

**Westborough Board of Selectmen
Meeting Minutes
September 28, 2010
7:00 p.m. – 9:50 p.m.**

Present: Vice Chairman Goldblatt, Selectmen Dodd, Emery and Thompson

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

Absent: Chairman Janè

Open Forum

Request for Above Ground Fuel Storage Tank/Westborough Treatment Plant/Jack Goodhall, Administrator-Engineer

Mr. Goodhall requested that the Board approve the Above Ground Diesel Fuel Storage Tank for the purpose of supplying fuel to the emergency generators at the Westborough Treatment Plant. He also said that this new installation is part of the Wastewater Plant upgrade.

Selectman Emery moved to approve the Above Ground Fuel Storage Tank at the Westborough Treatment Plant located at 238 Turnpike Road. Selectman Thompson seconded. 4-0

Request to Relocate Restaurant Liquor License/Mandarin Restaurant/Attorney Doug Resnick

Attorney Resnick requested that the Board approve the relocation of the Mandarin Restaurant's Liquor License from 57 East Main Street to 132 Turnpike Road.

Selectman Emery moved to approve the Relocation of Liquor License for the Mandarin Restaurant from 57 East Main Street to 132 Turnpike Rd (formally Boston Market). Selectman Thompson seconded. 4-0

Request to Appoint a Voting Member/Country Club Operating Committee/John Arnold

Mr. Arnold, Chairman, requested that the Board appoint Earl Storey, currently a non-voting member, as a voting member to the Country Club Operating Committee to fill Mr. Drewry's position for a term ending June 30, 2011. Mr. Arnold said that Denzil Drewry resigned a few weeks ago.

Selectman Emery moved to appoint Earl Storey as a Voting Member to the Country Club Operating Committee. Selectmen Thompson seconded. 4-0

Request to Appoint a Board of Director Member/Westborough T.V. /Catie Foertsch, Geoff Spofford

Catie Foertsch, President of Westborough TV Inc, requested that the Board appoint Mr. Geoff Spofford to fill Mr. Matson's position. Ms. Foertsch said that John Matson resigned a few weeks ago.

Selectman Thompson moved to appoint Geoff Spofford to the Westborough T.V. Board of Directors. Selectman Emery seconded. 4-0

Request to Appoint a Member to the Green Technology Committee/Selectman Emery, Bruce Forestall

Selectman Emery requested that the Board appoint Bruce Forestall to the Green Technology Advisory Committee for an indefinite term.

Selectman Thompson moved to appoint Bruce Forestall to the Green Technology Advisory Committee, Ad Hoc. Selectman Dodd seconded. 4-0

March 2010 Flood – Federal Emergency Management Agency (FEMA) Reimbursement

Mr. Malloy requested that the Board vote to authorize him to be the signatory authority for the contract between the Commonwealth and the Town of Westborough for the FEMA reimbursement (\$63,200) for the March 2010 rain storms and associated flood damage.

Selectman Thompson moved to authorize the Town Manager to be the signatory authority for the contract between the Commonwealth and Town of Westborough entitled FEMA 1895 DR. Selectman Dodd seconded. Selectman Emery requested that a thank you letter be written to Carl Balduf, Town Engineer and Rich Voutas for all their efforts in coordinating the information for this grant. 4-0

Fall Town Meeting Warrant/Joe Harrington

Article 6 General Bylaw, Article 13 Amendment (Personnel Board)

Mr. Harrington, Town Moderator, expressed his delight and agreement in having this article in place for the resetting of the Personnel Board's expectations and also noted that this amendment has been long overdue.

Article 8 Timing of Town Meeting Bylaw (Town Manager)

Mr. Harrington requested the Board's intent of this article. He said that he is confused by what the article is requesting of the town residents.

The Board explained that they believe if town residents have too many options it would become problematic; therefore, the Board would like the Moderator to make the motion for this article as follows: the second Saturday, in March at 10:00 a.m.

Mr. Harrington noted that he would be delighted to make the motion for the second Saturday, in March at 10:00 a.m. and thanked the Board for the clarification. He also noted that the first Tuesday in March is considered Super Tuesday due to the presidential elections (every four years) and that it also falls on school vacation six out of seven years and requested that the Board consider this.

Mr. Malloy asked Mr. Harrington if a motion was requested of having the town meeting two weeks after town election instead of one week would having April, if this was the month selected, work. Mr. Harrington said that by making that motion would solve the school vacation issue if the month of April is selected.

Article 9 Town Meeting Quorum Bylaw (Town Moderator)

Mr. Harrington said that this article is to request for Town Meeting to start on time and he is proposing to have a zero quorum for the annual and the special town meetings and a quorum of 50 for any other town meetings. He said that he queried other towns and was informed that most of them do not have a quorum requirement at all.

Fall Board of Selectmen Recommendations on Warrant Articles:

Article 1 FY2011 Debt Service Amendments (Treasurer/Collector)

Selectman Dodd moved to support Article 1. Selectman Thompson seconded. 4-0

Article 2 FY2011 Library Budget Transfer (Library Trustees)

Selectman Thompson moved to support Article 2. Selectman Emery seconded 4-0

Article 3 South Street Water Line Increase in Debt Authorization (DPW Manager)

Selectman Emery moved to support Article 3. Selectman Thompson seconded. 4-0

Article 4 DPW Facility Energy Improvements (DPW Manager)

Selectman Emery moved to support Article 4. Selectman Thompson seconded. 4-0

Article 5 Facilities Study (Municipal Building Committee)

Selectman Emery moved to support Article 5. Selectman Thompson seconded. 4-0

Article 6 General Bylaw, Article 13 Amendment (Personnel Board)

Selectman Emery moved to support the revised Article 6 with the Finance Committee's recommendations. Selectman Thompson seconded.

Article 7 Charter Amendment (Board of Selectmen)

Selectman Thompson moved to support Article 7. Selectman Emery moved to seconded. 3-1 (Vice Chairman Goldblatt)

Article 8 Timing of Town Meeting Bylaw (Town Manager)

Selectman Thompson moved to support Article 8. Selectman Dodd seconded. 4-0

Article 9 Town Meeting Quorum Bylaw (Town Moderator)

Selectman Thompson moved to support Article 9. Selectman Emery seconded. 4-0

Article 10 Water Use Restrictions Bylaw (Board of Selectmen)

Selectman Dodd moved to pass over Article 10. Selectman Thompson seconded. 4-0

Article 11 Municipal Relief Act (Town Treasurer)

Selectman Thompson moved to support Article 11. Selectman Emery seconded. 4-0

Article 12 Stretch Energy Code Bylaw (Board of Selectmen)

Selectman Thompson moved to support Article 12 for the purposes of discussion. Selectman Emery seconded. 1-3 (Vice Chairman Goldblatt, Selectmen Dodd and Thompson). Article 12 is not supported by the Board. Selectman Emery took a few minutes to read the attachments regarding the Stretch Energy Code's designation and significance to Green Communities (applying for grants) if this article passes at town meeting prior to the State implementing this in 2012.

Article 13 Veterans Freedom Park Signage (Town Manager)

Selectman Emery moved to support Article 13. Selectman Thompson seconded. 4-0

Article 14 Water Conduit Exemption Application-Engineering (DPW Manager)

Selectman Emery moved to support Article 14. Selectman Thompson seconded. 4-0

Article 15 Appropriate into Stabilization Fund (Advisory Finance Committee)

Selectman Thompson moved to support Article 15. Selectman Emery seconded. 4-0

Town Counsel Report

Town Counsel informed the Board that the Park Place Developer (Westwood Associates) for Park Street will break ground in a few days on their project.

Vice Chairman Goldblatt asked Town Counsel if the Developer needed to come back to the Board and request the sewer waiver for the development. Town Counsel Franks said that he believes that with the added "Section C" that the Board approved at their September 14th meeting Westwood Associates do not need to come back to request a waiver if he has the right deed restriction.

Town Manager Report

- *Wastewater Treatment Plant Tour*

Mr. Malloy said that the Board has been invited (along with the Finance Committee and their counterparts in Shrewsbury) to take a tour of the Treatment Plant on October 13th at 8:00 a.m.

Mr. Malloy informed the Board that a letter from Greg Bialecki, Secretary, Executive Office of Housing and Economic Development, was sent to the Economic Development Committee informing them that the 495 Metrowest Development will hold a meeting on Friday, October 27th at 11:30 a.m. at the Northborough Senior Center regarding engaging in new initiatives on economic development for the 495/Metrowest area and Worcester. Mr. Malloy noted that he will be attending the meeting.

- *Discussion of Nathan Fisher House*

Mr. Malloy requested the Board's support in having the Nathan Fisher property subdivided and sells all three lots individually through the Request for Proposal Procurement laws. He said that if the Board of Selectmen supports his suggestion he would coordinate with the appropriate Department Heads to move forth with the process.

The Board of Selectmen agreed with Mr. Malloy's idea and complimented him on his innovated proposal.

Issues and Correspondence of the Selectmen

Selectman Emery thanked Tim Reiter for filming the Board's meeting tonight.

Selectman Thompson requested Town Counsel to update the Board regarding the Granger Road project. Town Counsel said that the developer was unhappy with the conditions that the Zoning Board of Appeal (ZBA) placed on his permit and that the developer was given a chance to appeal those conditions with the ZBA but he missed the deadline. Selectman Thompson announced that the Westborough State Commission will be meeting tomorrow and will be discussing the consultants' report that was hired by the State.

Vice Chairman Goldblatt announced that the "Arts on the Common" will be held this Saturday, October 2nd from 10:00 a.m. to 2:00 p.m., rain or shine. Vice Chairman Goldblatt requested that the Board consider having the Selectmen's meeting start at 6:00 p.m., on Tuesdays instead of 7:00 p.m. and hope to discuss this item at the Board's October 26th meeting. Vice Chairman Goldblatt also requested that we keep our servicemen and women in our thoughts and prayers so far from home.

Police Chief Gordon announced that the Board of Health's Hazardous Waste Day is being held Saturday, October 2nd from 8:00 a.m. to Noon.

Town Manger Malloy announced that the Town of Westborough's designation as a Tree City USA has been approved and that they gave the Town a plaque and a flag indicating the designation. The Board thanked Selectmen Dodd for bringing up the idea of becoming a Tree City USA.

Adjourn Open Session

Selectman Emery moved to adjourn the Board of Selectmen meeting at 9:50 p.m.
Selectman Dodd seconded. 4-0.

Submitted by Nidia Ruberti

Chairman Jané

(Absent)

Vice Chairman Goldblatt

Selectman Leigh Emery

Selectman Timothy A. Dodd

Selectman George Thompson