

Westborough Board of Selectmen
Meeting Minutes
May 26, 2009
7:00 p.m. – 8:50 p.m.

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

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 Emery. Town and School payroll and expense warrants were approved and signed.

Pledge of Allegiance/Open Forum

Chairman Emery requested a moment of silence for the Maddocks family on the passing of Mike Maddocks this weekend. Mr. Maddocks was a Police Officer for 30 years for the Town of Westborough.

Note Signing/Treasurer/Collector

Ms. Savignac requested that the Board authorize the short term borrowing of \$4,774,220 at 0.60 percent General Obligation Bond Anticipation Note of the Town dated May 29, 2009, payable August 28, 2009, to Eastern Bank at par and accrued interest plus a premium of \$306.88. She said that this borrowing is for the ongoing various water and sewer projects and town road projects from prior annual town meeting articles (note attached).

Selectman Goldblatt moved to approve the Note Signing for a short term borrowing of \$4,774,220 at 0.60% as presented. Selectman Thompson seconded. 5-0

Request to Hold a Polar Plunge/Debi Ledoux

Ms. Ledoux and Ms. Gavin requested that the Board approve to hold the "In Your Shoes" first annual "Polar Plunge" at Lake Chauncy on Saturday, December 4, 2009 from 2-5pm. Ms. Ledoux said that the purpose for the polar plunge is to raise funds which will provide monetary assistance to those Westborough residents whose financial needs are not being met.

Selectman Goldblatt moved to approve the usage of Lake Chauncy on Saturday, December 4, 2009 from 2:00 p.m. to 5:00 p.m. for the first annual "In Your Shoes Polar Plunge Fundraiser". Selectman Dodd seconded. 5-0

Notification of Fundraiser/IBPO/Greg McRae

Officer McRae, Local Union President, informed the Board of Selectmen of the International Brotherhood of Police Officers Local Union's Fundraiser carnival show to be held on Tuesday, June 9 thru Saturday, June 13, 2009 at the old Cloverleaf Chevrolet (150 Turnpike Road). He said that the set up dates are from June 6-8, 2009.

The Board thanked Office McRae for the fundraiser notification.

Minutes: May 26, 2009

1.

Set Fiscal Year 2010 Water Rates/Town Accountant and DPW Manager

Mr. Walden, DPW Manager and Ms. Talbot, Town Accountant, requested that the Board increase the water rate by 5% and the sewer rate by 4% and to set the water rate from \$53.67 to \$56.35 and the sewer rate from \$50.44 to \$52.46 (report attached).

Selectman Thompson moved to increase the Fiscal Year 2010 Water Rate by 5% and the Sewer Rate by 4%. Vice Chairman Jane' seconded. 5-0

Set Fee for Cordial and Liqueur Permits/Assistant Town Manager

Ms. Bilodeau requested that the Board set the Cordial and Liqueur Permit fee at \$250 (annual fee) for Beer and Wine License holders only. She said that licensees seeking to apply for this additional permit will have to complete the relevant paperwork required by the Alcoholic Beverages Control Commission.

Selectman Goldblatt moved to set the Fee for Cordial and Liqueur Permits at \$250.00. Selectman Thompson seconded. 5-0

Set Fee for Police Detail/Police Chief Gordon

Police Chief Gordon requested that a \$10 dollar third party police detail fee be approved for contractors requesting to use a police cruiser in addition to a police officer for a detail job. He said that this will help with the fuel costs.

Vice Chairman Jane' moved to set a \$10 fee per shift/per cruiser for police details. Selectman Goldblatt seconded. 5-0

Town Manager 2009 Appointments

Selectman Dodd moved to reappoint the individuals as presented (list attached). Selectman Goldblatt seconded. 5-0

End of Year Budget Transfers/Town Manager

Mr. Danis requested that following transfers to be approved:

From the Insurance Account \$129,189.18 to the Snow & Ice Expense Account

Selectman Thompson moved to approve the transfer of \$129,189.18 from the Insurance Account to the Snow and Ice Expense Account. Selectman Goldblatt seconded. 5-0

From the Insurance Account \$1,500.00 to the Communication Account

Selectman Goldblatt moved to approve the transfer of \$1,500 from the Insurance Account to the Communication's Account. Selectman Thompson seconded. 5-0

From the Insurance Account \$49,200.26 to the Snow & Ice Wage Account

Selectman Thompson moved to approve the transfer of \$49,200.26 from the Insurance Account to the Snow & Ice Wage's Account. Selectman Dodd seconded. 5-0

Minutes: May 26, 2009

From the Insurance Account \$8,700.00 to the Town Buildings and Grounds Account

Selectman Goldblatt moved to approve the transfer of \$8,700.00 from the Insurance Account to the Town Buildings and Ground's Account. Vice Chairman Jané seconded. 5-0

From the Insurance Account \$14,048.00 to the Street Lights Account

Selectman Dodd moved to approve the transfer of \$14,048.00 from the Insurance Account to the Street Light's Account. Selectman Goldblatt seconded. 5-0

Discussion of Green Technology Committee/Board of Selectmen

Chairman Emery reiterated the mission statement for this committee which is attached and requested for the Board's comments or suggestions.

Selectman Thompson voiced his concern in the proposed Roles and Responsibilities of the group. He said that he feels that there is the potential of the group stepping on other Departments authority and suggested that the group have very clear areas in that section.

Vice Chairman Jane' said that he believes this is a good idea and noted that the group should only assist committees when requested (Advisory Committee only).

Selectman Goldblatt said that she agrees with Selectman Thompson and Vice Chairman Jane' comments.

Chairman Emery clarified that the committee would only suggest/advice green technology for town departments and will clarify some of the language to reflect that more clearly.

Selectman Dodd said that he feels this is a very good idea and suggested having either the Town Manager or the Assistant Town Manager involved along with a town employee as members of the group.

Vice Chairman Jane' requested that a person from the Massachusetts Technology Collaborative be a member of the group also.

Chairman Emery thanked the Board for their comments and suggestions and said that she will rewrite the language, incorporate some of the Board's suggestions and will bring this item forth at the board's next meeting.

Discussion of Town Officials Recognition Policy/Board of Selectmen

Selectman Dodd requested that the Board implement the attached proposed policy on Recognition of Town Officials (attached).

Selectman Dodd said that the program is to formally acknowledge elected officials, appointed employees, and volunteers who have served the town for ten years or more with a certificate of acknowledgement/appreciation.

Selectman Goldblatt moved to accept the Town Officials Recognition Policy as presented. Vice Chairman Jane' seconded.

Chairman Emery recommended adding first year volunteers. Selectman Dodd agreed with Chairman Emery's recommendation. Chairman Emery also suggested recognizing people who have left committees (24 month look back).

Motion Amended:

Selectman Goldblatt moved to accept the Town Officials Recognition Policy as presented and also recognizing individuals who have left committees (24 month look back). Vice Chairman Jane' seconded.

Mr. Danis acknowledged the request and noted that the office will start looking into the process.

5-0

Bay State Quit Claim Deed Discussion/Board of Selectmen

The Board reviewed the Bay State Quit Claim Deed section by section. Town Counsel proceeded to explain each section as follows (quit claim deed attached):

Section I: Design Review and Approval

Town Counsel said that this part states the park is divided in half with specifics detailed.

Section II: Uses Allowed

Town Counsel said that this part states the park's uses. He said that things that would not be used are: organized athletic events, competitions, matches, and things that are consider a nuisance such as dust, smoke, noise, pollution.

Vice Chairman Jane' voice his concern that the intend is not clear in the language and said that he believes that anyone who did not understand the intent would be able to use it however they wanted, i.e., horseshoe events, putting matches, fundraising. He said that he would like to have this language clarify more.

Selectman Thompson asked Attorney Donahue for his interpretation of uses allowed.

Attorney Donahue said that the intention is clearly not to allow organized groups and is not to stop any formal competition. He said that if the community decided to use the park for a bocci court that would be within the scope of the language. Attorney Donahue said that developer's concern is more of the organized athletic events that would appear on a regular basis than an activity that is on the spur of the moment.

Selectman Dodd said that he agrees with Vice Chairman Jane's concerns; however, he is also concerned with the term as open space and would like to see a clearer definition and thinks that by doing so that would resolve the issue at hand.

Town Counsel said that Article 97 of the state constitution doesn't define open space but it does restrict any disposition of the property or any change in the use. Town Counsel said that once the Board accepts the property as a park you can not change the use of it but could build a community centre on it and would need a vote of 2/3 from both houses of the legislature.

Section III: Temporary Structures

Town Counsel said that this part deals with structures that are not permitted for events. He said that the temporary structures are not allowed to be left for more than three days at a time.

Section IV: Lighting

Town Counsel said that under this part there is only one requirement which is that the park be adequate lighted for security reasons.

Selectman Goldblatt asked if the town would like to increase the lumen would it be possible later on. Attorney Donohue said that he doesn't believe that would be an issue at all.

Section V: Maintenance

Town Counsel said that this part deals with the maintenance of the park's bathrooms (the town will be responsible for the upkeep and maintenance).

Section VI: Reconveyance

Town Counsel said that this part grants the developer the right of first refusal and it also recognizes the town's easements and the utilities that run under the park.

Selectman Thompson moved to accept the Bay State Quit Claim Deed as presented. Selectman Goldblatt seconded.

Selectman Goldblatt confirmed that once this deed is signed the Board will determine the use of regulations for the park. Vice Chairman Emery confirmed that the Board will determine the regulation uses of the park.

Motion Amended:

Vice Chairman Jane' moved to accept the Bay State Quit Claim Deed with the following word replacements/changes: page 2 line 3 delete the words events, competitions or matches and replace with the word leagues. **Motion failed for a lack of a second.**

Main Motion:

4-1 (Vice Chairman Jane')

Main motion to accept the Bay State Quit Claim Deed as presented was approved.

Town Counsel Report

Town Counsel Franks requested that the Board visit the Town Clerk's office to sign Article 14 that was approved at the annual town meeting and to have their signatures notarized. The Board acknowledged Town Counsel Franks request.

Town Manager Report

Mr. Danis requested that the Board dissolve the Town Manager Search Committee, ad Hoc. Selectman Dodd moved to dissolve the Town Manager Search Committee, ad Hoc. Selectman Thompson seconded. 5-0

Selectman Goldblatt requested that a thank-you letter be sent to all of the members on behalf of the Board. Mr. Danis acknowledged the request.

Mr. Danis requested the following summer meetings for the Board:

- July 21, 2009 and August 18, 2009

The Board agreed with Mr. Danis' request.

Issues and Correspondence of the Selectmen

Selectman Dodd requested that the Board hold a separate meeting for the Board's goals and another one for the new Town Manager's goals sometime in July and August.

Chairman Emery requested that a copy of the Board's goals be sent to Vice Chairman Jane', since he was not present when the initial meeting took place, and have the item placed at the Board's next meeting along with having the "Discussion of the Town Manager's Goal Process". The Board agreed with Selectman Dodd's request.

Selectman Dodd thanked Selectman Goldblatt for all her coordination with Representative Polito and the Massachusetts Highway Division regarding the Route 9 street light installation (across from Bertucci's restaurant). Selectman Goldblatt requested that we remember our servicemen and women and thanked the George Perry and Ken Ferrera for the wonderful Memorial Day parade

Selectman Thompson suggested that the Board think about having an informal Non-Binding Warrant Committee for the sake of Town Meeting efficiency. Chairman Emery said that she likes Selectman Thompson's suggested and also suggested considering having a Quality Assurance Committee and would like to have the Board's thoughts on it.

Chairman Emery thanked Tim Reiter for filming the Board's meeting tonight, Nidia Ruberti for all her work at the Town Manager's public meetings and sends her sympathies to the Barsley family for their loss.

Adjourn Open Session

Selectman Dodd moved to adjourn the Board of Selectmen meeting at 8:50p.m.
Selectman Goldblatt seconded.

Submitted by Nidia Ruberti

Chairman Leigh Emery Vice Chairman Rod Jané Selectman Lydia Goldblatt

Selectman Timothy A. Dodd

Selectman George Thompson

Minutes: May 26, 2009

6.