

# Town of Oakham

Board of Selectmen

Regular Session

Minutes of December 11, 2023

**Present:** Don Haapakoski-Chairman, Lucy Tessnau- Vice Chairman, Aaron Langlois-Clerk

**In attendance:** Maribel LaRange-BOS admin asst., Peter Joyce, Diane Peterson, Edna Holloway, Tom McCaffrey, Fire Chief Tim Howe, Harold Black, Matt, Brandon Taylor, Dominic Gionet, Michael Donnelly, Cameron Howe, Chris Chutz, Daniel O'Brien & wife, Kevin Currier, Tom Hughes, Stephen Dollinger, Paul Rochette, Sue Adamski, Barbara Wreschinsky, Susan Turnbull, Brad Taylor, Barbara Piucci, Lucille DiLeo, Fred Gehring

**Via Zoom:** Rose

**Meeting opened at 6:00 PM by Vice Chairman, Lucy Tessnau**

**Tax Classification Hearing:** Board of Assessor members, Diane Peterson & Peter Joyce came before the Board of Selectmen with their recommendation for Fiscal Year 2025 as a single tax rate of \$11.08 per thousand.

Lucy made a motion to accept the tax classification as presented by the Board of Assessors, Aaron 2<sup>nd</sup>, all in favor.

**Approve Warrant WR24-12:** Lucy made a motion to approve warrant WR24-12, Aaron 2<sup>nd</sup>, all in favor.

**Approve Minutes:** Aaron made a motion to approve minutes for 8/21/23, 9/5/23, 9/15/23 & 9/18/23, Lucy 2<sup>nd</sup>, Don all in favor.

**Public Session:**

- **Stephen Dollinger:** Presented the COA with a printer, ink, laptop & docking station as a donation to the Town of Oakham Council on Aging from the Dollinger family.
- **Barbara Wreschinsky:**
  - MOU from Elder Services to COA is to provide a telephone line for the use of the fax machine. The fax machine at the Town Hall will be the one for the use of Elder Services and the line at the Senior Center will be disconnected. In Jim Burns from Elder Services letter, he answered all Barbara's questions and informed that the fax machine belongs to Elder Services and will have it removed. The COA have voted to accept all his responses and sign the MOU between Elder Services and the COA. Lucy stated that she will go along with it but in her opinion is not in favor of it. Lucy thinks it's an important part of the nutritional program which is one of the best programs it's offered to the seniors

and anyone else. The fax machine is the use for communication between the nutrition center and Elders Services and Meals on Wheels.

- Barbara suggests a one lock box so it can hold the key and various members can have access to the key. Fire Chief Howe said he has a lock box from a grant that he can provide to the COA.
  - Combination box for the storage unit
  - List of ARPA funds- priority is upgrade of the electrical system & resurfacing of the back-room floor
- **Chris Chutz:**
    - Aaron read letter from Chris Chutz about the library playhouse observations
    - Chris is a property abutter to the library and property line to the playhouse project
    - Mr. Chutz stated the Select board needs to figure out what their role is when there is a contiguous relationship and a Town department does whatever they want.

Aaron said it's important to ask the Library Trustees and the Library Director for a joint meeting to further discuss. There are many valid points expressed. The BOS agreed to inform the Library and to not have any further development occur. Highway Superintendent suggested to have temporary fencing around the area and the BOS agrees. Lucy said the Library Trustees have a lot of jurisdictions over the library, the employees and land.

- **Edna Holloway**
  - Questioned the gap in minutes from August to October, those minutes in question are presented to be voted on.

**Interim Town Clerk appointment:** Edna Holloway had the most experience from the two candidates. The Interim Town Clerk would be until May. Mrs. Holloway suggested that the hourly rate be \$25.00 as she will not be getting any holiday, sick time. Aaron said he has no problem with the \$25.00 an hour. Mr. Holloway will continue to do the office hours as is and will come in additionally as needed up to 15 hours a week.

Aaron made a motion to appoint Edna Holloway as Interim Town Clerk at \$25/hour, Lucy 2<sup>nd</sup>, Don all in favor.

**Daniel O'Brien- driveway variance:** Land on Old Turnpike Road, stone wall driveway is adjacent to property line, Town bylaws need to be 30 feet. Various trees on road and along the curb element of danger coming along the curve. Kevin visited the site and there is an existing opening on the wall where the property pin is. If you but the driveway 30 feet from the property line there is a massive oak tree there that would get damaged. Kevin suggests to put the driveway on the property line. It's the safest and gives better view. The BOS agree on putting the driveway on the property line. Kevin suggests that Mr. O'Brien just check with the abutter and conservation to be sure.

Aaron made a motion to authorize Highway Superintendent to provide driveway permit subject to the abutter and conservation being in agreement, Lucy 2<sup>nd</sup>, all in favor.

**Official Primary Agenda posting location:** Aaron made a motion for the official primary agenda posting location be the Town website, Don 2<sup>nd</sup>, passes.

The website timestamps the posting of the agendas which still need to be in compliance with the OML. Will be affective in 30 days, January 10, 2024. Paul Rochette concerned that the town clerk will not receive it to meet the requirements. Mr. Rochette was informed that it is in compliance with the timestamp when the agenda is posted on the website.

**2024 Liquor & Class II licenses:**

- Gulfers Arm- full
- Pine Acres Lodge- full
- Pine Acres Store- wine & malt
- Rt 148 Package & Variety- full
- Agronomy Vineyard- wine
- Oakham Trailer & Services- class II
- Breakaway Automotive- class II

**Technology- SharePoint / Office 365 / Emails:** Aaron explained the benefits of having SharePoint in efforts for better communication and less paper. SharePoint is a location where all policies can be for employees and volunteers. It is not a place for discussion but for information.

Aaron made a motion that 49 individuals be granted to have SharePoint access, yearly cost \$2,352.00, currently the town has 4 up to date Office 365, Aaron is asking for an additional account for the BOH clerk, total yearly cost of \$3,072.00, and request that employees that do not have town emails work towards obtaining one, Don 2<sup>nd</sup>, passes.

**ARPA- public health payroll:** Public Health Nurse was paid through the CARES ACT except \$1,181.25 that was funded through ARPA. ARPA expenditures will be updated to reflect the expense.

**Department of Local Services Financial Management Review**

**DLS Financial Policy development assistance:**

Aaron made a motion to engage with the Department of Local Services for a financial management review and policy development assistance, receive their feedback and take any action found appropriate, Lucy 2<sup>nd</sup>, all in favor.

**Fiscal Year 2023 Audit:** Aaron made a motion to move forward on fiscal year 2023 audit subject to funding at the STM, Lucy 2<sup>nd</sup>, Don all in favor.

**Social Media Policy:** Social media distributed to all boards and committees for their input. Standard social media policy from KP Law with the exception of adding boards and committees.

Aaron made a motion to adopt the social media policy, Lucy 2<sup>nd</sup>, passes.

**Administrative Report:**

- Senior Center back door replaced, \$1,700 from ARPA, no key change
- Acknowledge entire Highway department for helping with replacing the lights in the Town Hall. Help moving heavy boxes to the storage unit, and removing all the tape on the voting room floor that was put initially during Covid.
- Skyline Drive & Old Schoolhouse Road policy of private ways, the town would need adopt the policy. Counsel provided some templates and examples
- BOS office will be receiving a new desk top through the Emergency Management Grant which Mr. Tom Hughes applies for yearly with the assistance of the BOS Admin. The application for FY2023 has been submitted.
- Oakham was awarded \$25,587 for the Community Compact IT Grant to be utilized to update the Town's website.
- Aaron assembled the 6 new executive chairs, took the lead on ordering the tablets and accessories needed and was instrumental and helpful for CMGeeks to set them up. Also, Christmas decorations.

**New Business:** No new business

**Old Business:**

- **Lucille DiLeo**
  - Plowing of Skyline Drive
  - Contract between the Town and the land owners on Skyline Drive, private road
  - Any movement on property owners informing it would only be for this year?
    - received sample policies today from Town Counsel
  - unique situation on Skyline Dr. because some the property owner's property extends into to the road
  - Easements, right of ways

Aaron agrees that there needs to be perimeters, guidelines, policy surrounding the situation. Will review Counsel's email. Mrs. DiLeo stated she is focusing on Skyline Drive and Old Schoolhouse Road.

Paul Rochette said Don was in agreement on having a contract signed that the Town would only be liable for plowing for only one year to give the time necessary to bring everything up to standard to be considered to be accepted as a public road. Paul said it has nothing to do with a policy, Aaron stated the BOS is not prepared to take any action at the moment.

Tom Hughes member of the Planning Board said it's governed by 40A, subdivision control act. Tom said the attorneys for the developers and Town Counsel are working to resolve the situation with the roads. Abutters need to transfer some of the land to make it things happen, but it's clear how that would happen as it's defined by the bounds on the road. Either the bank or attorney (s) misinterpreted the bounds. Tom said he thinks it's right to have a one-year prevision so the road acceptance process does not drag on. The Planning Board wants it completed also.

Mrs. DiLeo does not want to see the town fall into a situation where it would be financial cost to the town. Good faith effort to plow this winter but should be a contractual obligation with the residents of Skyline Drive and Old Schoolhouse Road only for one year only. The responsibility falls on the builder, not the Town of Oakham. Mrs. DiLeo said she does not have a problem with the town plowing private roads, but has a problem with what is happening in that development. So therefore, it's not a policy that is needed for the circumstances but a contract/agreement with the residents of Skyline Drive and Old Schoolhouse Road.

Kevin Currier, Highway Superintendent, stated that the town has been plowing Oakview, Pine Lane down by Lake Dean that are private roads. Concerned that it can has an issue by setting a year time for Skyline Road and Old Schoolhouse Road if the road acceptance process is not resolved, the residents of Skyline and Old Schoolhouse can question the town still plowing the private roads by Lake Dean. The Superintendent's fear is that with plowing Skyline and Old Schoolhouse, the developer will drop the ball and that's why Mrs. DiLeo suggestions a one-year agreement. Mrs. DiLeo said it's the builder's and buyers' problem, not a town problem. The Superintendent said the Highway Department will be plowing it, not contracted out. It adds about an extra hour of work, it's an additional 5 miles. It's been plowed once, sanded twice. Superintendent said his budget has a line item for contracted services in case needed but the Superintendent went to through the motions on time frame on both the roads and feels his department can handle the work load.

Brad Taylor said the Town has a right away on Shore Drive, no right away on Skyline and Old Schoolhouse. Plowing because the Town has property on Shore Drive. Superintendent said no private way on Oakview and Pine Lane and are plowed.

**Correspondence:**

- **Library Playhouse complaint**
  - Addressed in public session
- **Soccer Nets**
  - Information by Gulia Herrick

Aaron said that how to fund recreation is an allottable goal. Aaron suggested that the first BOS meeting of every moth can review proposal for ARPA funds.

**Mr. Bradford Taylor**

- **Fire Department complaint / Pine Acres Fireworks**

- Mr. Taylor does not have a written complaint

Mr. Taylor questioned the billing procedure for the details for the fireworks. Mr. Taylor stated that he would like it on record that he misread the voucher that was on the warrant due to lack of space or punctuation and would like to amend the number he provided in a previous meeting. Billing to Pine Acres \$78.02, did not bill \$500.89 of actual time that was spent at the fireworks. Mr. Taylor said when he asked the Fire Chief why it wasn't billed, Mr. Taylor said the Chief's reason was that the Fire Marshal would not allow it. Mr. Taylor said he looked into that and stated that the Fire Marshal's office under any circumstances does not get involved in details. Mr. Taylor said that Chief Howe told him that he was not going to get involved in billing something that he shouldn't be billing and that Mr. Taylor didn't know what he was talking about, which Mr. Taylor said he begs to differ.

Mr. Taylor said that the Town's taxpayers under any circumstances should not be responsible for paying for a private firework show that they are not allowed to attend. Mr. Taylor said that the BOS back in March invited both Fire Chief Howe and Police Chief Gehring to the March 7, 2023 BOS meeting to further discuss. Both Howe and Gehring attended and in the minutes of 3/7/23 it states that both Chief How and Gehring will workout the details with the two campground owners in town. Taylor said that Chief Gehring informed him that he put two detail officers and that was charged and paid and two other duty officers on their shift at the other campground.

Mr. Taylor said that one of the campground owners was furious that he had to pay. Mr. Taylor said that Chief Gehring was going to have detail officers and that Packard was not going pay and Chief Gehring said Mr. Packard would be on his own. Mr. Taylor said that from his understanding at the last-minute Mr. Packard requested two detail officers. Two duty officers were at the other campground on their regular shifts.

Mr. Taylor said that when he spoke to Chief Howe, he was told that Pine Acres was billed and they paid. Taylor said it was only for \$78 and \$500 outstanding. Mr. Taylor questioned why was it not billed.

Police Chief Gehring said that on the day of the event he had two detail officers, one paid by Lake Dean and the other by Randy Packard. The other two officers where himself and the on-shift officer controlling traffic at Rt. 148 and post one officer at the entrance of the campground per Mr. Packard's request. The Town did not pay for any detail's officers, the campgrounds paid for those.

Chief Howe stated he never said that a detail was or was not required. The Fire Marshal does not say what is needed to have. Chief Howe said he called neighboring towns to inquire on how they do things and to follow industry best practice. Chief Howe said he does not have a Fire Dept detail policy. He stated that the Town does not have a detail policy. Chief Howe said it is

not up to him to create a policy. Chief Howe said until there's a Town policy he is not charging. Chief Howe did charge the firefighter's hourly rate.

Chief Howe said that when he took over as Chief it was a three-person department. The Chief said that he has built the department back up through events. Chief Howe said that having the Fire Truck at the event inside Pine Acres is not just about the fireworks, it's all about the members who are dedicated to the Town. The members on a 4<sup>th</sup> of July weekend drop what they are doing to be part of the Town, a valued member of the community. Chief Howe said this is how a department is built. Chief Howe said that when the firefighter's are at the event they are talking with citizens, meeting people, showing little kids the truck, that's what the fire department is all about and it's a small investment to keep the department growing and in the right direction. Chief Howe said he will always do what the Board of Selectmen tell him, but until there's a Town policy, he will not bill Mr. Packard nor anyone else. Chief Howe said this is a once-a-year detail for the fire department.

Chief Howe quoted that Mr. Taylor said, Randy has gotten away with this long enough, it's time he pays. Chief Howe said he does not want to get involved in town politics, his goal is safety, following policies and preventing from doing something or billing the wrong way. \$464.02 is what the Town paid in return of a huge event for the Fire Department.

Police Chief said it gets advertised and although it's a private it becomes a public even as people come and park along Rt. 148.

Former Fire Chief, Tom McCaffrey, spoke in support of Chief Howe on how to build the department is through events. McCaffrey said that both campgrounds putting on the Firework show, Lake Dean and Pine Acres have given back to the Town throughout the years. McCaffrey stated that one of the things that makes Oakham great is taking care of each other.

Aaron asked former Chief McCaffrey if when he was Fire Chief if the Town of Oakham provided policies on how to run the fire department, Mr. McCaffrey said no. The Town of Oakham voted for a Strong Chief years ago even before Mr. McCaffrey. Aaron asked Chief Howe if there was training conducted with the firefighters during the event, Chief Howe said yes. Safety was priority. Aaron asked Chief Howe if he's been provided polices by previous or current BOS on how to run the Fire Department in which Chief Howe said no. Aaron continued by stating that he Fire Chief shall have full and absolute authority in the administration on the department. Shall make all rules and regulations for its operation, shall report to the Selectmen from time to time as required and shall annually report to the Town the condition on the department. Aaron said the Fire department is professional and does not need to be micromanaged. Aaron thanked Fire Chief Howe for everything he has done, for his department and for the safety provided for the Towns people.

Mr. Taylor said that the Chief said the detail policy should be one which would be the same as the police department. Chief Howe said he has asked for it so it can be the same as Police department but has never received it. Chief Gehring did state that he shares the blame on not

working out the policy for detail rate. Mr. Taylor said he is not trying to make enemies but saying going forward that Towns people should not be funding private events when they cannot go into Pine Acres when they are making money on it.

Paul Rochette asked if there were any extra expense to the Towns people, which there wasn't.

Barbara Piucci asked Fire Chief if in the boat it's only firefighters, Chief Howe confirmed that.

For the first time there was some charge and funding received for the event.

Lucy stated that she has complete faith in the Fire Chief, that he works hard keeping the Townspeople safe in all kinds of conditions. Lucy also said to leave it to the Fire Chief to handle his department as he sees it fit and that so far, the Chief has proven to be above expected.

Fire Chief will provide a draft policy in February. Police Chief Gehring will provide Fire Chief Howe the police detail rate policy so both departments can be the same.

**Executive Session- MGL Chapter 30A, Section 21 (1)- Fire Department:** No executive session required per request of Fire Chief, Tim Howe. Chief stated he would address any complaints in public session.

BOS Admin reported and express gratitude for the overwhelming donations made to Toys for Tots. Aaron thanked and appreciated the efforts of the BOS Admin for spearheading the great cause.

**Meeting Adjourned at 8:39 PM:** Aaron made a motion to adjourn, Don 2<sup>nd</sup>, Lucy all in favor.

Next Regular Meeting: December 26, 2023 at 6:00 PM.

**To view the Board of Selectmen's meeting please visit: [youtube.com/@TownOfOakham](https://www.youtube.com/@TownOfOakham)**