

**Town of Mansfield
Board of Selectmen
Minutes of May 13, 2009**

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

Reorganization of Board of Selectmen

John D'Agostino opened the meeting and called for nominations for chairman.

Selectman Moran stated that he would like to see the Board of Selectmen the same through the budget season.

Selectman Aptowitz stated that they are all acquainted with the budget and it shouldn't matter who is chair for that reason.

Motion: Ann Baldwin for Chairman (Moran) 5:0 passes

Motion: Kevin Moran for Vice Chairman (Levine) 4:0:1 passes (Dentino abstain)

Motion: Jess Aptowitz for Clerk (Moran) 4:0:1 passes (Dentino abstain)

Motion: Jess Aptowitz for Light Commissioners Chair (4:0:1) passes (Dentino abstain)

Motion: Kevin Moran for Vice (Levine) 3:0:2 (Dentino and Moran abstain) passes

Motion: George Dentino for Vice (Aptowitz) Mr. Dentino declined the nomination.

Motion: Sandra Levine for clerk (Aptowitz) Mrs. Levine respectfully declines nomination.

Motion: Ann Baldwin for clerk (4:0:1) passes (Dentino abstain)

Selectman Dentino stated he abstained from all votes because this is his 4th year on the bos, he has never been nominated for chair or served as vice chair, and it's insulting.

Pam Gagnon came up to the podium to say a few words and quoted a poem about leadership. She then pinned a rose without thorns on Selectman Dentino to signify his supporter's thanks for all his hard work on the board.

Airport Commission Grant

Lou Andrews and Howard Fiske of the commission were present for meeting.

The Airport Commission needs the Board of Selectmen to sign off on a grant from the Federal Government. This is to ensure that the airport uses the funds for airport operations.

None of the board members have an issue with this and agreed to sign on.

Motion: To approve and have the chairman sign the grant application. (Levine/Moran) 5:0 passes

Dept head interviews for tm subcommittee

Lorilee Fish, Park and Recreation Director; Arthur O'Neill, Chief of Police; Eric Hart, Town Accountant were present for discussion.

Ms. Fish stated her office has been a hub of information over the years and she is well acquainted with the issues of the town.

Chief O'Neill stated that he has worked under 7 town managers, interim town managers and been acting town manager himself (filling in during vacations). He detailed a list of characteristics and skills that a town manager needs to succeed.

Mr. Hart stated that he agrees with everything Chief O'Neill said, he has been an accountant for 20 years, 13 years as a municipal accountant and is a state certified government accountant, and as he works with the town manager on a daily basis he would really like to be on the committee.

Selectman Dentino stated that Chief O'Neill basically answered all of his questions and asked the candidates to expand upon what they would look for in a tm.

The candidates all stated that experience with negotiations is key for not only the town manager but the people on the tm search committee.

Selectman Moran asked: what challenges do you think a new tm will face? The candidates all agreed that a town manager must have a positive, energetic attitude that will help him work with a variety of people and groups. As everyone knows we are in a tight fiscal year with an uncertain financial future so the next tm will have several challenges to overcome.

The candidates all believe in the town charter and feel the town is well run by it. A strong town manager is necessary to lead the town and the town charter calls for one.

Selectman Aptowitz asked how they would feel if their candidate was not chosen. Chief O'Neill stated that it has happened before and it may happen again but he is bound to assist and work for the chosen tm.

Mr. Hart stated that both he and Mr. D'Agostino are strong personalities but they have

figured how to work cooperatively together. As Chief O'Neill stated, he is bound by charter to assist and report to the tm.

Ms. Fish feels being that the tm being a part of the community is very important. The Park and Recreation is the spirit of the town.

Mr. Hart stated integrity and forthrightness are very important in a manager. Standing up for you believe in, even when not popular, is also key.

Selectman Dentino asked what the number of applicants that they would pass on?

Ms. Fish stated that she would not limit the apps sent to the bos as the search firm should only present qualified individuals to the group.

Chief O'Neill stated that the search firm should cut down the app to only very qualified app so he doesn't see them passing on anymore than 5-7 apps.

Mr. Hart stated that limiting apps should not be a problem as only 5-10 apps will most likely be passed in by search firm. He would like to see the criteria used by the search firm for candidates.

Selectman Dentino asked the candidates if there is anything in particular that they would like to see as parameters for the tm?

Chief O said that he thought the criteria sent forth by the bos was sufficient.

Mr. Hart stated that he would like to speak with the search firm to get specifics.

Chairman Baldwin stated that Health Agent Scott Leite was unable to attend tonight so the board will interview him next week and then make a decision on a candidate.

Selectman Dentino then stated that after thinking about it he feels that perhaps two dept heads or an at large person should be put on the committee and just have one bos member as they will all be seeing the candidates. Selectman Levine had always thought two dept heads should be on the committee but Selectman Dentino was leaning towards an at large position.

Selectman Moran agreed that two dept heads would be best. One from public safety and another dept head from a financial background.

Selectman Aptowitz feels the bos is getting hung up on the process and will support the bos decision regardless of the composition of the group.

Warrant Discussion

John Sullivan and Shaun Burke presented an explanation on articles 22 and 34.

Article 22: Right of Way for School St. near Mansfield Crossing.

Mr. Sullivan explained the ROW easements needed for drainage and electrical lines. After a few brief questions from the Board of Selectmen the article was moved.

Motion: To approve article 22. (Moran/Aptowitz) 5:0 passes

Article 34: School St. traffic signal easement.

Motion: To approve article 34. (Moran/Aptowitz) 5:0 passes

A short discussion ensued about the letter received from Mass Highway regarding the traffic signal lights at School St. and Rt. 140.

Article 35 & 36: Chapter one proposed changes of the town by laws explained by Moderator Robert Saquet.

Motion: To approve articles 35 & 36 (Moran/Aptowitz) 5:0 passes

Article 16: Marijuana possession language expanded upon by Chief O'Neill.

Motion: To approve article 16 (Aptowitz/Moran) 5:0 passes

Articles 38: Gap in wireless coverage bylaw amendment explained by Mr. Burke

Motion: To approve articles 38 (Moran/Aptowitz) 5:0 passes

Article 39: Flood hazard language amendment.

Motion: To approve articles 39 (Moran/Aptowitz) 5:0 passes

Dog hearing with Jeff Collins

Jeff Collins, Animal Control Officer was present and gave a brief synopsis on the complaint.

Lynn DiCorpo of 879 West St. has filed a complaint of Vicious or Barking Dogs against her neighbor Richard White of 869 West St. Mr. White's 6 month old mini Italian Greyhound escaped from the yard and entered the DiCorpo's yard and charged Mrs. DiCorpo and her daughter. Six months later the dog escaped the yard again and entered the DiCorpo's property again.

As Selectman Moran knows the DiCorpo's he has excused himself from the case.

Mrs. DiCorpo has requested that the dog be more restrained than it currently is.

Chairman Baldwin asked Mrs. DiCorpo if she wanted the dog removed from the neighborhood? No, not necessarily. She would just like assurance that the dog will not enter her property again.

Mr. White stated that they have had an electric fence installed on their property restraining the dog and have received additional dog training.

Selectman Levine asked when the electric fence was installed. It was installed last month and the dog is responding well to the training. The Whites do have another dog as well but that one has not been an issue.

Selectman Aptowitz stated that as a matter of principal he will side with the safety of people vs. an animal. Mrs. DiCorpo and her daughter were afraid of the dog and do not want to be bitten.

Mr. Collins stated that in his opinion that the dog is young and jumpy but not vicious in any way. Mia has not bitten anyone and they are responsible dog owners.

Selectman Aptowitz asked Mrs. DiCorpo if she was interested in having the dog in a leash and meet the little girl so she is not as afraid of it in case it ever gets out again. Mrs. DiCorpo is not interested in that at this time.

Selectman Dentino stated that it appears the Whites are really trying to keep the dog contained but if it continues to be a problem they will have to look at it again.

Chairman Baldwin stated that Selectman Dentino is right and if problems continue to persist that Mrs. DiCorpo should try to work on a resolution with Mr. Collins.

Selectman Levine asked Mrs. DiCorpo what she would do to restrain the dog if the case was reversed and she was the dog owner. Mrs. DiCorpo responded that she was unaware until recently that an electronic fence was installed and she hopes that will help.

Questions and Comments

Lance Dentino, Williams St. stated that he is proud of his father and is glad people came out to vote and support him. He knows Chris McGowan and thanked him for his participation in the election process. Mr. Dentino started to read a letter written by Sandra Levine. However Selectman Levine objected to the letter being read as she wrote and sent it as a private citizen.

After a brief bos discussion the letter was paraphrased by Mr. Dentino and he was unhappy that Ms. Levine attacked his father in writing in such a fashion. He then asked Ms. Levine to resign as he did not think she could positively represent the town.

Pam Gagnon, Gladiola Terrace. Ms. Gagnon also wanted to discussion the letter. Again, Mrs. Levine objected to the letter being read or discussed. However Chairman Baldwin disagreed and Ms. Gagnon continued to speak until asked to sit down by the chair.

Andy Gazzolo, FinComm Chairman, gave a brief update on the outlook for FY10. They will be discussing the warrant at their meeting tomorrow night and are awaiting the Senate #'s in order to make a determination.

Weekly Business

- Warrant No. 46B in the amount of \$2,517,944.09
Motion: Approved (Moran/Aptowitz) 4:0:1 passes (Dentino abstain)
- Warrant No. 46A in the amount of \$1,517,614.40
Motion: Approved (Moran/Aptowitz) 4:0:1 passes (Dentino abstain)
- Minutes of bos meeting on March 25, 2009
Motion: To approve meeting minutes of March 25, 2009 (Levine/Aptowitz) 5:0 pass
- Minutes of bos meeting on April 1, 2009
Motion: To approve meeting minutes of April 1, 2009 (Levine/Aptowitz) 5:0 pass
- Vote to sign and open June 9th (2nd Special Town Meeting) warrants
Motion: to sign and open June 9th Special Town Meeting warrants (Levine/Moran) 5:0 passes

Mr. D'Agostino explained why a second special town meeting is need. Health insurance costs were higher that expected and needed to be added after the first special town warrant had been closed. Town Accountant Eric Hart further explained why the town needed to do this. (9C state revenue cuts)

Selectman Dentino expressed concern about the large amount of money in deficit to cover health insurance costs. It was explained that school and municipal employees can and change health insurance status when there is a change in their family situation. It really can't be tracked as we don't know how many employees will change their insurance from year to year.

- License application request for Comcast Center parking lot.
Motion: To approve as presented. (Aptowitz/Moran) 5:0 passes
- License application request for a proposed race course on September 5th from the High School to Branch and Ware and back. Public Safety has approved.
Motion: To approve as presented. (Aptowitz/Moran) 5:0 passes

Correspondence

- Request from PMC Mansfield Kids Ride for permission to close a portion of Hampshire St. Detail officers will be present and Lt. Seekell has signed off.
Motion: To approve as presented. (Moran/Aptowitz) 5:0 passes
- Sean Drive residential signs need to be voted on by road commissioners (bos) before installation. **Motion:** To approve as presented. (Levine/Moran) 5:0 passes
- Letter from Health Agent Scott Leite regarding tm subcommittee interview.
- Request from Gale Farrugia, COA Director for proclamation honoring "Older Americans Month" she would also like to invite the bos to the annual Volunteer Recognition Day at the COA on Friday, May 22 at 11:30am.
Motion: To sign proclamation. (Moran/Aptowitz) 5:0 passes
- Request from Stephanie Molinari for outstanding citizen proclamation. Her grandparents have lived on Clinton St. for over 60 years and are now leaving their beloved Mansfield for Maryland. **Motion:** To sign proclamation (Moran/Aptowitz) 5:0 passes

Town Managers Report

- Union negotiations are still underway and he will continue to keep the bos informed as they progress.
- FY10 budget update and anticipated chapter 70 funds.
- Due to the failed union concessions on health care increases, layoffs will begin soon. Depending on what comes from the state further layoffs may occur in FY10.
- Selectman Aptowitz asked Mr. D'Agostino if they could discuss the impact of layoffs on services and where those cuts might be. He couldn't discuss specifics at the moment but will discuss it further with the board by next week.
- A lengthy discussion ensued regarding when, how much and how the stimulus funds would be received by the town. The grant funds will go through the schools and the municipal side will receive some of the funds but how much is yet to be determined.
- **Motion:** To extend the meeting until 10:40pm. (Moran/Aptowitz) 5:0 passes

Selectmen's Old & New Business

- Old business from Selectman Levine: Has letter been sent to our Congressman and the telecommunications commission? The secretary will find out.
- Old business for Selectman Moran: Update of contract negotiations? Not yet.
- Old business from Selectman Aptowitz: Lack of parking in front of townhall has become an issue with elderly residents. Also parking on side walks in front of Flint Farm on Mill St. has also been a problem.
- Old business from Chairman Baldwin: Verizon FIOS issue is still being reviewed and will be discussed soon.
- New business from Chairman Baldwin: tm search firm interviews and executive session to discuss union negotiations. The bos will also discuss the composition of the tm search committee more in depth next week.
- New business from Selectman Aptowitz: Congrats and thanks to all the candidates that ran for elected office. Also, when will the bos be selecting the tm search firm? Interviews will start next week.
- New business from Selectman Dentino: Garden Club plant sale is this coming Saturday at the town common.
- New business from Selectman Moran: Congrats to all the candidates that won their elected positions.
- New business from Selectman Levine: Letter from Covidien regarding their employees being community volunteers. Mr. D'Agostino has met with them and they are discussing projects that could be done around town.

Adjournment

Motion: To adjourn at 10:43 PM
(Aptowitz) 4-0 Passes

Jess Aptowitz

Signature of Clerk

July 15, 2009

Date of Approval