

**Westborough Board of Selectmen  
Meeting Minutes  
January 24, 2012  
6:00 p.m. – 8:45 p.m.**

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

Also Present: Jim Malloy, Town Manager; Kristi Williams, Assistant Town Manager; Gregory Franks, Town Counsel

**Open Forum**

Jim Robbins, Town Planner, informed the Board that Boston Interiors had their soft opening last weekend in Bay State Commons and there will be a grand opening on Saturday morning, February 11, 2012 with a ribbon cutting ceremony.

Derek Saari reported on the timber harvesting project. Four of eight stands have been completed and they have moved to the second standing. The State forester came out to inspect the site and there were no issues. There was a modification to the contract to construct fire roads, which have been completed and inspected by Chief Perron. The project is progressing and is on track.

**Rescission of Site Plan Approval / R&D Realty, LLP (Richard Pedone) / Attorney David Manoogian**

Attorney Manoogian, Mr. Pedone and Tin Htway, Building Commissioner came before the Board. Mr. Pedone, who is hearing impaired, requested that he be able to face whoever is talking. Attorney Franks explained that there was no time frame assigned to the conditions for the site plan and he and Attorney Manoogian drew up an agreement stating that the conditions for the site plan approval will be met by December 31, 2012, unless the Board grants an extension for good cause.

Selectman Johnson's motion that the Board adopts the memorandum of agreement with R&D Realty, LLP, dated January 24, 2012, as an amendment to the site plan approval issued to R&D Realty on March 22, 2011 was seconded by Selectman Thompson. Vote: 4-0

The Board signed copies of the agreement and provided one original to Mr. Pedone. Mr. Pedone thanked the Board.

**"Westborough Reads Together" Program / John Badenhausen / Maureen Ambrosino**

Mr. Badenhausen, Director of Youth and Family Services and Ms. Ambrosino, Library Director, are working together on the "Westborough Reads Together" program. The intent of the program is to address the issues that teenagers are facing. Adults and teens will read the same book and discussions will take place at scheduled sessions regarding those issues. The first book is "Please Ignore Vera Dietz" by A.S. King. Ms. Ambrosino reviewed the upcoming events in Town that will promote the program and the author will visit in April, making appearances at Tatnuck Booksellers in the evening and at the High School during the day. Copies of the novel were distributed to the Board, Mr. Malloy and Attorney Franks and the books will be returned to

the Library or Selectmen's office. The program began at the end of November and 200 copies have been given away. The public was encouraged to participate in the discussion groups.

**Request to Appoint a Non-voting Associate to Historical Commission / Hazel Nourse**

Ms. Nourse came before the Board accompanied by Historical Commission members Nancy Strecker and Christine Kurtz. Ms. Nourse provided information on her background that she has been active in the communities where she has lived, and now wants to be an active and involved resident in Westborough by contributing her time and expertise. The Historical Commission voted on January 18, 2012 to recommend that the Board of Selectmen appoint Ms. Nourse as a Non-voting Associate member.

Selectman Thompson's motion to appoint Hazel Nourse as a Non-voting Associate member to the Historical Commission for a term expiring June 30, 2012 was seconded by Selectman Johnson. The Board members thanked Ms. Nourse for interest in serving the Town. Vote: 4-0

**Request to Appoint Three Permanent Police Officers / Chief Alan Gordon**

Chief Gordon came before the Board and explained that an exam was given on October 15, 2011 to over 100 candidates, which cost each applicant \$65, and was conducted by an outside firm. Chief Gordon reviewed the testing and interview process, which was eventually narrowed to five, and of which he chose the top three. He requested that the Board the three officers pending a psychological exam.

Chief Gordon reviewed Brian Massey's background and experience and explained that a thorough background check was performed on all three candidates and that they are qualified. They will start in the next two weeks. Officer Massey stated that he is excited about the opportunity and thanked Chief Gordon.

Selectman Thompson's motion to appoint Brian Massey as a permanent police officer in Westborough was seconded by Selectmen Dodd. Discussion: Selectman Thompson thanked Officer Massey for going through the interview process and for his service to the country in Saudi Arabia and Iraq. The Selectmen congratulated him and wished him luck. Chief Gordon asked that the pay grade be included in the motion which has been budgeted for. Selectmen Thompson amended his motion to include the pay grade of P-4, Step 2 and it was seconded by Selectman Dodd. Vote: 4-0

Joshua Croft came before the Board and Chief Gordon reviewed his background and that he will be starting at the same pay grade.

Selectman Thompson's motion to appoint Joshua Croft as a permanent police officer in Westborough at a P-4, Step 2 pay grade was seconded by Selectman Dodd. Discussion: Officer Croft stated that he is looking forward to serving the community and the Selectmen congratulated him. Vote: 4-0

Caleb Polseno came before the Board and Chief reviewed his background.

Selectman Thompson's motion to appoint Caleb Polseno as a permanent police officer in Westborough at a P-4, Step 2 pay grade was seconded by Selectman Dodd. Discussion: Officer Polseno informed the Board that he is excited about the opportunity and the Board congratulated him. Selectman Goldblatt thanked the Westborough Police Department and the officers' families for attending. Vote: 4-0

Chief Gordon explained the costs associated with attending the Police Academy and the savings to the Town as the three candidates came to Westborough already trained.

### **Request to Approve the Mutual Aid Agreement with Central Massachusetts Law Enforcement Council / Chief Alan Gordon**

Chief Gordon explained that the agreement is a step toward regionalization and that there are a multitude of services that are available. He does not anticipate utilizing many of the services, such as the SWAT team, in which case he would use the State Police. He would use the motorcycle unit and aid from surrounding towns if there was a need for a search. The agreement authorizes Westborough Police to stop a vehicle in a participating neighboring town that has crossed the Town's border, whereas currently they can only do if they are certain that the offense warrants an arrest. Town Counsel has reviewed the agreement and it is satisfactory. The cost is \$500 per year which is in the Police Department budget.

Selectman Thompson's motion to approve the Mutual Aid Agreement with the Central Massachusetts Law Enforcement Council as presented by Chief Gordon was seconded by Selectman Dodd. Discussion: In response to questions, Chief Gordon explained that our officers would not stop someone who has crossed the Town line if they did not witness the infraction in Westborough and currently they cannot pursue the suspect once the Town line is crossed; our Police Dept. would provide some services to participating towns, but would not become a part of the SWAT team; the liability insurance will still be in effect; there are 73 towns that have the ability to participate and approximately 75% of those have signed the agreement. Vote: 4-0

### **Senior Center Custodial Services / Alma DeManche / Council on Aging**

Dan Pavolis, Chairman of the Council on Aging, came before the Board and presented a list of daily duties performed by the Senior Center custodian, which he distributed and asked the Board to review. He explained that many of the duties are above and beyond the regular custodial duties. There are also many functions held there which require set-up and clean-up.

Selectman Thompson asked if this list is considered the job description and Ms. DeManche explained that it does follow the job description. Selectman Thompson pointed out that this is consistent with library's presentation, there are more duties listed than what is in the job description and asked if the Senior Center could function with contracted custodial services. Ms. Abladian reviewed for the Board the ongoing programs that take place in the two rooms, many require set-up and clean-up during the day and one issue is that the tables are very heavy. There is no room to decrease the budget in any other line item according to Ms. Abladian. In response to Selectman Thompson's question, Ms. DeManche reviewed the list of employees that work at the Senior Center.

Selectman Goldblatt explained that the Board will consider their concerns when they review the budget and asked the Council for a job description.

Priscilla Federici expressed her concerns that on several occasions they have required the services of a custodian during the day to take care of any incontinence issues that occur.

### **FY 2013 Budget / Town Manager**

Selectman Goldblatt explained that the Board will go through each department, and if anyone would like a department head to come before the Board it will be noted. The Police and Fire Departments and DPW will present their budgets tonight. Mr. Malloy suggested that the Board vote, as a block, the departments that are not questioned and those that are will be discussed and voted separately.

Budgets that were questioned were: Assessor, Legal, MIS/GIS, Buildings & Grounds, Insurance, Council on Aging, Library, and School Department.

Selectman Dodd's motion that the Board of Selectmen support and approve item in the budget printed by the Town Manager that were not questioned was seconded by Selectman Thompson. Discussion: It was clarified for Selectman Dodd that the custodian's salary for the Council on Aging is included in the Buildings & Grounds budget. Vote: 4-0

Assessor: Selectman Johnson's questioned the \$10,000 increase in utilities, which Ms. Swadel explained was to pay an appraiser to assess the local utilities and according to the cost analysis that she did the payback is substantial.

Selectman Dodd's motion to approve and support the Assessor's budget as written was seconded by Selectman Johnson. Vote: 4-0

Legal: Selectman Thompson questioned the Expenses line item and Mr. Malloy explained that the largest part of it is for outside legal expenses, where there will be an increase this year. \$22,000 has already been expended for the first half of FY 2012. Also discussed was the adequacy of the legal research and Attorney Franks explained that he is able to work with what he has and is not comfortable asking the Town for \$10,000 to upgrade to the online system.

Selectman Thompson's motion to approve the Legal budget as outlined in the Town Manager's report was seconded by Selectman Johnson. Vote: 4-0

MIS/GIS: Selectman Johnson questioned the increase in expenses, some of which is for the Building Department's software and Mr. Malloy explained that there is an additional amount for equipment replacement, which is part of the five-year replacement schedule in the capital plan.

Selectman Johnson's motion to approve the MIS/GIS budget as presented was seconded by Selectman Thompson. Vote: 4-0

Buildings & Grounds: Selectman Dodd questioned this budget due to the custodian issue and agreed to wait until the job description is provided. Mr. Malloy explained in detail the proposal

to eliminate the three custodial positions and replace them with contracted custodial services for the Forbes Municipal Building, the Senior Center and Library. The savings the first year is \$157,000 which includes unemployment costs and he further explained that the intent is to lower taxes by eliminating services that do not directly affect residents. Mr. Malloy also stated that the duties that they are performing other than regular custodial/janitorial services will need to be looked at in respect to the job description, which has expanded.

In response to Selectman Johnson's question, Mr. Malloy explained that Mr. Cornine is available during the day to address issues at the Senior Center and Library and he will look into the number of incidents that would require a custodian's attention at the Senior Center. The Board expressed their concerns regarding how much savings there would be, how part-time help would be used, evening events, and that any change in duties to the job description would have to be impact bargained. Mr. Malloy will report back to the Board with information on this concern. Mr. Malloy stated that there is flexibility in the position and that the Senior Center and Library could remain as they are and the services be contracted for the Forbes Municipal Building and the Town Hall, which is working well as cleaning is being done at night and not during the day while people are working.

Insurance: Mr. Malloy explained the largest portion of the budget belongs to health insurance, that the Fallon rate increased and he was informed today that Blue Cross decreased. Mr. Malloy calculated the budget to be approximately \$8.8 million, a decrease of \$500,000 and will have a firm number and recommendation at the February 14<sup>th</sup> meeting.

Council on Aging: Selectman Johnson questioned the dramatic increase in Salary & Wages and Expenses. Mr. Malloy explained the duties of the Outreach Case Manager and that last week the Personnel Board approved the increase to a 35 hour per week position. Mr. Malloy will meet with Ms. DeManche to better understand the position, she will be asked to come before the Board and he will make a recommendation at the next meeting.

School Department: The School Committee voted in favor of the budget with a 3.3% increase. The School Department, Debt Service and Insurance make up 90% of the overall Town budget which increased by 3.6%. Selectman Goldblatt questioned the 3.3% increase for the School budget, while other Town departments averaged 1.5%, which Mr. Malloy will look at further and report back to her. In response to Selectman Johnson's question, the Board discussed asking the School Committee to attend the next meeting to discuss the budget increase.

Selectman Johnson's motion to invite the School Department to come before the Board to review the budget was seconded by Selectman Thompson for discussion purposes. Discussion: The reasoning behind inviting the School Department was discussed, that the Board is interested in an overview of the budget, not a line item by line discussion. Concerns were expressed as it has been a somewhat difficult task in the past and whether the Board has the jurisdiction.

Selectman Johnson's amended motion to invite the School Department to a Selectmen's meeting if they so desire but that the Board does not require it was seconded by Selectman Goldblatt. Discussion: It was questioned what the utility of the exercise would be and Mr. Malloy briefly

explained the budgeting process and typically in other towns the School Committee does make a budget presentation to the Selectmen and he feels that Board does have a role.

Selectman Johnson withdrew the amended motion and returned to the original motion to invite the School Department to come before the Board to review the budget, which Selectman Thompson seconded. Discussion: Because the Board presents the Town budget and has the authority to present a different number it would be prudent to see a summary of how the School Department arrived at their final budget. Mr. Mallow reviewed the process the School Committee follows when they have a public hearing for their budget, which includes input from the Selectmen and Finance Committee. Vote: 3-1 (Thompson)  
Mr. Malloy will speak to the Superintendent tomorrow.

Police Department: Chief Gordon explained reductions to his budget which included two retirements and a resignation, all of which were at a higher pay level than the three new hires and who are not under the Quinn Bill. There were required contractual wage increases as well as increases in overtime, court time, fitness, expenses, contractual services. The Article is for a recurring vehicle replacement for \$88,000. Regarding the Deputy Chief position Chief Gordon met with Mr. Malloy today and is researching other towns and hopes to address the Board at their next meeting.

Fire Department: Chief Perron explained the increases to the budget which included contractual wages, emergency medical licensing, and diesel fuel. Only necessary minor repairs are being done to the building. Chief Perron explained who does the fire inspections. There is an Article request to replace an ambulance and \$90,000 of the \$190,000 will be covered by ambulance fees. Another Article request is to replace the Jaws of Life, which is fifteen years old and the new one will be more efficient and lighter. Chief Perron also submitted an Article for a Deputy Chief and did a comparison of fifty-six communities comparable to the size of Westborough, six did not have a Deputy Chief and he reviewed the position's duties.

DPW: Mr. Walden reviewed the general budget, the salary and wage increases, the request to fund a mechanics position which had been eliminated, and the reinstatement of fertilization to the budget. There were increases in salary and wages in the Water and Sewer Enterprise Funds, an increase in the Water expenses due to the contract service with Veolia for water purification, and expenses were level funded for Sewer. The snow removal budget is level funded and a 10-year rolling average will be used to calculate it in the future. Mr. Walden reviewed the Article requests for the replacement of corrugated pipe; the purchase of a used truck to replace one that is twenty-eight years old; roof repair at the Fisher Street water plant; a new street sweeper/vacuum; to hire a consultant for the cemetery layout; and the sewer project in the Crownridge Road area.

### **Annual Town Meeting Warrant / Town Manager**

The Board will review the Warrant at the next meeting and vote to close it.

### **Town Counsel Report**

No report.

## **Town Manager Report**

No report.

## **Issues and Correspondence of the Selectmen**

Selectman Johnson revisited the option of selling advertising on Town vehicles as another way to raise revenue. Littleton is the only town participating and it has been successful. The Board asked Mr. Malloy to research this further and Attorney Franks to review the Littleton RFP. Selectman Dodd requested time at the next meeting for a hearing regarding the 2012 Open Space Plan. It was the consensus of the Board that the Open Space Preservation Committee should have a separate public meeting and not hold it during a Selectmen's meeting. Selectman Goldblatt thanked Mr. Malone for attending the meeting, acknowledged the passing of Jack Hero and expressed her sympathies to the family, and asked that the men and women far from home be remembered in everyone's thoughts and prayers.

## **Executive Session**

Selectman Thompson moved to enter into Executive Session and adjourn Open Session at 8:45 p.m. for the purpose of a personnel labor issue. A roll call vote was taken: Selectman Thompson – yes; Selectman Goldblatt – yes; Selectman Dodd – yes; Selectman

*Submitted by Paula M. Covino*

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**Chairman Goldblatt**

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**Vice Chairman Dodd**

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**Selectman Emery**

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**Selectman Thompson**

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**Selectman Johnson**