

**Westborough Board of Selectmen
Meeting Minutes
May 22, 2012
6:00 p.m. – 7:13 p.m.**

Present: Chairman Emery, Vice Chairman Johnson, Selectmen Dodd, Barrette and Drewry

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

Request to Approve the Board of Selectmen's Meeting Minutes

Selectman Barrette's motion to approve the minutes of March 13, 2012 was seconded by Selectman Johnson. Vote: 5-0

Open Forum

Request to Approve the Kid's Pan Mass Challenge, June 3, 2012 / Corinne McCabe

Ms. McCabe appeared before the Board requesting use of the Town roads for the Kid's Pan Mass Challenge for the fourth year. The event will be held at the High School and Ms. McCabe reviewed the route that will be used. Chief Gordon and Chief Perron have approved the route. They raised \$15,000 last year.

Selectman Barrette's motion to approve the use of Town roads for the Kid's Pan Mass Challenge on June 3, 2012 was seconded by Selectman Johnson. Vote: 5-0

Request to Approve the Common Victualer Permit for Fruitti Cup, LLC d/b/a Fruitti Cup at 31 South Street / James Ta

Fruitti Cup will be a self-serve frozen yogurt dessert shop, offering different flavors and toppings. They plan to open June 1, 2012 pending building permit approval. The cost will be \$0.49 per ounce. It is a sole proprietorship.

Selectman Barrette's motion to approve the Common Victualer permit for Fruitti Cup at 31 South Street was seconded by Selectman Drewry. Discussion: The Building Commissioner is continuing to work with the contractor and agreed that the Board should approve the Common Victualer Permit. Vote: 5-0

Request to Appoint Christina Rybicki and Daniel Hehir as Reserve Intermittent Police Officers / Chief Gordon

Chief Gordon has submitted introduced Dan Hehir as a candidate for Reserve Intermittent Police Officer. He is a full-time firefighter, has completed the Reserve Intermittent Police Officer Academy, and will be working third-party details.

Selectman Barrette's motion to appoint Daniel Hehir as Reserve Intermittent Police Officer was seconded by Selectman Johnson. Discussion: There is no added cost to the Town as the party requesting the detail assumes the cost. Vote: 5-0

As the agenda is ahead of schedule, the Board will appoint Ms. Rybicki when she arrives.

Request to Transfer Funds within the Treasurer/Collector's Budget / Town Manager

Mr. Malloy explained that a step increase due an employee was not included in the budget and the Treasurer is requesting a transfer from the training budget to make up the difference.

Selectman Johnson's motion to approve the transfer of \$1,405.00 from the Treasurer/Collector's training budget line item to the Wages/Clerical budget line item was seconded by Selectman Barrette. Vote: 5-0

Selectmen Liaison Policy Approval / Selectman Emery

Mr. Malloy reviewed and updated the policy as requested by the Board. The Board is in agreement with the policy and a vote was not needed.

Request to Approve Surplus Equipment / John Walden

Mr. Malloy explained that in the past surplus equipment was sold using a sealed bid process. An auction was held two years ago and was more financially productive.

Selectman Johnson's motion to declare the equipment listed on the 5/15/12 and 5/22/12 memos from John Walden surplus equipment and authorize the DPW Manager to sell the equipment was seconded by Selectman Barrette. Discussion: The items have already been replaced and the Town has been accumulating the equipment in order to hold an auction. Selectman Emery reviewed some of the items on the list and it will be posted on the Town website. Vote: 5-0

Public Hearing for Site Plan Approval for the Westborough Retirement Residence at 126 East Main Street / Dan Roche, Lenity Group, LLC / Attorney Marshall Gould / Paula Thompson, Waterman Design Associates

Attorney Gould informed the Board that several detailed presentations have been made to the Planning Board and tonight's presentation will consist of a summary and an explanation of the Retirement Residence concept.

Ms. Thompson reviewed the site plan, which consists of a 124 unit facility, is located across the street from the Post Office and the driveways will be aligned directly across from the Post Office's entrance and exit. There will be a path for pedestrians and bicyclists on the site and a there will be a screening program for the Samson Drive abutters. There will be wildflower seeding in the back of the property.

Michael Fuller, architect with the Lenity Group, explained that the it is not a medical facility, residents' average age is seventy to eighty years old are in good health. The manager and co-manager are residents of the facility. The majority of people that move in are typically local, within a five mile radius of the facility. Only about 20% of the residents drive, which reduces

the parking requirements and transportation is offered. There are no kitchens and meals are provided as well as housekeeping. Mr. Fuller reviewed the other amenities and program/activities that are offered. It is a month to month rental and not a buy-in. The management company has been in this business since the 1980's and there is a new facility in Beverly that is similar to the one proposed for Westborough.

Attorney Gould reviewed the types of suites that are offered as well as other amenities that were not mentioned. There will be about twenty-four full-time equivalent employees. Attorney Gould informed the Board of the process that they have followed with the Town and have received unanimous approvals from the Zoning Board of Appeals and Planning Board. The DPW, Town Engineer, Police and Fire Departments, Conservation Commission and Design Review Board have approved the project as well.

Selectman Barrette's motion to approve the site plan as per the attached decision and subject to the conditions recommended by the departments as contained in the decision was seconded by Selectman Johnson. Discussion: Answers to the Board's questions included that the units have a small kitchenette, but there is no cooking; the cost range is \$1,800 to \$2,400 per month depending on the size of the unit and that includes everything except telephone; there will be approximately 140-150 residents; 20% of units have an affordability option stated in the Planning Board permit, which is different than Chapter 40B; they will integrate programs with existing senior programs in the community and allow non-residents of the facility access to certain amenities as well dining with friends who are residents. Construction is estimated to take fourteen months and location is in the senior overlay district. The age restriction is 62 and over. There will no added cost to the Town as they will provide their own van and transportation daily. Mr. Htway informed the Board that there is demolition delay from the Historical Commission. Attorney Gould explained the options for the house on the site and that it is no longer considered as a historical building; it will be advertised for salvage.

Selectman Emery's amendment to the motion to add the Building Commissioner reserves the right to review all the requirements of the Westborough Zoning Bylaws and Massachusetts State Building Code with the application was accepted by Selectman Barrette.

Employment opportunities are available on the Hawthorne Development website. Also discussed was the safety of pedestrians and adding crosswalks to the post office or to the shopping area and adding it as a condition to plan. This was discussed at two Planning Board meetings with appropriate Department heads and the conclusion was that a mid-block crosswalk was not a safe place for a crosswalk as it is not an intersection. If the Town receives permission to install stop signs/traffic lights the developer has land available. The facility has its own mail service and Chief Perron confirmed that an access road for a fire in the rear of the property is not needed as the building has a full sprinkler system. The fencing will be vinyl and painted off-white. Small pets are allowed on the first floor and there is no liquor license, residents may bring their own. Vote: 5-0

Selectman Johnson's motion to close the public hearing was seconded by Selectman Dodd.
Vote: 5-0

Request to Appoint Christina Rybicki and Daniel Hehir as Reserve Intermittent Police Officers / Chief Gordon

Chief Gordon introduced Ms. Rybicki who he is requesting be appointed as a Reserve Intermittent Police Officer. She has experience working in Millis, Hopkinton, and currently is employed by UMass Police Department. Ms. Rybicki is a resident and Chief Gordon is confident that if she is interested in a full-time position with the Town in the future she would be an excellent candidate.

Selectman Drewry's motion to approve the request to appoint Christina Rybicki as a Reserve Intermittent Police Officer was seconded by Selectman Barrette. Vote: 5-0

Request to Appoint Bill Linnane to the Central Mass. Regional Planning Committee (CMRPC) / Town Manager

Mr. Malloy explained that there has been opening for an alternate member for CMRPC for quite a while and Mr. Linnane has attended a meeting and expressed an interest in joining. The voting member is appointed by the Planning Board and the alternate position is appointed by the Board.

Selectman Dodd's motion to appoint Bill Linnane as a Town of Westborough Alternate Representative to the Central Mass. Regional Planning Committee for a term ending June 30, 2012 was seconded by Selectman Drewry. Discussion: Selectman Dodd asked Mr. Linnane to come back to the Board with ideas on how Westborough can become an intricate part of the CMRPC. Vote: 5-0

Town Counsel Report – No report

Town Manager Report – No report

Issues and Correspondence of the Selectmen

Selectman Barrette informed the Board that the Municipal Building Committee met yesterday morning to discuss obtaining direction from the Board on the timing for their next steps as the debt exclusion vote to fund the fire station failed. The consensus of the Board was to postpone bringing it forward to another annual Town Meeting. Selectman Johnson pointed out that a substantial number of people voted and that the Board should add to their goals a comprehensive plan for all Town buildings. Selectman Emery asked to place on the next meeting agenda recommendations for spending the money appropriated for the design and engineering of Town Hall, Forbes Municipal Building and Recreation Center. Mr. Blois reiterated that the Committee needs direction from the Board. Mr. Brown informed the Board that the Committee can explore ways to decrease the cost of the fire station, but cannot do anything about how it is funded; it is the Committee's opinion that it failed due to the funding mechanism and that people did not understand it. Selectman Drewry heard from many residents and the failure was mostly due to the tax issue.

Selectman Drewry's thoughts and prayers are with the men and women overseas protecting our country and putting their lives on line.

Selectman Johnson: None

Selectman Dodd informed the Board that there are three residents interested in forming the Bicycle Committee and asked that it be placed on the next agenda for ten minutes. Copies of the proposed mission statement will be distributed to the Board. The Valor Act, passed by the Senate, allows veterans to participate in a \$750 cap property tax work-off program. The Board sent letters to the Town's Representatives informing them that they unanimously support the program. Because of the Board's action the Representatives filed an amendment with a \$1,000 cap that passed. Selectman Dodd reviewed the process to adopt the program.

Selectman Emery thanked Evan Cadavieco, a Berkeley student from Westborough, for producing the meeting. The Selectmen will meet at the VFW at 8:00 a.m. for the Memorial Day Parade.

Adjourn Open Session

Selectman Barrette's motion to adjourn at 7:13 p.m. was seconded by Selectman Dodd. Vote: 5-0

Submitted by Paula M. Covino

Chairman Emery

Vice Chairman Johnson

Selectman Dodd

Selectman Barrette

Selectman Drewry