

Selectmen's minutes of meeting Dec. 14, 2020

Members present: Brian O'Rourke, Mark Newman, George Riley, Brad Curry, Joanne Grybosh and Dolores Harasyko by remote.

Remote participation provided to the public

Called to order at 7:00 p.m.

No minutes available this week for signature.

Reviewed and signed purchase orders.

Discussed options for elimination Jeep traffic on various dirt roads. Road Superintendent Brad Curry reviewed some options. We can put up some temporary road closed signs which will not affect Chapter 90 funds. The temporary road closure would be based on the safety of traveling these roads until they are prepared. The Jeep traffic is on legal roadways that are less traveled but are still a problem. Even though signs are posted the traffic still goes through. Brad explained that the town receives 58.33% per road mile for Chapter 90. A temporary solution is to close some of the problem areas with Jersey barriers until we can come up with a better solution. He will notify residents. He has already been working on some of the dirt roads. The only problem is if we block them off and then the Jeeps bypass them it then becomes a legal issue of trespassing. Police Chief Michael Morrison responding by remote agrees, his opinion is to block the roadway onto the abutters property with their permission. Brian asked Mr. Konstam if he would have a problem with the jersey barriers placed onto his property, he responded that he has no issue with this. Brian suggested that Mr. Konstam place "no trespass" signs on his property and report to the police if the Jeeps go around the barriers onto his property. Mr. Konstam agreed.

Mark responded that at some time we do have to open the roads or we will lose Chapter 90 funding. Barbara Cormier asked if the Jeeps are legal and registered, Chief Morrison responded that all that he has come into contact with are legal. Barbara asked then what is the problem if it's a legal public road. Mr. Konstam responded that it is a club of Jeeps destroying the dirt roads, they are drinking and throwing trash onto the road. Chief Morrison said that they are a club coming up from Connecticut, they actually advertise the trail of our dirt roads. Brad agreed that due to the type of vehicles they are creating more damage. He would like to temporarily close the roads due to the unsafe condition for traveling. Brian reiterated that it is not our intention to permanently close the road, only close them until they can be repaired. Mr. Konstam stated that he has lived here for 20 years and the groups driving through are hostile and terrorizing. They ignore the signs and trespass. Nina Carr is concerned that we could lose chapter 90 funds, Brad responded that we are only closing to through traffic. Alex Bowman asked how much Chapter 90 funds are received. Brian responded about \$360,000 last year. Alex asked how much would it cost to repair the roads. Brian responded that we cannot ball park it tonight. Alex asked if it would be \$10,000, \$15,000, \$25,000 or \$100,000. Brad responded it could be approx. \$15,000 for Sears Road but there are other roads also being damaged. Brad will move forward with the signs and

jersey barriers. Chief Morrison said to use the full size barriers, Brian said we will have to use what we have now.

Discussed the increase for the Transfer Station attendant. Mark explained that since the Transfer Station falls under the DPW the hourly pay should be the same. Nina Carr said that she thinks Keith is doing a wonderful job, everything is kept up so nicely and he is very helpful to everyone especially the seniors. Alex Bowman asked about the rate. Brad said it is from \$19.00 to \$22.00. Alex suggested that we just drop the hours of the transfer station. Brian explained that the attendant also works for the DPW for a combined 40 hours which does allow him benefits. Motion by Mark, second by Brian, passed unanimously to match the DPW hourly rate.

Brad provided highway department updates:

Working on Roberts Road, work complete, replaced one culvert

Replaced 2 culverts on Norfolk Rd.

Repaired washouts on Sears, Viets, Beech Plain Road

Replaced culvert on Clark Rd.

Preparing trucks, sanders and plows for the winter

Brush cutting

The International needs work

We are in good shape and ready for winter

He is preparing a list of spring projects which will include culvert lining and other culvert projects, and paving the portion of Cold Spring Road to Route 8.

Nina Carr asked about the paved area for water runoff at the bottom of Sears Road. Brad responded that Keith has been keeping an eye on it and it is a simple repair.

Discussed setting a date for the selectmen to review their FY2022 budgets. Brian will follow up with Roger Brown. We will table discussion until next week.

Future agenda items:

There are two requests for appointments to the Recreation Committee, Laura Messina and Dawn Lemon.

We will have a response for the Attorney General regarding the Open Meeting Law Complaint filed by Alex Bowman.

Discuss and set a date to work on the Selectmen's budgets.

Nina asked about a fogger, Brian is working with Joanne and a company in Lee to purchase one through Covid Cares.

Nina read that the town of Windsor has a designated room for high speed hot spot usage and would like us to look into one. Brian responded that we will place this on next weeks agenda.

Reviewed mail

Reviewed and signed warrants

Topics not reasonably anticipated by the Chair:

Brian read into the minutes the Open Meeting Law Complaint filed by Alex Bowman. A copy of the original document are included with these minutes. On Dec. 10, 2020 Alex Bowman filed the following: “ The minutes of the Oct 1 executive session were made available on Nov. 24. Those minutes make it clear that: 1. The meeting notice for executive session was not sufficiently specific as it could have included details that would not have compromised the reason for the executive session (for example: Massachusetts law mandatory retirement). 2. The board of selectmen abused the privilege and prematurely entered executive session when most of the discussion was in regards to strategy of how to handle the town’s failure to abide by Massachusetts General Law regarding mandatory retirement at age 65 for police and fire employees. The town could have discussed the law and potential strategies, and then entered executive session to protect the privacy of specific individuals. These minutes were not released until after the completion of the special town meeting. 3. As suggested in a previous complaint, as much of the discussion was not pertaining to the reason given for entering executive session, the non-exempt minutes were not released in a timely manner.”

Motion by Brian, second by George, passed unanimously to move forward with Town Counsel for a response.

Barbara Cormier thanked Joanne for taking care of the leak in the Senior Center bathroom. She explained that no one is cleaning the bathroom and it is very dirty. Brian responded that he and Joanne have contacted many individuals and companies with no responses for the janitorial work. Barbara suggested this as a Senior Tax Workoff program.

Meeting adjourned at 7:48 p.m.

Brian O’Rourke

Mark Newman

George Riley