

A regular meeting of the Board of Selectmen was held on Thursday, January 31, 2013, at 6:30 p.m., in the Francis O'Brien Meeting Room, Town Office Building, 26 Bryant Street, Dedham, Massachusetts. Present were:

Carmen Dellolacono
Michael L. Butler
James A. MacDonald
Sarah E. MacDonald
Paul A. Reynolds

Mr. Dellolacono called the meeting to order at 6:30 p.m.

DEDHAM CITIZENS OPEN DISCUSSION

Mr. Dellolacono asked if anyone in the audience would like to speak with the Board of Selectmen this evening. Lauren Brewer, a new resident to the Town, asked permission to speak. Mr. Dellolacono granted permission. Ms. Brewer informed the Board that she read in today's Boston.Com that a new Logan Flight Plan is being proposed over the Oakdale Section of Dedham. Ms. Brewer asked how this new development will impact the neighborhood going forward.

As the Board's representative on the FAA Air Traffic Advisory Committee, Mr. MacDonald briefly reviewed what is going on. Mr. MacDonald informed all that there is a group of cities and towns that are involved as an advisory to the FAA. He went on to say that they have had discussions with the FAA relative to various changes, i.e., the path, the aircraft, other situations. Mr. MacDonald informed all that the FAA has recently proposed to change the path. Mr. MacDonald commented that all the information is on the FAA Website. Ms. Brewer informed Mr. MacDonald that she has taken a look at the map on the website and that is why she is here this evening. Mr. MacDonald commented that when you look at the map, you will see (he mentioned Runway 27) where the flight path goes and the number of runways involved due to weather. Mr. MacDonald informed all that this recent proposal would shift aircraft from other parts of the area—approximately, 16,000 flights, resulting in a shift from what is going over, for instance, the City of Somerville and other cities/towns reducing the flights in those areas and put the flights someplace else.

Relative to the best interest of the communities, Mr. MacDonald commented that there are various representatives from all the surrounding towns, and they all have a different opinion of what is the best interest. He went on to say that what it comes down to, the real question is when the FAA/Massport makes their proposal, will the Advisory Committee's opinion make any difference--Dedham, Milton, Canton and other communities are also going to be saying, change the path. (*the Dedham Board of Selectmen has not had a chance to comment--Town Administrator will comment later.)

MacDonald informed all that there are 68,000 people in our area and other communities that will be impacted don't have as many people—he commented that it is the greater good to free the more populous areas.

Mr. MacDonald informed all that the Board of Selectmen is sending a protest letter to the FAA –he went on to say, “Let’s see what will happen”. He explained to all that this is a significant change. FAA testing is showing that while it will impact people, it will not impact a lot of people. However, if you live in the area and start having an increase of airplanes over head, it is a significant quality of life issue. Mr. MacDonald commented that he does not begrudge the other communities, and unfortunately, it might sound selfish, but when you live near an airport, the expectation is that you will have airplanes going over you house—similar to when one buys a house near Route 128, the expectation is that you are going to have some noise from the automobiles. He went on to say that mitigation is used by placing walls on the highways to lessen the noise. Additionally, in some of the communities near the airport, a lot of money has been spent to mitigate the noise.

William Keegan, Town Administrator, informed all that at the request of Selectman MacDonald, he prepared a letter. He went on to say that there is report that is on-line that he evaluated and made comments. Mr. Keegan went on to say that he proceeded to write a letter to Terry English, Project Manager for the Boston Federal Aviation Administration. (For the record, Mr. Keegan read the letter into the record. The letter is on file in the Town Administrator’s Office.)

Mr. MacDonald informed all that anyone can go onto the Massport or FAA Website to review the documentation. Mr. Dellolacono commented to Ms. Brewer that he hoped Mr. MacDonald’s and Mr. Keegan’s comments relieved some of her concerns. Mr. MacDonald encouraged Ms. Brewer to also write a letter to the FAA. Ms. Brewer thanked the Board of Selectmen.

DISCUSSION AND STATEMENTS FROM COMMISSION ON DISABILITY APPLICANTS

There were two applicants who applied for the position—Mairi Wedderburn and Charles Papsadore, Jr.

Both Ms. Wedderburn and Mr. Papsadore gave brief statements relative to their knowledge, skills and experience. The Board of Selectmen thanked both candidates for their participation in the process and also for attending the meeting this evening. The Board proceeded to the vote relative to this action:

Mr. MacDonald made a motion to nominate both candidates; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, Ms. Wedderburn; Ms. MacDonald, Mr. Papsadore; Mr. MacDonald, Mr. Papsadore; and Mr. Dellolacono, Mr. Papsadore. (Wedderburn (1 Vote), Papsadore (4 Votes))

SWEARING-IN OF FIREFIGHTER JOSHUA BLANEY

Present: Acting Chief, William Spillane, Town Clerk, Paul Munchbach, Firefighter Blaney and family.

Chief Spillane introduced Firefighter Blaney to the Board of Selectmen and audience. He went on to say that Firefighter Blaney did very well at the Fire Academy and also with his exams. Chief Spillane informed the audience that prior to joining the Dedham Fire Department, Firefighter Blaney was a

Dedham Police Officer for eight years and at this time he has undertaken the change in departments, due to his desire to follow his father's footsteps as a firefighter.

At this point in the meeting, Paul Munchbach, Town Clerk, was introduced by the Board. Mr. Munchbach proceeded to swear-in Joshua Blaney as a firefighter for the Town of Dedham. Joshua's father officially pinned on his badge. Firefighter Blaney introduced his wife and sons to the Board of Selectmen and audience. He thanked the Board of Selectmen for their support. The Board of Selectmen thanked Firefighter Blaney his service, congratulated and wished him well in his new position on the Town of Dedham Fire Department.

DISCUSSION WITH FINANCIAL POLICIES COMMITTEE RE: PROPOSED BY-LAW CHANGE

Present for the discussion was: John Heffernan, Chairman, Financial Policies Committee

Mr. Heffernan discussed the following recommendations from the Financial Policies Committee relative to a By-law change. Mr. Heffernan discussed Operating Capital and Debt Capital. He informed all the Operating Capital is a cost of at least \$10,000 and Debt Capital is at least a cost of \$100,000--he gave some examples. Mr. MacDonald commented that by making the change, it will be more transparent, i.e., this is operations and below that is their capital. Mr. Dellolacono commented that an important piece of this change is the fact that it is going into the budget, with capital specified. If the decision is made not to use the capital item, the money listed in the budget cannot be used.

Mr. Heffernan discussed the following changes. Relative to Section 8 of the By-law—that it be entirely removed. Relative to Section 9 of the by-law—Remove Capital Expenditures Committee; Breakdown Operating Capital and Debt Capital, Capital Expenditure to spend more time reviewing—not at end of process, Each department will work on a five-year plan. Mr. MacDonald added that the changes proposed will make the process more transparent. Mr. Heffernan commented that it will streamline and make ATM Article 4 much clearer—some people get confused. Mr. Heffernan also commented relative to 5-year plan for Operating Capital and 15/20-year plan for Debt Capital.

Mr. MacDonald informed the Board that the reason the Committee is coming before the Selectmen, is because the Ad-Hoc Committee, appointed by the Board of Selectmen, made a recommendation to this Board to include the By-law change in this year's Warrant; and if approved at Town Meeting, it will take effect in the following fiscal year-- not this current fiscal year. Mr. MacDonald asked that the recommendation by the Financial Policies Committee be placed on this year's Warrant.

Ms. MacDonald commented on previous work done in the past relative to budget dollars and where those dollars are spent. She thought that this particular change makes it better-- more like an add on. Mr. Reynolds thought that the committee did great work relative to the By-law change and supported the recommendation.

VIOLATION HEARING RE: TAHITI RESTAURANT

Prior to the discussion, Selectman James MacDonald recused himself. Mr. MacDonald did not participate in the discussion or vote relative to the above-referenced matter.

Nancy Baker, Asst. Town Administrator, informed the Board that the Town Administrator's Office received a letter to the Board from the Tahiti's attorney requesting that the Board postpone the hearing until the next Board of Selectmen's Meeting to be held on Thursday, February 14, 2013.

Ms. MacDonald made a motion to postpone the Tahiti Restaurant's Violation Hearing until the Board's next meeting to be held on Thursday, February 14, 2013; seconded by Mr. Reynolds. **On the Vote:** Mr. Reynolds, yes; Ms. MacDonald, yes; Mr. Dellolacono, yes. (Mr. MacDonald did not participate or vote relative to this matter.)

DISCUSSION FY'14 BUDGET

Presentation relative to the above-referenced matter was given by Selectman Michael Butler.

Mr. Butler informed all that over the past few months, all departments have been preparing the upcoming fiscal year. He went on to say that the preparation this year has been a bit different than in the past. Mr. Butler informed all that there have been more discussions in advance and more input from the Board to the Town Administrator.

Mr. Butler focused his discussion on one particular portion of the slide presentation, i.e., recommendation that the Board wants to give to the Town Administrator. Mr. Butler discussed Town spending during FY2009 through FY2013. He informed all that over that timeframe, using 2008 as the baseline through this year, spending has increased approximately 19% or 3.6% a year. Mr. Butler went on to explain the five-year table chart in his presentation, i.e., Town Spending Increase, Spending Increase, Avg. Residential Tax Bills and Average Commercial Tax Bills. Mr. Butler went on to explain increases vs. the prior year (copy of presentation is on file in the Town Administrator's Office).

Mr. Butler informed all that FY2014 starts July 1, 2013, and the budgeting process is underway and will make its way to the Finance Committee in a month—end of February and then it goes to Town Meeting in May, 2013. Mr. Butler informed all that the increases over the last few years have allowed investment in the Town and infrastructure—he added that the level of service over the past five years is unchanged. Mr. Butler commented that people have said increases are due to the new schools or new High School Track and Field or new East Street; however, these expenditures are called Debt Exclusions because they were all approved in separate Ballot Questions that were supported—these items only represents 4% of the Town's budget. Therefore, the spending that is seen in new buildings or East Street, or SMA Property, Striar Property—the Debt Service on all of these items only represents 4% of the budget and are not the primary code 96%.

Joe Findlen, Chairman Precinct 4, asked permission to speak with the Board. Mr. Dellolacono granted permission. Mr. Findlen asked if the chart representing spending increases over the previous year. Mr. Butler responded, yes. Mr. Findlen asked the total jump. Mr. Butler asked him to add up the total the five columns across the top page of the chart—it adds up to approximately 17 million dollars. Mr. Butler informed all that this is everything—all spending, except for Sewer Bills. Mr. Dellolacono commented that this is actually a significant jump.

Mr. Butler informed all that one of the primary reasons why Mr. Keegan recommended this approach this year is that there are questions that he would like to get guidance, i.e., spending and how much, items addressed and other things the Board might wish him to address. Mr. Keegan commented that as Mr. Butler pointed out, there are a number of factors that go into the numbers and question in his mind is, what, from the Board's perspective, increase—because on top of this, new growth is added, which can change and play into the factors. Mr. Dellolacono commented that new growth fluctuates all the time. Mr. Keegan responded that it typically does. Therefore, he asked, what are the budget obligations that the Board wants to address before start the discussion—typically, how the operations works.

Mr. Dellolacono asked Mr. Keegan to give a quick round on priorities—the things that have to be funded. Mr. Dellolacono asked what the percentage will be out of the budget. Mr. Keegan did not have the exact numbers; however, he commented that it is quite significant. He went on to say, however, that this number fluctuates due to the Town saving money each year, i.e., healthcare saved 1.7 million. Mr. Keegan informed the Board that he could not give the Board all the answers this evening. To be a fair, Mr. Dellolacono, commented that this is just a preliminary discussion so that the Board and Town Administrator can have a bit more discussion on the budget so that people know. Mr. Keegan responded that it is helpful for him going forward. Mr. Dellolacono informed all that people hit the Board with questions in the streets all the time, all the time, and the more that the Board knows, the more that can be explained and the more that is put out there—Mr. Dellolacono referred to the recent Avery School Lease and commented that everything should be out there so that people can see the process and have questions answered. Mr. Dellolacono went on to discuss the benefit of knowing what percentages of the budget are being spent on what items. Mr. Dellolacono informed Mr. Keegan that people want to know how their dollars are spent. Mr. Dellolacono informed all that the Board and Town Administrator have been going over this for quite a few years, i.e., with explanations, pie charts and how can we do it in different ways.

Relative to the Annual Town Meeting Book, Mr. Dellolacono asked why the last page of the book always shows a list of numbers from other communities and how they fair better than the Town of Dedham. Mr. Dellolacono asked that at the next meeting, Mr. Keegan, provide the Board with information relative to differences between Towns and why Dedham does not fair better. Mr. Dellolacono commented that he knows there are a lot of numbers that go into the calculations—Mr. MacDonald added that they are always changing and suggested guidance from the State.

In the absence of time, Mr. Dellolacono went around the table and asked each Board member to give suggest some points that can be discussed in more detail at their meeting after next. Mr. Dellolacono asked Mr. Butler if this would be more helpful. Mr. Butler responded, yes.

Mr. Reynolds thought that this was a perfect exercise to look and to see-- what are the trends. Mr. Reynolds commented that looking at trend lines were important. He went on say that when you look at a trend line and say five years ago, we were here and the question is where will be five years from now. The question becomes what are the reasons why 20%? Are we in catch up mode, taking care of projects that got kicked down the road and finally there was a group of people that said we are actually going to take care of the sewers, or the crumbling schools and infrastructure that people expect to work. Mr. Reynolds asked if there was a gap. Mr. Reynolds commented that there are many moving pieces. Mr. Reynolds informed all of questions he receives from residents that ask why their taxes cannot go down, why is it always how much will it go up—Mr. Reynolds thought this was a slightly provocative question to say, you know what, sure a fan of scenario planning, Scenario A, B, C, D, and can you imagine a scenario where the Board said, you know what, we hear you loud and clear—five years from now, we will be 20% less. Mr. Reynolds commented that there are certain things that the Town can't not pay, there is an obligation, i.e., contracts or legal requirements—there is no room here. He went on to say that whatever is left over, what would end up getting cut. Mr. Reynolds commented that he thought it was healthy to actually say out loud, life as we know it would change dramatically (Mr. Keegan agreed). Therefore, the biggest question becomes what kind of Town do we want? What kind of quality of life? What kind of level of services? Mr. Reynolds informed all that that the next one thousand questions and discussions that the Board and Town Administrator have is to try and figure out the balance; because ultimately, there is going to be a balance. He went on to say that the notion of 20% less is hardly feasible. Mr. Keegan added that it is possible; however, not likely feasible. Mr. Reynolds commented that his observation was that it was important to get all the data out there so that we all share it together.

Mr. Keegan informed all that all the accomplishments of this Town over the past years have been quite significant, especially savings. He went on to say that it was interesting to him that the Town has been living within the existing framework. Mr. Dellolacono commented that going back ten, Mr. Keegan should offset it, passing the 20% is going to change the five years on.

Ms. MacDonald thought it interesting, and she understood the reasons for Proposition 2 ½. Ms. MacDonald commented about people who say—Well, what did that do, right, and the costs still keep going up substantially. Mr. MacDonald commented that some of the things the Board spoke about last year have not come to fruition for one reason or another—she thought these matters should still continue to be a conversation. Mr. Keegan informed her that conversation is occurring—very positive. Ms. MacDonald went on to say that the Board spoke about streamlining and whether there is a cost savings—she did not know the answers. Ms. MacDonald commented that she understood the complexity of the formulas on the other side of the revenue piece (State Aid); however, at a recent MMA Conference session she attended, there were a number of grant programs that were talk about—she commented on some successes the Town has had relative to grant funding. She got the sense,

listening to some of the success stories, that you have to be on top of mind when the project is well under way. Also, planning relative to what are the next ten grant applications going forward. Ms. MacDonald stressed that the Town should always be in the pipeline for these grants.

Mr. MacDonald thanked Mr. Butler for putting together the presentation for all to see. Mr. MacDonald commented that what is sort of a misnomer is when you look at averages, because averages are a funny thing. He went on to say that anyone that is watching the meeting on TV now properly only 400 or 500 homes will say my tax bill only went up this much; however, than you probably are going to have another couple of thousand that will say—mine went up 5%, mine went up 10%. Additionally, the business community is going to look and say, 8.3% is a significant jump; however, why did my bill go up 10%, why did my bill go 15%. He went on to say that looking at the averages, you sort of have a lot that fall above and you have a good amount that fall below. Mr. MacDonald commented that the Board never hears about those that fall below and there are taxpayers in Town who have seen their tax bills decrease—those are in hundreds of homes and their bills have gone down. Mr. MacDonald informed all that this is the Assessors' job and he could not tell why they go down—he encouraged people to call the Board of Assessors, visit the Assessors if there are any questions relative to assessment—that is why there is an abatement process.

Looking at these numbers, Mr. MacDonald commented that one thing that this is not is sustainable, especially looking at not only the residential but commercial. He asked, "What happens if the Board approves a shift that is to the benefit of the commercial at the expense of the residential?" Mr. MacDonald went on to say that what the Board has seen and heard back then was that it sort of evens out—that is what you seen in FY'12 (5.2% to 5.4%). It evened out with a larger shift to residential as opposed to commercial. Mr. MacDonald informed all that this year, the Board went back to the other way—175 Shift for commercial. These percentages then go up to the 3.6%. Mr. MacDonald could not put an equal sign between—he would put an equal sign with a cross. He went on to say that the percentage increase in taxes does not equal 3.6%; however, while there is spending of 3.6%, the percentage of the business in the community is much higher than the increase. For this year, Mr. MacDonald, suggested that the decrease has to be less. Mr. Dellolacono commented on the 3.6% that is seen on spending relative to the business and residential end. Mr. MacDonald responded that it does not equal because our budget only went up 3.6% and on the other side, people are saying (businesses), my taxes went up 8.3%, my taxes went up 9% commercial—why am I going up 8% and you tell me you are only going up 3.6%--Why doesn't it make sense? He went on to say, if you are only going up 3.6%, then why do you need my 8% of the money and why should my taxes only go up 3%--Why shouldn't it be equal. Mr. MacDonald commented that he knows there is a lot that goes into it; however, why shouldn't it equal. Mr. MacDonald informed all that the one thing people have been speaking to the Board about more so this year (at this point, Mr. MacDonald referred to an e-mail he received from a business). The business lost 1.2 million dollars in revenue and they are never going to make up this money, and their taxes are gone up 8.9%--the equations just don't equal. Mr. MacDonald asked Mr. Keegan what a 3% increase equals. Mr. Keegan informed him that, what does it mean, is what his team is trying to determine at this point.

Mr. Butler asked Mr. MacDonald if what he was saying was that as part of the budget work, let say we settle at 2.5% increase, the Board would like to get the average residence and average business—Mr. Butler thought this might be helpful. Mr. MacDonald did not think you would see these numbers until the following year—following year's taxes. Mr. Keegan commented that we would not know. Mr. MacDonald asked if the present statistics could be broken down and if a few scenarios could discuss from a look back through a few budgets. He went on to say that if the Town had only gone up 2.5% in FY'11, what would have been the tax rate bill increase? If in FY'12, it went up 2.5, what would be the cost? Mariellen Murphy, Finance Director, mentioned the salary increases.

Mr. Butler commented that this is helpful. Mr. Butler went on to say that the difference is 3.5% and 2.5% is 1%. For FY'14, he suggested going up 3.5%. He commented that what they are trying to understand is the .5%--it is at the margin. It was his hope that maybe out of the 24,000 people watching at home, there might be some more solutions going forward. He commented to Mr. Keegan, this is what has gotten us to this point—a lot of good ideas over the last three years. Mr. Keegan commented that it is a process. Mr. Butler added that it has an impact on our quality of life, too.

Mr. Dellolacono suggested to Mr. Keegan that he thought his timeline should include, if he is going back to ten years, is what the Town was before Legacy Place and when Legacy hit and what happened; What happened with the renovations and increase attacks relative to the Mall when it was done over; Trash—what were the savings and where did it go (Mr. Keegan thought that this item was a fluid and he could have cut anything). Mr. Dellolacono thought that this was the point of the exercise if going to 3.5% to 2.5%. Mr. Dellolacono informed Mr. Keegan that what happens is that residents ask, or give a statement—I've lived in Dedham fifty years and my first forty years in Dedham, my taxes were consistent, approximately \$2,200.00 per year; however, the last ten years of my life in Dedham, I am at \$6,000.00—residents want to know why and deserve to know. He asked Mr. Keegan if he got this—Mr. Keegan responded that he does get it. He went on to say that now, knowing that debt exclusion is really only 3.4 million of the overall budget, he cannot say it any longer, just that it is a part of the increase, not all of it.

Mr. Dellolacono informed all that he received a telephone call from Mr. MacDonald who asked him—Why did you vote the way you did when it came to taxes? Mr. Dellolacono went on to say that he did it more as a statement because he honestly believed the Town was assessed and tax out maybe a bit archaic—yes, the rules, regs and guidelines are being followed set forth from the State level; however, it might be time to re-evaluate. Mr. Dellolacono commented that the Board needs to work with the Assessors. He asked why taxes can't be based on square footage—have a residential and commercial base in square footage and land tax would stay the same. He went on to say that if you have a 2,000 square foot home and are paying 2.5 dollars on a square foot, it will give the amount needed. Additionally, if the budget does increase, it would be very clean cut, not based on assessments, but based on square footage. Mr. Dellolacono explained that people will wait 35 or 40 years to redo their kitchen, save up every penny, they put their dream kitchen and, boom, the Assessor shows up the day the ticket it signed off, and they get re-evaluated for \$4,500 more a year—the homeowner gets penalized for doing good. Mr. Dellolacono felt that it might be time to focus and look to see if the

system needs to be changed and tweaked. He went on to say with tax on a square foot basis, there won't be as much fluctuation-- discussed by Mr. MacDonald and as shown in Mr. Butler slide presentation. Mr. Keegan thought that this was an interesting point. Mr. Dellolacono thought that this approach would be across the board and benefit everyone. Mr. Dellolacono went on to say that this approach would be fair to the residents. Mr. Dellolacono thanked Mr. Butler for his diligent efforts.

DISCUSSION & VOTE RE: DISTRICT CONVENIENCE

Relative to the above-referenced matter, the Board of Selectmen did not have a discussion or take any action in open session at this time. The above-referenced matter was further discussed during this evening's Executive Session. (Mr. MacDonald did not participate relative to this matter.)

DISCUSSION & VOTE RE: AULD SOD PUB

Prior to the discussion, Selectman James MacDonald recused himself. Mr. MacDonald did not participate in the discussion or vote relative to the above-referenced matter.

Ms. MacDonald made a motion to call for a Violation Hearing relative to the Auld Sold Pub; seconded by Mr. Butler. **On the Vote:** Mr. Reynolds, yes; Ms. MacDonald, yes; Mr. Butler, yes; and Mr. Dellolacono, yes.

TOWN ADMINISTRATOR'S REPORT

William Keegan, Town Administrator, gave the Board of Selectmen an update relative to the SBRC request and progress of the Dexter School. Mr. Keegan informed all that the Town is early 1st stage of the process and if success would receive 50% of funding. Mr. Keegan informed all that a new business was opening up in Dedham next week—the name of the business is called Visions Healthcare located on Washington Street at the former Sagra Restaurant property-- Mr. Keegan went on to say that he was invited to the opening and will attend.

Action by the Board

Request from Dedham Country Day School for annual Fair Licenses (May 4, 2013)—Mr. Butler made a motion to approve a One-Day Transient Vendor's License, One-Day Common Victualler's License and street parking requests to Dedham Country Day School; seconded by Mr. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. MacDonald, yes; Mr. Butler, yes; and Mr. Dellolacono, yes. (Ms. MacDonald was not present during this portion of the meeting and did not participate or vote relative to this matter.)

Request from the Dedham Community House for a One-Day Liquor License (March 1, 2013)—Mr. Butler made a request to approve a One-Day Liquor License to the Dedham Community House— Deliveries February 28, 2013; Pickup March 4, 2013; Service Only on March 1, 2013; seconded by Mr. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. MacDonald, yes; Mr. Butler, yes; and Mr. Dellolacono,

yes. (Ms. MacDonald was not present during this portion of the meeting and did participate or vote relative to this matter.)

OLD/NEW BUSINESS

Mr. MacDonald informed all that the Board of Selectmen have received letters during the course of the week from residents who had concerns with the hiring of construction employees at Shields MRI Facility located on Allied Drive. Mr. MacDonald explained that the Board of Selectmen do not have authority over a private developer and cannot make demands on who they wish to hire. Mr. MacDonald, however, felt that it was a legitimate complaint and that the building owner should seek out local craftsman instead of hiring out-of-state.

Mr. Dellolacono commented that the roof top units were brought up during the recent ESCO presentation. He asked the status. Mr. Keegan informed him that they are working on the units this week and he will arrange for a follow-up meeting over the next few weeks.

Mr. MacDonald made a motion asking the Town Administrator to send a letter, on behalf of the Town, to the FAA's objecting to the proposal to increase traffic on Runway 33L; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Ms. MacDonald, yes; Mr. MacDonald, yes; Mr. Butler, yes; and Mr. Dellolacono, yes.

Ms. MacDonald made a motion to enter into Executive Session relative to Chapter 39, Section 23B, to discuss pending litigation; seconded by Mr. MacDonald. **On the Vote:** Mr. Reynolds, yes; Ms. MacDonald, yes; Mr. MacDonald, yes; Mr. Butler, yes; and Mr. Dellolacono, yes.

Ms. MacDonald made a motion to adjourn the meeting; seconded by Mr. MacDonald. **On the Vote:** Mr. Reynolds, yes; Ms. MacDonald, yes; Mr. MacDonald, yes; Mr. Butler, yes; and Mr. Dellolacono, yes.

The meeting adjourned at 8:10 p.m.

This is to certify that the above is a true and accurate record of the Minutes of the Board of Selectmen's Meeting held on Thursday, January 31, 2013, which Minutes were approved on February 28, 2013.

Carmen Dellolacono, Chairman