



**REVISED**

Town of Paxton  
Board of Selectmen  
697 Pleasant Street, Paxton, MA 01612  
(508) 754-7638 – phone (508) 797-0966 – fax  
dparsons@townofpaxton.net

## **Regular Meeting Minutes**

**Tuesday, December 20, 2011**

**Meeting Location: John Bauer Senior Center 17 West Street, Paxton, MA 01612**

Members Present: William A. Trotta, Chairman  
Peter Bogren, Jr., Vice Chairman  
John F. Malone, Clerk

Attendees: Attendee List

The Chairman called the meeting to order at 7:00pm.

### **Fire Department – SCBA**

- Fire Chief Jay Conte along with members of the committee that were responsible for researching the SCBA's presented the information that they had compiled. Chief Conte presented a quote from Fire Tech and Safety for \$230,058.
- (WT) I need more time to review the information on this.
- Chief Conte replied that the committee is here, and they are the ones that selected the items being purchased. I get the pricing for them once the items have been selected.
- (JM) I also need more time to look this over, because I see more items in here than just the SCBA's.
- Chief Conte replied that the quote from White Plains is apples to apples with Fire Tech and Safety. I think you need to talk to the committee while they are here if you don't think there are things that should be included.
- (JM) Why didn't you not get more bids from MA dealers, because you get a 20% discount.
- Chief Conte stated that if you look at the bid we received we ended up with 37% off of the bid. There was one other dealer which we did not go with because of their reputation.
- (WT) I am just looking at getting the best equipment at the cheapest price, so I need more time to review the information.
- Chief Conte stated that I have been working with Fire Tech and Safety for ten years and we have a good working relationship and the previous chief dealt with them for ten years prior to my standing.
- (WT) How many face pieces do you need?

- Chief Conte replied we have 29 on the trucks and 29 for each individual. Everyone needs their own face piece. If someone gets on a truck without their face piece I need to have one available.
- (WT) What is the Scott Pack Tracker.
- Kevin Quinn responded as a committee member that the pack tracker has a radio frequency sender to look for a lost fire fighter.
- (JM) What in this quote is not an SCBA pack?
- Kevin Quinn replied that everything is integrated into the pack for additional safety items.
- (JM) What will happen to the old SCBA's
- Chief Conte replied that they will be thrown away, because they are not worth anything.
- (JM) What is a RIT Pack?
- Kevin Quinn explained that is for the Rapid Intervention Team. The RIT pack is used to rescue a firefighter, so that you can supply them with their own air. You need a RIT pack that is compatible with the rest of your equipment.
- Chief Conte stated that one RIT pack will be kept on the Rescue and the other will be on the Ladder. The Town of Spencer will also be trained on this because they are part of our RIT team.
- (JM) With multiple agreements with other towns are we compatible with them? Holden is our back up RIT and will be trained. Spencer and Holden have Scott's already.
- (PB) How old are the ones that we have?
- Chief Conte they were bought in 2001, so they are ten years old.
- (PB) How many actual fires has our equipment been in?
- Kevin Quinn responded that on average about two per year.
- Chief Conte added that we have had three to date so far this year that have been in town. This does not include the mutual aid calls that we have assisted with, and all the equipment is rotated regularly.
- (WT) Due to the wording of the warrant we need to check on what is being purchased. What would a straight SCBA cost?
- Chief Conte stated that the quote would be \$21,000 less if it was just for the SCBA's themselves.
- (WT) The City of Worcester just received a grant for their SCBA's, and were able to get a great deal.
- ***Chief replied that we do not know what they are getting for that grant. Those grants are usually stripped down and Worcester would have to come up with more money to equip them with the pack tracker. I am currently working on a grant for a truck and not the SCBA's.***
- ***(WT) We had discussed this before Jay that you would seek out those grants. Did you go to FEMA and Regional Homeland Security?***
- ***Chief Conte stated Yes, but that it has to be a regional approach, so everybody has to buy them at the same time.***
- ***(WT) You tell me it looks like everyone needs them.***
- ***Chief's reply is that not everybody's is ten years old.***
- (WT) I understand that the SCBA's should have a 15 year life expectancy.
- Chief Conte responded that they are only good for 10 years, and we are looking to purchase these and get them by the end of March 2012.

- (JM) I would like to do a little more research, and reiterated that we are getting 58 face pieces.
- Chief Conte, Yes 29 on the trucks and everyone has their own. This is a requirement.
- (JM) I would like Carol to look into what we could do to piggy back on getting this with another town for a better price.
- (WT) We will hold this item for further review, and get back to this matter.

### **Steven Conte – Fire Recruit Training**

- **Motion (WT) seconded (JM) to accept Steven Conte into the Fire Recruit Training Program. Unanimous, all in favor.**
- (WT) Chief could you tell us about the Student Awareness Grant.
- Chief Conte explained that the safe grant is given to a town for promoting student awareness in fire related activities. This was a \$1,500 grant and this allows us to go for it again next year for even larger amount.

### **Paxton Housing Partnership**

- Marvin Siflinger and Martha Akstin were present to discuss the language on the ground lease for the Paxton Housing Partnership.
- (WT) stated that we received a new letter from Peter Dawson with the following language.

Lessee agrees that Lessee, at its sole cost and expense, shall maintain, and use commercially reasonable efforts to cause the Housing Unit Occupants to maintain, the Leased Premises and Improvements:

- (i) in good, safe, neat, clean and habitable condition in all respects, in full compliance with all applicable laws, ordinances, rules and regulations of any governmental authority with jurisdiction over matters concerning the condition of the Leased Premises or Improvements, and
- (ii) in such good repair, order and condition as the Premises and Improvements are in on the date hereof or in such better condition as the same may be put during the term, **in either case excepting reasonable wear and tear.**

- **Motion (WT) seconded (JM) to accept new language with discussion. Unanimous, all in favor.**
- (PB) With this language we are still not covered at year 90 of the lease. I'm willing to move part way, but this still doesn't cover it all for me.
- (JM) I agree with Peter when it comes to the end of the lease it should be stronger. As it gets older there will be more mandated laws, but I'm a little hesitant with the way the language sits and would like to hear from PHP on what they think of the new language.
- Marvin stated that he spoke to Andrew Baker from JK Scanlon and suggested that we go with the language that Peter presented. The closer that you get to the Town Counsels language the more confident the Board will have with it. You have what Town Counsel proposed with the addition of "expecting reasonable wear and tear."

- **(PB)** Town Counsel did not write this language it came from Rob, and Town Counsel said it was acceptable. Back to having an outside person look at the building near the end of the lease to provide an opinion.
- Marvin replied that if the developer follows this language which he is required to. The town should have a building in good shape with improvements, and in good repair. At the end the town can lease it again, or sell that lease for a considerable amount of money. This is an asset not an investment.
- **(JM)** We have tightened it up but we need to know what reasonable wear and tear means. If the town and the developer disagree with what reasonable wear and tear is then a third party comes in to provide a determination of what is reasonable.
- Marvin replied that at the end of the 99 year lease the parties would have an option to bring in a mutually agreed upon independent arbitrator to rule on the issue of accepting reasonable wear and tear.
- The following wording was agreed upon. "In case of a dispute on reasonable wear and tear, either party will have the option to bring in a mutually agreed upon arbitrator to rule on the viability of wear and tear. Both parties will be bound the arbitrator's decision."
- **(WT)** recommended the following change to section one "in good, safe, neat, clean and habitable condition in all respects, in full compliance with all then current applicable laws..., **Motion (WT) seconded (JM) to remove the first motion to accept the initial wording. Unanimous, all in favor.** If you come back with the changes that we just discussed than this should do it for us.
- Marvin stated that prior to January 3<sup>rd</sup> they will resolve those minor issues and have the ground lease signed so the further this is to shovel ready the better our chances are.

### **Eagle Scout**

- **(WT)** Peter Bogren will be attending the meeting on January 6, 2012 in honor of Alexander Thamel achieving his Eagle Scout award.

### **Licenses**

- **(JM)** presented the following licenses:
  - Paxton Market Place
  - Paxton Sports Center
  - Paxton Liquor Store
  - Anna Maria College
  - Kettlebrook Golf Course
  - American Legion
  - Paxton Auto
  - Paxton Garage
  - JLC Donuts Inc.
  - Paxton House of Pizza
  - Sodexo
  - Urbanovitch Farm
  - Worcester County Memorial
  - David Farm

- Industrial Tower & Wireless
- Land and Sea
- Middle River Corp.

**Motion (JM) seconded (WT) in favor of renewing the previously listed licenses, and approve the present population estimates for seasonal licenses as having no change. Peter Bogren recused himself from the vote.**

#### **Meeting Minutes**

- **Motion (JM) seconded (PB) to approve the Meeting Minutes from December 20, 2011. Unanimous, all in favor.**

#### **Department Head budget discussions**

- (JM) Bring the major budgets in together to discuss what is going on. We could do this on a Saturday morning from 10 to 12 along with the Finance Committee. The school meeting is January 9<sup>th</sup>, we will have a meeting after that as a round table discussion. Tentatively January 14<sup>th</sup>.
- (PB) Have Carol check on the library compliance and send an email to the board with the answer.

#### **Library elevator**

- The library trustees are looking for permission to be able to consult with the Town Counsel for proposed agreement on the installation of a new elevator.
- (JM) This needs to be controlled so the bill does not get out of control. This should go through Carol so we can keep control on it. They can meet with Carol and she can give a synopsis to Town Counsel. **Motion (JM) seconded (PB) to allow the library trustees to consult Town Counsel for proposed agreement on the installation of a new elevator. Unanimous, all in favor.**

#### **Saint Columba liquor license**

- **Motion (JM) seconded (PB) to approve a one day liquor license for Saint Columba Church. Unanimous, all in favor.**

#### **Town Administrators Update**

- Attached is the latest spreadsheet in respect of the Green Repair at the Paxton Center School. The submitted budget to the MSBA is \$1,407,620 (including feasibility study). This figure is \$288,953 less than the \$1,679,098 approved at Town Meeting. The Town's share being \$688,321 (excluding feasibility study).
  - The project is proceeding on schedule with a substantial completion date of April 28, 2012: this date should only be effected by days lost due to weather.
  - The architects had originally planned to restore the north and south chimneys, but after reviewing it appears that they are in such bad condition and no longer used that it would be best to remove and roof over.
  - As of the construction meeting on December 15, 2011, 60% of the roofing is complete.

- The contractor intends leaving the site December 23<sup>rd</sup> for the holidays returning January 3<sup>rd</sup>. At this time it is anticipated that the roofing will be 90% complete.
- We received a letter from the Executive Office of Veteran's Services encouraging Veterans' Agent to be more accessible to the public. For this reason Timothy Hackett, the Town Veteran's Agent will hold office hours on Wednesdays 6pm to 7pm at the American Legion. Residents seeking these services can also contact Mr. Hackett by calling 508-755-1477. We thank Mr. Hackett for providing this service.
- The Fire Department was awarded a \$1,500 Student Awareness Grant. This will be utilized next year to provide fire safety education.
- The Open Space and Recreation Committee as you know are working towards updating the Open Space and Recreation Plan and as part of this update have prepared a survey that will be mailed in December with the census to every resident. A copy of which is enclosed.
- We received notification that we have been successful in our application for a MIIA Risk Management Grant of \$2,895. We applied for this to purchase management fleet tracking software for the DPW. This will enable the DPW Superintendent to manage vehicle and equipment maintenance. We are currently in the process of looking into acquiring software that can be added to this in terms of other tracking functions of the DPW.
- We received our final 2008 Ice Storm reimbursement payment of \$205,627.85. This is equivalent to 12.34% of the total \$1,666,348.51 expenses incurred by the Town (Excluding PMLD) on this snow storm.
- The Local Historic District at their hearing on December 14, 2011 approved the removal of the 10 black shutters on the north side of the John Bauer Senior Center. A copy of the Certificate of Approval of Non-Applicability is attached.

(WT) recognized a letter written by Michael Putnam to the Town of Holden thanking them for the use of their vector truck. He also expressed his appreciation of the Thank you letters that came from the PCS students in regards to the Veterans Day program that was held.

**Next meeting scheduled for Tuesday, January 3, 2011 at 7:00pm**

**Adjourned Meeting at 8:25pm, Unanimous all in favor**

Respectfully submitted,

Donna Graf-Parsons, Administrative Assistant

**Documents filed with Meeting Minutes:**

Agenda

Attendance list

**Documents from the Meeting filed in BOS office:**

Town Administrators Update

SCBA quote

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William A. Trotta  
Chairman

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Peter Bogren, Jr.  
Vice Chairman

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John F. Malone  
Clerk