

**Westborough Board of Selectmen
Meeting Minutes
April 12, 2011
6:00 p.m. – 9:15 p.m.**

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

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

Absent: **Selectman Thompson**

Mr. Malloy announced that the Institute for Training and Development (ITD) together with the Massachusetts Municipal Association (MMA) is conducting a project in which Pakistani professionals have arrived to the U.S. to meet and work with American local governments. The goal of the ITD and the MMA is for the Pakistani and Americans involved in developing new professional skills and relationships through their interactions. The Town of Westborough is hosting two Pakistanis, Mr. Syed Faisal Ahmed and Mr. Mohammad Zubair, and will be interacting with all branches of our town government for a period of two weeks then they move on to the Town of Natick Massachusetts.

The Board welcomed Mr. Ahmed and Mr. Zubair to our Country and Town.

Request to Approve the Board of Selectmen Meeting Minutes

- **March 22, 2011**

Vice Chairman Goldblatt moved to approve the Board of Selectmen's Meeting Minutes of March 22, 2011. Selectman Emery seconded. 4-0

Open Forum

Suspension of Class II Used Car Dealer's License Hearing/Westborough Mobil, 24 East Main Street/Jack Azar

Mr. Jack Azar requested that the hearing be postpone to the Board's Meeting of April 26, 2011 due to the fact that his attorney was not available to attend the hearing today (notification of postponement was faxed to Town Counsel and Board of Selectmen).

Executive Session/Grievance

Selectman Dodd moved to go into Executive Session for the purpose of discussing a Grievance. Selectman Emery seconded. Chairman Jané declared that an open meeting would have a detrimental effect on the Town. The Board voted unanimously in favor of the motion by roll call vote to go into Executive Session. Chairman Jané announced that the Board will reconvene in Open Session after the Executive Session at approximately 7:35 p.m.

Council on Aging Budget Discussion/Senior Center Director

Postpone to the Board's April 26, 2011 meeting.

Request for a 60 Day Extension/Dunkin Donuts Site Plan, 35 East Main Street/Waterman Design Associates/Mike Scott

Selectman Emery moved to approve the 60 Day Extension Request for the Dunkin Donuts Site Plan Review, 35 East Main Street, with a new expiration date of July 8, 2011. Vice Chairman Goldblatt seconded. 4-0

Request to Approve Fire Chief Nick Perron, Police Chief Gordon and DPW Manager Walden Contracts (July 1, 2011 thru June 30, 2014)/Board of Selectmen

Mr. Malloy requested that the Board approve the Fire Chief, Police Chief and DPW Manager's Contracts. He said that the negotiated contracts are very similar to the previous ones with the exception of having the salary mirror the cost of living amount with what the non-union employees receive.

The Board thanked Fire Chief Perron, Police Chief Gordon and DPW Manager Walden for all their service and dedication for the Town of Westborough. They thanked the Board for their support and comments. Police Chief Gordon on behalf of Fire Chief Perron and Mr. Walden noted that they all have dedicated and excellent staff under them and that without their team effort they would not be able to accomplish so much for their departments.

Selectman Emery moved to approve the Fire Chief's Contract for the period of July 1, 2011 thru June 30, 2014. Vice Chairman Goldblatt seconded. 4-0

Selectman Emery moved to approve the Police Chief's Contract for the period of July 1, 2011 thru June 30, 2014. Vice Chairman Goldblatt seconded. 4-0

Selectman Emery moved to approve the DPW Manager's Contract for the period of July 1, 2011 thru June 30, 2014. Vice Chairman Goldblatt seconded. 4-0

Westborough State Hospital Usage Discussion of March 29, 2011 Public Hearing/Board of Selectmen

Postponed to the Board's April 26, 2011 meeting.

Annual Town Meeting Warrant Review and Vote/Board of Selectmen

Article 1-Annual Town Election

Article 2-Rule of the Meeting

Article 3-Town Reports

Article 4-Fiscal Year 2011 Budget Transfers

Article 5-Amend Wage and Salary Schedule

Article 6-Fiscal Year 2012 Operating Budgets-**Pulled aside for discussion/Selectman Emery**

Article 7-Regularly Recurring Articles

Article 8 (G)-Capital Improvement Plan-**Pulled aside for discussion/Selectmen Emery**

Article 9-Improvements to the Country Club Golf Course
Article 10-Senior Center Parking Lot Expansion
Article 11-Water and Sewer-Capital Equipment & Projects (A&B)
Article 12-Energy Audit-**Pulled aside for discussion/Chairman Jané and Selectman Emery**
Article 13- Hastings School Project-**Pulled aside for discussion/Board of Selectmen**
Article 14-Tax Increment Financing Plan (TIF)
Article 15-Charter Corrections
Article 16-Charter Addition
Article 17-Open Space Article 38 2002 Amendment
Article 18-Zoning Article Amendment
Article 19-Change in Building Inspector Title to Building Commissioner
Article 20-Site Plan Correction
Article 21-Site Plane Change-**Pulled aside for discussion/Chairman Jané**
Article 22-Corporate Cafeteria Sewer Privilege Fee
Article 23-Water Use Restriction Bylaw
Article 24-Use of Insurance Proceeds in Excess of \$20,000
Article 25-Release of a Deed Restriction from Article 24 of 1954 Annual Town Meeting
(Foreign War Post No. 9013)-**Pulled aside for discussion/Selectman Emery**
Article 26-Correction of Prior Town Meeting Vote
Article 27-Libbey Property Transfer to Conservation Commission 2/3 Vote Required
Article 28-Westborough Community Land Trust Gift Acceptance

Selectman Dodd moved to support the 2011 Town Meeting Warrant Articles with the exclusion of the following for purposes of discussion. Selectman Emery seconded. 4-0

Article 6-Fiscal Year 2012 Operating Budgets

Selectman Emery asked Mr. Malloy if the Conservation Commission's Administrative Assistant working hours had been resolved. Mr. Malloy said that he, the Conservation Commission and Derek Saari, Assistant Conservation Agent, discussed the position hours and that Mr. Saari agrees with the number of hours (part-time at this time) his support person will be hired and voiced his approval to the Commission.

Selectman Emery moved to approve Article 6-Fiscal Year 2012 Operating Budgets. Selectman Dodd seconded. 4-0

Article 8G-Capital Improvement Plan

Mr. Malloy reworded the article and read it to the Board. Selectman Emery agrees with the rewording.

Selectman Emery moved to approve Article 8G-Gapital Improvement Plan. Selectman Dodd seconded. 4-0

Article 12-Energy Audit

Selectman Emery requested that the Board approve the attached email containing the following language change “developing a plan to reduce Town energy consumption by 20% over 5 years or to take any other action thereon”. After a brief discussion the Board requested that the language be changed to the following:

“developing a plan to reduce Town energy consumption by a cost of \$10,000-15,000 over 5 years and to designated the Town Manager to work with the departments to pick the most cost effective town building(s) or to take any other action thereon”

Selectman Emery moved to support this article with the changes as voiced by Town Manager Malloy. Selectman Dodd seconded. 4-0

The Board requested that Mr. Malloy place this Article at the Board’s April 26th meeting to review the changes as discussed. Mr. Malloy acknowledged the request and also noted that he will prepare a presentation for their review.

Article 13- Hastings School Project

The Board requested that the School Department be invited to Board’s April 26th meeting to speak about their article. Mr. Malloy acknowledged the request.

Article 21-Site Plane Change

Chairman Jané requested that the following language be added stating that: “proponents submit a completed site plan application to each Board of Selectmen”. After a brief discussion the Board supported the language change as stated in the warrant for the fall town meeting.

Article 25-Release of a Deed Restriction from Article 24 of 1954 Annual Town Meeting (Foreign War Post No. 9013)

Selectman Emery and Vice Chairman Goldblatt voiced her concern regarding this article and requested that Mr. Matson come before the Board at their April 26th meeting to speak about the citizen’s petition

Selectman Emery moved to close the 2010 Annual Town Meeting Warrant. Selectman Dodd seconded. 4-0

Town Counsel Report

Town Counsel Franks informed he has been working on a zoning case on Fisher Street regarding non-conforming zoning and that the Board of Appeals voted last night to amend the special permit to resolve the pending litigation.

Town Manager Report

Outstanding Budget Issues (action required)

Mr. Malloy requested that the Board vote on the following budget accounts.

- Selectmen/Manager Expenses \$43,085

Selectman Emery moved to approve the Selectmen/Manager Expenses for \$43,085. Vice Chairman Emery seconded. 4-0

- Legal Expenses

Vice Chairman Goldblatt moved to add to the Legal Expense line item \$1,200 for legal books. Selectman Emery seconded. 4-0

- Personnel Board Expenses – Mr. Malloy explained that the decrease in their expenses is due to fewer individuals using the tuition reimbursement. The expense account has been further reduced by \$7,497 due to the death of a former firefighter that had been receiving an IOD payment. The total expense number should now be voted at \$23,800.

Selectman Emery moved to approve the Personnel Board Expenses at \$23,800. Vice Chairman Goldblatt seconded. 4-0

- Conservation Commission Salaries/Wages

- Conservation Commission Expenses

- Insurance Expenses

- Police Department Salaries/Wages

- Police Department Expenses

- Fire Department Salaries/Wages

- Fire Department Expenses

- Animal Control Salaries/Wages

- Animal Control Expenses

- Assabet Regional Vocational School Expenses – Mr. Malloy explained that Selectman Dodd asked a question which he forwarded to Mary Jo Nawrocki at Assabet. She may have responded to Selectman Dodd directly, but believes the answer is fewer students from Westborough are attending Assabet as an overall proportion of students from the other towns.

- DPW Salaries/Wages

- DPW Expenses

- Youth Commission Salaries/Wages – Mr. Malloy said that he believes the question was whether there was any benefit into charging insurance companies for the department's services. He believes John Badenhause came before the Board in 2010 and explained that he had looked into it and the man hours it would take to undertake billing and collection would consume most of the time of the clerical staff and the billings would be minimal and therefore he had not moved forward with it.

- Youth Commission Expenses – Same as above

- Sewer O & M Salaries/Wages
- Sewer O & M Expenses
- Sewer Debt P & I

Selectman Emery moved to approve the entire above operating budget and further to add \$1200 to the Legal Budget line item. Vice Chairman Goldblatt seconded. 4-0

Mr. Malloy informed the Board of the following two updated items to the Town Meeting warrant that he provided for the Board's review on 4/5/11:

- Article 8 (G) – This article is a borrowing article to replace the HVAC system in the Library. After some additional thought on this issue, Kristi Williams and Maureen Ambrosino met with an Architectural/Engineering firm Mr. Malloy has worked with in the past on HVAC issues to obtain a proposal to have an actual cost estimate prepared. They all had some concerns with the ductwork, system sizing, placement (weight on the roof), etc. and believe it's better to obtain a professional specification and cost estimate and then place this article on the Fall Town Meeting. They are proposing to change the funding of this article to \$15,000 and have the appropriation from free cash instead of borrowing. Mr. Malloy confirmed with Maureen Ambrosino that the Library Board of Trustees is in agreement that this is a better way to proceed.
- Article 9 – Country Club Improvements. Dexter Blois indicated the amount in the article should be \$30,000 and that he will be getting Mr. Malloy the full details, but it is for drainage improvements.
- Article 12 – Energy Audit – Mr. Malloy has found that very few towns have conducted their own energy audits and that those done by the state are handled completely by the state and those towns had no information on the cost of conducting the energy audit. He is providing a very rough cost estimate based on the two towns that have conducted their own energy audit and the number of buildings included in those energy audits. This works out to roughly \$5,000 per building and the Town has 14 buildings that I identified (see attached) and then I plugged in a figure of \$10,000 each for the water and sewer pump stations for a total of \$90,000 (not including the Fire Station) and \$95,000 including the Fire Station.
- Article 24 – MGL requires that any insurance settlement over \$20K be approved by Town Meeting. Mr. Malloy has sent a follow-up to Jack Goodhall on whether they've received an estimate on the insurance settlement yet. If he has this by Tuesday, he will provide it to the Board, otherwise they may need to redraft the article so that it has an open-ended appropriation and then the motion will need to include the exact figure.

Issues and Correspondence of the Selectmen

Selectman Dodd requested that Mr. Malloy review the town's bylaws and charter that are on the town's web site for accuracy and thanked Mark Stockman for creating a Face Book and Twitter Page for the Town of Westborough.

Selectman Dodd complimented Mr. Malloy on his “Town Manager’s Blog” that he created and requested that he place a short one page summary of the town’s budget process for our town residents to understand the process and also requested to place the town’s organizational chart and a governmental structure. Mr. Malloy acknowledged Selectman Dodd’s request.

Vice Chairman Goldblatt congratulated the Rotary Club for sponsoring the Harlem Ambassadors at the Westborough High School and requested that we keep our servicemen and women in our thoughts and prayers so far from home.

Selectman Emery also complimented the Town Manager for his “Blog” and thanked Paul Temple for filming tonight’s Board meeting tonight.

Chairman Jané informed the Board that he attended the Redistricting meeting last night and advocated for Westborough to be unified.

Adjourn Open Session

Selectman Emery moved to adjourn the Board of Selectmen Dodd meeting at 9:15 p.m. Selectman Dodd seconded. 4-0.

Submitted by Nidia Ruberti

Chairman Jané

Vice Chairman Goldblatt

Selectman Leigh Emery

Selectman Timothy A. Dodd

Selectman George Thompson

(Absent)