

**Town of Mansfield  
Board of Selectmen  
Minutes of June 3, 2009**

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

**Board of Registrars interview**

Mike McCue has applied to be on the Board of Registrars however is unable to be here this evening.

**Motion:** To appoint Mr. McCue to the Board of Registrars to a term expiring January 2012. (Aptowitz/Moran) 5:0 passes

**Planning Board interviews**

Olivier Kozlowski, 22 Tracy Circle, current alternate on the board. He has been on for one year and feels that he has learned enough to move into full membership.

Timothy Verrochi, 27 Lakeview Ave, recent college graduate with a planning undergraduate degree. He is interested in learning more from being on the Planning Board.

- Selectman Dentino asked what Mr. Verrochi learned in school about planning.

He has worked and learned a lot about planning through the use of GIS mapping.

- Selectman Moran asked Mr. Verrochi if this is something that he would be interested in, starting at the alternate level and then moving up?

Yes, he would.

- Selectman Aptowitz explained why the alternate is usually picked for the full position and the new applicant as an alternate.
- Selectman Levine asked Mr. Verrochi if he learned anything in school that he could apply to use in Mansfield?

Why yes responded Mr. Verrochi, he does believe so. He is reviewing master plan and zoning bylaws and may be able to make suggestions.

- Selectman Levine asked Mr. Kozlowski questions about the Master Plan and changes to the downtown.

Mr. Kozlowski was not involved in the process of developing the master plan but is familiar with it and has been on ZBA before as well.

- Chairman Baldwin does not have any questions for Mr. Kozlowski as it has been covered by all the members. She then remembered one for Mr. Verrochi: will you be attending town meeting?

"Maybe", responded Mr. Verrochi. After prodding from Chairman Baldwin, "yes, I will."

**Motion:** To appoint Olivier Kozlowski as a full Planning Board member for a term to expire January 2011. (Moran/Levine) 5:0 passes

**Motion:** To appoint Timothy Verrochi as an alternate Planning Board member for a term to expire January 2010. (Levine/Moran) 5:0 passes

### Comcast Cable discussion

Jerry Buckley, Comcast Cable Government Affairs Manager was present for discussion.

PBS (WSBE Providence RI) has been moved to a higher tier and some residents are not happy about the change. At the end of January this channel was moved to digital as the analogue signal was no longer being used. Digital signal has more bandwidth and is able to broadcast much more programming.

On June 12<sup>th</sup> everything will be converted to digital for this reason. However, basic channels will be rebroadcast down to analogue so subscribers can receive them without a box. The Federal Government was giving out coupons for the digital converters and may still be doing so. If you need to be switched or need service please call Comcast customer service.

Geraldine Sheehan, resident and long time Comcast subscriber spoke about some of her Comcast cable issues. She has extended basic and has noticed that more and more stations have been removed from this tier. One of her favorite channels is 19 (RI PBS) and is upset that, without digital, she can no longer get this. She can still get the channel 2 (Boston PBS) but doesn't really like that one.

Mr. Buckley stated that it was WSBE that chose to stop broadcasting in analogue. They can downgrade the signal and put it back to analogue but it takes more bandwidth to do so. However, programming space is at a premium and most subscribers have digital.

Digital boxes are free for the first year and then there will be a minimal charge. Mr. Buckley does not know exactly how much that will be at this time.

## Q & C

Darlene Richie, Essex St. would like to know when Verizon will be hooking up town hall to broadcast the bos meetings in FIOS? She would like to know the cause of the delay.

Mr. D'Agostino followed up on Chairman Baldwin's comments about the issue. Verizon has not wanted to pull permits in town and they need to. Pulling permits and having inspections is a public safety issue. The permit fees are not the issue. The issue is Verizon doing what every other business and resident does: pull the permit for the necessary work. This issue has gone to the state level and the town is correct in requiring these permits but Verizon has still not complied.

Ms. Richie suggested that the town pull their license as they are not complying with the regulations. Mr. D'Agostino stated that is a good idea. However so far, the town has just stopped Verizon from installing any more fiber until the permits are done. Selectman Dentino would like the town to do inspections on the schools and remedy the possible violations and then back charge Verizon for the work. Mr. D'Agostino stated that the wiring inspector is currently doing inspections through out the schools to ensure that there are no fire/safety issues caused by the unlicensed installations.

Mr. D'Agostino will talk to Chief O'Neill about stopping door to door solicitation until Verizon subs get their sales speech correct. (Apparently they are still telling residents that they will get town hall broadcasts, live.)

**Motion:** To have public hearing on this matter pending discussion with Atty. Mangiaratti. (Aptowitz/Levine)

After a lengthy discussion the Board of Selectmen decided to have the building inspectors do all the necessary inspections and have Verizon notified of possible violations.

Selectman Levine withdrew second on motion after discussion.

Gary Forget, East St., asked questions about internal charges for water and sewer rates. Mr. D'Agostino answered Mr. Forget's questions about internal charges and how they work; however Mr. Forget does not agree with the answers but will address the board later. He is also concerned about the staffing levels of public safety and does not like to see the Police and Fire Chiefs beg for money.

**Motion:** To adjourn to executive session at 8:23pm to discuss union negotiations.  
(Aptowitz/Dentino) 5:0 passes.

Roll call: Chairman Baldwin aye, Vice Chairman Moran aye, Clerk Aptowitz aye, Selectman Sandra Levine aye, Selectman Dentino aye.

## Weekly Business

- Warrant No. 49B in the amount of \$561,990.66  
**Motion:** Approved (Moran/Aptowitz) 4:0:1 passes (Dentino abstain)

Questions from Selectman Dentino about Community Development payments.  
Mr. D'Agostino stated that the back ups reside in the CommDev office records.

- Warrant No. 49A in the amount of \$280,849.93  
**Motion:** Approved (Moran/Aptowitz) 5:0 passes
- Minutes of bos meeting on April 8, 2009  
**Motion:** To approve. (Aptowitz/Moran) 5:0 passes
- Minutes of bos meeting on April 15, 2009  
**Motion:** To approve. (Moran/Aptowitz) 5:0 passes
- Application for street closure for Family Fun Night on July 14<sup>th</sup>  
(North Main St. from 5pm to 9pm)  
**Motion:** To approve application. (Levine/Aptowitz) 5:0 passes
- Reserve Fund transfers approved by FinComm.
  1. Veterans Office \$7000
  2. FinComm \$3,000
  3. DPW - Snow and Ice \$70,000

**Motion:** To accept Veterans Office transfer (Levine/Apt) 5:0 passes  
**Motion:** To accept FinComm transfer (Moran/Aptowitz) 4:1:0 passes (Levine nay)  
**Motion:** To accept DPW transfer (Moran/Aptowitz) 5:0 passes

## Correspondence

- Invitation to Boy Scout Troop 51, eagle court of honor on June 21<sup>st</sup> at 2pm. Ryan Burke and Alan Miller are being honored.
- Invitation to a creative problem solving workshop to identify student opportunities to assist municipalities in moving toward economic and environmental sustainability on May 29<sup>th</sup> , 9am at SRPEDD in Taunton.
- Invitation to Bristol Aggie graduation on June 4<sup>th</sup> at 7pm in Dighton.
- Letter from Joseph Murphy, Marshall Ave requesting two additional stop signs at the intersection of Smiley and Marshall Avenues. NOTE: (*Officer Lawson does not feel it is warranted, but as road commissioners, it is your call*) Selectman Dentino spent 45 minutes reviewing that street during peak traffic time and saw minimal vehicle traffic and pedestrian foot traffic. Selectman Levine stopped by the named intersection as well and did not see traffic that would warrant this action.
- Letter from Edward Rosenberg of the Elks inviting the board to join them on June 14<sup>th</sup> for the Flag Day Ritual; 3pm at the South Common. Most of the bos will attend.
- Email from Thomas Fuller, Darby Drive asking the board to consider several items.
- Letter from the Old Colony Council, Boy Scouts of America, announcing this years honorees. They are State Senator, James Timilty and his sister, Governor's council member, Kelly Timilty.
- Email from Emily Miller, HOM has gone out for bids on both a guard rail for outside the fence and one for bollards. Emily will have guard rails installed in the next few weeks if the board gives them an extension on the use of the land. The issue of charging a fee for the use of the land was discussed. If you charge a fee for the use of public land you extend the level of liability to the town.

Ms. Miller will be asked to come into the meeting next week for further discussion.

- Letter from MA State Lottery Commission regarding Mansfield Xtra Mart applying for KENO To Go.
- Letter from Kurt Gaffney regarding summer water restrictions. Phase I would start on June 19<sup>th</sup> to September 1<sup>st</sup>. **Motion:** To approve restrictions. (Moran/Levine) 5:0 passes

- Letter of Commendation from Chief O'Neill to Office Joshua Ellender for outstanding police work.

### Town Managers Report

- Verizon vs. Comcast permit fees
- Budget update, issue of not getting 70/30 split. FinComm is making decisions for the bos as they (bos) are not.
- The school budget is being inflated by this grant money, enlarging the base and will not be sustainable in FY11 and 12.
- One position in public safety has been restored but it was taken from another part of the budget. We cannot continue to draw on stabilization for reoccurring expenses. The needs of public safety will continue to grow as the community grows as well.
- Selectman Dentino realizes that the grant money for the schools is not sustainable but a band aid that will hopefully bring us through to better times. Union concessions will be necessary next year and as contracts will be up, he expects that will help.
- Selectman Moran stated that if a town funds their schools at above the foundation level, they can take funds out of the grant monies for operational costs. It has always been a policy that all one time revenue sources are split. This time the schools are using all the money for non sustainable costs. This could really put the town in jeopardy for future years.

**Motion:** To extend meeting to 10:45pm. (Aptowitz/Moran) 5:0 passes

- Union negotiations and concessions are under way. One union has agreed to concessions and another has already filed a formal grievance.

### Selectmen's Old & New Business

- Old business from Selectman Levine: None
- Old business from Selectman Dentino: Selectman Dentino has a number of questions that he would like to have answered. Mr. D'Agostino will answer these in executive session. Possibly next week.

Would like to discontinue parking lot enterprise account and put the money back into the general fund. This would free up money for public safety and capital expenses. Selectman Levine stated we instituted enterprise account so that we could maintain parking and partially defray the costs. It has become a regional

train station with possible parking garages (according to master plan). These funds are for this purpose, not for the general fund.

Mr. D'Agostino stated any change to the enterprise account would have to go back to town meeting for approval. Mr. D'Agostino then stated that Selectman Dentino has never wanted enterprise accounts to fund general fund expenditures. Now he is advocating that we do so.

**Motion:** To extend meeting to 11pm. (Aptowitz/Moran) 4:1 passes (Levine nay)

Selectman Moran: No un-ringing the bell. The unions did not all agree to concessions, so be it. Lay offs will commence and health insurance will cost more.

- Old business from Selectman Aptowitz: None
- Old business from Chairman Baldwin: None
- New business from Chairman Baldwin: None
- New business from Selectman Aptowitz: When are town and MMED audits due? The next couple of weeks. MMED meeting next week on Monday.

Thanks to Colleen Corona from Easton for doing budget presentation.

- New business from Selectman Dentino: Please look at MIS/GIS budget for savings. He feels that this money could save jobs. Mr. D'Agostino stated that we use these services on a daily basis. However Mr. Dentino feels it is a luxury that we cannot afford.
- New business from Selectman Moran: None
- New business from Selectman Levine: Do we have the old Bertucci's license back? No. Speed limit signs on Benefit St? Yes. Repairs done at the waste water plant? Yes

### Adjournment

**Motion:** To adjourn at 11:02 PM  
(Levine) 5-0 Passes

Jess Aptowitz

Signature of Clerk

September 3, 2009

Date of Approval