

**Westborough Board of Selectmen
Meeting Minutes
November 27, 2012
6:00 p.m. – 6:50 p.m.**

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

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

Request to Approve the Board of Selectmen's Meeting Minutes

Selectman Barrette's motion to approve the minutes of November 13, 2012 as printed was seconded by Selectman Drewry. Vote: 5-0

Open Forum

None

Tax Classification Hearing / Linda Swadel, Assessor

Selectman Johnson's motion to open the public hearing was seconded by Selectmen Barrette.
Vote: 5-0

Linda Swadel, Chief Assessor and Joe McDonough, Member of the Board of Assessors, appeared before the Board. The Board's packet included the various scenarios that Ms. Swadel generated showing the impact of splitting the tax rate. A single tax rate would be \$18.97 for FY 2013, which is down from last year's rate of \$19.21. There is new growth, most of which comes from personal property, and 75-80% of that comes from four or five accounts. There was very little real estate growth. The debt exclusion amount that was added to the levy limit is \$154,000 less than last year and Ms. Swadel pointed out that the excess levy capacity is \$3,157,268.90. Because of increased values, the average single family home tax bill will increase by approximately \$183 with a single tax rate.

Selectman Barrette's motion to maintain a single tax rate for FY 2013 was seconded by Selectman Drewry. Discussion: Mr. McDonough stressed Ms. Swadel's comment about using averages for the calculations as it is the only way to present the information. Mr. Malloy pointed out that this is the first time in a while that there are increases in residential and commercial values and that the trend has taken a positive turn. Barbara Clifford from Corridor Nine Area Chamber of Commerce was in attendance and spoke on behalf of the Chamber and their support of the single tax. Vote: 5-0

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

Request for Approval to Change to Management/Operating Agreement / Change of Beneficial Interest by Way of Management Agreement / IVC WHH Westborough, LLC d/b/a Double Tree Hotel / Thomas Plunkett, Manager

Mr. Plunkett came before the Board and explained that request is to make a change to the beneficial interest within the company and that the daily operation of the Westborough premises remains the same.

Selectman Barrette's motion to approve the Form 43 for change of beneficial interest by way of management agreement for IVC WHH Westborough d/b/a Doubletree Hotel, manager Thomas Plunkett, as per the attached application was seconded by Selectman Drewry. Vote: 5-0

Request to Approve the Serving of Alcohol until 2:00 a.m. on New Year's Eve as per the Attached List / Town Manager

Selectman Johnson's motion that the Board approves the list on the attached memorandum to have extended hours on New Year's Eve 2012 to all for alcohol sales until 2:00 a.m. on 01/01/13 was seconded by Selectman Barrette. Discussion: Chief Gordon informed the Board that he has no issues or concerns. Vote: 5-0

Request to Approve Liquor License Renewal Applications as per the Attached List / Town Manager

Selectman Drewry's motion that the Board approves the list of annual liquor license renewals per the attachment was seconded by Selectman Barrette. Discussion: The policy for renewing liquor licenses for those restaurants that are no longer in business, according to the ABCC, is that they can be renewed as long as the paperwork is completed and all taxes are paid. There has been application submitted for a new restaurant at the Piccadilly Pub location and there will be a hearing on December 11, 2012. Vote: 5-0

Request to Approve the Eligible Purchaser Certificate for 16 Indian Pond Road / Steven Liedell

Mr. Liedell appeared before the Board and explained that 16 Indian Pond Road is an affordable home, which was involved in a foreclosure that was completed. An eligible buyer was found and it will remain an affordable home. As part of the buyer's process, the certificate must be signed by the Board of Selectmen Chair.

Selectman Barrette's motion to authorize Leigh Emery to sign the Eligible Purchaser Certificate for 16 Indian Pond Road was seconded by Selectman Johnson. Vote: 5-0

Request to Approve Electric Supply Contract / Town Manager

Mr. Malloy explained that the Town is currently in a 5-year contract for \$0.124 per kWh for electricity supply which expires on May 31, 2013. He obtained three quotes, one from Constellation Energy, the current supplier, Trans Canada, and First Point Power. Trans Canada's price was \$0.064, which was \$0.01 less than the others and their northeast headquarters are located in Westborough. By obtaining the quotes now Mr. Malloy will be able to incorporate the savings in the FY 2014 budget. He is recommending a three year contract as opposed to five as prices have been decreasing due to power plants converting to natural gas. The total savings to the Town is \$792,377.

Selectman Johnson's motion to authorize the Town Manager to execute a contract with Trans Canada to purchase electricity for a 36 month period at the rate provided on November 28, 2012 so long as it does not materially increase from today's rate of \$0.06535 per kWh for all departments was seconded by Selectman Barrette. Discussion: The savings of \$792,377 includes the schools and water and sewer as well. Vote: 5-0

Discussion on Future Sewer Service Areas / Town Manager

Mr. Malloy provided the Board with updated costs to build out the remainder of the sewer extensions that were identified in 2007 in the Town's Comprehensive Wastewater Management

Plan. The DPW Manager and Town Engineer plan the timeline for these projects and there have been discussion regarding whether the projects should be done separately or if it would be cost effective to do them all at once. It would cost \$13,993,000 to provide service to 179 properties or \$78,173 each. Mr. Malloy reviewed the maps showing where each service area is located in Town and the detailed sections of the lots to be served in each area. The point of tonight's discussion is the first step in the process to bring this issue to a conclusion for both the public and the DPW, so that these projects are not in the queue and the DPW can focus on other issues. Mr. Walden explained that the cost to residents is \$10,000 or \$5,000 if it is done right away and the Town absorbs the remaining of the \$78,000, which would significantly increase the water and sewer rates. The Board discussed the following: holding a public hearing for all residents that are affected to get their input; requesting from the Board of Health and Town Engineer how many septic systems are in danger of failing; and that there might be other alternatives. Also suggested were holding one meeting with the residents affected and another public hearing open to all residents. Mr. Malloy and Mr. Walden were asked to work together over the next couple of months and report back to the Board.

Town Counsel Report

None

Town Manager Report

Mr. Malloy informed the Board that the Legislative coffee may have to take place in January, as only one could person was able to attend tonight.

Issues and Correspondence of the Selectmen

Selectman Drewry asked that the men and women serving overseas be remembered in everyone's thoughts and prayers.

Selectman Barrette attended the Interfaith Service on Thanksgiving Eve and informed the Board that it was a wonderful service and well attended.

Selectman Johnson asked if there were any updates regarding Ameridose and Mr. Malloy had no news to report. Chief Perron informed the Board that MicroChem has started work and a temporary permit was given the Montessori School.

Selectman Dodd attended the Youth Commission meeting as their liaison and there are three or four 16-17 year olds who unofficially serve on the Commission. They are interested in a more active role and have been exploring the option of becoming non-voting or voting associates with Town Counsel. They plan to come before the Board with a proposal in late January or February. Selectman Dodd thanked the Police and Fire Departments for their use of Twitter during the storm to communicate and keep residents informed. Selectman Dodd informed the Board that he has prepared a proposal that addresses one of his goals which was to develop a procedure to address questions emailed to the Board by residents. He has sent his original proposal to Mr. Malloy and the Board and asked that it be discussed at a future meeting.

Selectman Emery thanked Tim Novak for producing the meeting.

Executive Session

Selectman Johnson's motion to enter into Executive Session for the purpose of discussing collective bargaining as an Open Session would have a detrimental effect on the Town's bargaining position.

A Roll Call vote was taken: Selectman Drewry – yes; Selectman Barrette – yes; Selectman Emery – yes; Selectman Johnson – yes; Selectman Dodd - yes.

Submitted by Paula M. Covino

Chairman Emery

Vice Chairman Johnson

Selectman Dodd

Selectman Barrette

Selectman Drewry