



## OFFICE OF THE BOARD OF SELECTMEN

Veronica Kell, *Chairman*  
Wayne Miller, *Vice Chairman*  
Joseph Shank, *Clerk*

James M. Kreidler, Jr.  
*Town Administrator*

### SELECTMEN'S MEETING MINUTES FOR MARCH 2, 2021 AT 6:00 P.M.

#### I. PRELIMINARIES - VOTES MAY BE TAKEN:

##### 1.1 VK called the meeting to order at 6:00P.M.

Roll call vote showed 3 members present: Chairman Veronica Kell (VK), Vice-Chairman Wayne Miller (WM) and Clerk Joseph Shank (JS).

##### 1.2 Pledge of Allegiance

##### 1.3 VK announce the meeting is being video recorded.

##### 1.4 Chairman's Additions or Deletions.

VK: 3.7 Appointment Committee for Nashoba Valley Technical School  
Committee vacancy

Correspondence from Omni Environmental Group (Board did not receive  
letter)

Under Executive Session add Supervisors Union.

##### 1.5 Public Comment Period.

VK asked folks to raise their hands if anyone has a comment. Joan Savoy: Concern due to lawsuits against the town the last 4 years some of us feel that if we become uninsurable the town could end up in receivership and it is not a pleasant thing to think about.

Laura Shifrin commented on behalf of Country Estates Condominium Estates that they had to go to court with a towing company and she talked with the Police Department. JS recused himself from any conversation disclosing he has a towing contract and there had been a file dropped off and the Police Chief said the towing contracts were coming up.

Laura Shifrin stated the issue started in January of 2019 and one of his trucks towed a car in the middle of the night and drove over the septic system in the front of building 1 and damaged our tank covers and we had to replace them. The police are investigating, and the company is not listening to the court decisions. The Board of Selectmen issues contracts and I did send the court order to Mr. Kreidler. Ms. Shifrin stated she does not recommend the town does business with them.

II. APPOINTMENTS AND HEARINGS – VOTES MAY BE TAKEN:

2.1 6:15P.M. Library Director, Stacy Schuttler, RE: Job Descriptions and Wage Matrix discussion.

Ms. Schuttler reviewed the changes proposed in the job descriptions (see attached). Mr. Kreidler comment this would be under Section 5: Classification of the personnel policies and procedures. The Board reviewed the policy (see attached). The Board can review at their next meeting on the 16<sup>th</sup>.

VK stated her understanding is the Board of Selectmen have already accepted the new job descriptions at their meeting in November and the comp/class plan in the packets (see attached).

Mr. Kreidler explained the process used by the Collins Center to create the description and the comp/class plan further commenting that Ms. Schuttler is revising what was previously accepted. Mr. Kreidler explained after the description is finalized it will be reclassified to be sure it is in the correct placement on the compensation plan. Ms. Schuttler commented there should not be any change of wages.

VK stated she would like to see the track changes in the document so she can compare the differences in the job descriptions. The Board agreed to review at the next meeting.

Karen Hill commented her concern that other employees may not have realized they could have their descriptions updated or be reclassified. Mr. Kreidler explained if there is a job description that the Department Supervisors do not agree with, the personnel policies do provide a way to review and/revise.

2.2 6:45P.M. Planning Board, RE: Chapter 43D - expedited local permitting, results of the feasibility study, and warrant article for town meeting.

The Planning Board called their meeting to order.

Chaz Sexton-Diranian commented the Planning Board has been working with M.R.P.C. to assist in developing a feasibility study.

Mr. Sexton-Diranian gave a power point presentation (see attached) explaining what Chapter 43D is and read the first page of the presentation into the record: Provides a transparent and efficient process for municipal permitting, guarantees local permitting decisions on priority development sites within 180 days and increases visibility of your community and target development site (s). VK asked where Townsend was in the process. Mr. Sexton-Diranian shared the Planning Board is asking the Selectmen to approve the Dudley Road parcel and then the next step would be to bring to town meeting for permission. Mr. Sexton-Diranian

clarified the Planning Board does not need approval as the Selectmen already supported the project noting they would like to go back to the School Board and just wanted to discuss to be sure the Selectmen agreed with that and to update the Selectmen as to where the Planning Board was in the process so it could be taken to the next level as noted (see attached).

Ms. Faxon, Planning Board Administrator explained the Selectmen have approved the M.R.P.C. feasibility study however that has been the extent of the approval (see attached identified sites). Ms. Faxon commented it would be necessary for everyone to have a vote on moving onto the next step which is the application and making sure that is acceptable to everyone. VK inquired if that would include voting to add Dudley Road to the application. Ms. Faxon commented it would be helpful to include that in the vote.

VK commented she was at the presentation, noting they are in the process of a study and it could take some time to know what the school is planning to do with Squannacook Elementary. Mr. Sexton-Diranian explained it would follow the property and may be helpful when the school decides what it would like to do. Mr. Sexton-Diranian noted these properties were identified by the Planning Board and shared that information with M.R.P.C. to be included in the study and mentioning any other property not on the list has not been vetted.

The Planning Board intends to bring the warrant article to the Annual Town Meeting.

JS that we make a motion to add the Dudley Road project onto the 43D application. WM seconded. Unanimous vote.

#### 2.2.1 Discuss nominating a Selectmen's Representative to the MVP Core Team.

Ms. Faxon commented the MVP Core Team worked on the MVP planning grant, explaining there is an R.F.P. that would be available in approximately 3 to 4 weeks for another round of the grant. Ms. Faxon remarked the team would be working on applying on the action MVP grant noting it would be for water supply assessment.

WM made a motion to include JS on the MVP Core Team. VK seconded. Unanimous vote.

The Planning Board voted to end their meeting.

### 2.3 Discussion, RE: Budgets FY22 for Library, Cemetery & Parks, and Building Department.

Library:

Mr. Kreidler shared the Library budget on the screen (see attached). Ms. Schuttler asked if the Selectmen had any questions regarding the budget. WM & JS commented they had no questions. VK explained some of the notes for the explanation were not in the packets and the comments answered many of the questions. Ms. Schuttler noted the salaries are based

on the previous comp/class plan and is working with Mr. Kreidler to change the salary levels if needed with the new comp/class plan.

Cemetery & Parks Department:

Mr. Kreidler shared the Cemetery & Parks budget on the screen (see attached). Mr. Kreidler noted the budget on the screen is the same as the overall budget the Board reviewed at the last meeting, stating budgets submitted by elected board cannot be changed without an agreement to do so. Mr. Kreidler relayed the discussions he had with Mr. Rapoza were centered around the classification of Superintendent in the new comp/class plan and will be reviewed at a future meeting.

Mr. Rapoza explained he pulled the expense for the portable toilets from the budget as there will not be as many events as in the past due to COVID. Mr. Rapoza noted the sidewalks and fencing should be complete by the end of March or beginning of April. WM agreed without the portable toilets being cleaned it could be a safety issue. JS agreed.

Building Department:

Mr. Kreidler shared the Building Department budget on the screen (see attached). Mr. Chartland noted the difference in the budget from the previous year. Mr. Kreidler explained this is based on the previous comp/class plan with the union negotiations. Mr. Chartland explained the cuts he made to lines of his budget mentioning the biggest change was in the salary line item.

### III. APPOINTMENTS OF OFFICIALS/PERSONNEL - VOTES MAY BE TAKEN:

- 3.1 Appoint Jennifer Eaton as the Conservation Department Assistant effective March 2, 2021 contingent upon a CORI check, medical exam with a one-year probationary period.

VK tabled the appointment until the next meeting on March 16, 2021.

- 3.2 JS make a motion that we put Carol Hoffes onto the Open Space and Recreation Committee as the Planning Board appointment. WM seconded. Unanimous vote.

- 3.3 JS make a motion that we appoint Dylan Silvestri as full-time Police Officer effective March 15, 2021 to June 30, 2021 contingent upon a CORI check, medical exam with a one-year probationary period. WM seconded. Unanimous vote.

Mr. Sartell explained the process used and the time required to recruit a new Officer.

- 3.4 Appoint James M. Kreidler, Jr., as the Municipal Hearing Officer.

VK noted there is a letter from the Building Commissioner explaining what a Municipal Hearing Officer in the packets (see attached). Mr. Chartland explained the training is held annually and there is a training scheduled soon for a Hearings Officer and he would hate to miss that opportunity.

JS expressed concerned with everything the Town Administrator has to do to accomplish without adding to his workload. Mr. Chartland relayed the training is done by the MMA Lawyers Association.

VK asked Mr. Chartland to send out notification to the Boards/Committees and will address at the next meeting. Mr. Chartland informed the Board the training is not budgeted.

- 3.5 Appoint Jay Sartell as an Alternate to the Admin Board at NVRDD.  
VK asked who is appointed from the town. Mr. Kreidler explained Chief Boynton is Ops representative, Lauri Plourde is the Finance representative and Mr. Kreidler is the Admin representative. Mr. Kreidler explained that both Chief Bailey and Chief Eaton were appointed as the alternate prior. Mr. Kreidler commented the finance board will have a vacancy that will need to be addressed at a future meeting. Mr. Kreidler to check with the finance team to see if one of them is interested.

JS that we appoint Chief James Jay Sartell as the alternate to the Admin Board at the Nashoba Valley Regional Dispatch District. WM seconded. Unanimous vote.

- 3.6 JS that we make a motion to appoint Jason Murray as an Associate Member to the Zoning Board of Appeals for a term effective March 2, 2021 to June 30, 2021. WM seconded. Unanimous vote.
- 3.7 Appointment Committee for Nashoba Valley Technical School Committee vacancy.

VK read a letter into the record from the Superintendent of Nashoba Valley Technical School Committee regarding the vacancy and appointment (see attached).

Mr. Barrett to inquire if Ms. Chapman is still interested in being reappointment and then to repost. The vacancy to be posted and will be appointed at the next meeting. The Board to address at 6:00P.M. at the meeting scheduled on March 16<sup>th</sup>.

IV. MEETING BUSINESS - VOTES MAY BE TAKEN:

- 4.1 Discussion, RE: Marijuana Bylaw (zoning bylaw Ch 145-88; Ch 145-90)  
The Board reviewed the zoning bylaw and MGL (see attached. VK inquired if the Board is interested in developing a policy as applicants may request a support letter or if they want to discuss at a future meeting. Mr. Kreidler relayed he has been approached by the same company licensed in Pepperell and his recommendation would be to wait until they get their permits in order. JS relayed we should not spend time on the issue and can address when they go through the process. JS commented he has no interest in addressing the issue until the proper permits are completed. The Board agreed to send a letter outlining their thoughts on the matter.

- 4.2 Discussion, RE: DLTA Request and the Open Space and Recreation Plan.

VK commented 4.2 will be addressed after a Committee has been appointed.

4.3 Discussion with John Barrett, RE: Warrant article for easement at 272 Main Street.

Mr. Barrett met with the Board to discuss the warrant article submitted, disclosing he is representing Mr. & Mrs. Miller and they are exploring what the renovations and improvements for the building might be. Mr. Barrett explained we are asking for a right of way to access the property from the town hall parking lot. Mr. Barrett shared a draft map and the warrant article showing where the proposed access would be (see attached).

JS expressed that we need to do whatever we have to do to maintain character and beauty of the downtown and a vacant building would not help that, remarking, unfortunately it is a very small lot. JS expressed safety concerns about folks coming and going from town hall.

Mr. Miller explained they are currently negotiating a lease for a barber shop and they do not expect any big trucks and other large vehicles to use the easement.

VK expressed concern with the additional traffic. VK inquired if there was a driveway included in the lot.

4.4 Presentation, RE: Shared Streets and Spaces final submission and vote whether to make Jefts Street one-way.

VK shared the application on the screen share (see attached). VK explained they changed the application to not include making Jefts Street a one-way commenting the project is the same in the center and explained they will be applying for the permit for the Spaulding School crosswalk. VK stated the final meeting is tomorrow and the application will be submitted on Thursday.

4.5 Discuss Audit Questionnaire for the Executive Officers.

The Board reviewed the questionnaire (see attached). VK explained that Don Klein did complete the questionnaire. Mr. Kreidler noted that WM also completed the form. Mr. Kreidler read the questionnaire into the record.

4.6 Review of postings for all open town positions.

VK would like to move 4.6 to the next budget meeting to discuss all the vacancies.

4.7 Discuss/Review, RE: CDBG report from Community Opportunities Group.

VK reviewed the financial reports with the Selectmen, commenting there were 8 quarterly reports (see attached).

VK inquired when the contract with COG would end. Mr. Kreidler explained it runs concurrently with grant funding because there is no dollar change noting the extension of the grant is until June 30, 2021. VK inquired as to the Environmental Compliance Officer and who would be taking on those duties now that our Conservation Agent as left. Mr. Kreidler explained what is expected from the Environmental Compliance Officer in the grant process. VK asked if the town is on track to spend the funds by June 30, 2021. Mr. Kreidler suggested that Mr. Darragh come to speak at a meeting to discuss the applications and the approvals.

Joan Savoy addressed a letter she received from COG regarding the grant funding. VK asked if the Board would be interested in having Mr. Wayne Darragh attend a future meeting to discuss the housing rehabs and fuel assistance along with the quarterly reports. JS relayed he felt that Ms. Savoy and VK are closely monitoring and does not have any questions for Mr. Darragh. VK suggested if any member would like to have Mr. Darragh in for further discussion to let Mr. Kreidler know, and it can be addressed at future meeting. JS and WM agreed.

4.8 Discussion, RE: CvRF funds reconciliation and requests.

Mr. Kreidler relayed the deadline has been moved out to June 30, 2021, noting the expected reason is not for the reconciliation but the additional stimulus that might be approved in DC. Mr. Kreidler stated what that additional funding is unknown. Mr. Kreidler informed the Board that Ms. Plourde is committed to getting the reconciliation completed before she leaves.

Ms. Savoy informed the Board they have 27 applications approved with the additional funds from the mortgage and rental assistance funds.

VK stated there was a vote allowing Mr. Kreidler to sign documents on behalf of the Board. JS reminded VK that motion was reversed a few meetings ago.

4.9 Discussion, RE: MA Community One Stop grants meeting.

Mr. Kreidler stated there was to be work session and to invite all the Department Heads to work on the grant process. VK asked if there was a timeline. Mr. Kreidler relayed it is on a rolling basis. JS his opinion is to put off until after town meeting as there is a lot of work to be accomplished on the budget. VK agreed to wait until April or May to schedule a work session.

4.10 Discussion, RE: Fertilizer for town properties.

Mr. Kreidler explained currently there is a fertilizing program for Town Hall, Library/Senior Center, Police, and Fire. Mr. Kreidler asked if the Board wished to continue with the program or if an organic program should be put in place. WM relayed he would defer to the Maintenance crew. JS relayed he has a well at his home and hires an independent company to use organic fertilizer and it seems to work well. VK would prefer to use organic

fertilizer voicing concern with the ground water. The Board agreed to use the organic fertilizer.

- 4.11 Declare surplus expired protective clothing items and approve donating them to a department in need as submitted by the Fire Chief.

The Board reviewed the list to be declared surplus (see attached).

JS make a motion that the Fire-EMS Department respectfully request to donate 9 coats, 14 pairs of pants, 11 helmets, 9 pairs of boots, be declared surplus and donated to a department in need. WM seconded. Unanimous vote.

- 4.12 Declare surplus archived building code books as submitted by the Building Commissioner.

VK explained the Building Commissioner has code and regulation books from the 1990s, noting he felt they were old and antiquated and would like to dispose of them.

JS make a motion to declare surplus building code books submitted by the Building Commissioner. WM seconded. Unanimous vote.

- 4.13 Discussion, RE: Donation/License agreement and site plan review for the Senior Center project.

VK inquired if the agreement and site plan reviews as been signed. VK noted an error on section 3. JS spoke with Mr. Shepherd and asked if it requires a notary. VK noted she does think it needs to be notarized and copied directly from the previous form. The site plan review form was resigned, and the agreement was done and notarized. VK to check to be sure everything is correct noting exhibited C & D should not be included.

- 4.14 Discuss/Review the list of articles for the Annual Town Meeting.

Mr. Kreidler shared the list of the warrant articles submitted (see attached). Karen Clement asked if the Board was going to put on an article for the Anniversary Committee. JS make a motion that the Board of Selectmen sponsor that fund. WM seconded. Unanimous vote.

## V. WORK SESSION - VOTES MAY BE TAKEN:

- 5.1 Town Administrator updates and report. (none)

- 5.2 Board of Selectmen announcements, updates, and reports.

JS mentioned he has reached out to the Boards he is the liaison of and had positive feedback.

The Board had a moment of silence for the loss of a Selectman in Pepperell.

- 5.3 ~~Reports from Board liaisons.~~

5.4 JS make a motion to review and sign bills payable warrants and sign out of session. WM seconded. Unanimous vote.

VK to add to future agendas 5.5 meeting calendar and 5.6 approval of minutes.

VI. EXECUTIVE SESSION - VOTES MAY BE TAKEN:

JS makes a motion to close the regular meeting at 9:35 and to enter into executive session in pursuit to GL c. 30A, s. 21(a)(3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares re: Highway-Water Union and we will not be returning into open session after. WM seconded. Roll call vote JS (YES), VK (YES), and WM (YES).

For a detailed discussion please click here <https://youtu.be/TpRn7kZeKlc>

Respectfully submitted by,

Carolyn Smart  
Executive Assistant to the Town Administrator

Meeting Minutes for March 2, 2021 released on \_\_\_\_\_, 2021.