



# TOWN OF MENDON

## BOARD OF SELECTMEN

20 Main Street

Mendon, Massachusetts 01756

Telephone: (508) 473-2312 Fax: (508) 478-8241

MEETING MINUTES .....DECEMBER. 29, 2004  
APPROVED: JANUARY 26, 2005

Meeting called to order at 6:40pm by Chairman Dennis Shaheen, attended by Selectmen Ken O'Brien, Sharon Cutler and Administrative Assistant Margaret Tetreault.

**Motion by Sharon Cutler to enter Executive Session under MGL Chapter 39 Section 23B to discuss deployment of security personnel and potential litigation.** Kenneth O'Brien 2<sup>nd</sup>. ROLL CALL VOTE: Cutler – Yes, O'Brien – Yes, Shaheen – Yes. The Board will return to open session.

Board returns to open session at 7:10pm.

### Pledge of Allegiance

Board recites the Pledge of Allegiance

### Warrants

Board signed the payroll & expense warrants

### Minutes

Dec. 1, 2004-Board requests more detail be added to the discussion on Forest Park roads.

Motion by Ken O'Brien to accept the meeting minutes for Dec. 1, 2004 Executive Session. Sharon Cutler 2<sup>nd</sup>. All in favor.

**Motion by Ken O'Brien to accept the meeting minutes for Dec. 8, 2004 Executive Session. Sharon Cutler 2<sup>nd</sup>. All in favor.**

**Motion by Ken O'Brien to accept the meeting minutes for Dec. 14, 2004. Sharon Cutler 2<sup>nd</sup>. All in favor.**

**Motion by Ken O'Brien to approve, pending receipt of all paperwork & fees, Common Victualler's License for**

**Mendon Dance Center      Café Shenanigans**

**Rebecca's Place of Mendon Tony's Café**

**Curves of Mendon**

**Sharon Cutler 2<sup>nd</sup>, all in favor.**

**Motion by Ken O'Brien to approve pending receipt of all paperwork & fees, Class I license for:**

**East Acres Recreational Vehicles      T & T Trailer Sales & Repairs**

**Imperial Chrysler, Dodge, Jeep**

**Sharon Cutler 2<sup>nd</sup>, all in favor.**

**Motion by Ken O'Brien to approve pending receipt of all paperwork & fees, Class II license for:**

**Certified Sales  
Copart of Connecticut  
Sharon Cutler 2<sup>nd</sup>, all in favor.**

**Sutfol Auto Sales  
Dirany Trading**

#### Fire Chief

Town Counsel Jack Collins reported that he began meeting with the Fire Chief about 2 weeks ago after the Chief had some medical problems. Jack stated that he had been informed by the Chief's attorney that the Chief would be exploring a job related disability retirement and that he would not be returning to work.

Jack stated that Charlie Johnson is still the Fire Chief, but it could be 3-6 months before a decision on his retirement is made. Often in these situations, the Board of Selectmen appoints a temporary "acting" fire chief. Charlie is aware of this. The Board may want to find someone to look at the department and decide where to go from here. It is appropriate to appoint someone on an acting basis and ask them to analyze the department and make recommendations. Jack stated that all relations with Chief Johnson have been positive and cordial and that Chief Johnson is making a decision for himself and his family.

Dennis wishes the Chief well and states that he would like to appoint Ernie Horn, Chief of Police, as the acting fire chief. Dennis states that Chief Horn is an excellent manager, believes in progressive discipline and will stabilize the department and keep the "ship on a steady keel"

Ken also expresses his appreciation and best wishes to Chief Johnson for his efforts to ensure a smooth transition.

Sharon states that Charlie is one of the nicest persons she has ever worked with and that he is doing the right thing for himself and his family. She expects Chief Horn to work with the fire department, listen to them and teach them. She emphasizes that this will be a temporary position.

Questions were raised from the audience about Chief Horn's qualifications as a firefighter. Dennis stated that there are qualified full & part time firefighters to handle the operational functions of the fire department. The Board is considering Chief Horn for his managerial skills.

**Motion by Ken O'Brien to appoint Chief Horn as the Temporary Acting Fire Chief of Mendon. Sharon 2<sup>nd</sup>. All in favor.**

Chief Horn stated that he would do his best to help the Board of Selectmen have a very good fire department and would have a report to the Board in 2 weeks.

#### Firefighter's Union

Jack Collins recommended that the Board voluntarily recognize the firefighter's bargaining unit, consisting of full-time persons in the rank of "Firefighter".

**Motion by Sharon Cutler to voluntarily recognize a 2 person bargaining unit for full time firefighters and authorize Town Counsel to sign the appropriate paperwork.**

Jack stated that if this was agreeable to the union, negotiations could commence within the next month for a contract to start July 1st .

#### Open Forum

Box tops for Education

Ken announces the results of the Box Tops Education contest. A total of 5050 coupons were collected. Mrs. Grady's class collected the most. For collecting 235 box tops, second prize of a Coleman Flashlight goes to the DiAntonio family. For collecting 265 box tops, first prize of a Coleman Radio goes to the Altavilla family.

#### Eagle Scout Project

Nathan Tetreault, Eagle Scout candidate, appeared before the Board to ask their approval for his project-a gazebo at the Senior Center. The gazebo is proposed to be handicapped accessible, screened, hexagonal shaped building of pressure treated lumber approximately 14 feet tall and 15 feet wide surrounded by a garden. The gazebo should be in place by April.

**Motion by Ken O'Brien to accept Nathan Tetreault's offer of a gazebo for the Senior Center. Sharon second; all in favor.**

#### Dale Pleau

Dale Pleau stated that he had made 2 public record requests recently to the Board of Selectmen and the Land Use Committee. The Board of Selectmen responded, but the Land Use Committee did not. Admin Assistant will remind Land Use that it needs to respond to the request.

#### Miscoe Springs

Conrad Beliveau asked who was enforcing the conditions set forth in the Miscoe Springs Special Permit and whom the required reports were submitted to. Admin. Assist will contact the ZBA to get the information.

#### Financial Asst. Interview

The Board met with Margaret Hickson. **Motion by Ken O'Brien to appoint Margaret Hickson to the Temporary/Part time Financial Clerk, Grade 2 Step 2 at a pay rate of \$12.79 per hour with an average of 18 hours a week, Sharon Cutler 2<sup>nd</sup>, all in favor.**

#### Aquifer Protection Bylaw

Water Study Committee presented the Oct. 14 revision of the proposed Aquifer Protection Bylaw.

Dennis pointed out that this bylaw affects a large section of Mendon. He wants to be sure there are practical reasons for any of the restrictions that it proposes. He would like examples of problems that this bylaw would prevent.

The Water Study Com. pointed out that the consultants who did the Town's water study recommended this type bylaw, DEP recommends it and every town around us has one. The current draft is the weakest of any of the bylaws in surrounding towns.

Planning Board member Cheryl Landry pointed out several technical changes that should be made.

All agreed that this needs to be discussed further before it is presented to town meeting. It was pointed out that the term of the Water study Committee expires on Dec. 31, 2004.

**Motion by Sharon Cutler to extend the term of the Water Study Committee until June 30, 2005 so that they may continue to work on this bylaw. Ken O'Brien second. All in favor.**

#### STM Warrant

The Board approved 7 articles for the special town meeting on Jan. 24, 2005.

#### Meeting Dates

The Board set meeting dates for Jan. 12, 2005 and Jan. 26, 2005

**Motion by Kenneth O'Brien to enter Executive Session under MGL Chapter 39 Section 23B to discuss strategy with respect to collective bargaining. Sharon Cutler 2<sup>nd</sup>. ROLL CALL VOTE: Cutler – Yes, O'Brien – Yes, Shaheen – Yes. The Board will return to open session only to adjourn.**

Board returns from executive session at 9:15pm

Meeting adjourned at 9:15pm.

Respectfully submitted,

Margaret Tetreault  
Administrative Assistant