

Selectmen's minutes of meeting April 1, 2019

Members present: Mark Newman, Brian O'Rourke, George Riley,
Dolores Harasyko, Admin. Asst.

Members absent: Fred Ventresco, attending the School Committee meeting

Called to order at 7:00 p.m.

Reviewed and signed minutes of meetings.

Consideration and vote on the status of Alex Bowman's appointment on the Zoning Board of Appeals.

George read aloud a statement recapping the events regarding Mr. Bowman's complaint regarding a zoning matter on 117 New Hartford Road. Town Counsel stated that 1) the complaint was not timely; 2) Mr. Bowman lacks standing to bring that complaint; 3) the Building Inspector's permit was proper; and 4) the Select Board has discretion to issue a special permit. Mr. Bowman's insistence that this matter required a variance to be determined by the Zoning Board of Appeals of which he is a member, raises the questions whether this complaint was frivolous, or motivated by some personal animus. Furthermore, Mr. Bowman indicated that he did not accept the opinion of Town Counsel, nor the decision of the Select Board. The nature of this complaint, combined with his refusal to accept the outcome, causes this Board to call into question his judgement on zoning matters. The Select Board has therefore determined that it is not appropriate for Mr. Bowman to continue to serve on the Zoning Board of Appeals. In making this decision, the Select Board does not want in any way to ignore or minimize the valuable contributions to the Town which Mr. Bowman has made and continues to make in other areas.

Alex responded by reading a 6 page document which will be attached to the minutes of this meeting. The document reiterates his stand that he does not agree with the Board of Selectmen, the Building Inspector or Town Counsel. He feels strongly that the town is not following the bylaws. He stated that the town did not properly advertise and hold a special permit hearing.

George responded that the town did indeed advertise the hearing in the Berkshire Record for 2 consecutive weeks and all abutters were notified by certified mail.

Motion by Brian, second by Mark, passed unanimously to unappoint Alex Bowman from the Zoning Board of Appeals.

Discussed the hiring of the temporary Assessor's Clerk. Dolores suggested per the personnel manual posting the job within. There may be a part time employee interested in the temporary position. This would save time and the cost of advertising.

Motion by Brian, second by Mark, passed unanimously to post the job within and if no applicants in a week to then advertise.

Discussed the final draft of the FY2020 warrant. We added the article to fund the Stabilization Trust Fund for \$100,000, amended the article to fund the Capital Improvement Plan Stabilization Account to \$300,000 in lieu of \$200,000. Discussed amending the title of the Capital Improvement Plan Stabilization Account to the Capital Improvement Account. Dolores will check with Town Counsel as to whether the word “stabilization” could legally be removed.

Barbara Cormier asked for clarification on the Public Safety Officer. Brian responded that if the Public Safety Officer position passes then the Fire and Police budgets will be reduced at town meeting.

Motion by Brian, second by George, passed unanimously to accept the False Alarm Bylaw.

Motion by George, second by Brian, passed unanimously to accept the FY2020 Warrant pending legal approval.

Selectmen updates:

Mark and Brian met with the Route 57 bridge painting contractor Quebec, Inc. We have 24 5 gallons of bridge paint left of which we will be able to return 12 for credit. The contractor was please with what was done, they painted more than they were contracted for. However, there are some areas that need to be repainted. Brian O’Rourke’s company will supply the staging and planks. The painting will be done the DPW and the contractor. There will be a cost associated with this, it is still be negotiated.

Mark reviewed the MVP meeting this Wednesday and next Wednesday from 5 to 8pm at the Old Town Hall.

Bogart asked about the DPW equipment request. Brian reviewed that the backhoe with extend a hoe is used, they are working through a dealership. The cost of used is approx. \$60,000, for a new one the cost is \$128,000. The F350 being requested would be a new vehicle for approx. \$45,000 and they will trade in the Dodge.

Mail reviewed

Warrants reviewed and signed

Meeting adjourned at 8:10 p.m.

Mark Newman

Brian O’Rourke

George Riley