ward reviewed the timetable to be prepared for town meeting is the warrant will have to be finalized at the second meeting in May to meet the advertising deadline for town meeting scheduled on June 6, 2022. He developed the draft to get out the issues to the board, some departments had presented numbers with the request and some are still working on them. There are some big ticket items like the Senior Center article requesting funding to complete the outside painting and repairs. Others are capital articles added year to year. The board agreed to review the draft and discuss at next week's meeting.

### *Town hall Use Restrictions*

Chairman Kerrigan explained the town meeting quorum has been lowered the last two years. Administrator Ward agreed he explained it was approved by the state to be lowered to 10% the town chose to set it at 20% the last two years. The hall can seat up to 1000 using both the floor seating and the balcony. Discussion continued regarding the Board of Health has issued an order for 50% capacity with usage of the auditorium. Selectman Devault stated he will not limit or stop someone from coming into the meeting. Chairman Kerrigan explained he can reach out for clarification from the Board of Health on the 50% rule. Selectman Kobus asked for the Board of Health to be invited to the next meeting to provide an explanation. Chairman Kerrigan agreed he will extend the invite.

### *Additional Warrant Article Request: Personnel Grading*

Selectman Devault explained he would like to discuss the addition of the same article that was presented at last year's town meeting and tabled, regarding Town Administrator Ward approving the new hire pay scale. He is aware now the Personnel Board have the authority to approve a request made by the department head to adjust a new hire on the pay scale. He would like to have another crack at it, the Personnel Board would set salary but the Town Administrator would place the hire on the pay scale, like the Superintendent of Schools does. This would expedite the hiring process and prevent a delay. Selectman Kobus made a motion to support a Town Meeting Article allowing the Town Administrator to place a new hire on the pay scale in the grid. Selectman Boisoneau seconded the motion. Under Discussion: Chairman Kerrigan asked for a reminder why this article was tabled at last year's town meeting. Selectman Devault stated it was presented that nobody on the Personnel Board was aware, relevant to that when discussing the ATA position with the board he informed them he intended to take another crack at it, and move forward with this article. Selectman Perusse made an amendment to the motion to have a written notice sent to the Personnel Board of the upcoming article to be on the warrant for town meeting. Selectman Kobus seconded the motion. The vote was unanimous. Motion made and amended, to support Town Meeting Article allowing the

Town Administrator to place a new hire on the pay scale in the grid, with written notice sent to the Personnel Board notifying them this article will be on the upcoming Town Meeting warrant. The vote was unanimous. Chairman Kerrigan asked Town Administrator Ward if he is ok with the language for this letter, he is available to sign once completed. Administrator Ward stated yes.

#### *ARPA Funds*

Chairman Kerrigan reviewed the there is nothing new from the last time discussed. Selectman Devault noted the board left off from the last meeting to plan on proposals to spend funding for 2024. He would like to establish a task force, assemble a team with Town Administrator and employees to provide feedback to the board. Administrator Ward explained he would love to get started on forming the task force and decide on the membership. Selectman Devault reviewed he can identify key members and ask for input. Administrator Ward explained he had presented the board with a slide presentation regarding the specifics of the funding and prohibitions on spending.

#### *Assistant Town Administrator Search Consultant*

Chairman Kerrigan stated an unexpected surprise is the consultant from Community Paradigm is in attendance of the meeting. He acknowledged Mr. John Petrin. Mr. Petrin approached the board explaining he felt it was a good idea to meet with the board. He explained he had met with Administrator Ward and Chairman Kerrigan to review the process moving forward. Chairman Kerrigan agreed and acknowledged the Personnel Board has set the salary for the position. Mr. Petrin explained the next steps is to formulate the position statement and put the job out for advertisement. He will work with the board to complete the next steps, he is flexible and lives right in Bolton so it is an easy ride to Clinton. He is a retired Town Manager from Harvard for 13 years and Burlington. He is confident he will find somebody qualified to work with Town Administrator Ward. The position will be advertised in the MMA and he has an email list share of students and assistants in communities, he will get it out to. He shared some suggestions on the make-up of a search committee with Mr. Ward. Once the applications are received, all applicants are categorized into tier 1, 2 & 3. Tier 1 is the most qualified, Tier 2 next level, Tier 3 no experience. From there they will provide guidance on backgrounds and recommended qualifications, things to look for in a candidate. The Search Committee will review. He will work with them and provide options and insights for a comfortable process. Administrator Ward thanked Mr. Petrin. Selectman Devault asked for a tentative timeline. Mr. Petrin explained about 14 weeks, he explained 3 weeks advertise, 3 weeks to screen applicants and work with Town Administrator. Selectman Devault explained he would like the board to consider another Selectmen serve on the committee where he is up for election prior to the processes completion. He would consider a member not up for reelection, like Selectman Kobus. Chairman Kerrigan explained the hire is Town

Administrator Ward's, so he will chose the make-up of the search committee. He is aware Mr. Petrin has made some suggestions on a proposed make up.

#### *Human Resource Manager Search Consultant*

Administrator Ward explained the committee has responded with a short list, he was out on sick leave but plans to move forward and schedule interviews for next week.

#### *Information Regarding Rail Road Company Merger*

Selectman Kobus explained the packet had some information regarding the recent merger of CSX and Pan AM railroad companies, the information reviews the increase volume in the area. He asked if there was any updates regarding the bridge clean up that had been discussed. Administrator Ward explained he has had contact with the engineering department who were planning to follow up once they got more information. The packet information was presented by a citizen with concerns regarding the higher volume in the north east with the connection to Connecticut and the implementation of double tracks to accommodate the expansion in volume. There is a limitation in New York and the traffic is diverted.

#### Committee Reports

##### *ALS Subcommittee*

Selectman Kobus reviewed the committee met and reviewed the numbers with Fire Chief Lutes and Union President Captain Chamberlain. They have a warrant article prepared for consideration by the Finance Committee and the Selectmen.

##### *State Senate President Visit*

Chairman Kerrigan had the opportunity to meet with State Senate President, Senator Ms. Spilka on her recent visit to Clinton on Tuesday. She kicked off her tour of the central mass district here in Clinton at the Dam, and then had lunch at the WHEAT café. He joined her and was able to discuss a lot of issues with her, it was a great visit.

#### **Old and New Business Continued**

##### *8<sup>th</sup> Grade Mock Town Meeting*

Selectman Kobus stated he was contacted by Mr. Murray the 8<sup>th</sup> grade teacher requesting use of the town hall to host the mock town meeting. The dates he has proposed are June, 9 or 10<sup>th</sup>. He realizes this is the week in between the town meeting and town election. Administrator Ward agreed and explained he had notified the facilities department who will need to flip the set up and prepare for the Election on June 13. The building will be set up on June 7<sup>th</sup> and 8<sup>th</sup> being closer to the Town Meeting date of June 6<sup>th</sup>.

*Last Day to Register to Vote*

Chairman Kerrigan announced the last day to register to vote for the upcoming election is May 16<sup>th</sup>. Get in touch with the Town Clerk to register, he explained he will add notice to Facebook page and asked for it to be put on the Town webpage front page. Selectmen Devault & Kobus asked for it to be visible and part of the calendar page as well.

Selectman Boisoneau made a motion to adjourn the meeting at 8:42PM. Selectman Kobus seconded the motion. The vote was unanimous.

Meeting Adjourned,

Joyce A. Corbosiero

Executive Assistant to the Clinton Board of Selectmen/Town Administrator