

**Town of Mansfield
Board of Selectmen
Minutes of February 4, 2009**

Present: Chairman Ann Baldwin, Vice Chairman Kevin Moran, Clerk Jess Aptowitz, Selectman George Dentino, Selectman Sandra Levine, John D'Agostino, Town Manager

Executive Session - union negotiations 7pm

Separate minutes.

Questions and Comments

Pam Gagnon, Gladiola Terrace, questions about selectmen emails going to the selectmen email accounts. When the email accounts were set up the bos office received a copy. However this is no longer the case. According to the Secretary of State the emails of public officials are open to disclosure whether or not a private email account is used.

A lengthy discussion ensued on the legalities on public v. private emails. Any correspondence directed to a board member is open to disclosure. In addition, it is a violation of open meeting law for selectmen to email one another to discuss board business.

Longhorn change of manager

Paul Corbett, Manager of Longhorn, started this past February and was unaware that he needed to come in for a change of manager hearing until December. There was a change in the parent company this past year and he believes that this fell through the cracks.

He will speak with licensing tomorrow and let them know of the importance of quick notification when a manager changes. The Board of Selectmen secretary will also contact the ABCC and verify information regarding the change of ownership as the license is still listed under the old owner's name.

The board held off on appointing Mr. Corbett until the next meeting in order to clarify these issues.

Weekly Business

- Warrant No. 31B in the amount of \$1,123,750.21
Motion: Approved (Aptowitz/Levine) 5:0 passes
- Warrant No. 31A in the amount of \$316,546.43
Motion: Approved (Moran/Moran) 5:0 passes
- Warrant No. 32B in the amount of \$1,504,079.13
Motion: Approved (Aptowitz/Moran) 5:0 passes
- Warrant No. 32A in the amount of \$1,546,599.48
Motion: Approved (Moran/Aptowitz) 5:0 passes
- Meeting minutes from November 19, 2008
Motion: To approve. (Levine/Moran) 4:01 passes
- Meeting minutes from December 3, 2008
Motion: To approve. (Levine/Aptowitz) 4:0:1 passes

Five minute recess was taken due to medical emergency of audience member.

- One day beer and wine license application from Tri County Beagle Club.
Motion: To approve. (Aptowitz/Levine)
- Application for ZBA renewal from Jack Vultaggio. (3 yr. term to expire Jan 2012)
Motion: Approve appointment of Jack Vultaggio. (Aptowitz/Moran)
- Board of Selectmen Meeting Minutes: December 10, 2008
Motion: To hold for future discussion
- Application for parade permit from John Hogan, Veterans Agent for Memorial Day parade on May 25th at 10am.
Motion: To approve. (Aptowitz/Levine)

Correspondence

- Email from resident Jack Reardon regarding the vote to cut out the printing of the live wire. He feels now, more than any time, every penny counts.

- Email from resident Mark Rushton regarding the use of town vehicles. He is disappointed that the town has not reduced the amount of cars available to employees.
- Letter from national grid regarding work on the electric transmission lines that serve the Gilbert Street substation. In the coming weeks, residents of Mansfield and Attleboro will notice construction equipment accessing, staging and working in and along our transmission corridor.
- Memo from Gale Farrugia, COA Director. In the Town of Mansfield Self Help has provided services totaling \$323,327 to 589 households during program year 2008. With all the negativity concerning the economy the public should know that many clients are helped through the COA office with fuel assistance and many other services.
- The Police Department has been notified of parking issues along East Street during school times and will respond as necessary.
- Letter from the Mansfield Shelter Friends thanking the Board of Selectmen for their support. They have reached a stage in the shelter construction project where construction will start in the spring. They are requesting a waiver of town fees for electrical, water and sewer installation and hook up fees.
Motion: To approve waiver of town fees. (Levine/Dentino) 5:0 passes

Town Managers Report

The town has a structural deficit of \$1.45 million (encompassing both school and municipal) health insurance costs, along with a looming snow and ice deficit, in addition to a reduction in local aid, have contributed to this amount.

Layoffs may be inevitable to close the deficit. However, we want to preserve as many positions as possible so we are meeting with staff to identify more ways to save and consolidate as much as possible.

As we approach the FY10 budget we will continue to look at consolidating departments and employee positions as an option to reduce the budget. Possible layoffs to meet budget numbers are still possible if current reductions do not balance the budget.

Andy Gazzolo, FinComm Chairman spoke briefly about the deficit in the snow and ice account. The reserve fund will be increased to compensate for deficit spending

in snow and ice. \$350,000 will be available in this reserve fund for FY10 unanticipated, unexpected expenses.

Another lengthy discussion ensued about how much money is in the reserve fund, what will be put there by whom and how it impacts the budget.

Spinal Technologies has unfortunately gone out of business. The Board of Selectmen will need to vote to decertify their TIF agreement. This needs to be done for state reporting and by decertifying the company, their capital improvements will then be taxable at 100%.

Selectmen's Old & New Business

- Old business from Selectman Levine: please send a letter to Adam Birmingham for his winning essay; it is an accomplishment that deserves acknowledgement. Please also send a letter of congratulations to Timmy Vernon who won a prize for his Braille essay that was recently published as well.

Request for update on Franklin town hall visit. That visit is in the works for after town meeting.

Mr. D'Agostino stated that there is a balancing act with public safety. When the police call and say we need snow plowing or salt done, it needs to be done regardless of how much snow has fallen.

- Old business from Selectman Dentino: The issues of his email address not being changed from the town email to his private one. The webmaster emailed Selectman Dentino stating if he wanted an email address posted it is practice not to use a private one.

Selectman Dentino asked if the TM Secretary's job description has been amended as he requested at an earlier meeting. It has, however the job description has not been brought back to the board for approval yet. After a short discussion the board decided to review this item next week.

Mr. Dentino also wanted to know about a refund that was issued to Mr. D'Arpino for a liquor license. Mr. D'Arpino applied for the license but decided not to continue with the application process before the license was issued so a refund of the application fee was issued.

Questions about the use of uniform allowances. There were bills on warrant from Casual Male and Gentlemen's Warehouse.

Additional questions about a software update to Windows 2008, the town is currently using 2003. The town is upgrading as there are problems with interface that this will alleviate.

- Old business for Selectman Moran: He would like to see the board review and vote on an alcohol policy soon as it should be rather straight forward.

Asked for an update on salt deliveries and Mr. D'Agostino stated that shipments have arrived and we are close to fulfilling the amount we need.

Selectman Moran has received questions about the fire at the waste water plan. Is the facility functioning as normal? The building did sustain smoke damage but is operational.

- Old business from Selectman Aptowitz: Selectman Aptowitz also asked about the current status of TIF applicants. TYCO Valve and Control has purchased a building in the industrial park recently. Covidien is moving forward with their building upgrades and Medline is still in progress.
- Old business from Chairman Baldwin: None
- New business from Chairman Baldwin: The TM review is next week. Please have your comments in to me by Monday for compilation.
- A quick review of future items on the next week or two meetings were announced. If anything else needs to be put on the agenda please let her know.
- New business from Selectman Aptowitz: Good job applause for the police and fire personnel who responded quickly to a recent medical emergency here at town hall.
- New business from Selectman Dentino: He had questions on the use of uniform allowances and the amount of money that is allotted in the union contracts.

There are also questions on the amount of software purchases recently made.

- New business from Selectman Moran: None
- New business from Selectman Levine: Would like formal explanation from the board (to the public) as to why the board has not followed through with the RFP for the Shawmut Ave property. Mr. D'Agostino quickly explained why the board

will not be moving forward with the RFP. However a letter will be formulated for public distribution.

Thank you to Pam Gagnon for her medical assistance to an audience member in distress earlier in the evening.

The Farmers Almanac has correctly forecasted a snowy winter and as such she would like the town to hold off on plowing until 4 inches has fallen. Also secondary streets would not be cleared as well as the main roads as not as much salt and sand would be used. People in New England should know how to drive in the snow and can be more careful driving if they have to go out.

Adjournment

Motion: To adjourn at 10:25 PM
(Aptowitz) 5-0 **Passes**

Jess Aptowitz

Signature of Clerk

March 25, 2009

Date of Approval