

Westborough Board of Selectmen  
Meeting Minutes  
February 10, 2009  
7:00 p.m. – 9:17 p.m.

Members Present: Chairman Thompson, Vice Chairman Emery, Selectmen Goldblatt, Dodd and Jane´

Also, Present: Henry Danis, Town Manager; Maryanne Bilodeau, Assistant Town Manager; Town Counsel Gregory B. Franks

The meeting was called to order at 7:00 p.m. by Chairman Thompson. Town and School payroll and expense warrants were approved and signed.

### **Pledge of Allegiance/Open Forum**

The following committee vacancies were announced to the public by Chairman Thompson. Anyone interested in serving may submit a letter of interest to Nidia Ruberti, Town Hall, Selectmen’s Office, 34 West Main Street:

Open Space Preservation Committee (1-Non Voting Associate)  
Youth Commission (1)

### **Approval of the Board of Selectmen’s Meeting Minutes**

- January 13, 2009

Selectman Goldblatt moved to approve the Board of Selectmen’s Meeting Minutes of January 13, 2009. Vice Chairman Emery seconded. 5-0

### **Request to Transfer an All Alcoholic Restaurant License and Request for a Common Victualer’s Permit/Acacia Functions, LLC/Attorney Bloom (Indian Meadows)**

Attorney Bloom requested that the Board approve an All Alcoholic Restaurant License and a Common Victualer Permit to Acacia Functions, LLC., (formally Indian Meadows) located at 275 Turnpike Road.

Vice Chairman Emery moved to Transfer an All Alcoholic Restaurant License to Acacia Functions, LLC., (formally Indian Meadows) located at 275 Turnpike Road; contingent upon the submittal of their workers’ compensation coverage form. Selectman Goldblatt seconded. 5-0

Vice Chairman Emery moved to approve a Common Victualer Permit to Acacia Functions, LLC, located at 275 Turnpike Road. Selectman Goldblatt seconded. 5-0

### **Request to Deficit Spend/Snow and Ice Budget/DPW Manager**

Mr. Walden requested that the Board approve to Deficit Spend on the snow budget up to \$50,000 in the Wage portion and up to \$100,000 in the Expense portion.

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*1.*

Selectman Goldblatt moved to approve to Deficit Spend up to \$50,000 in the Wage portion and up to \$100,000 in the Expense portion of the snow budget as requested by DPW Manager John Walden. Vice Chairman Emery seconded. 5-0

**Request for a Common Victualer's Permit/Dom Vito, Inc.,/Domenico Fabiano (Arturo's)**

Mr. Fabiano requested that the Board approve a Common Victualer's Permit to Dom Vito, Inc., (formally Arturo's) located at 54 East Main Street.

Selectman Goldblatt moved to approve a Common Victualer's Permit to Dom Vito, Inc., (formally Arturo's) located at 54 East Main Street. Vice Chairman Emery seconded. 5-0

**Request for a Common Victualer's Permit/Chipotle Mexican Grill of Colorado, LLC/M. Steven Ells**

Mr. Toothman requested that the Board approve a Common Victualer Permit to Chipotle Mexican Grill of Colorado, LLC located at 1 Oak Street. Mr. Toothman announced that the restaurant will have its grand opening on Thursday, February 19, 2009 and are serving FREE burritos from 11:00 am to 8:00 p.m. All are welcome!

Vice Chairman Emery moved to approve a Common Victualer's Permit to Chipotle Mexican Grill of Colorado, LLC located at 1 Oak Street, contingent upon receiving their food and occupancy permits. Selectman Jane' seconded. 5-0

**Request to Appoint a Non-Voting Member to the Country Club Operating Committee**

Vice Chairman Blois requested that the Board appoint Mr. Richard Sundstrom as a Non-Voting Member to the Country Club Operating Committee with a term ending June 30, 2009.

Selectman Goldblatt moved to appoint Mr. Richard M. Sundstrom to the Country Club Operating Committee as a Non-Voting Member. Selectman Jane' seconded. 5-0

Mr. Blois requested that a vacancy advertisement for Non-Voting Associates be placed on the town's web site continuously to recruit members. Mr. Danis acknowledge the request.

**Request to Waive Right of First Refusal and Approve Deed Change at 28 Indian Pond Road/Town Counsel Franks**

Attorney Franks requested that the Board waive its right of first refusal and approve the deed change for an affordable home located at 28 Indian Pond Road. He said that since this is a Local Initiative Refinance Program (State run program) unit any changes to the deed need to have the local authority's approval. The sister is leaving and her brother will now be the sole owner of the unit.

Vice Chairman Emery moved to waive the town's right of first refusal and to approve the deed change at 28 Indian Pond Road. Selectman Goldblatt seconded. 5-0

**Request to Appoint Registrar of Voters/Town Clerk**

Ms. Yendriga, Town Clerk, requested that Mr. Gibbs be appointed as the Registrar of Voters with a term ending of April 1, 2012

Selectman Goldblatt moved to appoint Mr. A. Gibbs Mitchell as the Registrar of Voters with a term expiring April 1, 2012. Selectman Jane' seconded. 5-0

**Request to Appoint a Member to the Westborough T.V. Board of Directors**

*Postponed*

**Joint Meeting of the Board of Selectmen, Capital Expenditures Committee and the Advisory Finance Committee***1. Capital Expenditures Committee Presentation*

Mr. Cronin, Chairman of the Capital Expenditures Committee, announced that the Police, School and Recreation Departments, the Country Club Operating Committee and the Wastewater Treatment Plant Board had no capital requests for this fiscal year (2010). He then proceeded to explain in great detail the following department's capital requests for fiscal year 2010 along with the Capital Expenditure Spreadsheet (handouts attached):

**Department of Public Works:**

- \$115k in equipment replacements (may be moved into an enterprise fund)
- \$225k annually for roadway maintenance (for the next 5 years)
- \$200k for the Adams Street design (\$3.5 million in FY's 11 and 12 for construction)
- \$987,650 for sewer extensions
- \$40k for pump station maintenance

**Fire Department:**

- \$175k ambulance replacement (maybe able to defer to the fall town meeting)
- \$60k EMS record system required by the Commonwealth (maybe able to defer to the fall town meeting)

**Library:**

- \$50k building maintenance

**Town Buildings & COA**

- \$85k replacement backup boiler at the Forbes Municipal Building (FMB); \$30k is for asbestos abatement
- \$13k FMB interior painting and repairs
- \$30k FMB window replacement
- \$25k automated HVAC climate control for the Senior Center

At the end of Mr. Cronin's presentation he noted that the spreadsheet provides the public financial data for the town meeting's process. The capital expenditures committee does not recommend or suggest to the Board of Selectmen any financial decision making or prioritization of the projects at hand. Mr. Cronin said that some of these funds are allocated by town meeting and might be partially reimbursed from Enterprise accounts, fees or certain arrangements with other towns.

Mr. Cronin thanked everyone involved in the process. The Board of Selectmen thanked the Capital Expenditures Committee, all of the Committee's representatives and Department Heads for their continued collaboration in the town's financial planning in these current economic times.

## *2. Budget Presentation-Town Manager*

Mr. Danis informed the Board and the public that the budget that he is presenting tonight will not need a 2.5% override. He said that the Town's portion total amount is level funded, excluding fixed costs and noted that not every single department is level funded. He said that because of the current financial crisis the following budget cuts are recommended in order for the town's budget to be balanced for fiscal year 2010 (budget materials attached):

- MIS/GIS department lost 6 hours per week totaling \$12,500
- Youth & Family Services lost one counselor, the secretary and the Summer Nights Coordinator totaling \$52,600
- Historical Commission the secretary lost 7 hours per week totaling \$8,600
- Recreation Department's part-time wages were transferred to the Revolving Fund \$34,500
- 2 DPW position will not be filled totaling \$81,568
- Fire Department/EMT retirement position not filled totaling \$30,000 (1/2 year)
- Police Dispatcher funded through the State 911 Grant instead of police wages totaling \$38,500
- Decreased Library Expenses totaling \$12,000
- Decreased Planning Board Expenses totaling \$5,500
- Decreased Legal Budget Expense totaling \$8,500

The grand total of budget cuts amount to \$284,268.00. Mr. Danis said that the town's local receipts have dropped dramatically due to the economic crisis and proceeded to explain in great detail by line item the Fiscal Year 2010 Revenue & Expenditures Estimates Spreadsheet, the Budget Comparisons (from fiscal year 2009 to 2010), the Fixed Costs, the School Debt Exclusion and Non-Exclusion, Worcester County Retirement and the Local Receipts Spreadsheet.

After a brief discussion regarding the budget the Board thanked Mr. Danis for his budget presentation.

### **Discussion of the Tri-Board Proposal/Selectman Dodd**

Selectman Jane' said that he would like to hear Town Counsel's opinion regarding potential conflicts with the jurisdictions of the different Board's. He said that he is not sure if this is a good idea; maybe a good idea if the focus would be for new process instead of a selective board or council that might have some troubles with its jurisdictions.

Vice Chairman Emery said that she shares with most of Selectman Jane's comments and believes that the Town has a very clear process right now but would like to see a three year process in long range planning instead of having a tri-board.

Selectman Goldblatt also agrees with both Vice Chairman Emery and Selectman Jane's comments and agrees that we already have these committees in place and does not see the value in having a tri-board at this time.

Selectman Dodd does not have any reservation approaching it a different way and would like to see if he can work together with the School Committee, the Advisory Finance Committee and the Capital Expenditures Committee to have a common vision. Selectman Dodd requested permission to venture forth with some ideas and take some time to work with members of these committees. Chairman Thompson noted that Selectman Dodd does not need the Board's vote to research this on his own and wished him luck in his endeavor.

Chairman Thompson requested that Mr. Danis start scheduling some department heads to discuss their budgets for the Board's February 24<sup>th</sup> meeting. Mr. Danis acknowledge the request.

### **Town Counsel Report**

#### **Town Manager Report**

Mr. Danis informed the Board that the Town has received an email regarding the State Revolving Fund for the Treatment Plant upgrade and has been made aware that the Town of Westborough will receive the 2% loan and will also be eligible to receive a 0% loan for the project.

Mr. Danis said that the at the Board's meeting of February 24<sup>th</sup> the Municipal Building Committee will come before the Board with their update.

#### **Issues and Correspondence of the Selectmen**

Selectman Dodd said that he attended the Massachusetts Municipal Association (MMA) Trade Show in January and was very happy to know that the MMA is sponsoring and hosting home energy savings seminars and would like to have one hosted here in Westborough, which he will announced further information later on.

Selectman Dodd thanked Leah Talbot, Town Accountant, for getting the pie chart information to be sent out in the residents' water and sewer bills, as discussed at a previous Board meeting. He said that this subject was discussed and agreed upon to give our town residents better communication in regards to the town's finances. Selectman Dodd will submit copies to the Board for their comments and suggestions.

Selectman Jane' announced that the Economic Development Committee (EDC) has started its outreach mission for both large and small business. The EDC issued a public announcement to all the local newspapers last week. He said that the committee is in the process of putting marketing materials together and will update the Board as it proceeds. Selectman Jane' said that he has engaged with the Massachusetts State Economic Development Alliance and that they will be attending the next EDC's meeting to collaborate together in its mission.

Vice Chairman Emery advised the Board that the Department of Capital Assets Management (DCAM) meeting regarding the Lyman School surplus property has been rescheduled for Wednesday, February 25<sup>th</sup> instead of Tuesday, February 24<sup>th</sup>. She said that the reason for the rescheduling is because the Board will also have a Legislative Liaison Committee meeting and would be hard to get the representatives to attend both meeting along with getting the members of the Legislative Liaison Committee appointed. The Board of Selectmen agreed with the rescheduling of the DCAM meeting.

Chairman Thompson announced that he has appointed Vice Chairman Emery as Chairman and Selectman Goldblatt as Vice Chairman to the Legislative Liaison Committee. Mr. Danis reiterated the requested members to be appointed to the Legislative Liaison Committee:

- 2 Board of Selectmen Members
- Town Manager
- 1 School Committee Member
- 1 Advisory Finance Committee Member
- Superintendent of Schools
- Council on Aging Member
- Conservation Commission Member

The Board agreed with the list.

Selectman Goldblatt, as the Board's Liaison Representative, to the Soldier's of Trustees Memorials requested to establish a gift account for donations that they have received.

Vice Chairman Emery moved to establish a gift account for the Soldier's of Trustees Memorials. Selectman Jane' seconded. 5-0

Selectman Goldblatt requested that the Board write a letter of support, and have the Chairman of the Board sign, to the Massachusetts Highway Division, District 3 for them to consider expanding the scope of the Lyman Street project by placing a signal light and a cueing line at the Route 9 turn a round near the Westborough Driving Range and Bertucci's Restaurant that has been closed for a few years because of the serious vehicle accidents that have occurred at that spot. Selectman Goldblatt said that the design has been done already. The Board agreed with Selectmen Goldblatt's request.

Mr. Danis said that the Planning Board was heavily involved with this project and also supports Selectman Goldblatt's request. He said that he would also suggest having the Planning Board sign the letter, if the Board wishes.

Selectman Jane' moved to have the Town Manager and Selectman Goldblatt write a letter of support to the Massachusetts Highway Division, District 3 and to have the Chairman of the Baord of Selectmen and the Planning Board sign. Vice Chairman Emery seconded. 5-0

### **Adjourn Open Session**

Selectman Dodd moved to adjourn the Board of Selectmen meeting at pm 9:17 Selectman Goldblatt seconded.

*Submitted by Nidia L. Ruberti*

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**Chairman George Thompson**

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**Vice Chairman Leigh Emery**

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**Selectman Lydia Goldblatt**

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**Selectman Timothy A. Dodd**

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**Selectman Rod Jané**