

**Town of Royalston
Board of Selectmen's Meeting
Tuesday, December 20, 2005
7:00 p.m.**

Present: Werner Bundschuh, Chairman; Thomas Kellner, Clerk; and Andrew West, Member.

1. The meeting was called to order by Chairman Bundschuh.
2. The minutes of the 12/6/05 meeting were read. Mr. West made a motion to approve the minutes as read. Mr. Kellner seconded the motion. The minutes of the special meeting held on 12/17/05 were also read. Mr. West motioned to approve the minutes as read, Mr. Kellner seconded the motion, and the Board voted unanimously in favor.
3. Acknowledgements/Announcements/Correspondence:
 - a) Mr. Kellner stated that the grant application to USDA, Department of Housing and Urban Development, for the water system at the Village School has been returned, as it requires further information. He will meet with Rise Richardson and will gather the necessary information.
 - b) The Board signed Chapter 90 reimbursement paperwork for the work done on School Street under the STRAP grant.
4. Old Business:
 - a) Mr. West asked if an engineering firm for the Route 32 project has been chosen yet. Mr. Bundschuh stated that the choice has not been made and that he would check with Keith Newton on the status. He doubted that any decision would be made until after the end of the calendar year.
5. Department Head Reports:
 - a) Police Department:
 - 1) Chief Deveneau reported that site visits to the two Class II license applicants have been completed. Royalston Auto Sales is in compliance with all conditions. There is no posted sign with a phone number at Motors Unlimited, so they are not in compliance. Mr. Kellner made a motion to approve the license for Royalston Auto Sales. Mr. West seconded the motion. The Board voted unanimously in favor. Chief Deveneau will pursue the Motors Unlimited situation.
6. New Business:
 - a) Liquor and Other Licenses: Mr. West made a motion to approve all licenses for 2006 for Pete & Henry's Restaurant, the Royalston General Store, and the Winchendon Rod & Gun Club. Mr. Kellner seconded the motion. The vote was unanimous in favor. The Board signed all applicable licenses. Curtis Deveneau, Chief of Police, has approved all conditions due to no noted infractions.
 - b) The Board set the deadline for department heads to submit budget information for 1/13/06.
 - c) The Board set the deadline for departmental annual reports for 3/3/06.
 - d) Mr. Bundschuh reported that he received a call from Brenda Putney, Treasurer, who stated that there is currently only \$68,000 left in the budget. She expects to receive approximately \$30,000 in state disbursements at the end of the month. Gary Winitzer reported that the Fire & EMS Association will be turning over \$47,000 to the town this month for partial payment for the cost of the new rescue vehicle. Mr. Bundschuh said that the Assessors are moving forward to set the tax rate.

- e) 8:00 p.m. – Open Space Committee: Aaron Ellison spoke about a memo he had presented to the Board in the summer regarding ten parcels of land in town with unknown ownership. There is currently no money coming into the town for these parcels, as taxes cannot be collected. The Open Space Committee suggests that the Town take the parcels for tax title then sell them; some would have conservation restrictions. This would be a mechanism for the town to get revenue. Mr. Kellner stated that the cost to petition the state land court to gain tax title is \$400 for each parcel. Mr. Kellner then made a motion to put an article on the Annual Town Meeting warrant that the town funds the petitions to land court necessary to go forward. Mr. West seconded the motion. The Board voted unanimously in favor.
 - f) Mr. McCallum, who is running for state representative in the special election in January, was introduced to the Board.
7. Trees Cut on the Common: Mr. Bundschuh summarized what occurred at the last meeting regarding this issue. He stated that the Board had agreed to pay attention to nine trees that had been cut and would ask Dwight Stowell, who had cut the trees that are on town-owned property, to contribute \$4,500 to plant new trees on the common, under the direction of the Historic District Commission. Dr. Stowell contends that he had an understanding of where the property line was, which was at the old wire fence. He does not want to pay the \$4,500. Dr. Stowell's lawyer met with the Board at a special meeting on 12/17/05 to try to find a solution. Mr. Bundschuh read a portion of a letter from Dr. Stowell which was received today and is included as part of these minutes. Dr. Stowell has given \$500 to the Board in escrow awaiting their decision. George Northrop said that he understands that Dr. Stowell was told that the trees were on town property before he cut them. Mr. Bundschuh said that Dr. Stowell had stated that Larry Siegel, the Tree Warden, didn't know where the property line was when the two had discussed the matter. Mr. Siegel had stated to the Board at the last meeting that he had told Dr. Stowell to let him know if/when he decided to cut any trees, and he would mark those that were on town property required a tree hearing. Linda Alger said that Dr. Stowell had inquired about the same trees approximately three years ago when she was on the Board. Town counsel suggested that the infraction falls under Mass. General Law, Chapter 242. Mr. Bundschuh read the law. Gary Winitzer stated that there is also a town bylaw that prohibits cutting trees on town property. Mr. Winitzer reminded the Board that the motion made at the last meeting was to give Dr. Stowell 30 days to pay the \$4,500. Chief Deveneau suggested that the Board wait the 30 days. The Board decided to stay with their original motion, "to ask Dwight Stowell to contribute \$4,500 to the Historic District Commission within 30 days, in lieu of a fine, for improper cutting of trees to fund the planting of trees on the Common". Mr. Bundschuh will send a letter to Dr. Stowell formalizing the \$4,500 contribution for the trees, noting the 30-day deadline, which would begin at the date of receipt of the letter.
8. Vyto Andreliunas & Kim MacPhee Re Revisions to Zoning Bylaws: Mr. Andreliunas and Ms. MacPhee have prepared a request for qualifications for providers of legal services for the zoning revisions. If approved by the Board, they will post the RFQ's and send a notice to the newspaper. They hope that a contract will be awarded by mid-January. Ms. MacPhee stated that the bulk of the work has to be done by 6/30/06, so this is a way of streamlining the process. Mr. Kellner made a motion that the Board of Selectmen go forward with an ad for providing legal services (copy attached) so they can make a decision at the 1/17/06 meeting. Mr. West seconded the motion. The vote was unanimous in favor.
9. Mr. Kellner made a motion to endorse expenditures necessary for Mr. Bundschuh to attend the MMA Annual Conference. Mr. West seconded the motion, with the Board voting unanimously in favor.
10. The Treasury Warrant was signed.
11. Mr. West made a motion to adjourn at 9:35 p.m. Mr. Kellner seconded the motion. The vote was unanimous in favor.

Minutes recorded by Diana Newton.