



BOARD OF SELECTMEN
Selectmen's Meeting Minutes
03/29/10

Present: Earl Baumgardner, Rick Pinciario, Carol Traynor
Others: Carol McLeod, Thomas Nucci
Minutes by: J. Penney

Call To Order at Town Hall

Chairman Baumgardner called meeting to order at 7:00 PM.

Approve Agenda

Motion made by Selectman Pinciario and seconded by Selectman Traynor to approve agenda as submitted. Vote (3:0)

Approve Minutes

Motion made by Selectman Traynor and seconded by Chairman Baumgardner to approve minutes from 3/8/10. Vote (2:0:1) Selectman Pinciario absent that meeting.

Motion made by Selectman Pinciario and seconded by Selectman Traynor to approve minutes from 3/12/10.

Vote (3:0)

Motion made by Selectman Pinciario and seconded by Selectman Traynor to approve minutes from 3/22/10. Vote (2:0:1) Chairman Baumgardner absent that meeting.

Appointments

Motion made by Selectman Traynor and seconded by Selectman Pinciario to go into executive session for personnel matters and potential litigation at 7:10PM. Vote (3:0)

Motion made by Selectman Pinciario and seconded by Selectman Traynor to come out of executive session at 8:20 PM. Vote (3:0)

Correspondence

MS4 report given to r Spinale to complete

Motion made by Selectman Pinciario and seconded by Selectman Traynor to file correspondence. Vote (3:0)

Old Business

Take Ridgefield road off

Sgt. Shears on status of 11 S. Pleasant St. Traynor says Shears told her that he would like to put a blind drive sign and/or slow down speeds.

Invite Larry Fisher to 4/7 meeting with Traffic Solutions.

New Business

River Rd on hold, Cobbler's Brook received plans late last week that went into MA Highway. The plans for River Rd are no good now that the banking is gone. Baddour wanted a list of people involved to have a meeting.

Finance Director's Report

Sign lease/license Traynor has concerns with license. Ash Amirian has not sent back his approval yet. Phil Parry thinks it should be a license but not a lease. The Lions Club owns the sign and maintenance but it's on town property. Was it gifted to the town of Merrimac? The BOS wants the Lions Club to control the content of the sign. Do we need to clarify who owns the sign and property. Pinciario wants to know who the owner is and if terminated by either side who retains ownership. Contact Amirian to find out who owns sign. The town wants to have the freedom to messages on. The board feels the license agreement drawn up is too complicated.

Warrant for town meeting needs to be posted April 9th. BOS will sign next Monday. McLeod developed spreadsheet for what override means to the taxpayer. She's trying to get Donaghue roof bids done. Have to be posted 2 weeks prior to opening bids. The board will meet at 6PM on 4/26 prior to town meeting to open bids.

Request from Sean O Neil with Merrimac Baseball League to meet with the board. Have not received details of improvements yet. We will wait for the information and then schedule him to come in.

Request from Bob Prokop to meet with the board to talk about alleviating flooding on Bisson Ln. Invite him for 4/5 meeting at 7PM.

Motion made by Selectman Pinciario and seconded by Selectman Traynor to sign certificate recognizing Cory Caleb Cowher. Vote (3:0)

Motion made by Selectman Pinciario and seconded by Selectman Traynor to approve request from Jen Penney to attend open meeting law course on 4/29. Vote (3:0)

McLeod will notify MVPC that BOS will meet with Traffic Solutions on 4/7.

Motion made by Selectman Pinciario and seconded by Selectman Traynor to approve appointment to David Vance to the Council on Aging board. Vote (3:0)

Baumgardner mentions they voted to put the override on the warrant but didn't vote whether they recommended it. Baumgardner, Pinciario, and Traynor are in opposition of the recommendation of the article for the school override. McLeod has a call into DOR about the legality of changes to the article on the meeting floor. She is waiting to hear back.

Vote on recommendation of articles for town meeting

1 Yes 3-0 To accept the Town's Omnibus Budget, per the attached breakdown.

2 Yes 3-0 To set FY2010 budget for the operation of the Wastewater Department. Approves wastewater dept budget because it's an enterprise fund-McLeod feels this will need to be revisited in the fall. \$1,238,986 is new number. Motion made to accept adjusted article. Vote (3:0)

3 Yes 3-0 To set FY2010 budget for the operation of the Water Department. Amount is \$801, 086.

4 Yes 3-0 To appropriate a sum of money from the Electric Light to be used by the Assessors to reduce the Tax rate. For in lieu of taxes-Traynor asks if it can be revisited in the fall-Baumgardner thought we were looking at costs – they would like to use the number they usually use but there is never a number in the article because it's in the motion.

5 Yes 3-0 To raise & appropriate, or transfer \$9,000 for the Assessors their work in relation to the revaluation work. \$9000 to allow assessors to do revaluation.

6 Yes 3-0 To raise & appropriate, or transfer \$10,740 for the Assessors to hire a consultant to perform an independent revaluation of the Town.

7 Yes 3-0 To raise and appropriate \$8,300 from "Sale of Cemetery Lots" for the "care, improvement and embellishment" of said cemeteries.

8 Yes 3-0 To accept the State Grant of Chapter 90 Highway Funds.

9 Yes 3-0 To raise & appropriate, or transfer \$185,000 for Solid Waste, Recycling and Disposal, and Leaf Collection.

10 Yes 3-0 To reauthorize, pursuant to MGL Chapter 44, Section 53 E 1/2, the Town's revolving funds.

Revolving funds all same except Planning Board article regarding fees they collect for zoning bylaw books be used to print same. Baumgardner wants to start looking at revolving funds and is against adding any more in the future. He is against letter K which is the Planning Board article for zoning books. Pinciario notes copies can be made available on the town website. He feels it's becoming inefficient to have hard copy books. Motion to approve A through J. Motion made to remove K. Vote 3:0

COA would like to see the limit increase for senior work off to match state increases

Traynor does not agree as it's not based on financial need. McLeod advises if the board doesn't want the increase they should take the article off.

Motion made by Selectman Traynor and seconded by Selectman Pinciario to remove article 11 and not place on warrant. Vote (3:0)

11 Yes 3-0 To vote to raise and appropriate \$20,000 from ambulance revenue to establish an Ambulance Stabilization Account. Raise and appropriate \$20,000 to establish ambulance fund coming from the ambulance revenue. They have to come to town meeting to use it. The funds currently go into the general fund.

Chief has been getting quotes on an ambulance billing company.

12 Yes 3-0 To vote to borrow \$132,080 for the construction and engineering of a sewer main in Ridgefield Road. All costs to be paid by the residents of the project.

Raise and appropriate \$100, 780 for construction and engineering of water main on Ridgefield Road -the residents aren't responsible for this it would be the town. DPW director recommends doing it as they are digging to do the sewer. We are borrowing instead of taking from the capital fund. Traynor asks why they aren't taking out of capital fund. They don't have enough to do Bear Hill Rd. at this time. Traynor notes they would have to do a borrow this year and next year. Pinciario thinks it makes sense to use money from capital fund

Motion made by Selectman Pinciario and seconded by Selectman Traynor in favor of taking funds out of retained earnings and move article to special town meeting. Vote (3:0)

13 Yes 3-0 To vote to approve the authorization to borrow for the Roof Repair Project at Whittier Regional Vocational Technical High School. from Whittier Tech legality in which you need to approve for them to borrow. 3.3 mil -no cost to Merrimac because they have the funds. Needs to be approved by all the member towns

14 N/A N/A To vote to amend the Merrimac Zoning By-Law by changing Section 23.7.3, Removal Standards and Section 23.7.5.5, Restoration Standards.

Zoning bylaw-earth removal-Planning Board felt these changes should be made. Baumgardner asks if has been reviewed by building commissioner –McLeod is not sure. He asks to have it reviewed and will vote at next meeting.

15 N/A N/A To vote to amend the Merrimac Zoning By-Law by changing Section 23.7.4, Operation Standards. Will have building commissioner review.

16 Yes 3-0 To vote to accept all right, title and interest in that portion of "Old Rd." between Bear Hill Rd. and the McLaren Trail.

MassDevelopment of memo of agreement site assessment grant 2 Little's Ct.

Motion made by Selectman Pinciario and seconded by Selectman Traynor to approve and authorize chair to sign on behalf of the board. Vote (3:0)

Letter from board declaring state of emergency

Motion made by Selectman Pinciario and seconded by Selectman Traynor to approve letter to MEMA and approve the chair to sign. Vote (3:0)

Motion made by Selectman Pinciario and seconded by Selectman Traynor to declare state of emergency Monday March 29th at 9PM. Vote (3:0) Ralph will have to notify MEMA.

Pinciario informs the board that Ralph Spencer got advice from MEMA that board could notify to all dept heads that Spencer as the Emergency Management Director is in charge of all direction in case of emergency. Compose letter for board to sign. Pinciario mentions resident complained of flooding which also occurred previously prior to meeting and he notified Spinale.

Motion made by Selectman Pinciario and seconded by Selectman Traynor to adjourn at 9:30PM. Vote (3:0)

_____/_____/2010
Ricky Pinciario