

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 December 8, 2008 were unanimously approved.

APPROVE WARRANT/SIGN PURCHASE ORDERS: The Board signed the warrants. The Board approved and signed the following Purchase Orders presented by the Fire Department: #6191 in the amount of \$825.00 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 turn-out gear; #6193 in the amount of \$32,071.68 for turn-out gear; and #6194 in the amount of \$22,039.62 to Bergeron Protective Clothing for the purchase of turn-out gear. Mr. Sergi noted that the Fire Department had received a \$74,000 federal grant for the purchase of fire gear. Chief Toby Tyler remarked they also received a State grant in the amount of \$5,200 for safety vests and other gear.

PUBLIC COMMUNICATIONS: Mr. Johnson announced that a representative from Rep. Robert Hargraves' office was in Town Hall this evening.

APPOINTMENTS/RESIGNATIONS:

Item #1 – Special Police Officer Appointment; Police Officer Resignation: The Board reviewed a memo from Chief Davis requesting the appointment of Hollis Police Officer Jonathan Tate as a Special Police Officer. On a motion by Mr. McNabb and seconded by Mr. Sergi, it was unanimously voted to appoint Officer Tate to the position of Special Police Officer, term to expire 6/30/09.

The Board reviewed a memo from Chief Davis regarding the resignation of Officer Thomas Maskalenko. Mr. Sergi remarked that the officer left due to concerns regarding his longevity in FY '10. Chief Davis stated it is unfortunate that he left, as he didn't want to leave our department. On a motion by Mr. Sergi and seconded by Mr. McNabb, it was unanimously voted to accept the resignation with regret.

Item #2 – Board of Fire Engineers resignation; appointment: Mr. Johnson read a letter of resignation from James Taplin, and commented that Mr. Taplin was in charge of training and will be missed. Mr. McNabb expressed his appreciation to Mr. Taplin for his service on the Board of Fire Engineers and wished him good luck. The Board accepted the resignation with regret.

Mr. Johnson expressed disappointment in the lack of interest in the vacancy on the Board of Fire Engineers. Present were the two candidates, Brian Mayer and Jonathan Kinney.

Mr. Mayer explained he lives in West Groton and grew up in the Acton/Boxborough area; he joined the Groton Fire Department in 2004. He was a lieutenant for three years. His strengths would be to build teamwork, focus on education, enthusiasm and a fresh attitude. Mr. Johnson asked what Mr. Mayer could bring to the table as far as training. Mr. Mayer replied that training is anything you can think of; you need to get the firefighters to think when at training, and keep them all active. With his background in coaching, he feels he could keep the firefighters moving through the training stations. Mr. Sergi asked how he feels he will be accepted into the department since he does not live in Pepperell. Mr. Mayer responded he will lead by example and be himself. He will be approachable and listen. Mr. Sergi remarked that he believes not being a Pepperell resident will be Mr. Mayer's biggest obstacle; his credentials are impressive, but there's more to the position than what's on paper. Mr. Mayer feels the camaraderie will come with time. Mr. Johnson asked what Mr. Mayer's availability would be. Mr. Mayer stated he works in construction, and would be available whenever he's needed. Mr. McNabb remarked that the fact that Mr. Mayer does not live in town is a big struggle for him.

Jonathan Kinney stated he has been a member of the Pepperell Fire Department for ten years. He is a full time wellness instructor at a charter school in Fitchburg; daytime availability during the school year would be limited, but he would be available weekends, evenings and all summer. As far as moving through the ranks, Mr. Kinney stated this is an unusual circumstance and not the "traditional" course. He stated those above him were unavailable to take this position. He is interested in the training aspect and supported what Mr. Taplin did for the department. When he heard no one else from Town was applying for the Engineers position, he decided to put his name in. He stated our newer firefighters are an excellent source for training. Mr. Johnson remarked that moving through the ranks helps to build respect within the department. Mr. Kinney stated he had the opportunity to talk to firefighters in his company and the feedback was positive. He is second senior in the latter company, and feels he has a good general respect from his company and others. As far as "jumping ranks," a deputy chief loses a lot of hands on activity. Mr. Kinney stated he feels ready to take the next step; he has been a lieutenant and taken command of scenes. He stated he will focus on safety, and will have to prove himself. He feels he has a level of respect from the other firefighters and they will support him and help make him successful in the position.

Mr. McNabb commented that Mr. Kinney's application came in late and he didn't have adequate time to review it. He wondered if people were saying they didn't have time to apply or weren't aware of the opening. Mr. Kinney stated he didn't have an answer; he received a phone call informing him that only one application had been received and was encouraged to apply because of his experience in education.

Mr. Sergi remarked that perhaps with the holidays perhaps other people may have been interested but didn't have time to apply; he questioned whether the position should be reposted. Mr. McNabb commented that most people involved knew of the vacancy, but he wouldn't object to waiting to make the appointment. Mr. Johnson stated he was surprised that more people didn't apply; this is an important position and a yearly appointment. If someone is not reappointed they are effectively off the department. Mr. Kinney stated he did consider that, and will take a leave of absence from his company; if it doesn't work out he can go back to his company.

Chief Toby Tyler stated he notified the department and spoke with anyone that he thought might be interested; none of them wanted to move into the Engineers position. He feels that delaying the process will just drag it out further and hamper the duties of the engineers.

Mr. Sergi stated that folks watching tonight are now aware of the vacancy. This is an important position, and not taken lightly. Both the applicants have good credentials, but unless there is a pressing concern to move forward, maybe it makes sense to wait.

Mr. Kinney stated consistency and continuity were big reasons for his applying. He stated he can fill that gap, and will be able to maintain the current level of training. His coming forward was to make sure the department continues to move forward.

Mr. Johnson asked the board and the Fire Engineers if they should move forward with the appointment. Mr. McNabb stated it seems like those who knew had a chance to apply, and he was doubtful more candidates would come forward. Chief Tyler stated he would rather see the board move forward with the appointment. Deputy Chief Peter Shattuck stated he would go along with whatever the board decided.

Mr. McNabb commented that both candidates are highly qualified and nominated Jonathan Kinney. Mr. Sergi stated that Mr. Mayer has excellent credentials, but his proximity to Pepperell but was concerned about his ability to respond; it is important that folks in the rank and file feel a sense of trust. Mr. Sergi also nominated Jonathan Kinney. Mr. Johnson stated he was concerned with Mr. Mayer racing through another community to respond to a call in Pepperell. This position is a difficult one, and he wants the new person to be comfortable with the department. Mr. Johnson also nominated Jonathan Kinney. Mr. Kinney received the appointment, term to expire 4/30/09.

ACTION ITEMS:

Item #1 – Public Hearing – Hyacinth Drive Pole Petition: Mr. Johnson opened the public hearing at 7:15 PM. Present from National Grid was Ken Dobey, who explained the placement of the new pole will cut the length of the span and sag of the lines. Highway Superintendent Peter Shattuck stated he was not able to find the stake and advised the Board to approve the petition contingent upon adequate inspection. Hearing no further comment, and on a motion by Mr. Sergi and seconded by Mr. McNabb, it was unanimously voted to approve the pole location contingent upon Mr. Shattuck's adequate inspection of the site.

Item #2 – Discussion: with Mill Site Market Study Candidate: Mr. Sergi announced that Jerry Epstein, principal owner of the Mill site, was present this evening. The Board welcomed Dick Stoltz from Bartram & Cochran. Mr. Stoltz introduced Abby Charest from the firm of Wright Pierce.

Mr. Stoltz outlined his company's background, experience and expertise, noting their experience in strategic economic developing, marketing studies, planning and incentives. Ms. Charest stated her firm has experience working on infrastructure projects in the area, and their flexible staffing makes them uniquely qualified to work on this project. Mr. Stoltz commented that engineering is going to be a key component to this project. Mr. Sergi asked what the challenges would be with this project. Mr. Stoltz stated they worked on a project in Maine nearly identical to the Pepperell site. Mr. Sergi asked how they determine uses for the site. Mr. Stoltz stated they will gather qualitative information from various sources and present several different scenarios. They will brand the site to create an image for the location. Mr. Sergi asked if they had experience working with grants and special financing. Mr. Stoltz replied they have worked with public, state, federal and private sources; additionally there may be funds available within the stimulus package being proposed by the federal government. Ms. Charest stated the majority of their clients are municipalities; they look at specific projects and the unique qualities of each and match that up with grants available. Mr. McNabb asked if they have experience in demolition and contamination. Mr. Stoltz stated that, based on the reports they have reviewed, there do not seem to be any issues for commercial or industrial uses on the site; there could be residential concerns. Ms. Charest commented there wasn't anything in the environmental reports that was out of the box.

Mr. Johnson remarked that the buildings on the site are completely unusable, and asked if this would be a deterrent for the site. Mr. Stoltz stated they create partnerships for the town relative to brownfields grants that would not be available to the private owner. Mr. Sergi remarked that the state has funding sources for brownfields grants for this site since it has been designated a priority development site.

Mr. Epstein commented they would not want to do any clean-up unless they have a deal to sell the property. The two companies selected make the most sense for the project, and he would be fine with either company.

Mr. McNabb asked what their availability would be. Mr. Stoltz stated they could be working on the project as soon as a contract is ready, with a 16-week completion time.

The Board thanked Mr. Stoltz and Ms. Charest for attending the meeting.

Item #3 – Discussion: with PACH Outreach Group: Present were Marcia Zaniboni and Ellen Castellano, representing the PACH Outreach Group. Ms. Zaniboni stated the group has a temporary site at the Knights of Columbus containing two rooms with offices upstairs and a food pantry downstairs. They are open Tuesday evenings from 6-8 PM. Services include fuel assistance applications, referrals, and food. Ms. Zaniboni stated this year's focus will be on providing services. Donations can be made to the group at PO Box 1247. Mr. McNabb asked if there is a link to the group through the Town's website. Ms. Zaniboni stated there is a link. Ms. Castellano commented that another big part of PACH will be resources. Ms. Zaniboni agreed, remarking that the group will be one place to go for everything.

The Board thanked Ms. Zaniboni and Ms. Castellano for attending the meeting.

Item #4 – Discussion: with Mill Site Market Study Candidate: Present was Darren Mochrie, Senior Project Manager for RKG. Mr. Mochrie stated there are 12 people in their firm, which has been in business for 25 years; he has been with RKG for 10 years. Mr. Mochrie stated they have extensive experience working with communities, and have worked on projects at former military bases. His company will use a reality-based perspective for the project. Mr. Mochrie reviewed his company's proposal for the Board. Mr. Sergi stated this project requires the right kind of development as it will impact generations to come. Mr. Mochrie stated their approach would be supply and demand, slow steady growth, regional supply, development competition and pipeline analyses of surrounding towns. Mr. Johnson asked what the staff capabilities are with RKG. Mr. Mochrie responded they have staff with expertise in planning, economic development, real estate, certified appraisers, brokers and economists. Mr. Johnson asked whether they had staff to handle engineering and soil testing. Mr. Mochrie responded they would bring additional staff on board as needed, and they work with large engineering firms. Lots of engineering work has already been done on the site. Mr. Sergi asked what the Town can expect as far as a final report. Mr. Mochrie provided the Board with a document his firm has recently prepared for the town of North Brookfield as an example of their work. Mr. Sergi asked if they could provide engineering work under their current budget proposal. Mr. Hanson remarked there are subterranean structures on the site, and felt that additional engineering would be a necessary component. Mr. Mochrie stated he was not sure if this could be done within the current budget. Mr. McNabb asked what the limitations would be due to the riverfront property. Mr. Mochrie stated there would be additional insurance costs due to the property being in the floodplain. He stated he could have a consultation with an engineer tomorrow, and if he felt he could not come in within the budget, he would let the Board know.

The Board thanked Mr. Mochrie for attending the meeting.

The Board will make its decision at the next meeting.

OLD/NEW BUSINESS:

Item #1 – Discussion: with Chief Alan Davis: Mr. Johnson asked Chief Davis to address challenges for the coming year. Chief Davis stated there is fear within his department for the next fiscal year. He was sorry to see Officer Maskalenko leave. He does not intend to fill that position with the possibility of layoffs in July. Because he won't fill the vacancy, he was able to level fund his budget for FY '10. Chief Davis commented he has had an officer out due to an injury since October; it is anticipated he will return next month. If he loses another officer he will eliminate one officer on the evening shifts, cutting the patrols from three to two. Evening and day shifts are the busiest. Mr. Sergi asked what happens if two calls come in at the same time. Chief Davis explained this happens frequently; he will lose flexibility if he loses staff, and will have to prioritize calls. He is also concerned for the officers that are working.

Mr. Sergi remarked that he hoped folks were listening and paying attention to what's going on; the board is meeting with department heads to get information out so folks can make informed decisions.

Mr. McNabb asked if there were any grants available to assist his department. Chief Davis replied the Community Policing Grant has been reduced by \$6,000 this year; DARE grants are gone, and eventually we will see all the grants disappear. Mr. Sergi asked how our costs compared to other communities. Chief Davis stated he provided this information in the budget document prepared in the fall. Chief Davis stated he hopes that he can maintain what he has, because he is very uncomfortable with only two officers on duty per shift.

Mr. Sergi asked how his department responded during the ice storm. Chief Davis stated he called people in early; the auxiliary police department put in 120 hours. Our communication was as good as it should have been and coordination was very good.

Mr. McNabb asked if the Chief would have any capital program requests for next year. Chief Davis responded that he will be looking to replace three cruisers; last year he put in for two and only got one. He stated he has spent considerably more money on maintenance this year. He currently has eight vehicles, including the SUV and unmarked vehicles. He has also asked for \$10,000 for capital to purchase additional tasers and to create an A/V interview room.

Mr. Johnson asked what the biggest problems are with the current facility. Chief Davis responded the biggest issues are the HVAC system and windows.

The Board thanked Chief Davis for attending the meeting.

Item #2 – Discussion: Town Report Dedication: The Board decided to table this item until the next meeting, in order to get a list of past Town Report dedications.

Item #3 – Discussion: FY '10 Financial Planning: Mr. McNabb stated he asked to have this item included on the agenda, commenting that we don't want to do the job of the Finance Committee, but perhaps the board should be thinking of contingencies. We will ultimately be asking for an override, and he would like the board to look for ways to reduce costs and the resulting ramifications. If the override doesn't pass we will need to have other options and we need to educate the public.

Mr. Hanson commented that we're currently dealing with unknown numbers regarding state aid and the school budget. We can't make final notions, but can only speculate. The Finance Committee has sent out its budget message and will begin to review budgets on January 22nd. The Board should take a parallel track and decide where priorities lie, department by department. Until we have a better grip on the numbers, the Board's discussion would be philosophical. Mr. McNabb stated we need some reductions, as he doesn't feel the voters are going to vote for an override without us making some cuts. The Board needs to take some leadership.

Item #4 – Any Other Old/New Business: Mr. Hanson stated that Town Counsel will be released from the hospital tomorrow and will take some time to recuperate. When Atty. Richardson was hired he presented Peter Zahka as his backup. Mr. Hanson requested the Board appoint Atty. Zahka as Assistant Town Counsel, commenting that Atty. Zahka has no desire to be appointed permanent Town Counsel. On a motion by Mr. Sergi and seconded by Mr. McNabb it was unanimously voted to appoint Atty. Peter Zahka to the position of Assistant Town Counsel, term to expire 6/30/09.

Mr. Johnson thanked everyone for their efforts during and after the ice storm, specifically the Police, Fire, DPW, utilities, and volunteers at the shelter. He remarked that C & S Pizza donates food at fire scenes and donated food for the shelter. Donelans Market and White Hen pantry also assisted the shelter. Mr. McNabb commended Emergency Management Director George Ux, the Fire, Police and DPW.

Mr. Johnson commented he would like to have a meeting with Mr. Ux and set up SOP's for the future. Mr. Hanson remarked that there were two meetings, one with Mr. Ux, Chief Davis, Fire Chief Tyler and Peter Shattuck that were very productive. There were minor things to be addressed but no major issues. Mr. Hanson will find out when the next Local Emergency Planning Committee meeting will be held and let Mr. Johnson know. Mr. Hanson stated the storm cost to the Town was approximately \$160,000. Mr. Sergi remarked that FEMA did not include Middlesex County in the list of disaster areas so the Town is not eligible for reimbursement. Mr. Hanson stated there will be a meeting next week with the State, MEMA, FEMA and Town Officials to discuss this issue; Mr. Hanson will attend the meeting.

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

BOARD OF SELECTMEN MEETING MINUTES

January 12, 2009

7:00 PM

Page 6 of 6

ADJOURNMENT: On a motion by Mr. Sergi and seconded by Mr. McNabb, it was unanimously voted to adjourn at 10:25 PM.

Respectfully submitted,

Peggy Mazzola, Administrative Assistant

APPROVED:

Lyndon B. Johnson, Chairman

Joseph A. Sergi, Clerk

Patrick J. McNabb