

**Westborough Board of Selectmen
Meeting Minutes
May 14, 2013**

6:00 p.m. – 7:15 p.m.

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

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

Request to Approve the Board of Selectmen's Meeting Minutes

Selectman Emery's motion to approve the minutes of March 26, 2013 was seconded by Selectman Barrette. Vote: 4-0

Selectman Emery's motion to approve the minutes of April 9, 2013 was seconded by Selectman Barrette. Vote: 4-0

Open Forum None.

Public Hearing for the Wine & Malt Package Store Liquor License Transfer from Westboro Quick Mart, Inc. to Andy's Variety, Inc. at 9 Milk Street / Anis Alam

Selectman Barrette's motion to open the public hearing for the Wine & Malt Package Store Liquor License transfer from Westboro Quick Mart, Inc. to Andy's Variety at 9 Milk Street was seconded by Selectman Emery. Vote: 4-0

Mr. Alam came before the Board and explained his request to transfer the Wine and Malt Liquor License from Westboro Quick Mart to Andy's Variety of which he is now the proprietor. He has been working at the store for four years and has been the manager for two.

Selectman Barrette's motion to approve the Transfer of the Wine and Malt License and Pledge of License for Andy's Variety, Inc. at 9 Milk Street and naming Anis Alam as the Manager of Record, as per their application was seconded by Selectman Emery. Discussion: Town Counsel confirmed that all the paperwork is in order and Chief Gordon informed the Board that he knows Mr. Alam and that he very diligent. Selectman Emery reminded Mr. Alam that the Town strictly enforces the regulations prohibiting the sale of alcohol and cigarettes to minors. Vote: 4-0

Selectman Barrette's motion to close the public hearing was seconded by Selectman Emery. Vote: 4-0

Request for Approval for a Seasonal Liquor License for Zoll Brothers / Frank Zoll

Mr. Zoll came before the Board seeking approval to sell their wines at the Westborough Farmers' Market from June 13 to September 26, 2013. They will be offering samples and will check ID's. He has participated in the Farmers' Market for the past three years and there have been no issues. Mr. Zoll will be manning their table for the season and he is ServSafe certified.

Selectman Barrette's motion to approve the Seasonal Vintner's Agricultural Event/Farmers Market Special Liquor License application for Zoll Brothers to sell their wines at the Westborough Farmers Market at 57 West Main Street from June 13, 2013 to September 26, 2013 was seconded by Selectman Emery. Discussion: Selectman Emery pointed out that her table is next to Mr. Zoll's and he is very conscientious. Chief Gordon informed the Board that he has no issue and Mr. Zoll has a Hawker Peddler License. Vote: 4-0

Request to Approve New Officer/Director for Pizzeria Uno, Turnpike Road / Town Manager

Mr. Malloy explained that the New Officer/Director change is an organization wide change and has been pre-approved and accepted by the ABCC and requires approval from the local licensing authority. There will be no change to the local restaurant and Mr. Malloy recommended that the Board approve the request.

Selectman Emery's motion to approve the Change of Officer/Director for Uno Restaurants, LLC at 225 Turnpike Road as per their application was seconded by Selectman Barrette. Vote: 4-0

Electronic Permitting / Building Commissioner

Mr. Htway appeared before the Board to provide an update on his progress with the permitting software and the current status. The Building Permit software has been purchased and there are two components, a permitting software and document management system. The plan is to go live in phases, from the internal users, to other Town Departments, to the external users (the public) and finally to an online payment system.

Mr. Htway informed the Board that the process has been slow due to limited resources. He has been reviewing the systems for bugs and configuration issues as other towns have experienced problems and by implementing it in phases the problematic issues can be solved avoiding negative responses from users. He provided a chart outlining the Building Department's increase in business from 2009 to the present with no increase to staff. Mr. Htway's focus is to continue to provide quality service and continue to work well with the other departments. Seniors participating in the Tax Work-off Program are assisting with data input and they have started with the 1970's and are working forward so that past information is organized, easily accessible and storage space is alleviated.

Mr. Htway briefly explained the software developer's background with the Town of Westford and he reviewed the dates for new launches. He informed the Board that the Board of Building Regulations and Standards is considering a uniform state-wide permitting system and towns may be required to use the system sometime in the future. The target to go live with the permitting software is July 2013. The Board of Health is on approximately the same track to implement their system. Mr. Htway reviewed how the departments using the system will interact and how permits will be tracked. The ability to scan all plans is being investigated which will save a tremendous amount of space.

The system will allow residents to view their permit process, but will not be allowed to edit it. Selectman Dodd asked if this system will be expanded to include departments that give other

types of licenses and permits, and Mr. Malloy explained that the Town would look at what the company provides and once the initial database is in place additional modules would be added, tested and implemented. Mr. Malloy asked if the software will generate a due date, for example, when a site plan application is received and sent to Town departments for their review and Mr. Htway will look at the capability of this particular software to determine what can be generated. Selectman Barrette questioned what issues were encountered and according to Mr. Htway they included that the completion of forms on line took longer than on paper, payment needed to be made in person, and other documentation was required. He is testing a sign permit to identify the configuration problems. Mr. Htway distributed a permitting workflow chart which is the basis of the system configuration and explained the process of routing the information to the different departments involved. A training and consultation schedule would be set up at a Department Head meeting(s). There will be training sessions and information on the website for those in the public sector using the system once the internal staff is fully trained.

Request to Refinance Debt / Town Treasurer

Ms. Savignac came before the Board to request approval to refinance debt related to the Mill Pond School and High School and authorize the Treasurer/Collector to refinance any existing debt that would save the Town money.

Selectman Barrette's motion to accept the following language: "that in order to reduce interest costs, the Treasurer is authorized to provide for the sale and issuance of refunding bonds under G. L. c.44, Section 21A to refund all or any portion of the remaining principal of and any redemption premium and interest on any of the Town's bonds that are outstanding as of the date of this vote, provided that no such refunding bonds shall be issued under this vote unless and until the final interest rate(s) and other terms of such refunding bonds have been approved by this Board" was seconded by Selectman Emery. Vote: 4-0

Request to Transfer Funds / Town Treasurer

Selectman Emery's motion to approve the transfer of \$5,000 from Account #11342-5103 Town Accountant Clerical Wages to Account #11383-5243B Treasurer/Collector Bank Charges was seconded by Selectman Barrette. Discussion: Ms. Savignac explained that one of the banks that the Town uses eliminated their offset of the Town's payroll charges and all banks are currently doing the same. The Town Accountant suggested using the excess funds in her budget due to the staff change this year. Vote: 4-0

Request to Transfer Funds / MIS/GIS Director

Mr. Stockman explained that his Network and PC Coordinator has been out for an extended amount of time and the State instituted a massive project to upgrade all parcels throughout the Commonwealth. He reviewed what the project will consist of and that it is no longer feasible to complete the project in house as he is approximately six months behind in the department's workload. Mr. Stockman is requesting a transfer of funds to outsource the project.

Selectman Barrette's motion to approve the transfer of \$7,000 from Account #11542-5103 MIS/GIS Wages to Account #11543-5219 MIS/GIS Professional Services was seconded by Selectman Emery. Discussion: Mr. Malloy explained that the employee who is out is being paid by worker's compensation therefore there are extra funds in the wages account. Vote: 4-0

Electronic Voting / Selectmen Drewry and Barrette

Selectman Johnson explained that the intent tonight is to create an ad hoc committee to investigate electronic voting. Mr. Harrington, Town Moderator was asked to join the discussion.

Selectman Barrette's motion to ask the Town Moderator to appoint an Ad Hoc Committee to study electronic voting and report back to the Board at a future date was seconded by Selectman Emery. Discussion: Mr. Harrington pointed out that electronic voting is being pursued by other towns and some of the benefits are increased attendance, shorter meetings, anonymous voting, and changes to the dynamic of the meeting. The Board discussed with Mr. Harrington the number of members, who they would be and who will appoint them.

Selectman Barrette's motion was amended to create an Ad Hoc Committee with a minimum of five and maximum of seven members that would include Selectman Drewry, an Advisory Finance Committee member, the Town Clerk, the Moderator and the Moderator will recommend three at-large members for the Board to appoint. Selectman Emery seconded the amended motion.

This committee will be bound by the Open Meeting Law; will pursue further discussions with Wayland and other communities; find two more contractors that can supply the technology; and possibly secure a demo for fall Town Meeting at no cost. Mr. Harrington will have a Rule of the Meeting that will allow attendees to vote electronically if they choose and include an Article giving Town Meeting the ability to change the Bylaws and fund the new system if voted. There will be information on the option of electronic voting publicized before Town Meeting.

Vote: 4-0

Special Municipal Employee Designation for Seasonal Recreation Employees / Town Counsel

Attorney Franks explained that some of the seasonal Recreation employees also work for the School Department and they need to be designated Special Municipal employees. The employees will also have to come before the Board for approval.

Selectman Emery's motion to designate the attached list of Recreation Positions as Special Municipal Employees was seconded by Selectman Barrette. Discussion: Selectman Emery questioned whether there is a nurse position for the summer programs and Attorney Franks explained that there currently is not, but if one were hired in the future and they worked as a school nurse they would require the special designation. This requirement is for Town employees only and the action that the Board must take next does not require the employees to physically come before the Board. Vote: 4-0

Request to Approve Vacation Policy / Assistant Town Manager/HR Director

Ms. Williams explained that the proposed change to the non-union vacation policy is to move the vacation accrual date to the employee's anniversary date rather than the first day of the fiscal year. The reason is due to the current policy requirement to use vacation time before July 1 or lose it which results in many Department Heads taking vacation at the same time and this change would stagger the dates. The current policy allows employees to carry over one week only. The

policy mirrors the new vacation policy negotiated with the four unions this year. It was also approved by the Personnel Board on April 16, 2013.

Selectman Barrette's motion to approve the proposed amendment to Section 5.3 of the Town of Westborough Personnel Policies and Employee Handbook was seconded by Selectman Dodd. Discussion: There are approximately forty non-union employees affected. Vote: 4-0

Summer Meeting Schedule / Board of Selectmen

Mr. Malloy requested that the Board set the summer meeting schedule so that public hearings which require advance posting can be scheduled. He pointed out that the last day for the Town Accountant to make transfers is July 9 and the Advisory Finance Committee is meeting on July 8 to approve those requests and suggested July 9 and August 13.

Selectman Barrette's motion to set meeting dates on July 9 and August 13, 2013 was seconded by Selectman Emery. Vote: 4-0

Town Counsel Report

None

Town Manager Report

Mr. Malloy provided the final draft of the Pay as You Throw report and asked the Board to review it and take action at the next meeting at which point the Committee will be disbanded. The resulting conclusion was that there was substantial community opposition, the savings was about \$60,000, and the program may be considered again in the future if the Town is up against its levy limit.

Issues and Correspondence of the Selectmen

Selectman Emery expressed condolences for the McGoldrick family on Larry's recent passing. The Spring Festival was successful and the Bay State Green Committee (BSGC) held a ceremony thanking all those who have contributed monetarily and in kind. The Committee requested to be disbanded as they have finished the work they were charged with. The Committee also suggested, if the Board was interested, forming another committee to explore the outstanding issue of building a tot lot. Selectman Emery suggested advertising the idea and if there are residents willing to volunteer a committee could be appointed. Some of the BSGC members are willing to provide support. This will be on the next agenda.

Selectman Barrette informed the Board that the volunteer breakfast will be held at the Senior Center tomorrow morning, and thanked them on behalf of the Board for hosting the breakfast. On the Board's behalf, Selectman Barrette thanked Jim Johnson, who is resigning from the Zoning Board of Appeals, for his thirty-three years of service.

Selectman Dodd informed the Board that National Bike Week begins on June 17 and thanked the Bike & Pedestrian Committee for the progress they have made on trails and updating the crosswalks. The Town was acknowledged by the Boston Globe as a "Dreamtown" and ranked #10 out of 25 towns chosen and Selectman Dodd reviewed the some of the criteria used.

Selectman Johnson agreed that being chosen as a Dreamtown is a great acknowledgement and pointed out that the Economic Development Committee is working on a Town guidebook and was able to insert that acknowledgement. He has received comments from Town residents regarding the signs placed on Ward's corner and Lyman Street and that they are being left up several days after the end of the event. Requests come to the Selectmen's office and are then sent to the Police Chief, which they monitor. Chief Gordon reviewed the sign policy.

Executive Session

Selectman Barrette's motion that the Board enter into Executive Session for the purpose of conducting a strategy session in preparation for negotiations with non-union personnel and 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 Emery – yes; Selectman Johnson – yes; Selectman Barrette – yes; Selectman Dodd – yes.

Submitted by Paula M. Covino

Chairman Johnson

Vice Chairman Barrette

Selectman Dodd

Selectman Emery

Selectman Drewry