

**Selectmen Meeting
Minutes
May 2, 2012**

Selectman Connolly, Selectman Sargent, Selectman LeBlanc, Selectman Dziokonski and Chairman Dickhaut were in attendance. Attendees were Town Administrator Ward and Town Solicitor Gibbons. Chairman Dickhaut opened the meeting at 6:45PM.

Executive Session Article 3 Landfill Consent Order 6:45PM-7:25PM

Selectman LeBlanc made a motion at 6:45 PM to enter into Executive Session under article 3 for Landfill Consent Order. Selectman Sargent seconded the motion. Roll Call Vote: Selectman LeBlanc "aye", Selectman Sargent "aye", Selectman Connolly "aye", Selectman Dziokonski "aye", and Chairman Dickhaut "aye".

Review of Minutes

The board received minutes from the April 17, 2012 Selectmen's Meeting and April 18, 2012 Selectmen's Meeting for review and approval. Selectman LeBlanc made a motion to approve minutes as presented. Selectman Sargent seconded the motion. The vote was unanimous.

Noise Complaint- The Wash Works Car Wash on Main Street

Chairman Dickhaut explained the resident notified Administrator Ward indicating he didn't need the towns help at this time.

Section 12 Sunday Liquor Sales Extended Hours Public Hearing

Chairman Dickhaut reviewed the board has received a request from the Clinton Lodge of Elks and the Spruce Street Tavern to petition the board for an earlier opening on Sundays for special functions and or Sundays during Football season. Selectman Sargent made a motion to allow the extended hours for liquor sales on Sunday under MGL Chapter 138, Section 12. Selectman LeBlanc seconded the motion. The vote was unanimous.

Motion to Continue Out of Agenda Order

Selectman LeBlanc made a motion to continue out of Agenda order with Administrative Business. Selectman Sargent seconded the motion. The vote was unanimous.

Administrative Business

Fire Department Monthly Report

Fire Chief Hart submitted a monthly report relative to the operations of his department for the month of March 2012 for the Selectmen's review and approval. Selectman LeBlanc made a motion to accept the report as presented. Selectman Sargent seconded the motion. The vote was unanimous.

One Day Liquor License Request

Nypro, Inc. has submitted a One Day Liquor License application in conjunction with the Annual Service Awards Ceremony to be held at the Clinton Town Hall Fallon Auditorium on Thursday, May 24, 2012. Selectman LeBlanc made a motion to approve the request as presented. Selectman Sargent seconded the request. The vote was unanimous.

Draft Town Meeting Warrant Review

Administrator Ward reviewed the articles proposed for the 2012 Annual Town Meeting Warrant. He began explaining Article 1 - Article 6 are standard articles. Article 7 standard article approving funding to the stabilization fund, Article 8 is to replace the underground gasoline tank at the Public Works garage; Superintendent McGown explained he is still researching the costs and ability to install an above ground. He explained the bulk supplier may only be able to deliver to an underground tank, if so a new delivery system would have to be created for an above ground tank. He explained he will have more details regarding costs once he determines the type of tank. Article 9 approval of \$300,000.00 to be used for the landfill, Superintendent McGown explained at this time the DEP has issued a consent order for the town to install a pump & treat system. He explained he has been working with the DEP and through additional testing and discussion it has been determined this isn't the best solution for the landfill, a new cap on the landfill is a passive solution. He reviewed the cap standards have changed since this was installed, the intent of recapping would be to raise the grade and comply with current regulations. The original consent order doesn't specify cleaning out the cove, the new order will supersede the old one and the new cap for landfill will help with cleaning the cove, the DEP is all for this. Approximately \$300,000.00 would be needed in anticipation of getting the new consent order; this funding would be used for design costs and equipment purchases. The article would be helpful to get this started. He explained the town would recap the landfill by bringing in soils the town will be paid to receive and the funding can be used to cover the expense for the new cap the board agreed this is a much better option for the town. The board agreed to hold a public hearing prior to town meeting to have information available on this article. Superintendent McGown asked for a revolving fund to be set up to manage the project. The board agreed to support this request and add additional article for revolving fund. Article 10 approval of \$140,000.00 for the DPW to get a new sanding truck, Article 11 is to approve \$110,000.00 for a new roof at the Fire Station, Administrator Ward explained

the Fire Chief is deciding between metal or asphalt, he is considering doing the area that has had problems with metal and the remaining area with asphalt. Article 12 is to approve \$850,000.00 for funding for a new ladder truck, Administrator Ward reviewed the Chief explained the specs are the same used by the City of Boston and are on the low end, it is for a model without a lot of features. The board asked for the Chief to pursue a cost to add a pump to the truck for a comparison of costs. Article 13 is to approve \$50,000.00 to be spent on Town Hall Repairs; the Building Inspector is working with the new custodian to prepare a list of needed repairs. Article 14 is a place holder regarding the conversion of the heating system in the town hall from oil to gas, Administrator Ward explained he heard from National Grid and the only cost to the town will be for the line from the meter to the boiler, the board discussed including this cost with the town hall repair costs. Article 15 is to approve the \$15,000.00 to be expended by the Personnel Board on the compensation and classification study of all non-union positions. Article 16 is to approve \$17,000.00 to be used by the Bigelow Public Library to become members of the CW/MARS Regional System. Article 17 is to approve funding for the Inspectional Services Department to purchase a vehicle, Administrator Ward explained the amount needed is being researched by the Building Commissioner; it would be between \$15,000.00 to \$19,000.00. Article 18 is to approve funding to purchase financial software for all of the finance departments to have the ability to operate uniformly, the board agreed to omit this article at this time. Article 19 is approval of the land easements for the Water Street project, the article was submitted by the DPW Superintendent. Article 20 approvals of a Facilities and Maintenance Department, this is a recommendation of the Government Reorganization Committee and would be beneficial to have one department oversee the maintenance of the town buildings. Article 21 is to change the Assessors Elected Positions to appointed pursuant to Chapter 41,1§B, subject to the acceptance by the voters of the Town at the June 2013 Annual Election. Article 22 is to change the Treasurers Elected Position to appointed pursuant to Chapter 41,1§B, subject to the acceptance by the voters of the Town at the June 2013 Annual Election. Article 23 is to amend Article V Section 1 of the Administrative By-Laws of the Town by inserting at the beginning of the first paragraph: "The Treasurer shall be appointed by the Board of Selectmen pursuant to MGL Chapter 41, §1B. This article is subject to the acceptance by the voters of the Town at the June 2013 annual town election. Article 24 is to change the Collectors Elected Position to appointed pursuant to Chapter 41,§1B, subject to the acceptance by the voters of the Town at the June 2013 Annual Election. Article 25 is to amend Article V1 Section 1 of the Administrative By-Laws of the Town by deleting "Beginning with the election of 1936 a Collector of Taxes shall be elected by official ballot and inserting "The Collector shall be appointed by the Board of Selectmen pursuant to MGL Chapter 41, §1B. This article is subject to acceptance by the voters of the Town at the June 2013 annual town election. Article 26 to approve the relocation of the public way known as

Broadway Street, or act in any manner relating thereto. Article 27 is to approve the Town Clerk establish a revolving fund. Article 28 is an article submitted by the Building Commissioner to create a Commercial Garage licensing for all garage business. Selectman Sargent asked what the fee would be. Administrator Ward reviewed the proposed fee is \$100.00. Article 29 is the establishment of by – laws for rules in Central Park, Administrator Ward informed the board he had been contacted regarding a fine schedule to enforce cleaning up after dogs. The board agreed to include an article with a fee structure. Article 30 is sponsored by the Clinton Police Department to amend the Administrative By –Law as authorized by Chapter 256 of the Acts of 2010 and incorporated into MGL as Chapter 6, section 172 B 1/2 to create a by-law enabling the Clinton Police Department to conduct state and federal fingerprint based criminal history checks for individuals applying for certain licenses. Article 31 was submitted by a resident to amend the Administrative By-Law to enforce no smoking in public areas on town property, the article proposes a fee schedule. The board discussed and agreed this article is too restrictive. Selectman Connolly made a motion to delete this article. Selectman Sargent seconded the motion. Under Discussion: Selectman Dziokonski explained he understands the point of the article why would you want to sit next to someone in the park smoking, but he is opposed to the article it is too broad. Selectman Connolly agreed article is too broad, the board agreed. The vote was unanimous. Article 32 was submitted by a resident to amend Administrative By-Laws to create a by-law that no person shall cause debris on a public road, highway or sidewalk; the article proposes a fee schedule. Superintendent McGown reviewed and explained this article will add to neighbor disputes; it is very broad as well. The board agreed. Selectman Connolly made a motion to delete Article 32. Selectman Sargent seconded the motion. The vote was unanimous. Article 33 is a ZBA by - law change allowing a wireless overlay district. Administrator Ward explained this requires the board refer to the Planning Board for review and a report to be presented at town meeting. Selectman Dziokonski made a motion to refer Article 33 to the Planning Board for review and report to be presented at town meeting. Selectman LeBlanc seconded the article. The vote was unanimous. Article 34 is to approve mixed use overlay district on two large parcels of land previously church properties, this requires a planning board review along with a report to be presented at town meeting. Selectman Connolly made a motion to refer Article 34 to the Planning Board for review and report to be presented at town meeting. Selectman LeBlanc seconded the article. Under Discussions: the board agreed they are in support of this article. Administrator Ward reviewed this may be separated into two separate article he is unsure. The vote was unanimous. Article 35 is submitted by the Retirement Board the approval would allow the increase to the COLA base pursuant to Section 18 of Chapter 188 of the Acts of 2010. Articles 36 – 39 are citizen petitions. The board concluded the review and agreed to continue further review of the warrant and finalizing the budget next week.

Old & New Business

Ambulance Gift & Donation Account

Administrator Ward reviewed the Fire Chief submitted a request for the board to approve the creation of a gifts and donations account in the Ambulance Fund. Currently there is a donation and gift account for the department but the donation received is to be used to support the ambulance service. Selectman Connolly made a motion to support the request and create an Ambulance Gift & Donation account. Selectman LeBlanc seconded the motion. Under Discussion: Chairman Dickhaut expressed she hopes this is the first of many donations. The vote is unanimous.

2012 Chapter 90 Paving Program

Administrator Ward reviewed the Superintendent of Public Works submitted some recommendations for road resurfacing for 2012 construction season for the board's review and approval. Chairman Dickhaut stated she reviewed the recommendations and prefers to see Oak or Birch Street resurfaced over Highland Street. She explained she feels Oak Street is traveled more than Highland and there is a real need for resurfacing. Superintendent McGown explained he made the recommendations based upon which streets would not require repairs to the water main. Birch Street has a water main which is very questionable. He aims towards roads that are not in need of a water line. He explained if the Water & Sewer fees were increased by 10% to 15% he could start to replace questionable water lines. He chose Highland and Allen Streets knowing they are well traveled. Chairman Dickhaut expressed Oak Street is well traveled. Selectman Dziokonski agreed, stating the street is a disaster from end to end. Selectman Connolly asked if the water main would need to be replaced on Oak Street anytime soon. He agrees if so there is no justice in replacing the water line. Selectman Dziokonski made a motion to approve the recommendations made by Superintendent McGown for road resurfacing with one change, removing Highland Street from the list replacing it with Oak Street. Selectman LeBlanc seconded the motion. The vote was 4/1 opposition Selectman Connolly. Chairman Dickhaut explained once the board gets through town meeting they will begin review of the recommendation of an increase to the Water & Sewer rates by reviewing what % will be needed. Superintendent McGown agreed to set aside the discussion until after town meeting.

MRPC Traffic Studies

Administrator Ward reviewed the board received a request from Community & Economic Development Director Phil Duffy to approve the MRPC conduct traffic studies one for Main Street near the 43D site and the other to be done on Greely & Brook Streets. The town is entitled to two studies annually as part of the annual membership; Mr. Duffy explained this will provide ways to enhance development. Selectman

Dziokonski made a motion to endorse the traffic study request. Selectman LeBlanc seconded the motion. The vote was unanimous.

Committee Reports

There was none.

Public Comment

There was none.

Selectman LeBlanc made a motion at 9:05PM to adjourn. Selectman Sargent seconded the motion. The vote was unanimous.

Meeting adjourned.

Respectfully submitted,

Joyce Corbosiero
Administrative Assistant to the
Clinton Board of Selectmen