

**HOLDEN BOARD OF SELECTMEN
MEETING MINUTES
MARCH 21, 2011**

6:00PM

Memorial Hall

Present: Chairman David White, Robert Lavigne (arrived 6:35PM), Anthony Renzoni, James Jumonville, Kimberly Ferguson (arrived 6:35PM)

Others Present: Nancy Galkowski, Town Manager
Elizabeth Helder, Recording Secretary

Chairman White opened the meeting at 6:30PM. The Board participated in the Pledge of Allegiance. He reported that Sel. Ferguson and Lavigne would be late to the meeting.

1. Selectmen Licenses & Appointments

Motion by Sel. Renzoni, seconded by Sel. Jumonville, it was **VOTED 3-0 TO APPROVE A PARADE PERMIT TO PAUL DIONNE ON BEHALF OF NEW BALANCE REACH FOR THE BEACH RELAY FOR FRIDAY, MAY 20, 2011 FROM 12:30PM TO 7:30PM.**

The Manager confirmed that no police detail would be necessary during the race.

Motion by Sel. Renzoni, seconded by Sel. Jumonville, it was **VOTED 3-0 TO REAPPOINT S. JANE ARNTZ AS A MEMBER OF THE BOARD OF REGISTRARS OF VOTERS TO A THREE YEAR TERM EXPIRING MARCH 31, 2014.**

2. Bullard Street Transformer Discussion

Sel. Lavigne and Ferguson arrived at 6:35PM.

Light Department Manager Jim Robinson presented an update on the 2011 HMLD Capital Budget program. He reviewed the plan to replace the two existing vintage transformers at the Bullard Street Substation that the Board approved in November 2010. The bid went out in February 2011. The final bid came in much higher than budgeted. Mr. Robinson explained that the costs increased because the price of copper has risen by 50% within the last several months. Additionally, the recent earthquake in Japan is likely impacted the transformer market. The new substations will be ultra low noise models and operate more quietly than the existing models. However, the reduction in noise level also helped to increase the cost. Mr. Robinson said that aside from these factors, the costs for these transformers are unlikely to decrease in the coming years and recommended their purchase. The anticipated replacement date has been scheduled for October with a back up delivery date of April 2012. The substation will be down for most of the month when being installed.

Mr. Robinson informed the Board that the bids for the purchase of a new forestry truck also came in higher than approved by the Board. The approved budget was \$165,000 and the lowest bid came in at \$170,000. He said that the HMLD requested a three-year warranty on the new truck, which caused the bid to come in a little higher. An average warranty is one year. He said the current HMLD truck was 17-years old and showing its age. He recommended that the Board approve to increase the spending level for the purchase of a new forestry truck.

Mr. Robinson explained that the HMLD has the funds to cover the increased spending in their Depreciation Fund. No borrowing would be necessary to complete the purchases.

Sel. Ferguson noted that the Power Advisory Board met in March and approved the increased spending on these capital projects.

At Chairman White's request, Mr. Robinson reviewed the revenue and expenses of the Light Department in the last year. He said the Light Department budget was very stable and rates are anticipated to remain the same for several years.

Motion by Sel. Renzoni, seconded by Sel. Ferguson, it was **UNANIMOUSLY VOTED TO PROCEED WITH THE PURCHASE OF THE TWO (2) TRANSFORMERS AT THE BULLARD STREET SUBSTATION AS RECOMMENDED BY THE ADMINISTRATION.**

Motion by Sel. Renzoni, seconded by Sel. Lavigne, it was **UNANIMOUSLY VOTED TO INCREASE THE SPENDING LEVEL FOR THE TRANSFORMERS FROM \$750,000 TO \$925,000.**

Motion by Renzoni, seconded by Sel. Ferguson, it was **UNANIMOUSLY VOTED TO INCREASE THE SPENDING LEVEL FOR THE FORESTRY TRUCK FROM \$165,000 TO \$170,000.**

3. Citizens' Address

No one came forward to address the Board.

4. Water Management Act Permit

The Manager presented the details of the Water Management Act Final Permit as issued by the State DEP. One of the conditions under the permit is Special Condition #6, which limits the use of nonessential water from the months of May through September between the hours of 9AM-5PM. Every community in the State of Massachusetts must adhere to this Act. DPW Director Jim Shuris investigated options available to the Town. The Manager said the Board could vote to implement the water ban or revoke the water ban in its entirety. Revoking the ban would restrict the amount of water that could be withdrawn from the Town's water sources. Consumption of water in excess of the Town's limit would require the Town to purchase water from the City of Worcester or violate the ban. The minimum penalty for violating the ban would be a \$25,000 fine. Other conditions imposed by the State for revoking the ban include withdrawal of the Town's request to permit a well at the former ECC site. The Manager informed the Board that if the Town were to comply with the permit, the Town would be allowed to draw 300,000 gallons of additional water from its wells to increase its capacity to 1.45MGD. If the Town revokes the permit, it can only use 1.15MGD and may not draw on its wells. Director Shuris added that to purchase 300,000 gallons of water from the City of Worcester would cost approximately \$1,200. If the Town had to purchase this amount of water for 30 days, it would cost the Town over \$30,000 in extra water purchases. The Manager said that while the Board may not approve of the State unilaterally imposing a ban on a community without a clear need to do so, water conservation is something the Board should encourage residents to achieve. However, the Manager said she felt comfortable with the Town's ability to monitor the Town's water usage on a daily basis in order to revoke the permit. The Town is very conservative with its water use and is consistently below the State mandated 65 gallons per day per person.

Sel. Renzoni asked what checks are in place to switch over to Worcester water on a high use day?

DPW Director Shuris said the Town monitors its wells and meters on a daily basis and said the Town would immediately shut the wells down and immediately draw from Worcester water. The wells and meters are read every afternoon at approximately the same time.

Sel. Renzoni asked what guarantee was in place to monitor the wells to catch it before the Town commits an offense triggering a \$25,000 fine from the DEP.

Mr. Shuris said the safety measures were in place to make sure it wouldn't happen. Limits can be set so that if the town reaches a certain gallon limit, the wells would immediately shut down. A computerized database monitors the system to monitor tank elevation, and the flows and balance of all the tanks. Town employees monitor the system in person 7 days a week 365 days a year. Mr. Shuris said that the City of Worcester has voted to revoke its permit and is not living by the DEP's rule. This is important because the Town's contract with the City of Worcester dictates that the Town must follow the same water rules as the City. There is the possibility that the City of Worcester could shut down water to the Town of Holden if the City gets too close to its own water limits.

The Manager informed the Board that the Public Works Director has the ability to immediately invoke a water ban in Holden if it needed to.

Sel. Lavigne asked Mr. Shuris to find out if the City of Worcester has ever shut down its water supply? He asked how the Town would inform its residents of the immediate water ban? The Board reviewed the procedures to put a water ban in place. Sel. Lavigne expressed concern regarding the \$25,000 fine.

Sel. Renzoni asked what the method of enforcement would be if the Town chose to enact the DEP Water Management Act?

The Manager said the Town would not be out looking for people who are not adhering to the water ban. The Town would not be aggressive in its enforcement of the ban. However, it will go after blatant rule breakers through warnings and eventually fines.

Sel. Renzoni also expressed concern regarding the \$25,000 fine.

Chairman White said enacting a water ban from 9AM-5PM would not affect the average, normal person who uses water responsibly in Town.

Sel. Jumonville said many people in Town have wells. The Board did not generate this water ban – the State did. He recommended advertising the water ban well and then people would comply. He said as much as he didn't want to do it, the Town should avoid the risk of the \$25,000 fine. He said that the water ban would be the safest choice for the Town to make.

Sel. Ferguson asked how the water ban would affect parents who want to run their sprinklers or fill their kiddie pools. The Manager said that these were not large water users. Director Shuris said the DEP was interested in big-ticket items. Lawn irrigation systems running during the day or residents turning their hoses on and leaving them on – those are the water users who would violate the ban. Additionally, car washes operated as fundraisers are not allowed under the ban.

Sel. Renzoni asked if the Town could come back and revoke the permit at a later date. Mr. Shuris said the Town could only change its mind through April. Once the water ban is enacted, it will be in place until 2014. Sel. Renzoni said he supported the water ban.

Sel. Lavigne said he did not support the water ban.

Sel. Ferguson said that while she did not approve of bans, it is a Statewide ban to help with water conservation. What if the Town incurred a \$25,000 fine? While the residents are doing a good job of water conservation and it will hurt water sales, the alternative is not one the Town can sustain. She said she reluctantly support the water ban.

Sel. Jumonville said he had never supported a Town wide water ban in the past. However, this ban came from the State. He added that residents are resilient and would comply.

Chairman White said if the Town revokes the permit, it is further restricted in its use of well water. Having to purchase an additional \$1,200 in water would stress an already stressed budget. Revoking the permit will guarantee the purchase of water from Worcester and endangers the Town's use of its own gallonage that it might never get back.

Motion by Sel. Renzoni, seconded by Sel. Jumonville, it was **VOTED 4-1 TO IMPOSE A CALENDAR TRIGGERED WATER BAN FROM MAY THROUGH SEPTEMBER AS RECOMMENDED BY THE DEP. (OPPOSED: LAVIGNE.)**

Sel. Renzoni asked that the water ban be thoroughly explained to residents in the mailing notification from the HMLD.

5. Town Manager Miscellaneous

1. The Manager informed the Board that each year the Selectmen votes to award a scholarship from the Lloyd W. Starbard Scholarship fund to a college student who is pursing a degree in a government related field. The fund currently has \$1,992.31 in interest that could be awarded in 2011. She requested the Board vote to advertise for applicants interested in the scholarship and to name two Selectmen to sit on the subcommittee to review the applications. Sel. Renzoni and Jumonville volunteered to serve on the Committee

Motion by Sel. Ferguson, seconded by Sel. Jumonville, it was **UNANIMOUSLY VOTED TO ADVERTISE FOR APPLICANTS FOR THE LLOYD W. STARBARDE SCHOLARSHIP FUND.**

2. The Manager announced the last day for submission of warrant articles for the Annual Town Meeting is March 25, 2011.
3. The Manager asked Selectmen who have a nomination for the dedication of the 2010 Annual Town Report to submit the name to her office by March 23rd.
4. The Manager announced that the Town Clerk's office would no longer be issuing passports effective May 1, 2011. The Department of State determined that agencies that issue birth certificates would no longer be able to issue passports unless there is a separate work area. The Holden and Jefferson Post Offices will be the only locations in Town where passports will be issued. The Town has in recent years issued approximately 100 passports and will lose approximately \$2,500 in revenue. Chairman White said he did not like removing a service to residents. He asked if there was another Department or location where the service could be moved? Sel. Ferguson asked if it was possible to use another office space where staff from the Town Clerk's office could go to issue the passport? The Manager said it was the staff that was the problem; the Clerks issue the birth certificates and therefore cannot also issue the passports as dictated by the Department of State.
5. The Manager reminded the Board that the Regional Selectmen's meeting had been scheduled for March 24th.
6. The Manager announced that a Street Sweeping schedule had been posted on the Town's website www.townofholden.net.

7. The Manager encouraged residents to register on the Department of Recreation's new online registration program.
8. The Manager encouraged residents to sign up for the Town email alert program at www.townofholden.net.

6. Selectmen Subcommittees

Sel. Jumonville: Memorial Day Parade Committee: Next meeting March 23rd.
Skate Park:

Sel. Lavigne: EDC: Have not met.
Open Space Committee: Have not met.
Town Charter:

Sel. Ferguson: Affordable Housing: Have not met.
Power Advisory Committee: Met March 14th

Sel. Renzoni: Water/Sewer Advisory Committee: Will meet on March 24th.
Master Planning Committee: Have not met. Committee would like to meet with the Board to present an update of the Master Plan.

Sel. White: PSBC: Replacement roof bid for existing building has been accepted and Town is working to finalize the contract. Several punch list items are being resolved. Project finished project approx. 2.3M under budget. Sel. Renzoni asked how much power the building is using. The Manager said the Fire Chief is working with Committee member Peter Liddy and the HMLD to track to current power use.
Mountview Building Committee: Waiting for OPM approval from the MSBA. An interview between the MSBA office and Mr. Gary Kaczmarek the OPM candidate is scheduled for April 4th.

7. Selectmen Miscellaneous

Sel. Renzoni: 1. Elmer Hurd was an American Legionnaire for 60 years passed away several years ago. Mr. Hurd spent most of his service as the Post Commander at Holden Post 42. He asked the Town Manager if he could hang Mr. Hurd's 50-year service certificate in Memorial Hall? Chairman White asked if the Town should consider building some type of display case to display the artifacts and certificates in Memorial Hall. He suggested that perhaps Monty Tech could build the display case.

Sel. White: 1. Inquired if and when the Town might offer e-bills? The Treasurer's office and the HMLD are working on something for 2012.

8. Approval of Minutes

Motion by Sel. Renzoni, seconded by Sel. Ferguson, it was **VOTED 4-1 WITH 1 ABSTAINED TO APPROVE THE MARCH 7, 2011 MEETING MINUTES WITH THE FOLLOWING AMENDMENTS TO STRIKE ONE OF THE ZEROS IN THE START TIME OF THE MEETING AND DELETE THE WORDS "MEET JOINTLY WITH BOS AND CDM" UNDER SEL. FERGUSON'S SUBCOMMITTEE REPORT.**

9. Executive Session

Motion by Sel. Renzoni, seconded by Sel. Lavigne, it was **UNANIMOUSLY VOTED TO ENTER INTO EXECUTIVE SESSION AT 8:20PM TO DISCUSS POTENTIAL LITIGATION AND RETURN TO REGULAR SESSION FOR ADJOURNMENT PURPOSES ONLY. ROLL CALL: RENZONI: YES: FERGUSON: YES; LAVIGNE: YES; JUMONVILLE: YES; WHITE: YES.**

10. Adjournment

Motion by Sel. Lavigne, seconded by Sel. Ferguson, it was **UNANIMOUSLY VOTED TO ADJOURN THE MARCH 21, 2011 MEETING AT 8:50PM.**

APPROVED: April 19, 2011