

**Board of Selectmen
Meeting Minutes**

February 23, 2015

Chairman opened meeting at 7:05 PM by inviting those in attendance to join in the Pledge of Allegiance.

In attendance were: Selectmen A. Frawley, L Dalpe, J. Knowlton, D. Stewart and S. McKinnon; Town Manager R. Nunes and Board's Executive Assistant J. Shanley.

UNANTICIPATED

None.

ANNOUNCEMENTS/RECOGNITIONS

Board made various announcements. The public made various announcements.

The meeting was broadcast live by MCCAM and recorded by MCCAM and Verizon.

MINUTES

To be voted on 3/2/15.

WARRANTS

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize the Chairman, or his designee, to sign Warrants for week ending 2/21/15.

NEW BUSINESS

Motion made by Selectman Dalpe and seconded by Selectman McKinnon to send Fernway Estates Road Layout submission to the Planning Board and to schedule the Road Layout hearing for 3/9/15 at 8 PM. Resident Pamela Franey presented the Board with an update, including that the developer, Ron Cavallo, has not yet signed a release, but is having his attorney review it. Mrs. Franey offered that the Planning department has informed her that Mr. Cavallo is requiring the residents to sign his release form before he will sign the Town's. Town Manager Nunes will have Town Counsel contact Mr. Cavallo's attorney tomorrow to see what the issues are. Resident John Scanlon addressed the Board and offered that one resident may be in litigation with the developer and may not be able to/choose to sign a release. It is not clear if that would be an issue. Mrs. Franey and Mr. Scanlon offered their thanks and appreciation to the Board, the Town Manager and the Board's Executive Assistant for their help and assistance in moving this matter forward to this point. Board voted unanimously in favor of submitting the Fernway Estates Road Layout submission to the Planning Board and scheduled the Road Layout hearing for 3/9/15 at 8 PM.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon , Board voted unanimously to rescind Constable renewal appointments made on 2/12/15 for three-year terms.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon , Board voted unanimously to Board voted to renew Constable appointments for one-year terms, as presented on the attached.

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Upon motion by Selectman Dalpe and seconded by Selectman McKinnon , Board voted unanimously to submit an Annual Town Meeting article asking the Town Meeting to authorize the Board to seek special legislation from the General Court to amend the Town Charter, Section 15 (Constable appointments), to provide for a three-year term instead of a one-year term.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon , Board voted unanimously to rescind 2/12/15 vote to place a referendum on the Town Election ballot allowing the Assessors to stop assessing Farm Animal & Machinery Excise as part of the 2008 Dairy Preservation Act, St., C. 310, Sec. 2.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon , Board voted unanimously to rescind 2/12/15 vote to place a referendum on the Town Election ballot allowing the Assessors to stop assessing Farm Animal & Machinery Excise as part of the 2008 Dairy Preservation Act, St., C. 310, Sec. 2.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon , Board voted to appoint Jeanine Knowlton as a member of the COA Board of Directors for a three-year term ending 6/30/17. Four in favor. Selectman Knowlton abstained.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon , Board voted unanimously to approve payment of invoice for Wright Pierce for Final Design in the amount of \$23,810.67 and to authorize the Town Manager to sign.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon , Board voted unanimously to approve payment of invoice for Wright Pierce for Subcontractor Services in the amount of \$4,621.30 and to authorize the Town Manager to sign.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon , Board voted unanimously to approve Pledge of License application for Peace Mirror, Inc., d.b.a. The Cabin, 114 E. Grove Street.

School Committee member Brian Giovannoni addressed Board to explain the S.O.I.'s.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize Chairman to sign the S.O.I. for the Memorial Early Childhood Center Roof Renovation work.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize Chairman to sign the S.O.I. for the two boiler replacements project at John T. Nichols Middle School.

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Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize Chairman to sign the S.O.I. for the boiler replacement project at the Mary K. Goode Elementary School.

At 7:30 PM Chairman opened public hearing on WRPD application filed by Outback Engineering on behalf of Paul Turner Realty Trust for a Special Permit under the Water Resource Protection District By-law to allow for a portion of the proposed driveway to be located within a 25' No Touch Zone for property located at Map 3, Lot 4946, Zoning District – Residence Rural, WRPD District Z4 by reading aloud the public hearing notice. Jason Youngquist of Outback addressed the Board. Chairman Frawley noted that the public hearing notice refers to this project as being within the 25' buffer to the bordering vegetated wetland, when, in fact, it is within a 25' No Touch Zone. Mr. Youngquist agreed. The Board's Executive Assistant offered that the hearing notice may not be legitimate as it contains false information obtained from the applicant's application. Selectman McKinnon requested that the Board's Executive Assistant notify Atlantic Design that the Board expects these applications to be reviewed thoroughly moving forward and not just the cover letters that are provided by the applicants with their application. Chairman asked to her any further comments/questions. Hearing none, Chairman declared hearing closed. Upon motion by Selectman McKinnon and seconded by Selectman Dalpe, Board voted unanimously to take no action on this application.

At 7:50 PM Chairman opened public hearing on application made GAF Engineering, Inc., on behalf of Rocky Meadow Cranberry Bog for an Earth Removal permit for property located at 290 Purchase Street, Map 63, Lot 2825 by reading aloud the public hearing notice. William Madden of GAF Engineering addressed the Board to present the project. Abutter Mr. Weston, addressed the Board to express his concerns and asked that the Board require the applicant to complete each phase of the project, prior to any further authorization to add to the project and he would like the travel route changed for entering/exiting the site, and to set a reasonable number for truck loads per day such as 30-35 maximum. They are proposing 40 per day. Maureen Franco addressed the Board to express concerns about children waiting for school buses on the route proposed and asked that the Board consider restricting truck travel during the time of day that children are loading and unloading from the school buses. Mr. Weston offered his concerns that the material now proposed to be removed has increased excessively since the Conservation wetland's application hearing that he had attended. Upon motion by Selectman Stewart and seconded by Selectman Dalpe, Board voted unanimously to continue hearing to 3/23/15 at 8 PM.

School Superintendent R. Weiss & MHS Principal P. Branagan provided a PowerPoint presentation to the Board re the SBA School Building project.

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TOWN MANAGER'S REPORT

Town Manager presented the attached report to the Board of Selectmen.

CORRESPONDENCE

Board voted unanimously to adjourn at 9:30 PM.