

Members Present: Jo Lown, Chair, F. Robert Brown, Bill Linnane, Judy Lucas, Ian Johnson, Michael Meachen. Absent: Brigitte Casemyr, John E. Arnold, and Kevin Cronin.

At 7:03 p.m. Ms. Lown called the meeting to order in the Selectmen's Meeting Room.

### **Open Forum**

There were no requests to address the committee.

### **2009 Fall Town Meeting Warrant Review**

#### **Nick Perron, Fire Chief, and Jim Robbins, Planning Board**

##### **Article 5. Design and Permit Opticom Traffic Controllers**

In October 2007 Herb Chambers applied for permits for construction on three parcels on the corner of Otis Street and Route 9, and a recommendation was made that as a condition of the permit he install the new Opticom traffic controller equipment at the intersection. The Opticom equipment allows emergency vehicles to control the operation of the traffic light so emergency vehicles can pass through the intersection more safely. At that time Herb Chambers gave the town funds to purchase the equipment. Since then, new State regulations were adopted which require study, survey, and special permitting for this equipment on all state highways. The cost of the study is \$17,000. If this project had been completed before the new regulations were adopted, the funds paid by Herb Chambers would have been sufficient to cover all costs. Mr. Chambers is not willing to pay the additional funds, and unless the town pays for the study, the equipment cannot be installed and the funds paid by Herb Chambers would be returned. Funds for this Article would be appropriated from free cash.

Chief Perron also commented on **Article 2**, requesting the transfer of \$9,261.00 for electricity for the Fire Department. At the time budgets were done, the new electricity rate was not known. The substantial increase in the electricity rate requires this transfer.

Chief Perron commented favorably on the new warrant format proposed by Town Manager Malloy. Ms. Lown invited Chief Perron to attend the AFC meeting on Monday 9/28 for the presentation by the Municipal Building Committee.

#### **ARTICLE 6 Removal of a Liquor License Requirement-Citizen's Petition**

##### **Attorney Douglas W. Resnick**

Attorney Resnick has appeared before the committee three times over the past fifteen years representing the Mandarin concerning their liquor license. The original over-quota license was site-specific, but was changed several years ago to include the entire Downtown Business District. The Mandarin's current lease is now up, and the owners have not been able to find a new location which is suitable within the Downtown Business District. Negotiations with their landlord to expand in their current location have not been successful. They are currently petitioning the town to remove the Downtown Business District area from the license restriction. They have not yet identified a specific location to move, but would need to do so before the State Legislature will take any action on this request.

The business would like to expand to include Japanese as well as Chinese food, and unless the license limit is removed they may not be able to continue in business in Westborough. Mr. Linnane reported that he has been to other Mandarin restaurants and was impressed with the expanded menu and restaurant size at other locations. Mr. Johnson asked if the license would still be tied to the Mandarin, and Mr. Resnick confirmed that the license would not be transferable. The only change would be to the specific location within Westborough.

**DPW, John Walden**

**ARTICLE 3 FY10 Sewer Budget Amendment – Electricity and ARTICLE 4 FY10 Water Budget Amendment – Electricity.** As noted by Chief Perron, the budget for electricity was based on available information from one year ago, and since the rate has doubled budgets need to be increased. Mr. Johnson notes that both articles will be transfers from Retained Earnings and so will not affect the town budget totals.

**ARTICLE 7 Department of Public Works Rainstorm Reimbursement.** Heavy rainfall (12 inches) in July, with one storm totaling 8 inches in 2 hours, caused extensive damage in town. Warren Street homes were once again flooded, a section of Kay Street was washed out, a culvert at 265 West Main Street required extensive repair, and on Chestnut Street a 30-foot section of water main was exposed, with the pavement from the street ending up in a homeowner's front lawn. All of these areas required extensive repair work and engineering work. A culvert on South Street also needed to be replaced. Additional smaller repairs were required in many places in town due to this storm. Ms. Lown notes that 43% of DPW budget has been expended at this time. Mr. Brown asked about plans to dredge the culvert near the High School to prevent further flooding. Mr. Walden says this is being discussed. Mr. Walden also pointed out that Cedar Swamp was filled by this storm, so water had no place to drain. Costs included supplies such as hot top, pipe, and stone, Police Details, and labor. Mr. Walden requested his staff track these costs separately from routine repairs and maintenance, and will have Ms. Provost send the exact charges to Mr. Johnson. Mr. Brown complemented Mr. Walden on the repair work done after this storm. Mr. Walden noted that many jobs that had been planned for the summer were delayed as the extensive emergency repair work lasted all summer. Mr. Brown asked about the DPW's current plan for Chestnut Street. Mr. Walden has decided to put down a layer of pavement over the current road until a more comprehensive rebuilding can be done.

**ARTICLE 12 Warren Street Drainage Improvement.** Mr. Walden presented a drainage study report from Woodward and Curran, which was funded by Article 14 of the 2008 Special Town Meeting and completed in May 2009. The study gave several options to remedy the drainage problems on Warren Street with estimated costs and effectiveness of each proposal. The DPW recommends Option A-2, which calls for a 3 foot by 10 foot bypass that will divert water from its current path near several Warren Street houses, and will result in removal from the flood plain of two homes. This option should be able to handle a 100-year storm event, of which there have been several in the past five years. The cost for this construction is estimated at \$545,000. The watershed area includes the Upton Street area, where water drains from several directions and eventually flows into Cedar Swamp. The bypass will run parallel to the current drainage path, and carry water past where it is currently discharging and past other properties that are close by, and then reintroduce the water into the stream at a point past where it has been overflowing. The bypass will be a pre-cast underground concrete pipe.

This project is in design phase. If funding is approved, the contract should be out for bid in the spring, with work scheduled for next summer. Funds for this Article would be borrowed rather than transferred. While there was some flooding on Upton Road during the largest storm, it did not make the road impassable, and this culvert would not increase the runoff from current levels.

Mr. Walden has been negotiating with the homeowners affected, and the most pressing concern is that the Article be included on the warrant for Fall Town Meeting. Once the construction is finished, there should not be any unsightly changes to the properties. The DPW has begun negotiating easements for this work.

Mr. Walden notes that there are many areas in town that will need drainage work, but Warren Street is at this time the worst in town. Other areas are being identified and prioritized. Mr. Meachen asked about other areas that were mentioned at the time the drainage study was commissioned. Mr. Walden noted that there are plans to remedy some upstream problems (Bowman Street) but that the changes required in upstream areas to remedy the Warren Street problem would be very costly and would require building a large impoundment rather than catch basins. The Conservation Commission is currently reviewing the plans for Warren Street. Mr. Walden also noted that the Warren Street homeowners have been very patient with this issue.

**ARTICLE 13 Work on Town Sewer System.** This article is a follow-up to a study done previously. The current Longmeadow Sewer Pump Station is a metal station, and is now failing. The current station is 20 years old and is at the end of its expected life. This project is on the Capital Expenditures Planning Committee list of projects.

**Approval of minutes – Meeting No. 2, FY10, August 31, 2009.**

Mr. Johnson moved to approve the minutes of meeting No. 2, August 31, 2009. The vote to approve the minutes was 6 in favor, with 6 being present.

**Capital Expenditure Planning Committee - FY10**

Discussion tabled until the next meeting.

**Liaison Updates**

Ms. Lown has sent out assignment letters to each contact person, and an updated assignment list with contact information to each AFC member. Please send any corrections to the contacts listed to Ms. Lown.

Ms. Lown attended the Board of Selectmen Meeting on Tuesday, and they have approved the Warrant as posted. The BOS has voted recommendations on all but two Articles (8 and 16.) Two requests were made of AFC:

- BoS requests that the AFC include BOS recommendations in their booklet for ATM;
- BoS has requested the AFC include the Town Manager's summary in the booklet as well

These requests will be on the AFC agenda for discussion on 9/28. Selectman Tim Dodd has indicated his willingness to speak with the AFC on ARTICLE 10 Public Shade Trees Bylaw, if needed. This By-law would apply only to trees on town property, not those on private property. Mr. Brown asked if the town still has a nursery, and will investigate this with DPW.

Ms. Talbot has provided a new spreadsheet of town expenditures and revenues. The Committee discussed several items which Ms. Lown will relay to Ms. Talbot. Current figures do not include any borrowing for Wastewater Treatment Plant, as the payments have not yet come due. Mr. Meachen noted the excess levy capacity of \$0. Ms. Lown noted a significant amount of free cash being used.

Ms. Lown asked committee members to have questions ready for Ms. Bilodeau on October 1.

Mr. Meachen will meet with John Badenhausen, Youth and Family Services, after Fall Town Meeting, and requested Mr. Linnane's notes from last spring which will be provided.

Ms. Lown noted a handout from School Committee, and requested members to have questions prepared in advance of their Monday 9/28 presentation.

**Comments and Concerns of Committee Members**

AFC meetings have been posted for 9/28, 10/1, 10/5. There is a short time before Fall Town Meeting, so meetings may be long. Ms. Lown requests committee members review warrant and relay any further requests for presentations by Monday, so that they may be scheduled for Thursday October 1 if needed. Voting on Articles will begin on 10/1, and finish on 10/5.

Ms. Lown noted several town events occurring on Saturday, October 3<sup>rd</sup>, including Hazardous Waste Day, Ribbon Cutting for new town common, and Arts in Common Festival.

Mr. Linnane requested a presentation on the Abandoned Property Article. Mr. Linnane also asked if Committee Members could hold their questions until presentations are complete, in an attempt to speed presentations.

Several committee members expressed an interest in attending the Association of Town Finance Committees Conference in October.

Mr. Brown thanked Paul Temple for broadcasting the meeting on town cable.

**Adjournment**

Ms. Lucas moved to adjourn the meeting at 8:35 p.m.