

**Westborough Board of Selectmen
Meeting Minutes
March 23, 2010
7:00 p.m. – 8:45 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

Selectman Thompson moved to go into executive session under MGL Ch. 30A, §21 (a) (3) for the purpose of discussing collective bargaining. Selectman Goldblatt seconded. The Board voted unanimously (4-0) in favor of the motion by roll call vote to go into Executive Session. Selectman Thompson announced that the Board will reconvene in Open Session after the Executive Session.

Pledge of Allegiance/Open Forum:

Committee Vacancies:

Central Massachusetts Regional Planning Committee (Alt)

Green Technology Advisory Group

Youth Commission – (2)

Police Union Contract Fiscal Year 2011-2013, Superior Police Officers Approval

Chairman Emery requested that Lieutenant Fryer and Sergeant McLeod come before them to vote on the Police Superiors union contract.

Selectman Goldblatt moved to approve the Fiscal Year 2011-2013 Police Superiors Union Contract, Local 427. Vice Chairman Jane´ seconded. 5-0

Request to Appoint Two Members to the Green Technology Advisory Committee/Chairman Emery

Chairman Emery requested that the Board appoint Kenneth D. Carey to the Green Technology Advisory Committee, Ad Hoc.

Chairman Emery noted that the second member will be appointed at later date.

Selectman Thompson moved to appoint Kenneth D. Carey to the Green Technology Advisory Committee, Ad Hoc, with a term ending June 30, 2010. Selectman Thompson seconded. 5-0

Request to Re-appoint the Animal Control Officer and Animal Inspector/Board of Selectmen

Selectman Goldblatt moved to re-appoint John Keefe as the Animal Control Officer and Leslie Boardman as the Assistant Animal Inspector with a term ending April 30, 2011. Selectman Thompson seconded. 5-0

Request to Re-appoint Registrar of Voters/Town Clerk

Ms. Yendriga requested that the Board re-appoint John J. L. Matson as the Registrar of Voters.

Selectman Goldblatt moved to re-appoint John J. L. Matson as the Registrar of Voters, with for a three year term ending April 1, 2013. Selectman Thompson seconded.

Ms. Yendriga announced to the public that the Town Election will be held on Tuesday, May 4, 2010 from 8:00 a.m. to 8:00 p.m. and that April 16, 2010 is the last day that a person is able to register to vote. The Town Clerk's Office will be opened from 8:00 a.m. 8:00 p.m. on April 16th. 5-0

Request to Change Manager on Liquor License/Courtyard by Marriott Westborough/Ryan Hanratty

Mr. Hanratty requested that the Board approve the Change of Manager from Charles Reed to himself.

Selectman Thompson moved to approve the Change of Manager from Charles Reed to Ryan Hanratty. Vice Chairman Jane' seconded. 5-0

Site Plan Review/21 Summer Street/Associate Animal Hospital Dr. Gillham

Mr. Tetreault said that Dr. Gillham is adding an addition to her current property at 21 Summer Street which will enable Dr. Gillham's staff to have more room to conduct veterinary services, house sick pets over night, have a larger surgery area, and discuss issues with her clients in a private atmosphere. He said that this addition will not take away or add any parking spaces for her business.

Selectman Goldblatt moved to approve site plan #1/2010, subject to the applicant letter dated March 17, 2010 confirming to all requirements and written comments of the Town's various boards and agents. Selectman Thompson seconded. 5-0

Police Department Budget Discussion/Police Chief

Police Chief Gordon informed the Board the following:

Budget proposed is \$2,687,758 and has an increase of less than one percent from last year's budget (\$18,944). He said that the increase is due to salary, wages, expenses, and contractual obligations. He said that the budget presented is a level service level budget funded.

Police Chief Gordon also informed the Board that the “Community Policing Grant” will not be funded by the State this year and that the following programs that were paid from this grant will not be offered.

- Rape Aggression Defense Program (RAD)
- K-9 Services
- Bicycle Safety
- School Resources Office (shortage on time spent on school matters and after hours school activities)

Selectman Goldblatt voiced her concerns with the school resources officer position and requested that the Board take a closer look at this item. The Board agreed with Selectmen Goldblatt’s concern. Police Chief Gordon said that in order for the School Resources Office to be reinstated full-time the overtime line item would need to be increased.

Mr. Malloy offered to work with Police Chief Gordon and present to the Board a detail cost proposal in regards to the School Resources Officer.

Article 10-B Police Cruisers (3) (\$119,595)

The Police Chief is requesting to purchase three police vehicles and related equipment and noted that this purchase will not increase the town’s vehicle fleet.

The Board of Selectmen thanked Police Chief Gordon for his budget presentation.

Fire Department Budget Discussion/Fire Chief

Fire Chief Perron informed the Board that his proposed budget is \$3,296,425 which is level funded and excludes a 3% contractual increase. He said that the following line items have increase by 5% this fiscal year due to severely under budgeting last fiscal year:

5101-Wages:	\$95,252.00
5202-(Grounds and Bld Mnt):	\$ 8,200.00
5203D-Rpr/Mnt Vehicles:	\$ 6,100.00
5218-Training/Education:	\$ 1,120.00 (Fire Chief Perron voiced his concern regarding not having sufficient funds for this line item)
5224C-Fire Prevention Programs:	\$ 1,500.00

Fire Chief Perron voiced his concerns with the decreases on the Training/Education and Fire Prevention Programs and also strongly voiced his concern of replacing one firefighter in the future.

After a brief discussion, Mr. Malloy will work with the Fire Chief and will produce a cost estimate showing the replacement of one firefighter. The Fire Chief will provide a training and education summary for the Board to review per Vice Chairman Emery’s request.

Article 10-A Defibrillator/Monitor Purchase (\$30,000)

The Fire Chief is requesting to purchase one 12 lead defibrillator/monitor for the paramedics to use. He said that the defibrillator's life expectancy is 10 years so this request will be replacing one that is ten years old.

Article 10-C New Ambulance and Related Equipment Purchase (\$190,000)

The Fire Chief is requesting to purchase one new ambulance and related equipment. He said that this ambulance will replace the 2002 Ford ambulance which was scheduled to be replaced last year but was not brought forward due to the financial economy.

Fire Chief Perron noted that the State's mandated Computer EMS Reporting System; a \$70,000 item will be purchase through the Zimka's gift account that was donated to the Town for the Fire Department.

The Board of Selectmen thanked Fire Chief Perron for his budget presentation.

Town Counsel Report

Town Counsel requested that the Board vote their intent to lay out the following roads at the Board's next meeting of April 13, 2010:

Gable Ridge Road
Curtis Adams Way
Brigham Street
Cottage Street
Old Connecticut Path
Union Street

Selectman Thompson moved the Board's intention to lay out the following roads at the Board's April 13th meeting as requested by Town Counsel Franks. Vice Chairman Jane' seconded. 5-0

Gable Ridge Road
Curtis Adams way
Brigham Street
Cottage Street
Old Connecticut Path
Union Street

Town Manager Report***Fence and Mailbox Policy (Action Required)***

Mr. Malloy said that a few meetings ago, the Board discussed adopting a fence and mailbox policy at the request of the DPW Manager and the Assistant DPW Manager, who had provided a sample from the Town of Shrewsbury. Town Counsel has reviewed Shrewsbury's policy and approved it. The following is the policy that he is recommending that the Board adopt (materials attached):

Minutes: March 23, 2010

Fence and Mailbox Policy:

- If the Town makes physical contact with a mailbox or fence with a snow plow or vehicle, the Town will replace or repair the mailbox or fence.
- If the mailbox or fence is broken from the weight of snow, ice or slush, the Town will not be responsible for replacement or repair.
- Replacement of mailboxes is not in-kind, but a standard mailbox and pole (valued at \$30) is provided. For those persons with more expensive mailboxes, then replacement will be either through a formal adjustment through the Town's insurer or the Town will pay \$30 toward a repair or replacement.

Selectman Goldblatt moved to adopt the Fence and Mailbox Policy as stated above.
Selectman Thompson seconded.

Selectman Dodd requested that the policy be placed on the DPW's web site and the Town's web site. Mr. Malloy acknowledged the request.

Vice Chairman Jane' asked if the decision will be at the discretion of the Town Manager or the DPW Manager. After a brief discussion the Board left the discretion of the decision to the DPW Manager.

Motion Amended:

Selectman Goldblatt moved to adopt the Fence and Mailbox Policy as stated above and leave the discretion to administer the policy to the DPW Manager. Selectman Thompson seconded. 5-0

Social Network Use Policy (Action Required)

Mr. Malloy said that several meetings ago, Selectman Tim Dodd had suggested the Town look into one of the social networking websites as a means to send information out to residents for emergency issues (i.e. road closures, flooding, etc.). Selectman Dodd attended a session at the MMA Conference in January and other communities that have used a social networking site have adopted policies to control the use to ensure it was used only as intended. He and Selectman Dodd developed the following policy (materials attached):

Town of Westborough Social Network Use Policy

I. Purpose

The Town of Westborough hereby establishes a policy pertaining to the town-wide use of the social networking sites. The purpose of the establishment of this policy is to create a new venue for the Town to provide information to its residents. The information provided will be limited to information regarding official Town announcements and events.

II. Establishment

Upon the Board of Selectmen approving this policy, the Town Manager or his/her designee shall create the “Town of Westborough” page. The establishment of this page shall be advertised on the Town of Westborough’s website, as well as through local media publications.

III. Use

The use of this page shall be limited to the Town Manager and/or his/her designee. Notices shall be posted for informational purposes only, and can include, but are not limited to the following areas:

- Road work/closures
- Emergency notifications
- Special events/celebrations
- Changes in office hours/openings
- Flu clinics and other health notices

Any requests to place a notice on the social networking page should be submitted to the Town Manager and/or his/her designee.

IV. Limitations on Use

The Town Manager and his/her designee shall be responsible for establishing use limitations on the site. All notifications shall be approved by the Town Manager before they are sent out.

Selectman Thompson moved to adopt the Social Network Use Policy as stated above. Selectman Goldblatt seconded. 5-0

Voting Policy (Action Required)

Mr. Malloy said that the Board made some changes to the policy on voting on various issues two meetings ago and asked that it come back before the Board as amended. The following is the revised version:

(1) Substantive Issues – May be brought before the Board by any Board member at a public meeting for discussion purposes only. The issue will be placed on a subsequent agenda for further discussion and formal action of the Board. In the case of a time-sensitive matter, by majority vote of the Board an item may be brought before the Board by a Board member and voted on at the same meeting.

(2) Clerical/Administrative Issues – May be brought before the Board by any Board member at a public meeting for discussion and a vote on the same evening. If any members challenges whether the matter is clerical/administrative in nature or substantive in nature, the matter will be placed on a subsequent agenda and handled as in (1) above.

The major change was that the Board wanted to have a majority vote on determining whether a substantive issue could be voted the same evening it was brought up if it was a time sensitive matter.

Selectman Thompson moved to approve the Voting Policy as amended. Vice Chairman Jane´ seconded. 5-0

Solid Waste and Recycling Program Committee

Mr. Malloy informed the Board that he sent a memorandum to the Board of Health regarding landfill and recycling costs (on 1-28-10). Since then Mr. Malloy said that he has met with Paul McNulty, Board of Health Director, and the Board of Health members to determine that the best way to move forward would be to create a Committee that would study the costs of the current solid waste management and recycling programs and to make recommendations for changes in the future.

The Committee would evaluate (at a minimum):

1. The extent to which the Town should be involved in collection and disposal programs.
2. The types of wastes/recyclables that should be collected and disposed.
3. User fees, with the intent to make the programs self-funded.
4. Pay As You Throw (PAYT) options.
5. Alternative methods of collection/disposal/processing of wastes/recyclables.
6. Impact of recommendations on the Town's environment.
7. Impact of recommendations on the Board of Health staffing.
8. Impact of recommendations on the Town budget.
9. Improvements/changes to the current programs.

The Committee would be appointed by the Board of Health and consist of:

- One member of the Board of Selectmen
- One member of the Advisory Finance Committee
- Three members at large from the Community

Vice Chairman Jane´ suggestion striking bullets 3 (User fees, with the intent to make the programs self-funded) and 4 (Pay As You Throw (PAYT) options) and also suggested adding a user friendly way of disposing batteries and hazards waste more than once a year.

Chairman Emery suggested keeping bullet 4 so people would be able to see the costs instead of not having it to look at.

Selectman Dodd suggested adding the Town Manager as a representative to the Committee.

Both Selectmen Goldblatt and Thompson are not in favor of having bullet 4 (Pay As You Throw (PAYT) options) and having the committee waste their time on researching that item since the majority of the Board is against it.

Mr. Malloy said that he will relate the Board's consensus of bullet 4 to the Board of Health and the Director.

Capital Expenditure Planning Committee Report (Action Required)

Mr. Malloy said that the Capital Expenditure Planning Committee Report as reviewed by the committee at their meeting of March 18, 2010. Mr. Malloy noted that the Charter requires a Public Hearing on the Capital Improvement Plan and requests that the Board approve a Public Hearing to be set on April 13, 2010 at 7:20 p.m.

Mr. Malloy explained that he has instituted a new capital planning process that rates each capital request on a series of criteria that is then used to prioritize from the highest overall on down to the lowest. As with new programs there are a few kinks that we will need to address in next year's process and at least one of these (water/sewer issue below) should be taken into consideration while reviewing this year's report. These include:

- Developed a new format for the information that department heads submit to the Capital Expenditure Planning Committee, this turned out well as it provided better information to the Committee.
- For the first time, Mr. Malloy said that he included water and sewer projects in the overall rating, and turned out to be difficult for the Committee to rate and ratings are not consistent with other roadway infrastructure work. In the past, water/sewer work was included in the overall Capital Improvement Plan, but not rated by the Committee. The process that Mr. Malloy has used in the past was simply working with the DPW Manager to ensure that proposed projects were necessary and in sync with paving operations to ensure proper timing of various projects.

Mr. Malloy is recommending the Board consider water and sewer projects based on the following:

- The proposed sewer project (slated for FY11 in the attached report) on Whitney, Weld, Irving, Folly, Hopkinton, Belknap, Maynard, Mohawk and Adams should be done at the same time as the proposed water project (slated for FY12 in the attached report). These projects had been separated out in the past, but the DPW Manager and Mr. Malloy are recommending they be combined to reduce the overall cost per linear foot.
- The proposed water line replacement project (slated for FY13 in the attached report) on South Street should be considered for FY11 as South Street needs to be repaved and is planned on being repaved in the next year. Based on the condition of the water line, it would be more prudent to replace the water line first before paving.

- Mr. Malloy noted that with a new process this year, the process simply started too late and based on the time constraints that he had during January and February he was unable to provide the level of guidance necessary for a new process. This year, the Capital Expenditure Planning Committee will start work in October and there will be longer timeframes provided to the Committee to conduct their ratings and consider any on-site visits they may wish to make.

Vice Chairman Jane' moved to approve a Public Hearing on April 13, 2010 for the Capital Improvement Plan at 7:20 p.m. Selectman Thompson seconded. 5-0

The Board thanked Mr. Malloy and the Capital Expenditures Committee for all their hard work.

Mr. Malloy noted that it is important that the Census be filled out and mailed in order for the towns and cities to get the appropriate amount of local funding. The Board requested that the DPW message board carry the message to remind our residents and to also place it on the Town's Web Site, local public access, Ed Connect and to place a sign at the Rotary. Mr. Malloy acknowledged the request and will speak with the School Superintendent regarding the Ed Connect option.

Issues and Correspondence of the Selectmen

Selectman Dodd thanked all of the volunteers (16) who answered the call to help with the Google RFI.

Selectman Goldblatt requested that we continue to keep our servicemen and women in our thoughts and prayers so far from home.

Chairman Emery thanked John Wood for filming the Board's meeting tonight.

Adjourn Open Session

Selectman Dodd moved to adjourn the Board of Selectmen meeting at 8:45 p.m. Selectman Thompson seconded. 5-0.

Submitted by Nidia Ruberti

Chairman Leigh Emery Vice Chairman Rod Jané Selectman Lydia Goldblatt

Selectman Timothy A. Dodd

Selectman George Thompson