

MENDON SELECTMEN MINUTES OF MEETING----- October 5, 2015
APPROVED-----December 7, 2015

Chairman Reil, Selectman Burke and Town Administrator Kimberly Newman are present in the Upper Town Hall, Mendon.

Chairman Reil called meeting to order at 7:06 p.m.

Selectman Burke made and Chairman Reil stepped down to second a motion to approve the regular session meeting minutes of September 21 and the executive session minutes of August 24, 2015 at 8:05 p.m. and September 21, 2015 not to be released. The motion carried unanimously.

Anne Mazar, Land Use Committee Chair, offered to apply for a technical assistance grant worth \$7,000 for implementation of low impact development techniques from which she thought the town could benefit. Town would get two maps showing green infrastructure. The deadline is on Thursday. She offered to write it and work with Conservation Commission, Highway Department and the Planning Board. It will help in applying for other grants to show the town is planning for the future. She suggested focusing on stormwater financing and priority area review. Selectman Burke recommended stormwater financing. Chairman Reil agreed to sign the grant application in advance with Ms. Newman's approval. **Selectman Burke made and Chairman Reil seconded a motion to move forward with the CMRPC Cost Effective Low Impact Development Project Grant with an estimated value of up to \$7000 and have Anne Mazar chair this grant. The motion carried unanimously.** Chairman Reil signed the application.

Mr. Greenberg, resident, on behalf of his daughter, presented a book donation for the Taft Library to Library Director Jenrich and Trustee Amy Fahey. Mackenzie published her book from a journal she wrote during her treatment for thyroid cancer in her junior and senior year of high school.

7:20 p.m. Selectman Burke read the hearing notice for Barry's Place LLC. **Selectman Burke made and Chairman Reil seconded a motion to open the public hearing under M.G.L. Ch. 138 §12 for Barry's Place LLC, 35 Hastings Street, Alteration of Licensed Premises. The motion carried unanimously.** Applicant Dawn Phaneuf explained the small, outdoor patio addition. Ms. Willoughby confirmed the routing slip was signed off by all departments except the Police who haven't offered comments yet. **Selectman Burke made and Chairman Reil seconded a motion to close the public hearing under M.G.L. Ch. 138 §12 Barry's Place LLC, 35 Hastings Street, Alteration of Licensed Premises. The motion carried unanimously.** **Selectman Burke made and Chairman Reil seconded a motion to allow the alteration of the licensed premises by adding a 16' by 16' outside deck with seating for 12 chairs and three tables and an occupancy of 15 for Barry's Place LLC at 35 Hastings Street pending return of positive routing slips. The motion carried unanimously.**

Chairman Reil announced the completion of Matt O'Brien's Eagle Scout project in which he installed guard rails around the Memorial Field basketball courts.

Selectman Burke announced the Fire Department's open house on Wednesday, October 7.

Board of Health members, Andrew Fiske, Tom Fichtner and Al Greenberg discussed the need for the new library well becoming a public water supply. Mr. Fichtner presented background and decision to reclassify it from a private well, with certain conditions, to a public well. Future shared resources would increase the usage. Mr. Fichtner read a letter from Susan Connors, DEP, which included restrictions of a private well: no kitchen, no water fountain and restricted access to coffee machine. Chairman Reil

read an email he received today which said work on septic system should be halted until a decision is made about the well. Mr. Fichtner distributed pictures of easement areas needed for zone 1 public water supply. Mr. Schmid said there are no kitchen or public water fountain. Mr. Greenberg cautioned waiting to make it a public water supply could cost the taxpayers more. It could cost \$7,000 to \$9,000 for permitting and testing. Mr. Schmid said this cost was not included in the Building Committee's budget. Discussion was tabled to hold public hearing.

7:45 Selectman Burke made and Chairman Reil seconded the motion to open the public hearing under M.G.L. Ch. 138 §15 St. Mark, Inc. dba The General Store, 32 Hastings Street for the re-consideration of an Alcohol License Transfer from Kristin's Variety dba The General Store. Selectman Burke read the hearing notice. **The motion carried unanimously.** Ms. Willoughby explained that they had approved this transfer; however, the ABCC said there was information missing from the original application and needed to be reconsidered. The information has been provided. She understood the Board of Health had a signage issue. Mr. Fiske asked Mr. Haddad, former owner, how many people will be selling. He replied two. Mr. Fiske said there are two names listed on the sheet. **Selectman Burke made and Chairman Reil seconded the motion to close the public hearing for the re-consideration of an Alcohol License Transfer from Kristin's Variety dba The General Store, 32 Hastings Street subject to getting signature from the Board of Health. The motion carried unanimously.**

Discussion regarding the well continued. The septic system is 44 feet away from well. Mr. Greenberg explained that the Board of Health just wants to make Selectmen aware that their recommendation is to consider future use of the building and consider the well as a public water supply. Logistics of how this is funded and a potential delay in finishing the project was discussed. Selectmen agreed to not pursue a public water supply at this time. Mr. Schmid said a letter needs to be sent to Mrs. Connors saying the town does not want to pursue a public water supply.

Ellen Gould, Agricultural Commission, and Anne Mazar presented the Request for Proposal for a farmer for 131 North Avenue. Town counsel has not reviewed recently. Selectman Burke provided comments on the document. He noted the barn has not be approved yet. Conservation Commission and the Planning Board have not reviewed the RFP yet. The property needs soil testing parameters. Ms. Gould explained the standardized tests are from the State. Ms. Gould agreed to put the name of the test in the proposal. The Land Use Committee typically pays for the test. Chairman Reil suggested putting the cost in their lease or in the requirements of RFP. It should also include who would be responsible if temporary structures needed to be removed in case of default.

Dan Byer, 350th Anniversary Committee member, supplied an update. The logo designer selection announcement will be held October 19. He read the press release.

Mrs. Lowell and Mrs. Schofield, Mendon Historical Commission, explained the Mass. Historic Commission requires a formal agreement to start the study. Mrs. Lowell provided a brochure and Local Historic District Study Committee guidelines. Mr. Goddard, resident, offered to assist. Chairman Reil announced if there are any lawyers or realtors interested in joining the study committee, they should contact the Selectmen. Mrs. Lowell said if they are not interested, after 30 days anyone can apply to be on it. **Selectman Burke made and Chairman Reil seconded the motion that there is hereby established under the provisions of Massachusetts General Law Chapter 40C, General Laws, a Local Historic District Study Committee consisting of three to seven members, which shall make**

an investigation and report on the historic significance of the buildings, structures, features, sites or surroundings included in such proposed local historic district or districts as the committee may recommend, and shall submit a final report with its recommendations after a public hearing, together with a map of the proposed district or districts and a draft of the proposed bylaw, to the Board of Selectmen. Chairman Reil stepped down to second. The motion carried unanimously.

Selectman Burke made and Chairman Reil seconded a motion to sign the Memorandum of Agreement and the contract between the Town of Mendon and the Public Employees Local Union 1116 of the Massachusetts Laborers District Council of the Laborers International Union of North America, AFL-CIO. The motion carried unanimously.

Ms. Newman reviewed the November 17 warrant. She explained Article one includes salaries for the elected officials. It includes the step increases of contracted employees and the 1.75 percent cost of living increases. Article 2 is for every other employee which includes contractual obligations for those whose contracts have been negotiated and the 1.75 percent not in contracts. Numbers most likely will be adjusted on the floor. Articles for the smoke alarms were combined into one article. Wording shall be changed to include raise & appropriate for the snow and ice article.

Andrew Jenrich, Library Directory, reported on the Ghost Tour of the Library, Fire Station, and Town Hall. Fifty people attended the Ghost Presentation. He presented the budget assuming moving in to the new library on January 1, 2016. Ms. Newman will confirm electricity rate as the library's consultant estimated an increase. Mr. Jenrich explained that to be eligible for state aid, the library must spend 19% percent of its total operating costs on circulating materials. An additional \$21,596 is estimated to be needed for the new library.

Ms. Newman asked Mrs. Willoughby to provide a letter to the Finance Committee which informed the town of an increase in the Worker's Compensation premium.

Mr. Aicardi provided \$1800 as an annual cost in addition to the initial \$10,000 for permitting software.

Articles were added to transfer money to Stabilization and Capital Expenditures, if appropriate.

In order for members of the Board of Assessors who become certified to receive a stipend, a Mass. General Law needs to be adopted. It would mean a stipend of \$1000 per year. Ms. Newman said the Finance Committee noted that Assessors are already receiving a stipend of \$2600. Chairman Reil doesn't want to get locked in to paying the additional \$1,000. The issue has been before the board before and it has not been put on a warrant. Selectman Burke would like to know how many hours need to be spent on the course and how much work that entails. Members agreed to leave it on the warrant.

Mrs. Lowell explained that she learned CPA funds cannot be used for signage. There is only \$2700 left in their budget for the Olney Cook Shop. Mrs. Schofield said a Cultural Arts grant would provide \$2000. Members agreed to take the article off the warrant. **Selectman Burke made and Chairman Reil stepped down to second a motion to remove Article 24, story boards. The motion carried unanimously.**

Ms. Newman noted that the Friends of the Mendon Police could not attend tonight which is why the agenda item was tabled.

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Ms. Newman explained that she sent the Selectmen an email with a link about a two-year Community Compact Agreement with different options. The preliminary application has been tentatively approved. She selected Infrastructure. She would like Selectmen to look at the options and let her know if there is anything else they would like her to look at.

Ms. Newman said she attended a good conference and would like to focus on team building. She had a meeting in the building this morning which kicked off the topic.

9:15 p.m. Chairman Reil made and Selectman Burke seconded a motion to enter into Executive Session under M.G.L. C.30A Sec.21 to conduct strategy sessions with respect to collective bargaining with the Town Hall Employees Union, the Mendon Police Civilian's Employees Association & Mendon Permanent Fire Fighters Union and to conduct a strategy session with respect to potential litigation as an open session may be detrimental to the Selectmen's bargaining and litigating positions. We will reconvene into regular session. Reil-aye, Burke-aye.

Respectfully submitted,



Diane Willoughby
Administrative Assistant

Documents Discussed located in 'Administrative Secretary's' Office:
Press Release Email dated September 16, 2015 from Daniel Byer, Parks Department
Taft Public Library, 29 North Avenue, Budget Additions, FY2016 (January – June)
Emails dated June 9, 2014 and October 5, 2015 from Susan Connors, Mass DEP
Request for Proposal (RFP) The Mendon North Avenue Vegetable Farm
Milford Daily News Hearing Notices, CN13330225 and CN13333757
CMRPC Cost Effective Low Impact Development Project Grant Application
Financial Advantages of a Historic Preservation & Historic Districts
Draft Special Town Meeting Warrant November 17, 2015

Documents Discussed located in Town Administrator's Office:
Memorandum of Agreement between the Town of Mendon and the Public Employees Local Union 272 of the Massachusetts Laborers District Council of the Laborers International Union of North America, AFL-CIO
Agreement between Public Employees Local Union 272 of the Massachusetts Laborers District Council of the Laborers International Union of North America, AFL-CIO on Behalf of the Mendon Town Hall Employees and Town of Mendon, July 1, 2015 to June 30, 2018
November 17, 2015 Salary Line Items