

**Westborough Board of Selectmen
Meeting Minutes
January 26, 2010
7:00 p.m. – 8:25 p.m.**

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

Also, Present: James J. Malloy, Town Manager; Maryanne Bilodeau, Assistant Town Manager; Greg Franks, Town Counsel

Pledge of Allegiance/Open Forum:

Committee Vacancies:

Central Massachusetts Regional Planning Committee (Alt)
Green Technology Advisory Group
Youth Commission – (1)

Approval of Board of Selectmen’s Meeting Minutes

- January 12, 2010

Selectman Goldblatt moved to approve the Board of Selectmen’s Meeting Minutes of January 12, 2010. Vice Chairman Jane´ seconded. 5-0

Representative Polito Update

Chairman Emery thanked Representative Polito for her part that she played in the press release held at the Westborough Town Hall yesterday (Monday, January 25, 2010) with Congressman McGovern, Lt. Murray, Senator Eldridge and fellow State Representatives in presenting the Town of Westborough with a 7.4 million dollar check from the Federal Relief Fund Act to help off-set the Wastewater Treatment Plant upgrade. Representative Polito said that she is very happy that funds are reaching towns and hopes more to be done.

Representative Polito handed out materials outlining the Governor’s proposed budget (materials attached. Representative Polito announced that the Governor’s budget will be release tomorrow and noted that the he will not be cutting chapter 70 funds (local and school aid); however, the economist that have appeared before the Ways and Means Committee are saying that the public is still financially struggling, still unstable and cautioned conservative spending. She said that employment is still rising in the Commonwealth and encouraged the Town of Westborough to look into all saving avenues and consolidation areas which will become the State’s priority throughout the year to have the state work efficiently like the towns and cities have done already. She said that she will continue to lobby for the town and cities to have authorization to negotiate their own health insurance plan designs.

Representative Polito said that it is important to continue holding the State to their promises and to have the Governor's budget released earlier so the towns and cities may go into their annual town meetings with firm numbers instead of estimates.

Vice Chairman Jane' asked Representative Polito what are the savings from the Mass Pike reform. Representative Polito said that she has not seen or heard of any savings from the Mass Pike reform but will research it and pass along whatever information she gathers to the Board.

Selectman Dodd thanked Representative Polito for keeping the lines of communication open and encourage her to lobby for the House to keep the Governor's budget numbers the same. He asked if the State will be issuing more tools for the Town's to consider like the hotel and meals tax options. Representative Polito said that she has not heard anything on that dynamic so far.

Selectman Goldblatt voiced her concern regarding the lottery fund commitment and the state mandate issues. Representative Polito agrees with Selectman Goldblatt's comments and concerns and looks forward to addressing and lobbying for these items at the state level.

The Board thanked Representative Polito for her update.

Request to Use Town Beach and Roads (Lake Chauncy Triathlon)/Eric Averill

Mr. Averill, Co-owner of Sun Multisport Events of East Bridgewater Massachusetts, requested that the Board approve the Lake Chauncy Triathlon on town roads and beach. He said that this is a fundraising event for the Rotary and will be held on August 15, 2010, rain or shine, from 5:30 a.m. to 1:00 p.m. Mr. Averill said that the race involves a swim portion in Lake Chauncy followed by a bike ride around the area into Northborough followed by a run around Lake Chauncy. He said that the entry fee is \$65 and requested that people who are interested in participating in this event visit their web site at www.active.com for more information (route map attached).

Selectman Goldblatt moved to grant permission for Sun Multisport Events of East Bridgewater Massachusetts to use the Town of Westborough's roads and beach for the Lake Chauncy Triathlon to be held on August 15, 2010, rain or shine, from 5:30 a.m. to 1:00 p.m. Vice Chairman Jane' seconded. 5-0

Five Year Income Presentation/Len Mead

Mr. Mead handed out materials which outlined his suggestions and views regarding how to balance the Town's budget and stay within proposition 2½. Mr. Mead stated that Mr. Malloy's preliminary budget presentation is a good start but it doesn't go far enough in this recession and noted that Mr. Malloy's budget calls for a 1% spending increase when the budget a little under \$1 million short. Mr. Mead suggested the following with the ultimate goal of reducing the property taxes to 40% over the state average of the current 60%.

- Control spending less than proposition 2½ allows
- Implement a \$3 million spending reduction for Fiscal Year 2011
- Reduce public payroll costs by \$3 million

After a descriptive presentation by Mr. Mead he requested the Board's comments or suggestions. Selectman Thompson and Vice Chairman Jane' voiced their opinions regarding Mr. Mead's presentation and also noted that the presentation does not look into each town's population and level of services (comparing apples and oranges). Mr. Malloy presented a tax comparison chart which includes cities and towns from the 495/Metrowest area, which was given and discussed with Mr. Mead earlier today, which shows that each town's assessed value, parcels, average value, tax rate, single family tax bill, hi-lo rank, # of towns included, total expenditures (FY08), net state aid (FY08), net state aid as % of total expenditures and the residential and commercial tax shift (chart attached). Mr. Malloy noted that Westborough is shown right in the middle of the chart. Mr. Malloy noted that the town does indeed work very hard in keeping expenses down and will continue to that.

The Board of Selectmen thanked Mr. Mead for his presentation.

Foreclosure Criteria Discussion/Chairman Emery

Chairman Emery asked if the Board had any additional suggestions or clarification on the tax foreclosure criteria that was presented to the Board a few meeting ago which enables the Town to look for other options for the property instead of selling it.

Vice Chairman Jane' suggested adding an economic development impact report on the property. Chairman Emery acknowledged the suggestion.

Selectman Dodd asked if the foreclosures would be dealt in a case by case basis. Chairman Emery said that the foreclosures will be dealt in a case by case basis.

Selectman Thompson moved to adopt the attached foreclosure criteria with Vice Chairman Jane's addition of an economic development impact report. Selectman Goldblatt seconded. 5-0

Discussion on Voting Procedure on New Business/Chairman Emery

Chairman Emery suggested that all action items be placed on the Board's agenda instead of items being voted under the Board's Issues and Correspondence section. She said that by having all action items labeled on the agenda residents are aware of the topics at hand and will not be a surprise to our own board members when a voting action is requested that is not part of the agenda process. Chairman Emery did note that emergencies do happen and that those emergency items will be taken up when risen. She asked if anyone else had those concerns.

Vice Chairman Jane', Selectmen Thompson, Goldblatt and Dodd all agreed with Chairman Emery's suggestion and comments. Chairman Emery said that if a Board member has an item that warrants a vote and is not on the agenda for that night to inform her of it and the Chairman will announce that item.

Chairman Emery said that she and Mr. Malloy will write a brief summary of what was agreed upon tonight and present it to the Board.

Warrant Articles Discussion/Board of Selectmen

(item was removed)

Town Counsel Report

Town Manager Report

Nathan Fisher House (action recommended)

Mr. Malloy informed the Board that the Legislature passed Ch. 55 of the Acts of 2009 which authorized the Town to sell the Nathan Fisher House property on Route 9. Town Counsel Franks and Mr. Malloy met with the Mass. Historic Commission (MHC) last fall and they voted not to release the preservation restriction which limits the uses for this property. Regardless of the MHC vote, the Town has been authorized to sell the property. In order to determine whether the Town could receive fair compensation for selling the property, Mr. Malloy is requesting that the Board authorize the Town Manager to issue a Request for Proposals to purchase the property (which would need to be subject to a Town Meeting authorization to sell the property). Mr. Malloy said that if the Town receives an acceptable offer, the Board could then add this to the warrant for the Annual Town Meeting to seek authorization to sell the property.

Paula Skog, Historical Commission Chairman, said that the commission is in favor of Mr. Malloy's recommendation. Ms. Skog asked if both the usage and preservation restrictions still applied. Town Counsel Franks confirmed that the preservation restriction is the only one that applies not the usage. Ms. Skog informed the Board that there are two potential buyers for the Nathan Fisher House. She said that one would like to convert the house into some kind of professional office space and the other would like to see it as a museum.

Selectman Goldblatt moved to authorize the Town Manager to issue an RFP for the purpose of selling the Nathan Fisher House property. Vice Chairman Jane' seconded. 5-0

Mr. Malloy informed the Board that he received a response from Mr. Denucci, Auditor of the Commonwealth, regarding the Local Mandate Law and the Ethics Reform Act which has concluded that the Local Mandate Law does not apply in this case and that the mandate itself is imposed on the employee not on the town.

Issues and Correspondence of the Selectmen

Chairman Emery requested that Mr. Malloy place the analysis comparison sheet that he presented under Mr. Mead's presentation on the town's web site. Mr. Malloy acknowledged the request.

Selectman Dodd informed the Board that he along with Selectman Thompson and Mr. Malloy attended the Massachusetts Municipal Association (MMA) 2010 Annual Meeting and Trade Show earlier this month and that it was very informative. He also noted that the naming survey of the Lee Property received many suggestions and that a decision will be made by the committee on Monday and will report back to the Board. Selectman Dodd thanked all of the town residents and colleagues for their support and announced that he will seek re-election in May.

Selectman Goldblatt thanked Mr. Mead for his presentation and requested that we keep our service men and women in our thoughts and prayers and also the people in Haiti.

Selectman Thompson said that he attended the business meeting at the MMA and that all of the town's and cities representatives voted unanimously to give communities design authority to manage their health plans, fund the Quinn Bill and fully fund state mandates. Selectman Thompson congratulated Mr. Malloy for his presidency of the Massachusetts Managers Association.

Chairman Emery thanked Paul Temple for filming the Board's meeting tonight and Soci Robinson for her complimentary letter regarding the Town's services and announced that she will also seek re-election in May. Chairman Emery noted that nomination papers are available at the Town Clerk's Office starting February 1st thru March 12th. Deadline for passing in the papers is March 16th. Chairman Emery noted that she will meet with the Green Technology Committee informally next week and will have some feedback at the Board's next meeting.

Adjourn Open Session

Selectman Thompson moved to adjourn the Board of Selectmen meeting at 8:26 p.m.
Selectman Goldblatt seconded. 5-0.

Submitted by Nidia Ruberti

Chairman Leigh Emery Vice Chairman Rod Jané Selectman Lydia Goldblatt

Selectman Timothy A. Dodd

Selectman George Thompson