

Members Present: Ed Behn, Chair, Peter Allen, John E. Arnold, Lisa Blazejewski, Sharon Kaiser, J. J. Malone, Kathy Rosenblum Senie, Jim Tepper, Gary Wells. Absent: None.

At 7:00 p.m. Mr. Behn called the meeting to order in the Selectmen's Meeting Room.

### **Call to Order/Open Forum**

There were no requests to address the Committee.

### **Approval of Minutes**

#### **Meeting No. 5, September 20, 2012**

Mr. Malone and Mr. Tepper requested corrections to the minutes. Mr. Arnold moved to accept the minutes as amended. The vote to approve the minutes is 9 in favor, with 9 being present.

### **Review of 2012 Fall STM Warrant**

**Article 1. Opening Statements.** Town Moderator Joe Harrington was present to provide clarification. He explained that this article is basically a reminder to do at Special Town Meeting what is already done at the Annual Town Meeting, which is for residents to hear a report on the state of the Town's finances from the Finance Committee and the Town Manager. Mr. Malone asked if there would be opportunity for discussion, and Mr. Harrington responded that there would, if needed for clarification; however, as the article did not involve any action, he preferred not to spend a great deal of time on it. Mr. Allen asked if anyone else would be allowed to present an alternative report, and Mr. Harrington felt this would be allowed, with a similar time limitation as for the original remarks, of around 2-4 minutes. Mr. Tepper felt there could be some debate on this article, and noted Town Manager Jim Malloy's intention to use his report to set the facts straight, in order to avoid inaccurate facts being brought up later on in the meeting.

**Article 2. Fire Station.** George Barrette, Calvin Lawrence, and John R. Arnold of the Municipal Building Committee were present to provide clarification. Mr. Barrette noted that the project is basically the same as presented at Spring Town Meeting, with a projected cost of \$11,208,000. He explained that Greg Carell, a Building Committee member who is also an architect, had spent time looking into ways of reducing the cost, such as by making the building smaller; however, the Building Committee had concluded that the present design is already fairly tight and did not decrease the estimated cost, although once put out to bid the number could be lower.

Ms. Blazejewski noted that most residents agree a new fire station is needed, but are not convinced the \$11.2 million option is the best one. Mr. John R. Arnold pointed out that if the project had been put out to bid a more definite, and perhaps lower, number would be available. Mr. Tepper felt the Building Committee should include the issue of comparables in their presentation at Town Meeting, showing why this new fire station costs more than fire stations in other towns. Mr. John R. Arnold noted that the irregular shape of the lot was partly to blame for the difference. He added that no drawings or bids can go forward until the project is approved at Town Meeting. If approved in October, the bidding could perhaps be completed by June 2013, with construction from 2013 through 2015. He felt Mr. Malloy had looked at the debt situation and come up with a plan to proceed within Proposition 2-1/2, and noted that if this project is delayed, it also delays further projects such as Town Hall, Forbes, and Gibbons School.

Mr. Barrette noted that around \$100,000 was included in this figure for the demolition of the old fire station (which will become a parking lot). Mr. Malone felt the article should mention that demolition

costs were included. Regarding comparisons with fire stations in other towns, Mr. Barrette pointed out that some towns (such as Shrewsbury and Grafton) have sub-stations, which may well be cheaper, whereas Westborough has just one fire station serving the whole town. Mr. Behn asked about the hard costs per square foot of \$311 in the Municipal Building Committee's estimates and why they were significantly more than the \$192.98/sq. ft. a fire station in Boston was estimated to cost in 2011 according to the construction costing firm RSMeans. Mr. Lawrence noted that one way to reduce costs would be to use metal siding rather than brickwork for the exterior—but he felt residents would not approve. Mr. Arnold of the Municipal Building noted that the proposed new Fire Station had brick work all around it. He mentioned one area of cost savings would be not to do a full brick veneer on all sides of the building. Mr. Behn felt the Building Committee should bring alternative proposals, with lower costs, to Town Meeting.

**Article 1. Opening Statements.** Mr. Tepper moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

**Article 2. Fire Station.** Ms. Kaiser moved to recommend the Town so vote, provided the article mentions that funds to pay for the demolition of the old fire station are included. Mr. Wells would've liked to see a lower figure for the project but felt that the town needed to move forward. Mr. Arnold felt this project was important and should not be delayed, and noted there was an advantage in doing one project at a time, in that the town could see whether money could be saved on the fire station, as an indicator of how future projects might go. Ms. Rosenblum Senie pointed out that this article was approved at the last town meeting, and expressed confidence in the Building Committee's investigation. She was happy to try to build for less cost but did not want to cut corners and end up paying more later. Mr. Tepper felt it was important to move forward, noting that if construction is delayed any further, any savings might be eaten up by increased construction costs. Mr. Behn noted the \$850,000 contingency included in the estimate. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

**Article 5. EMD Expenses.** Mr. Behn noted that Mr. Malloy had indicated the article is limited to Raise and Appropriate. Mr. Wells moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

**Article 7. Forbes Elevator.** Mr. Behn noted that Mr. Malloy had indicated that \$20,000 is for replacing three air conditioning units. Mr. Arnold moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

**Article 11. Flanders Road Sewer.** Mr. Behn noted that when the Board of Selectmen close the warrant tomorrow the Committee would have more specific language. No vote taken.

**Article 14. Senior Center Parking Lot Lighting.** Mr. Behn explained that Municipal Building Committee member George Barrette would be providing clarification. This article represents a 38% increase over the original article approved at ATM 2011 for \$41,646. Mr. Arnold thought the original article had not included lighting. No vote taken.

**Article 15. Bow Hunting.** Mr. Behn noted that Mr. Malloy had indicated that Community Land Trust land was not considered public land. This article refers only to town-owned land. Police Chief Alan Gordon had explained to Mr. Behn that in excess of 40 motor vehicle accidents a year are deer-related; bow hunting was seen as a way to thin out the herd and make roads safer. Ms. Rosenblum Senie would rather continue the present procedure of getting written permission for bow hunting and felt this was also a safety issue. She felt maybe the town should consider bringing in professionals to reduce the deer population. Ms. Blazejewski questioned whether this article would have any impact on the deer problem.

Mr. Behn noted that Wendy Mickel, the Assistant Town Clerk, did not remember anyone ever asking for permission for bow hunting. Ms. Blazejewski pointed out that either no one is interested in bow hunting, or people are hunting without permission anyway; either way this article would not seem to change anything. Mr. Tepper noted that anyone hunting is still required to have a license, and felt this was a valid approach to address the problem. Mr. Allen was concerned with the broad term “public land,” and was against giving blanket approval. He wondered if perhaps areas with heavy deer concentrations could be isolated and permission only given for hunting there. Mr. Arnold would like to know how many hunting licenses are given out, and felt it would be useful to hear the debate at town meeting regarding this issue. Mr. Tepper moved to recommend the Town so vote. The vote to approve the article recommendation is 5 in favor, 4 against (Allen, Kaiser, Malone, Rosenblum Senie), with 9 being present.

**Article 17. Non-Criminal Disposition.** Mr. Behn noted that Mr. Malloy had answered the Committee’s questions, and that the “if convicted” wording is being removed. Mr. Arnold would prefer to wait for the final motion. No vote taken.

**Article 19. Veterans’ Tax Work-Off Program.** Mr. Malone noted that he was eligible for this program and absented himself from the discussion. Mr. Tepper also recused himself from voting. Mr. Behn noted that the Committee may want to wait until the Board of Selectmen have their discussion and set the policy. He added that double-dipping would not be allowed (benefiting from both the Veterans’ and the Senior Work-Off programs). Mr. Tepper would like clarification from Town Counsel Greg Franks on when a Committee member must recuse self from voting. No vote taken.

**Article 20. Veterans’ Freedom Park Deed Restriction.** Mr. Behn had spoken with Mr. Franks about the Committee’s concern that the article was too open and might allow more structures than intended. Mr. Franks had noted that the article would require a 2/3 vote according to zoning bylaw. Ms. Rosenblum Senie had looked at the deed and zoning bylaws and had concerns about whether the town was even able to amend the deed restriction. She noted that the Lee property had been acquired by the town from developers through a zoning provision, with the understanding that it would be preserved as open space, as defined by the Open Space zoning law (which prohibits structures). Mr. Behn will consult with Mr. Franks about whether the town is able to do this. Ms. Blazejewski would like clarification of the deed restriction, but did not feel this particular request was a threat to the property. Mr. Tepper pointed out that this proposal amended action taken by Article 26 of ATM 2007, and would like to see the language of that original article. Otherwise he is comfortable with installing the exercise equipment on the property. Mr. Allen felt the Committee would benefit from listening to the Planning Board public meeting, to be held tomorrow night, on this issue. Mr. Arnold would also like to know the Open Space Committee’s views on this proposal. No vote taken.

#### **Chairman, Committee Liaison, and Department Liaison Reports**

Mr. Behn nominated Ms. Blazejewski as the AFC representative to the Capital Expenditures Planning Committee. The vote to approve the appointment is 8 in favor, 1 abstention (Blazejewski), with 9 being present. Mr. Behn noted that town departments had been notified of liaison appointments and encouraged members to reach out to their respective contacts.

#### **Comments and Concerns of Committee Members**

Mr. Tepper indicated he would be unable to attend Thursday’s meeting.

Mr. Wells asked if the AFC could request that all funded articles include the option for Raise and Appropriate or Free Cash. Mr. Behn thought the AFC could make a motion to change the funding source. Mr. Arnold felt Mr. Harrington should provide clarification. Ms. Blazejewski pointed out that Committee members can simply express their opinion by voting against the article as a Raise and Appropriate, and stating their preference for using Free Cash.

Mr. Malone noted that the Planning Board would not be considering Article 20 until October 2<sup>nd</sup>. Mr. Behn added that October 4<sup>th</sup> is the deadline for the Committee booklet.

**Adjournment**

Mr. Arnold moved to adjourn the meeting at 8:56 p.m. Vote to adjourn was 9 in favor, with 9 being present.

**Document List**

AFC Liaison Requests Assignments FY2012.  
Veterans' Park Deed.  
Zoning Article 4.  
Zoning Article, Transit Oriented Village detail.