

PRESENT: Selectmen Lyndon B. Johnson, Joseph A. Sergi and Patrick J. McNabb; Robert Hanson, Town Administrator; Peggy Mazzola, Administrative Assistant

The meeting was called to order at 7:03 PM.

ACCEPTANCE OF MINUTES: On a motion by Mr. Sergi and seconded by Mr. McNabb, the minutes of the meeting of January 12, 2009 were unanimously approved. On a motion by Mr. Sergi and seconded by Mr. McNabb, the minutes of the meeting of January 26, 2009 were unanimously approved as amended. On a motion by Mr. Sergi and seconded by Mr. McNabb, the executive session minutes of January 26, 2009 were unanimously approved. On a motion by Mr. Sergi and seconded by Mr. McNabb, the minutes of the meeting of February 14, 2009 were unanimously approved.

APPROVE WARRANT/SIGN PURCHASE ORDERS: The Board signed the warrants. The Board approved and signed Purchase Order #6199 presented by the Fire Department in the amount of \$4,588.81 to Bergeron Protective Clothing for the purchase of 33 fire vests; #6192 in the amount of \$18,471.15 to Bergeron Protective Clothing for the purchase of replacement gear.

PUBLIC COMMUNICATIONS: Mr. Johnson asked Mr. Hanson to call Charter relative to the timing of the airing of the Selectmen's meeting tapes. Mr. Sergi announced the Nashoba Valley Technical High School Committee vacancy, term to expire 3/31/2012. Letters of interest should be submitted to the Board prior to 12 noon on Friday, March 6 2009. Mr. Johnson reminded the public to check the website relative to volunteer opportunities within the Town.

APPOINTMENTS/RESIGNATIONS:

Item #1 – Finance Committee Resignation: Mr. Sergi read a letter of resignation from the Finance Committee submitted by Shaun Cummings. Mr. Johnson expressed his appreciation to Mr. Cummings for his service on the Finance Committee. Mr. Sergi announced the vacancy, term to expire 6/30/2010, with letters of interest or citizen activity forms due to the Board by 12 noon on Thursday, February 26, 2009.

ACTION ITEMS:

Item #1 – Licensing Authority – Entertainment License: VFW: The Board reviewed an application from the VFW for an entertainment license. Mr. Sergi read a memo from Chief Davis relative to the application. Mr. Hanson stated the entertainment license is a separate issue from the VFW's liquor license. The VFW did have a karaoke event last week which was an issue of timing as it was not possible to get this item on the agenda prior to the scheduled event. Following a brief discussion, and on a motion by Mr. McNabb and seconded by Mr. Sergi, it was unanimously voted to grant the license as requested. Mr. Johnson asked Mr. Hanson to write a letter to the Knights of Columbus regarding its entertainment activities.

Item #2 – Discussion: Revision of Permit Fee Schedule – Inspection Department: Building Inspector Harry Cullinan was present to discuss the proposed change in the way in which the office figures out their fees, which will bring the fees in line with other cities and towns. He stated he spoke with inspection departments in Lunenburg, Fitchburg and Shirley, and they are all proposing to do the same. This new method takes the guesswork out of figuring out the fees. Mr. Johnson commented the new fee schedule represents a significant increase. Mr. Cullinan stated the last time the fees were revised was in 2001; the new schedule would roughly double the fees and put us back in line with surrounding towns. Mr. Sergi asked how many building permits were issued. Mr. Cullinan stated the office has issued 14 permits this year; two are for foundations only. Last year the office issued 315 permits, of which nine were for new homes which were mostly pre-sold. Mr. Johnson stated he understands the office wanting to revise the fees, but he would like more time to review. Mr. Sergi stated he would like to see more comprehensive

comparables; he would hate to burden our contractors at this time. Mr. Johnson commented the rates haven't changed in eight years, but he would also like to see rates from surrounding towns.

Mr. Johnson asked what Mr. Cullinan sees in the way of future activity. Mr. Cullinan stated it has been quiet, but they are getting many calls regarding additions and renovations. He predicts we will see the owners of many of the larger "McMansion" homes creating apartments.

Mr. Hanson asked for clarification regarding Mr. Cullinan's comment about a factory. Mr. Cullinan stated the construction of the composting facility on Nashua Road will begin. Mr. Johnson asked if the new fee schedule would impact current permits. Mr. Cullinan stated the new fees would apply to new permits only.

The Board agreed they would like to see a more comprehensive study of fees for surrounding towns, as well as revenue generated in FY '09 versus projected revenue with the new fee schedule.

The Board thanked Mr. Cullinan for attending the meeting.

Item #3 – Discussion: with Attorney Ray Lyons, re: LIP for Property off Leighton Street: Present were Atty. Ray Lyons, Gary Shepherd and Al Patnaude to discuss a proposed LIP affordable housing project on land owned by Mr. Patnaude. Atty. Lyons explained the project will have 41 units, 29 of which would be single family homes and 3 multi-unit buildings. Mr. Shepherd described the topography of the land, containing 10.8 acres of upland; the house lots would be more than ¼ acre. The project will have a typical New England town center feel. There will be two dead-end roads with 2,000' of roadway owned and maintained by the association. The existing wetlands crossing will be increased, and there is a need for a second wetlands crossing. This is a sensitive environmental design. Pavement width would be 25', with conventional drainage. This is designated snow storage and auxiliary parking. The development will be served by town water and sewer. Mr. Sergi asked what waivers they would request under 40B. Atty. Lyons responded they haven't put together a comprehensive list.

Al Patnaude described the units as 1,300 to 1,800 square foot homes, in Cape Cod and Colonial design. All will be high energy efficiency, 2X6 construction. Build out will take approximately 3-4 years depending on the market. Mr. Patnaude stated they have worked extensively with the VFW. They are partnering with the VFW and have met with them several times. Based on lot size, there will be the flexibility to add a one car garage to some units.

Considerable discussion ensued relative to the density of the project and the fact that there will be only one entrance/exit to the development, creating public safety concerns. The Board was in agreement that it could not endorse the project as presented, and suggested they meet with town department heads to present the project and get feedback. Mr. Hanson stated the next department head meeting is scheduled for March 4th. Mr. Hanson will contact Atty. Lyons to confirm their attendance at the meeting. The Board tentatively scheduled a follow-up meeting on March 16th.

Item #4 – Discussion: Vote Intent to Layout a Public Way – Julia Lane Extension: Mr. Hanson explained this is the first step in the street acceptance process. The owners are anxious to wrap up this process as they are dissolving the corporation. On a motion by Mr. Sergi and seconded by Mr. McNabb, it was unanimously voted to proceed with the layout of Julia Lane Extension.

OLD/NEW BUSINESS:

Item #1 – Discussion: Town Administrator Search Committee: Mr. Johnson confirmed that Mr. Hanson will be retiring at the end of July. Mr. Johnson suggested each member of the Board pick two candidates to serve on the committee along with one member of the Board. Mr. Hanson commented the Board needs to clarify what it wants this committee to do. The Board should draft the criteria and present this to the committee. Mr. Sergi remarked he would like to see two citizens involved. Mr. Sergi would like to

review the Town Administrator's job description. Mr. McNabb asked if it was the intent of the board to propose membership tonight or to identify the make-up of the committee. Mr. Hanson suggested the citizen positions should be posted, and the board should contact department heads they have in mind for the committee to assure they are interested in serving on the committee. The Board agreed to post the citizen positions with a due date of March 12th and make appointments to the committee on the 16th. Mr. Hanson remarked that given the current situation in terms of municipal administrators in Massachusetts and the wave of "baby boomers" ready to retire, the Board may have an extended search for a new Town Administrator.

Item #2 – Any Other Old/New Business: Mr. Sergi read a memo from Police Chief Alan Davis in which Chief Davis agreed to eliminate or reduce some of the items in his personal services contract. Mr. Johnson expressed his appreciation to Chief Davis for thinking "outside the box" to save money for the Town. Mr. Sergi expressed his appreciation to all employees under personal services contracts that have made concessions.

NEXT MEETING: Monday, January 26, 2009, 7:00 PM.

ADJOURNMENT: On a motion by Mr. Sergi and seconded by Mr. McNabb, it was unanimously voted to adjourn at 8:45 PM.

Respectfully submitted,

Peggy Mazzola, Administrative Assistant

APPROVED:

Lyndon B. Johnson, Chairman

Joseph A. Sergi, Clerk

Patrick J. McNabb