

**Westborough Board of Selectmen
Meeting Minutes
April 13, 2010
7:00 p.m. – 9:20 p.m.**

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

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

Absent: Chairman Emery

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

"Video on Demand" Presentation/Westborough T.V. Executive Director

Donna Kelly, Executive Director of Westborough T.V., announced that Westborough T.V. now offers "Video on Demand-VOD" application. She said that this broadcast media tool was created by Tim Novack and is up and running. VOD is a media tool that anyone who has a computer and access to the internet will be able to download and view all of the Town's Boards, Committees, and Commissions meetings from past years to current date. Ms. Kelly noted that during the summer (summer help) they will be uploading as many prior meetings as possible on the site but for now there are only the current meetings from the beginning of the year. Ms. Kelly said that by logging onto their website www.westboroughtv.org you would click on the Government Channel button and a menu of all the meetings will be shown for your choosing.

The Board thanked Ms. Kelly for her announcement and Mr. Novack for his great accomplishment for creating this application for Westborough T.V.

Mr. Rota from Nipmuck Drive requested the Board's help in resolving his concerns regarding individuals who leave Spectrum House on their own and cause problems for town residents from cars being abandon to house break-ins etc.. Mr. Rota said that he has spoken to the Director from Spectrum House but has not gotten any where.

Police Chief Gordon said that he agrees with Mr. Rota's concerns and that he has already spoken with the Director regarding the issues and was told that they will try their best not to have individuals leave without their consent; however, Police Chief Gordon noted that Spectrum House has no control over the individuals that leave on their own.

After a brief discussion of the issues the Board requested that Police Chief Gordon research what the Town might do legally to better the situation and to return to the Board's first meeting in May with a brief update.

Committee Vacancies:

Central Massachusetts Regional Planning Committee (Alt)

Youth Commission – (2)

Approval of Board of Selectmen's Meeting Minute

- March 9, 2010
- March 23, 2010

Selectman Thompson moved to approve the Board of Selectmen's Meeting Minutes of March 9, 2010. Selectman Goldblatt seconded. 4-0

Selectman Goldblatt moved to approve the Board of Selectmen's Meeting Minutes of March 23, 2010. Selectman Thompson seconded. 4-0

Request for an All Alcohol Liquor License/Westborough House of Pizza/Spyro Economou

Mr. Economou requested that the Board approve an All Alcohol Restaurant Liquor License for the restaurant and patio for Westborough House of Pizza located at 36 East Main Street. This license was approved by the Legislative as an over quota liquor license on December 29, 2009.

Selectman Goldblatt moved to approve an All Alcohol Restaurant Liquor License for Westborough House of Pizza located at 36 East Main Street. Selectman Thompson seconded. 4-0

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

Selectman Goldblatt moved to appoint the following individuals to the Green Technology Advisory Committee, Ad Hoc, for an indefinite term. Selectman Thompson seconded. 4-0

Wesley Buckalew

Jeong Lee

Adam Last

Request for a Wine & Malt Liquor License/Westborough Korean Restaurant/Yeon Kim

Attorney Kim requested that the Board approve a Wine & Malt Liquor License for the Westborough Korean Restaurant located at 7 East Main Street. This license was approved by the Legislative as an over quota liquor license on December 14, 2007.

Selectman Goldblatt moved to approve a Wine & Malt Liquor License for the Westborough Korean Restaurant located at 7 East Main Street. Selectman Thompson seconded. 4-0

Request for Two New Conduits/Old Stonebridge Path/National Grid/Dana Larson or Barbara Romasco

Mr. Mike Roberts, National Grid Representative, requested to have the Board approve the installation of two new sections of conduit and conductor from a new riser pole#29-50 to transformer 1 & 2 to replace direct buried cable on Old Stonebridge Path.

Selectman Goldblatt moved to approve the installation of two new sections of conduit and conductor from a new riser pole#29-50 to transformer 1 & 2 to replace direct buried cable on Old Stonebridge Path. Selectman Thompson seconded. 4-0

Capital Expenditure Plan Hearing

Mr. Malloy reiterated the new Capital Expenditure process as it was presented at the Board's March 23rd meeting and noted that the process 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. For the coming 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 (report attached).

The Board thanked Mr. Malloy for his brief overview of the new Capital Expenditures Planning process and all of the work that the committee and Mr. Malloy have dedicated.

Request Name Change on Class II License/Milenio Motors/Hassan Ghanim

Mr. Ghanim requested that the Board approve a name change to add a D/B/A on the Class II License. He said that this requirement is now being requested by the Registry of Motor Vehicles to match their registrations in order to issue a dealer license or repair plate.

Selectman Goldblatt moved to approve the Name Change on the Class II License for Milenio Motors. Selectman Thompson seconded. 4-0

Request to Hold Earth Day Town Litter-Clean Up/Westborough Community Land Trust/Bruce Tretter

Mr. Tretter, WCLT Representative, requested that the Board approve the annual Town Litter-Clean up day to commemorate Earth Day on Saturday, April 24th, starting at 6:30 a.m. at the West Meadow Plaza Traffic Island (Rt 9 & 135) and at Bellows Road and Route 9 & 30, ending at Lake Chauncy Beach at approximately 9:00 a.m.

Selectman Thompson moved to hold Earth Day Town Litter-Clean Up on Saturday, April 24th starting at 6:30 a.m., at the West Meadow Plaza Traffic Island (Rt 9 & 135) and at Bellows Road and Route 9 & 30, ending at Lake Chauncy Beach at approximately 9:00 a.m. Selectman Goldblatt seconded. 4-0

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

Ms. Kelly, Westborough T.V. General Manager, requested that the Board appoint Joseph F. MacDonough to the Westborough T.V. Board of Directors.

Selectman Thompson moved to appoint Joseph F. MacDonough to the Westborough T. V. Board of Directors. Selectman Goldblatt seconded. 4-0

Public Shade Tree Discussion/David Jablon

Mr. David Jablon, resident of 7 Buckskin Drive, voiced his concerns regarding the National Grid's "Hazard Tree Mitigation Program" and the Town's policy in the process. Mr. Jablon's concerns centered on the handling and process of determining which trees are removed and the Town and National Grid's process of Chapter 87 of the Massachusetts General Laws. After a very lengthy discussion of Mr. Jablon's concerns the Board determined to place this item at the Board's next meeting to discuss and only discuss the Town and National Grid's policy and procedures regarding the "Hazard Tree Mitigation Program". The Board also requested that the individuals that conducted the tree removal hearing on March 29, 2010 be present along with a representative from National Grid and requested copies of the materials that Mr. Jablon presented at the meeting along with the minutes from the hearing.

The Board noted and made it very clear to Mr. Jablon that this meeting was not to reverse the Town or National Grid's decision to cut down the trees but to only discuss the issues at hand and also noted that the follow-up meeting will also be a discussion regarding the policy and procedures as brought forth.

Selectman Thompson moved to have the Town Manager provide the Board with minutes of the tree cutting hearing and to place this item at the Board's next meeting. Selectman Dodd seconded. 3-1(Selectman Goldblatt)

Request to Vote Street Layout/Town Counsel

Town Counsel Franks requested that the Board approve the lay out of boundaries for the following roads so they may become public roads:

Gable Ridge Rd
Olde Connecticut Path
Bertis Adams Way
Union Street
Brigham Street
Cottage Street

Gable Ridge Rd.: Selectman Goldblatt moved that the Board approve the layout of Gable Ridge Road, as shown on a plan entitled "Acceptance Plan of Gable Ridge Road in Westborough, Massachusetts," dated January 16, 1998, updated July 27, 1999; and to file a record of such layout with the Town Clerk.

Olde Connecticut Path: Selectman Goldblatt moved that the Board approve the layout of Olde Connecticut Path, as shown on a plan entitled “Acceptance Plan of Olde Connecticut Path in Westborough, Massachusetts,” dated January 16, 1998, updated July 27, 1999; and to file a record of such layout with the Town Clerk.

Bertis Adams Way: Selectman Goldblatt moved that the Board approve the layout of Bertis Adams Way, as shown on a plan entitled “Acceptance Plan of Bertis Adams Way in Westborough, Massachusetts,” dated January 16, 1998, updated July 27, 1999; and to file a record of such layout with the Town Clerk.

Union Street: Selectman Goldblatt moved that the Board approve the layout of Union Street, as shown on a plan entitled “**Street Abandonment Plan – Union Street – Westborough, MA;**” and to file a record of such layout with the Town Clerk.

Brigham Street and Cottage Street: Selectman Goldblatt moved that the Board approve the layout of Brigham Street and Cottage Street, as shown on plans entitled “Street Alteration – Brigham Street & Cottage Street – Westborough, MA (Worcester County),” and “Street Layout Plan – Brigham Street – Westborough, MA (Worcester County);” and to file a record of such layout with the Town Clerk.

Department of Public Works Budget and Article Discussion/DPW Manager

General Budget:

Mr. Walden informed the Board that the general budget increase by 1% due to contractual and employee’s step increases. The budget is level funded. Mr. Walden noted that for the past 3-4 years he is still short 4 personnel; 3 in the highway division and 1 mechanic.

Water Operations Budget:

Mr. Walden said that there is an increase due to the water purification contract and needed to replace a cut off saw.

The electricity line item has increased by 4000% because the department is now taking over paying of the electric bill instead of Viola Water (their rate has increased more than National Grid’s) which was cheaper years ago but not now. It is a lot cheaper if the town pays the invoice under the National Grid’s rates.

Contractual Services:

This line item decrease due to the sum of money transferred from there to the electric line item.

Tools:

This line item increased by \$100 due to the replacement of the cut off saw.

Sewer Operations Budget:

Mr. Walden said that this budget has increases by about \$10,000 due to step increases and electrical costs. This is also a level funded budget.

Snow Budget:

Mr. Walden said that he is requesting the same amount of money from last year on this line item.

The Board thanked Mr. Walden for his budget presentation.

Youth & Family Budget and Article Discussion/Youth & Family Director

John Badenhause, Director of the Youth & Family Services Department, informed the Board that their budget for Fiscal Year 2011 has decreased by approximately \$1,000 and now stands at \$159,239. He said that the budget includes the following:

- Director's Salary
- Two Counsels at 19 hrs per week
- One Administrative Assistant at 19 hrs per week

Mr. Badenhause said that their budget does not include the Hot Summer Nights Coordinator this coming fiscal year but that they have received several donations from business and residents to keep the program running this summer.

Article 7B

Mr. Badenhause said that Article 7B is a reoccurring article and it requests to reauthorize a revolving fund for the purpose of receiving the expending funds for youth activities by the Youth and Family Services Department which is estimated at \$15,000.

The Board of Selectmen thanked Mr. Badenhause for his budget and article presentation.

Request to Vote ATM 2010 Warrant

Selectman Goldblatt moved to close the Town Meeting Warrant for the Annual Town Meeting of May 15, 2010. Selectman Thompson seconded.

Mr. Walden requested that the Board approve an additional DPW article without a monetary line for now but will have an amount before the town meeting. He said that he feels that he does not have enough to pay for the alarm system for the sewer alarm at the treatment plant. If the article is not needed he will request to pass over at town meeting.

Motion Amended:

Selectman Goldblatt moved to add the DPW article without a monetary line for the sewer alarm system and to close the Town Meeting Warrant for the Annual Town Meeting of May 15, 2010. Selectman Thompson seconded. 4-0

Town Counsel Report

Town Counsel Franks informed the Board that he is still working on the Hocomonco Pond report as requested by them at a previous meeting and will have the report ready at their next meeting.

Town Manager Report

Annual Town Meeting Warrant (action required)

Item voted above.

Public Shade Tree Removal (action required)

Item discussed above.

Westborough State Hospital Recreation Fields (action required)

Mr. Malloy said that the Town has several recreation fields at Westborough State Hospital and that a few weeks ago Frank DeSiata, Recreation Director, brought to his attention that the Town has used these fields first through an informal arrangement and then through an annual license which is due to be renewed. With the Department of Mental Health leaving the property, he wasn't sure how to proceed in the future. Mr. Malloy said that he has spoken with MaryBeth Clancy at the Division of Capital Asset Management and they are willing to continue for 6 – 12 months on the same type of license, but she suggested that we seek special legislation that would allow for a long-term lease of the property to the Town since the future use of the property is unknown (whether it is private or public). This type of lease would protect the Town's long term need for fields and would take into account the Town's development costs in determining what the lease agreement would ultimately cost.

Selectman Goldblatt moved to authorize the Town Manager to contact the Town's legislative delegation to request special legislation that would allow for a long term lease of the recreation fields bordering Lake Chauncy. Selectman Thompson seconded. 4-0

Cancer Garden

Mr. Malloy said that he has attached a string of emails between Chairman Emery and himself for two reasons. The first reason is to inform the Board that the Town received a request from a resident to develop a "Cancer Garden" to provide awareness on breast cancer (the tentative plan is flowers in the shape of a pink ribbon). The second reason is the dialogue between Chairman Emery and himself suggesting that they set aside a meeting, sometime after Town Meeting to discuss the process, the Charter and Bylaws and to make sure that the Board and himself are all on the same page in relation to who has what authority and to ensure that the Town has optimum communications and minimal (hopefully none) conflicts or misunderstandings.

Mr. Malloy said that unless the Board has an objection, he will proceed on the cancer garden project as he suggested to Chairman Emery by setting up a meeting with Earl Storey, Frank DeSiata and the resident to discuss an appropriate location.

On the second item, if the Board thinks it would be a good idea to have a discussion to review charter/bylaw responsibilities to make sure we are all clear, he said that he would put this on the agenda sometime in June or July.

The Board agreed with Mr. Malloy's requests for the Cancer Garden and recommended him to proceed with both items requested. Kris Allen, Downtown Beautification Committee, offered the committee's resources for the Cancer Garden, if interested.

Additional Staffing

Mr. Malloy said that at the last Selectmen's meeting, the Board requested an estimated cost of adding an additional firefighter and restoring the School Liaison Officer (SLO) position as well as the programs offered by the SLO. He has attached a spreadsheet indicating the full cost (with benefits) of hiring an additional Firefighter (\$70,499) and the SLO information (\$6,232). Given the current budget which has the Town approximately \$250,000 under Proposition 2½ and knowing that the next 3-5 years there will be additional deficit situations, Mr. Malloy said that he is not recommending that the Town add any staff at this time.

The Board thanked Mr. Malloy for his report and requested that he research and propose how to fund, for fiscal year 2011, the following positions: firefighter, school liaison officer, mechanic and to also reflect where the cuts would have to be made in order to reinstate these positions in place. Mr. Malloy acknowledged the Board's request.

Miscellaneous

Mr. Malloy informed the Board that Carolyn Delude, Library Director, has announced her retirement.

Mr. Malloy informed the Board that the Town Web Site will now have the ability to announce "Urgent Public Safety Alerts" to notify the public. Any public safety alerts should be sent directly to his office.

Mr. Malloy informed the Board that the Westborough State Hospital Commission was established, there are three appointees for the Town of Westborough, and requested that the Board think about whom would the nominees be or would they like to advertise the vacancies on the Town's Web site.

Mr. Malloy said that after the town meeting he would like to place on the Board's agenda a discussion item regarding the establishment of an enterprise third utility fund for the Environmental Protection Agency's (EPA) unfunded mandate for the MS4 regulations that the Town will need to comply with. He said that this mandate includes the testing of outflow pipes and some communities are beginning to establish an enterprise a third utility fund.

Brigitte Casemyr, Finance Committee's Liaison to the Waste Water Treatment Plant Liaison, noted that the EPA might also require nitrate removal in the waste water treatment plant, which will also be an unfunded mandate.

Issues and Correspondence of the Selectmen

Selectman Thompson requested that the Westborough State Hospital Commission vacancies be advertised on the Town's Web site.

Selectman Goldblatt requested that we remember our servicemen and women so far from home.

Vice Chairman Jane' noted that the Legislature passed the Westborough State Commission Bill and will have 15 voting members; three from the Town of Westborough and three from the Town of Northborough and one from the Central Massachusetts Planning Regional Committee (CMPRC). He also noted that once the nominees have been appointed the committee will need to meet within 45 days and present a report in a year's time frame.

Adjourn Open Session

Selectman Dodd moved to adjourn the Board of Selectmen meeting at 9:25 p.m.
Selectmen Goldblatt seconded. 4-0.

Submitted by Nidia Ruberti

Chairman Leigh Emery	Vice Chairman Rod Jané	Selectman Lydia Goldblatt
(Absent)		

Selectman Timothy A. Dodd

Selectman George Thompson