

**Westborough Board of Selectmen
Meeting Minutes
June 25, 2013**

6:00 p.m. – 7:57 p.m.

Present: Chairman Johnson, Vice Chairman Barrette, Selectmen Dodd (arrived at 6:40 p.m.), Drewry 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 Barrette's motion to approve the minutes of May 14, 2013 was seconded by Selectman Drewry. Vote: 4-0

Open Forum

Chief Perron informed the Board about an incident they responded to today along with the Police Dept. A resident was having a heart attack and UMass Emergency Medical Dispatch was used as well as the new Lucas Chest Compression Systems. The patient is in good condition tonight at UMass.

Public Hearing for a Site Plan Review for the New Westborough Fire Station, 42 Milk Street / Municipal Building Committee / Brian Humes / Peter Collins

Selectman Barrette's motion to open the public hearing for the Westborough Fire Station, 42 Milk Street was seconded by Selectman Emery. Vote: 4-0

Members of the Municipal Building Committee in attendance: John Arnold, Bob Brown, Dexter Blois.

Brian Humes, architect, reviewed the site history, the site conditions and the soil monitoring process. The site plan was reviewed in detail, including the drainage, storm water management and site features. Mr. Humes noted that the plans have been reviewed by the Design Review Board, DPW, Planning Board, and Building Department. Comments were submitted and he suggested that the Planning Board comment regarding construction activities on Sundays or Holidays and that they are not allowed unless permitted by the Police Chief. Mr. Humes suggested amending the statement so that it is not limited to one person.

Attorney Jim Tashjian came before the Board on behalf of Jack Bartolini, of 7 Grove Street, to discuss the discrepancy of the site boundaries between his property and the Fire Station. The Municipal Building Committee has agreed to limit the construction so that it is outside of the boundary line as determined by Mr. Bartolini's engineer. Mr. Bartolini is satisfied with this compromise. Attorney Tashjian noted that lighting on the site is a concern for the neighbors and Mr. Humes explained the lighting plans and how they are addressing this issue.

Selectman Barrette's motion to approve as per the attached decision and subject to the conditions recommended by the departments as contained in the decision and change the language in the memo to Tin Htway, Building Commissioner from Jim Robbins, Town Planner dated June 19, 2013, Section 2, second sentence, by adding "or his designee" after "...Westborough Police

Chief' was seconded by Selectman Emery. Discussion: The Board, MBC members and Mr. Humes discussed issues regarding Design Review process, the Police Chief's designee, the placement of the new fence, and the quality of the concrete. Vote: 4-0

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

Public Hearing for a Site Plan Review for the Westborough Tennis & Swim Club, 21-31 and 35 Chauncy Street / Justin Lundberg / Michael Scott

Selectman Barrette's motion to open the public hearing for Site Plan Review for the Westborough Tennis & Swim Club, 21-31 and 35 Chauncy Street was seconded by Selectman Drewry. Vote: 4-0

Justin Lundberg, Owner and President of the Club and Michael Dryden, Senior Project Manager from Waterman Design came before the Board. Mr. Dryden reviewed the proposed site plan in detail. He has received approval from the Conservation Commission and correspondence from the Town Planner and Town Engineer and those comments have been reconciled. He provided copies of a minor revision in the plan which was a result of the comments received from the Fire Department to evaluate the turning movements for the ladder vehicle. A parking space will be lost to correct the issue which Mr. Lundberg has agreed to. The proposed change was sent to the Fire Department today and comments have not yet been received as the Fire Inspectors have not seen it. The owner agreed to comply with all required changes, and the Building Commissioner and the Fire Chief are comfortable with approving the site plan tonight as the Fire Department response was the last one needed.

Selectman Barrette's motion to approve the Site Plan as per the attached decision and subject to conditions recommended by all the departments as contained the decision was seconded by Selectman Drewry. Vote: 5-0

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

Public Hearing for a All Alcohol Package Store Liquor License Transfer from Westborough Package Store, Inc. to Famous Liquors, Inc., 2 West Main Street / James Kayrouz / Attorney Robert Deshaies

Selectman Barrette's motion to open the public hearing for an All Alcohol Package Store Liquor License Transfer from Westborough Package Store, Inc. to Famous Liquors, Inc., 2 West Main Street was seconded by Selectman Dodd. Vote: 5-0

Ms. Williams noted that the Alcohol Training Certification has been received. Appearing before the Board were Attorney Roger Leland, Ralph Halpern, current owner, Attorney Robert Deshaies and James Kayrouz, new owner.

Selectman Emery's motion to approve the Transfer of License Application from Westborough Package Store to Famous Liquors, Inc. was seconded by Selectman Drewry. Discussion: Attorney Franks assured the Board that all documentation is complete. Selectman Emery asked Mr. Kayrouz how many hours he will spend in the store and emphasized the Town's strict adherence to the regulations. Mr. Kayrouz will spend seven to eight hours per day on the premises. As part of the documentation there is a request to be able to pledge the liquor license

back to Mr. Halpern as he is financing the transaction and is taking back a pledge of the license as security. Attorney Franks noted that this does not need to be a part of the motion as it is included in the application. Mr. Kayrouz plans to remodel and he has the right under the contract to continue to use the same name. Vote: 5-0

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

Planning Board Interviews

Planning Board Members present: Brian Bush, Joanne Mallozzi.

The members of the Board of Selectmen and Planning Board interviewed candidate, Christopher Noonan, with a twenty minute question and answer session.

The Boards will vote on the appointee at the July 9, 2013 meeting.

Request to Appoint Justin Lundberg to the Zoning Board of Appeals as a Voting Member for a Term Ending June 30, 2016 / David Lamothe / Justin Lundberg

Mr. Lamothe and Mr. Lundberg came before the Board. Mr. Lamothe noted that Mr. Lundberg has been an alternate for six months and recommended he be appointed as a full voting member.

Selectman Drewry's motion to appoint Justin Lundberg to the Zoning Board of Appeals for a term to expire in 2016 was seconded by Selectman Barrette. Vote: 5-0

Request to Appoint Peter Casparriello as a Voting Member to the Recreation Commission for a Term Ending June 30, 2016 / Frank DeSiata / Peter Casparriello

Beth Travis, Recreation Commission Chair explained that Todd Jewett is moving out of Town and the Commission recommended appointing Peter Casparriello, who has been a non-voting associate, to fill the vacancy.

Selectman Barrette's motion to appoint Peter Casparriello to the Recreation Commission for term to expire June 30, 2016 was seconded by Selectman Drewry. Vote: 5-0

Request to Appoint Three At-Large Members to the Electronic Voting Study Committee / Town Moderator

Mr. Harrington reviewed the reasons behind his appointment recommendations.

Selectman Dodd's motion to appoint Mark Stockman, Peter McLaughlin and Tom Shea to the Electronic Voting Ad Hoc Committee was seconded by Selectman Emery. Vote: 5-0

Request to Approve Reappointments / Assistant Town Manager

Selectman Dodd's motion to appoint Andrew Koenigsberg as the Conservation Committee Representative to the Open Space Preservation Committee for a term ending June, 30, 2014, Mark Silverberg as the Planning Board Representative to the Open Space Preservation Committee for a term ending June, 30, 2014, and Mary Stanton as the Recreation Committee Representative to the Walkup-Robinson Fund Committee for a term ending June 30, 2016 was seconded by Selectman Emery. Vote: 5-0

Request to Approve Interdepartmental Transfers / Assistant Town Manager

Selectman Barrette's motion to approve the transfer of \$4,500 from the Insurance Budget to the Street Lights account as requested was seconded by Selectman Emery. Vote: 5-0

Selectman Emery's motion to approve the transfer of \$75,000 from the Insurance Budget to the Fire Salary and Wages as requested was seconded by Selectman Barrette. Vote: 5-0

Town Counsel Report

Attorney Franks informed the that he attended the Housing Appeals Committee hearing today on the Zaara Gardens 40B project on East Main Street. They have been waiting for a letter from the subsidizing agency stating that they approve 12 units instead of 8, which they have not been able to obtain and are now being told that it is not required. Attorney Franks is unsure of the direction this will take.

Town Manager Report

Ms. Williams informed the Board that Mr. Harvey is working on creating the second phase of his solar field and has approached the Town with the same proposal previously approved by the Board with SunRay. The agreement for the second phase would be with Solare and would pay the Town approximately twice the amount of the original agreement with SunRay. This will be on the next meeting agenda for a discussion and vote.

Ms. Williams noted that Marilyn Contreas, from the Dept. of Housing and Community Development, provided Charter information and her comments to the Board as a result of her attendance at the last meeting. Mr. Malloy asked that the Board review it for discussion at the next meeting.

Issues and Correspondence of the Selectmen

Selectman Dodd requested that the Board revisit the use of the Volunteer Interest Form in order to alleviate the number of committee vacancies and to streamline the appointment process. The Board agreed to put it on either the July or August agenda. The Tax Relief Fund Committee held its first meeting and will develop a plan to bring to fall Town Meeting for approval.

Selectman Emery noted her concerns over pedestrian safety during the Farmers' Market on Thursdays and requested that the Board discuss it with Chief Gordon at the next meeting.

Selectman Johnson reminded the Board of the ribbon cutting ceremony at St. Mary's Credit Union at 5:00 p.m. on July 9, 2013. The Board received correspondence regarding the Worcester County Selectmen's Meeting and their request for membership dues. He asked the Board to review the letter. Selectman Johnson informed the Board that he has received feedback, both concerns and appreciation, from several residents regarding the Town Charter discussion.

Executive Session

Selectman Barrette's motion to 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 considering the purchase, exchange, lease or value of real property as an Open Meeting may have a detrimental effect on the Town's negotiating position.

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

Chairman Johnson

Vice Chairman Barrette

Selectman Dodd

Selectman Emery

Selectman Drewry