

Members Present: Ed Behn, Chair, Gary Wells, Lisa Blazejewski, Peter Allen. Jim Tepper, Kathy Rosenblum Senie, John E. Arnold. Absent: Hank Rauch, Sharon Kaiser.

At 7:00 p.m. Mr. Behn called the meeting to order in Room 23 of the Forbes Building.

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

There were no requests to address the Committee.

#### **Approval of Minutes**

There were no minutes to approve.

#### **Review of the FY'15 Debt & Treasurer's Budget**

Town Treasurer, Joanne Savignac was in to review the FY'15 Debt budget. Ms. Savignac pointed out that at the end of last year she refinanced debt on the High School and Mill Pond School and went from a 4.15% interest rate to a 2.41% interest rate resulting in a significant drop to the outstanding debt. Ms. Savignac was asked about adding debt for the new Fire Station and Town Hall renovations. Ms. Savignac said that next year there will be additional debt service as work on the new Fire Station and Town Hall renovations continues. Mr. Wells asked about the \$1,000,000 that was authorized from free cash to be spent toward the new Fire Station and whether that money had been used up yet. Ms. Savignac said she has used the \$1,000,000 toward expenses incurred so far on the new Fire Station. Mr. Wells asked if it was worthwhile for the Town to have used \$1,000,000 in free cash up front to postpone short term borrowing. Ms. Savignac felt that the Town was better off to use free cash and not borrow money and pay interest. Ms. Savignac said she continues to keep an eye on interest rates to determine when to refinance since there's a cost to refinancing, but she is only allowed to recall debt once after 10 years.

Ms. Savignac reviewed her budget with the Committee. She mentioned that the increase to Salary & Wages was due to standard step increases. On the Expenses side, she has a slight decrease in training and a slight increase to forms and bills, which is for the processing and printing of the tax bills.

#### **Review of the Country Club FY'15 Budget & Article 11**

Mr. John R. Arnold, Chairman of the Country Club Operating Committee (CCOC), along with Vice Chairman, Earl Storey, met with the Committee to discuss the Country Club FY'15 budget and Article 11. Mr. Arnold and Mr. Storey acknowledged that changes need to be made at the Country Club. Over the past few years, the Country Club has had to use some of their savings to fund operating costs. Mr. Arnold mentioned that there will be further discussion regarding increasing business when the CCOC meets in March and they have a full quorum. Meanwhile, Mr. Arnold noted that Michael Hightower, who is currently Greens Superintendent at the Country Club, has taken over as the new owner of the restaurant at the clubhouse, and he is willing to work together to bring in revenue. Mr. Arnold noted that the Country Club is only a 9-hole course and that the Country Club operates on user fees. The Country Club Enterprise fund has about a \$370,000.00 balance and any deficit to operations will come out of that fund. Mr. Arnold mentioned that taxpayer dollars won't pay for any deficit. Mr. Arnold said that he doesn't see any large expenses coming along down the road. He said that the Greens Superintendent is very knowledgeable and is constantly maintaining the course. Mr. Arnold mentioned that drainage work has been completed recently and, even after severe rain, the course is dry within a day or two and people can get back out on to the course. Mr. Arnold pointed out that the golf cart paths are what need attention right now. Mr. Storey mentioned a repair to the parking lot that needs to be done that would be the responsibility of the Town and not the restaurant owner. Mr. Allen asked – as a way to offset costs – if there was land at the Country Club that could be used for solar panels. Mr. Arnold said there wasn't room on the course but that there is conservation land next to the course. Mr. Arnold thought there would be a need to cut down quite a few trees for a solar array and that part of the conservation land may belong to the Gibbons school - but mentioned it was a good thought.

Article 11: Mr. Arnold then discussed the CCOC's request to transfer \$30,000 from the Country Club retained earnings for the purpose of new equipment and improvements to the Country Club golf course. Mr. Arnold mentioned that a new rough mower for the course needs to be purchased (approximately \$25,000), with the remaining \$5,000 used to repair and improve the netting along the course. Mr. Arnold said that the rough mower they currently use is about 15 years old and at a point where they will need to spend a lot of money in repairs should it break down. Since the rough mower wouldn't be worth fixing, the \$25,000 would be on hand to purchase a new one. Mr. Storey said that the remaining \$5,000 would be used to increase the height of the netting by 10 feet. That project is scheduled for the spring of 2014 and the posts would also need to be changed to hold the new netting.

### **Review of Zoning Articles 21 through 23 & Planning Department Budget**

Town Planner, Jim Robbins, and Planning Board Chairman, Lester Hensley, met with the Committee to discuss Zoning Articles 21 through 23. Mr. Hensley mentioned that the Zoning Board is continuing their work to review and streamline zoning bylaws. He pointed out that the Economic Development Committee has a self-assessment tool to help improve the permitting process. Mr. Hensley said that, by combining members of the Planning Board and members of the business community, the Zoning Board hopes to bring forward incremental changes.

Article 21 – Mr. Hensley mentioned that local business owner, Justin Lundberg, who operates Westboro Tennis & Swim Club and their summer camp, noticed the language used to define “district regulations...for open uses, supervised camping” was archaic and needed to be changed. Mr. Lundberg pointed out to the Zoning Board that the current language disallows camps in certain districts. Mr. Hensley noted that, since Mr. Lundberg was an attorney, he re-wrote the definition by superseding the town definition with the state definition, and changed “camping supervised” to “recreational camps”. Mr. Tepper asked Mr. Robbins for a map of the districts so he could better understand what areas are being redefined. Mr. Robbins thought it might be helpful to provide a map and list of the districts in the R&R book for residents so they can better understand the changes as well. Mr. Robbins said that basically the definition was rewritten so camps can continue to operate as they have been doing. Mr. Robbins also pointed out that the old language didn't allow camps in municipal districts (schools), even though there have been camps at the schools. When asked about religious camps, Mr. Robbins noted that church camps are not subject to zoning since they are exempt. It was mentioned that before the R&R book is completed, Mr. Robbins will be consulted as to his recommendation of what should be included in the book. Ms. Blazewski also suggested including the information online for those residents researching the articles prior to Town Meeting.

Article 22 – Mr. Hensley explained that currently zoning is broken up in to special permit review and then site plan review. Site plan review deals more with commercial developments and currently there are no set regulations for site plans. This article is geared more at adopting standards and amendments pertaining to site plan review and allows Selectmen to make decisions in order to streamline the permitting process. Selectmen Chair, Ian Johnson, said he supports this article.

Article 23 – This article redefines and clarifies “use of accessory buildings” by defining what an accessory building is and its use. Currently the interpretation of an accessory building is left up to the Building Commissioner. Also, the current definition doesn't allow more than one structure on a parcel/lot. Attorney, Justin Lundberg, met with Building Commissioner, Tin Htway, to clarify and now the new definition separates “Accessory Building”, “Accessory Use”, and adds a definition for “Principle Use” of the property. Some examples given by Mr. Robbins would be a house with a barn, or a campus style setting such as Bay State Commons or Spectrum House. The Planning Board recognized the need for clarification of this bylaw with the possible development of the former State Hospital land. Mr. Robbins said that a lot of the old bylaws have their roots in residential zoning, and he's careful not to lose sight as to its intention, but there's a need to give flexibility in developing commercial space in town. Mr. Behn recommended having good examples on hand for Town Meeting such as Harvey's Farm and Bay State Commons when explaining this bylaw change to residents. Mr. Tepper suggested a clearer explanation to the lay person when distinguishing between commercial and residential lots and the effects on each with this bylaw change. There was also mention of having a Town Planner statement added to future warrants for articles related to zoning changes.

Mr. Robbins went over his FY'15 budget. He said that the increase in Salaries & Wages is due to standard step and cost of living increases. He mentioned that his Expenses have increased due to advertising, professional dues, and out of state travel.

#### **Review of Articles 19 & 20 - Zoning the Hocomonco Site**

Town Manager, Jim Malloy, and Selectmen Chair, Ian Johnson, joined Mr. Robbins and Mr. Hensley in discussing zoning changes to the Hocomonco site to allow for a solar array. Mr. Malloy passed out paper copies of his slides from a presentation he put together regarding the proposed solar project. Mr. Malloy explained that the Hocomonco site is a superfund site that was contaminated with many different types of chemicals associated with the use of creosote on the property. Mr. Malloy went through the handout and explained that the Environmental Protection Agency (EPA) has been involved for years with the clean-up of this site. Working with the Green Technology Advisory Committee (GTAC), the Assistant Town Manager applied for and received an Owners Agent Technical Assistance grant that expires in May 2014. Mr. Malloy said that the GTAC consists of members appointed by the Selectmen and Leigh Emery chairs the committee. Since the GTAC was looking for opportunities for the Town to participate in solar, the Town identified the Hocomonco site, as well as other sites, for potential solar. A Request for Quotation (RFQ) was developed and advertised with four firms. In the RFQ, it was specified that the Town was looking for energy cost savings and/or a lease, that the solar panels would need to be ground mounted at the Hocomonco site, and gave other possible sites such as Gibbons Middle School, DPW Building, and the High School Parking Lot. Article 19 is asking for authorization for the Selectmen to lease approximately 6 acres of land at the Hocomonco site for a solar array. Mr. Malloy acknowledged in his presentation that the Town would still like to install a walking trail along the Hocomonco Pond.

Mr. Malloy explained that Article 20 is a zoning article and is seeking to establish setbacks similar to abutting properties. Mr. Malloy noted that the potential solar field shows a 50 foot setback from Smith Valve Parkway but zoning in this area requires a 25 foot setback.

Mr. Malloy asked if there were any questions. Mr. Tepper had a question about the grant that was received and what the grant provided. Mr. Malloy said the grant provided the Town with expertise in the whole solar field of engineering. He said that the quotes that came in needed to be evaluated to figure out if the Town was getting the best deal since the Town doesn't have that sort of expertise. Mr. Malloy pointed out that the Town has used some of that grant money to pay for the engineering firm that they hired to evaluate the quotes they have received. If Article 19 is approved, Mr. Malloy said that they could use the rest of the grant money and possibly re-apply for the grant. Mr. Malloy mentioned that timing was critical - if they have to wait until the Special Town Meeting in October then they'll have to re-issue their request for quotes. Mr. Behn asked if these firms providing quotes were aware of the problems with this particular site. Mr. Malloy said they are and that most of these firms have worked on a project where they built a solar field on a landfill or superfund site. One of the firms he has been dealing with is the same firm that installed a solar array on another superfund site with the same responsible party - Beazer East - that caused the superfund site at Hocomonco. Mr. Malloy mentioned that if the whole 60 acre parcel was opened up that they wouldn't be able to disturb the land, and he'd want to do a health risk assessment before taking down any fences. When asked about the maximum height allowed in that district for a building structure, Mr. Malloy said it was 60 feet and that the firms looking at installing the solar array take in to consideration the height of the solar structures and surrounding trees when providing a proposal. Mr. Malloy also mentioned that some trees may need to be cleared on the south side of the array outside of the proposed 6 acre site, but that will come up in the permitting process. Mr. Tepper felt that should be made clearer in the presentation. Mr. Malloy will email the color presentation to the Committee.

Mr. Behn asked if the Planning Board had any comments. Mr. Hensley said that the Planning Board had their public hearing last week and left the meeting open. Mr. Hensley mentioned that this article proposes to modernize a piece of municipal land. He also mentioned that there are other interested groups in town that have tracked the land at Hocomonco from unusable to usable and they are just seeing the proposal for the solar array weeks before Town meeting. Mr. Hensley wondered what the trade off was and what the numbers are for the potential benefit to the community in exchange for perhaps limiting other uses for that land. Mr. Hensley felt there was more to be heard. There was a question as to what was left of the grant money and what we could possibly lose. There was also a question as to what the limits are to use of that land since the land is contaminated. General discussion was that other

organizations, like the groups working on the Charm Bracelet and Bike Trail, should be recognized and accommodated by including trails through the site. Mr. Hensley thought that a more comprehensive study needed to be done showing the financial benefit to the Town, other possible uses for that land, and then any zoning changes that may be necessary.

Mr. Scott Shumway from Westborough Community Land Trust (WCLT) addressed the Committee. He felt that this entire project ignored 15 years of history with that land. He mentioned that the land at the Hocomonco site has been designated to be transferred to the Conservation Commission, and he said that the Town voted twice – both in 2003 and 2012 – to transfer the land and designate it for passive recreation. Mr. Shumway said it came as a surprise when there was another use put forth. Mr. Shumway mentioned that the Westborough Public Library is a repository for EPA documents on Hocomonco Pond, and also referred to the 2003 Master Plan and 2003 Open Space Plan for the Town of Westborough as reference that the intention was for this land to be conserved. Mr. Shumway said that as President of the WCLT, the majority of opinion from other members of the WCLT is that they are opposed to this proposal.

Mr. Don Burn also addressed the Committee. He is part of the WCLT, Charm Bracelet Committee, and Ad Hoc Bike Trail Committee. Mr. Burn mentioned that he has been going out to Hocomonco since 2000. He pointed out that the proposed bike and walking trails that they have mapped out would run right through the proposed solar array. He said that they can't move earth because it is a contaminated site so they needed to use the existing roads for the proposed trails. Mr. Burn was concerned with the communication regarding this article, along with the amount of conservation land in Westborough, and said he was always under the impression that this land would be conserved. Mr. Burn was also concerned as to whether the Town of Westborough would be liable if anything goes wrong since he thought ownership falls on the landowner when dealing with contaminated sites. Mr. Burn mentioned that they designed the bike trail to run through the Hocomonco land so he could connect it to the Commuter Rail Station and keep the trail off road since he'd be eligible for grants. Ms. Rosenblum Senie asked Mr. Burn what his position is and Mr. Burn said he would like to see this article delayed so there can be more public discussion and possibly view the site. Mr. Burn said he had a lot of questions, since there's a 30 year history of saying we were going to use the land for one thing, and now recently he's found out something different. Mr. Johnson asked Mr. Burn if the EPA says it would be another 5 years before they could determine whether trails could be used - would he be okay with the solar array - and Mr. Burn said he would.

Mr. Tepper asked Mr. Malloy to discuss the RFQ's that went out and why 6 acres of land was chosen. Mr. Malloy said Borrego Solar chose 6 acres when coming up with the conceptual design for the solar array. Mr. Tepper asked if the amount of land was reduced from 6 acres to accommodate trails - would the project still be economically feasible. Mr. Malloy felt that solar energy was considered a passive use of the land and the plan for using 6 acres for the solar array would still allow for trails, but that the trails may need to be moved. Mr. Tepper was concerned with the plan and thought it may be too aggressive given the size of the array, and felt the need for more discussion. Ms. Rosenblum Senie asked Mr. Shumway if the WCLT were opposed to the use of the land for a solar array altogether or whether they might find it acceptable under certain conditions. Mr. Shumway felt that the two projects had competing interests for the same conservation land. Mr. Andrew Koenigsberg, Conservation Chairman, also addressed the Committee. He was concerned with the potential liability, as a citizen, if the Town was to move forward with the solar array. He felt there should be undisputed language in the contract - if the Town was to vote for this project - that Westborough would be exempt from handling any problems down the road. Even if there was a language exempting the Town from liability, Mr. Koenigsberg wondered what would happen if there was a problem and the solar company went out of business - who would be liable in that case? Mr. Koenigsberg felt there were other areas in Town to put a solar array, other than on a superfund site, since there's too much liability. Mr. Malloy did mention that there is environmental insurance available to protect the Town from liability issues.

### **Library Budget**

Mr. Malloy said that he has reviewed the Library's electricity budget. There is a new HVAC system in the Library that went "live" in 2013. He took a look at the kilowatt (kwh) usage for July '12 to July '13 and then January '13 to January '14 and found there was an increase in kwh usage but it didn't provide any consistency. He decided to take an average of the kwh usage from January to June of 2013. This resulted in an increase to the Library's budget of \$1,870 so the electricity line item was bumped up to \$19,000. Next year Mr. Malloy believes they'll have a more accurate picture of the Library's kwh usage for budgeting purposes.

#### **Article 9 C – Fire/Police Radio Tower**

Mr. Malloy informed the Committee that he is recommending to the Selectmen at their meeting tomorrow night to use \$150,000 in free cash and raise and appropriate the remaining \$157,000 for the Fire/Police Radio Tower.

#### **Article 15 – Nathan Fisher House**

Mr. Malloy mentioned he is asking for a transfer of \$22,000 in free cash to reimburse the State for a grant that was received for the Nathan Fisher house in order to complete the final step in lifting a deed restriction placed on the property by the State.

#### **Snow & Ice Budget:**

Mr. Wells handed out his analysis on the DPW Snow & Ice Removal. To date, the AFC has voted to transfer \$200,000.00 out of their reserve fund for Snow & Ice removal. Mr. Wells noted that this has been the case three out of the last four years. Ms. Blazejewski agreed that the Snow & Ice budget could use an increase but preferred it be done gradually. Mr. Behn asked Mr. Malloy if he was comfortable with an increase of \$73,000 since that represented about half of the average deficit spend over the past 6 years. Mr. Malloy felt it made sense, since his numbers supported an increase as well. It was noted that there are three line items that can fluctuate in cost – the price for sand and salt, wages, and contractor work. There was discussion about increasing the budget and any subsequent penalties should we run in to dry winters and need to lower. Mr. Johnson indicated that, as Selectmen Chairman, he gets complaints from residents that taxes are too high. Mr. Johnson pointed out that currently there is the ability to deficit spend. Mr. Johnson didn't disagree with an increase to the Snow & Ice budget, since he understands costs are going up, but personally he would like to see a gradual increase. There was additional discussion over increasing the Snow & Ice budget and decreasing the AFC Reserve Fund. Mr. Behn mentioned that there are two items in the budget that the Town doesn't have any control over – the Snow & Ice budget and Special Education for the School Department. He would like to see the AFC Reserve Fund remain as is, since there would most likely still be a need to transfer funds for the Snow & Ice budget, but Mr. Behn would prefer to have the School Department come to the AFC to request a transfer of funds if they need additional money for Special Education rather than taking it from another line item in the school budget. Mr. Malloy noted that he will continue this discussion about increasing the Snow & Ice budget with the Selectmen at their meeting tomorrow night for their recommendations. He mentioned he will also be reviewing the warrant with the Selectmen and they will decide what will remain in the warrant and what will be deleted.

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

Mr. Behn informed the Committee that he has AFC voting scheduled to take place at the 2/27/14 meeting since there aren't any departments currently scheduled to come in. He asked Committee members if there were any departments they would like to invite in, and everyone was all set with the information they had to date.

Mr. Behn reminded the Committee that the School Department will come in on 3/3/14. The Selectmen plan on attending that night to hear the School Department's presentation. Mr. Behn has sent out some financial information on the schools. He will forward additional information on how the School Department is currently allocating grants, estimates on future grants and how they plan on using those grants, as well as information on their revolving funds.

Mr. Behn let the Committee know that he has started working on the R&R report and asked for Committee input. Mr. Behn thought it might help voters if footnotes were placed right below each budget item instead of at the back of the book. Mr. Wells suggested narrowing the columns and maybe only providing a couple of year's comparison, or only using actual comparisons and not including the estimates, to simplify the information provided so it's not confusing. Mr. Tepper felt that the percent change may not give voters an accurate picture. Mr. Behn noted that liaisons should start putting together footnotes about any real changes for their relevant departments.

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

Mr. Tepper mentioned he was concerned with balances in the School Department's revolving funds and wondered why many of these line items weren't closed out at year end and money transferred and applied toward the cost of operations.

**Adjournment**

Mr. Wells made a motion to adjourn the meeting at 9:58 p.m. The vote to adjourn was 7 in favor, with 7 being present.

**Document List**

Debt Principal/Debt Interest Spreadsheets – Joanne Sevigne

Westboro Country Club Financials – John R. Arnold

Article 19 & 20 – Zoning the Hocomonco Site to allow for a solar array – Jim Malloy

DPW – Snow & Ice Removal – 6 Year Actuals and Average – Gary Wells

Respectfully submitted,

Jessica Thomas

AFC Administrative Assistant