

**Westborough Board of Selectmen
Meeting Minutes
February 25, 2014**

6:30 p.m. – 8:21 p.m.

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

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

Request to Approve the Board of Selectmen Minutes

Selectman Barrette's motion to approve the minutes of February 11, 2014 was seconded by Selectman Emery. Vote: 5-0

Request to Approve a 60-day Extension for a Public Hearing for Site Plan Review / Spectrum Health, behind 155 Oak Street

Selectman Barrette's motion to open the public hearing for Spectrum Health was seconded by Selectman Dodd. Vote: 5-0

A letter dated January 29, 2014 was received from Attorney Gould requesting a 60 day extension for the Spectrum Site Plan review.

Selectman Barrette's motion that the Board approves a 60 day extension through March 30, 2014 and to continue the public hearing on March 25, 2014 for the Spectrum House Site Plan Review as requested was seconded by Selectman Emery. Vote: 5-0

Article 17 – Conservation Survey Discussion / Derek Saari and Andrew Koenigsberg

Mr. Saari and Mr. Koenigsberg came before the Board. Mr. Saari noted the Commission is requesting funds to perform survey boundary work on the 109 acre area as outlined in his presentation. The survey will mark the shared boundaries of the recreational and conservation parcels as well as additional boundaries on a portion of the recreational parcel. Mr. Saari will follow the surveyor and mark the boundaries. Mr. Koenigsberg noted that the survey will assist the Commission in taking better care of the land and prevent homeowners from encroaching on the conservation property.

Request to Appoint Kelley Donley as the Conservation Commission Representative to the Walkup-Robinson Fund Committee / Kelley Donley / Derek Saari

Ms. Donley, Mr. Saari and Mr. Koenigsberg came before the Board.

Selectman Barrette's motion that the Board confirms Kelley Donley as the Conservation Commission's designee to the Walkup-Robinson Fund Committee for a term to expire on June 30, 2016 was seconded by Selectman Drewry. Vote: 5-0

Interview and Appointment of Non-voting Associate to the Country Club Operating Committee / John Arnold and Jim Arena

Mr. Arena reviewed his background in business, as a golfer and options for increasing membership.

Selectman Barrette's motion that the Board appoint James Arena as a Non-voting Associate Member of the Country Club Operating Committee for a term to expire on June 30, 2014 was seconded by Selectman Drewry. Vote: 5-0

Request to Approve the Class II Dealer License Amendment Changing the Corporate Name from Clear Sky Global, Inc. to CarLuxury, Inc., 240-242 Turnpike Road / Town Manager

Mr. Malloy noted that this a corporate name change only.

Selectman Emery's motion that the Board approves the change of corporate name for the Class II Used Car Dealer's license at 240 Turnpike Road to CarLuxury, Inc. was seconded by Selectman Drewry. Vote: 5-0

Vote on Historical Commission and Council on Aging Budgets / Town Manager

Mr. Malloy provided the Board with the "Fiscal Year 2015 Revenue & Expenditures Estimates" prepared by the Town Accountant, which shows the amount that the Town is below the 2% goal set by the Selectmen. He noted the change to Library's electricity budget on the second page. His original recommendation was to reduce it to \$17,130, from \$20,000 and after reviewing the bills with the Library Director it was agreed that \$19,000 was more appropriate, which includes the net metering credits. Mr. Malloy addressed the Snow & Ice Budget which was discussed with the AFC the previous night's meeting. According to the 13-year analysis that he prepared it justified a \$75,000 increase to that budget. Another option discussed at the meeting was to increase the Snow & Ice budget by \$100,000 and reduce the AFC Reserve Fund by \$50,000 to \$250,000 in order to reflect where the funds are actually being spent. Mr. Malloy met with the DPW Manager and Business Administrator and they added \$30,000 to the Salary & Wages line item and \$70,000 to the Expense line item. The Board agreed with this approach.

Selectman Barrette's motion to approve the updated February 25, 2014 Library budget was seconded by Selectman Dodd. Vote: 5-0

Selectman Barrette's motion to approve the Snow and Ice Wages and Snow Removal Expenses as updated today, February 25, 2014 was seconded by Selectman Emery. Vote: 5-0

Historical Commission:

Selectman Barrette's motion that the Board supports the Town Manager's recommendation to reduce the Account 5103 for Wages-Clerical for the Historical Commission Secretary to \$2,974.80 and the Expenses at \$5,725.00 was seconded by Selectman Johnson. Discussion: Selectman Emery supports a decrease but less than what is proposed and would prefer that it be done over a couple of years. Selectman Drewry agreed that the cut is drastic and would like to see a compromise. Selectman Dodd also agreed with a less drastic decrease and supports funding the digitalization of documents in the future. Selectman Barrette supports the Town Manager's recommendation as it was based on a comparison to other towns and proposed that the seniors in the Tax Work-Off Program could provide office support. Selectman Johnson agreed with Selectman Barrette and would consider a compromise. Vote: 2-3 (Drewry, Emery, Dodd)

Selectman Dodd's motion to approve the Wages-Clerical for a total amount of \$4,463 which would allow the Commission 15 hours of staff time per month was seconded by Selectman Barrette. Discussion: Selectman Drewry reiterated his earlier comments and suggested lowering

the pay grade which might allow more hours. Selectman Emery suggested 7 hours per week, a change to the pay grade, and to cut back to 10 hours per month which will allow the Commission more time to work with the people who have volunteered. Vote 3-2 (Emery, Drewry)

Council on Aging:

Selectman Emery's motion to support the wages for the bus driver and not the hours for the Asian Outreach Worker for a total of \$278,671 for Salary & Wages and \$47,752 for Expenses was seconded by Selectman Drewry. Discussion: Selectman Emery explained that the Outreach Worker made significant accomplishments with the grant money they received and grant funded programs should not necessarily become Town funded. She also noted that the additional bus driver meets all the senior population's needs. Selectman Dodd supports 15 hours per month for the Asian Outreach Coordinator as the trial showed that there is a need and it was the COA's priority over the bus driver. Selectman Barrette respects both program but supports the Town Manager's recommendation to eliminate the bus driver and Asian Outreach positions in an effort to cut costs as was recommended for the Historical Commission. Selectman Johnson noted that the COA prioritized their requests and indicated the need for the Asian Outreach program. He commented that this line item for programs has increased substantially over the last couple of years and suggested applying for grants to cover these costs. Vote: 2-3 (Johnson, Barrette, Dodd)

Selectman Dodd moved to approve \$262,822 for the Council on Aging Salary and Wages and to increase expenses by \$3,960 to \$51,712 providing 15 hours per month at \$22 per hour for the Asian Outreach Program. Selectman Dodd's motion was not seconded.

Selectman Barrette's motion to support the Town Manager's recommendation of \$262,822 for Salary and Wages and Expenses of \$47,752 was seconded by Selectman Emery. Vote: 3-2 (Dodd, Drewry)

Electronic Voting RFP Update and Town Meeting Warrant Article / Town Moderator

Mr. Malloy noted that the committee met and reviewed the two proposals received and that the funds requested in the Article (\$40,000) would be sufficient for either bid. The Committee agreed to go with the higher priced proposal however it was based on a sliding scale that depends on the number of attendees. The Board discussed options for funding should there be an increase in the attendance and the cost exceeds \$40,000. Mr. Behn came before the Board and explained the procedures for funding from the Finance Committee's perspective. Selectman Barrette expressed concern regarding the number of variable in process. Selectman Emery noted that she does not support the Article due to the current cost, that it may be less in the future, and as a citizen she prefers to see how her Selectmen and elected officials vote.

Request to Approve the Form Memorandum of Agreement for Health Care Plan Design Changes / Town Manager

Mr. Malloy explained that the changes to the healthcare plan will reduce the health insurance costs by approximately \$1.1 million, which will be transferred to the OPEB Trust Fund. He noted that it has been approved by the Insurance Advisory Committee, and to date, two of the unions have approved the MOA. He will be meeting with the remaining nine unions for their approval.

Selectman Barrette's motion that the Board approves the attached generic Memorandum of Agreement related to Health Insurance Plan Design Changes and to authorize the Town Manager

to execute the agreements with each union prior to Selectmen signing the agreement was seconded by Selectman Drewry. Vote: 5-0

Town Meeting Warrant – Vote on Articles and Close Warrant / Town Manager

Selectman Johnson read each Article and the Board called out Articles 16, 19 and 20.

Selectman Emery's motion to support all Warrant Articles with the exception of those called out (Articles 16, 19, and 20) was seconded by Selectman Barrette. Vote: 5-0

Article 16:

Selectman Emery reiterated her reasons as stated earlier in the meeting for questioning this Article. Selectman Johnson noted that Town Meeting had voted to place this Article on the Warrant and he agreed to support that.

Selectman Drewry's motion to support Article 16 as printed in the Warrant was seconded by Selectman Johnson. Vote: 2-3 (Emery, Barrette, Dodd)

Article 19:

Selectman Johnson's motion to remove Article 19 from the Warrant was seconded by Selectman Drewry. Discussion: Selectman Johnson requested the removal of the Article as he feels that not enough information has been provided to the community, the Board does not have all the necessary answers, there are a number of people in opposition and that public meetings should be held to disseminate the necessary information. Mr. Malloy explained that the Article is seeking the authority to sign the lease and setting the dimensional regulation for something that could be permitted in the future. He noted that the biggest issue is with the bike trail and discussed at the Planning Board and Finance Committee meetings was that a solar field is an allowed use on the property and a bike trail is not according to the current Zoning Bylaws. Mr. Malloy noted that the project will be required to follow the site plan review process and that the Green Technology Committee has been investigating this for several years. The four solar companies that responded to the RFQ have indicated their willingness to work with the Town to develop a trail on the property. Mr. Malloy also reviewed the timing parameters as set by the State, further support and commitments made to the community by the solar companies and the potential amount of revenue it would bring. Comments/reasons for keeping Article 19 on the Warrant were provided by Selectmen Emery, Drewry, Dodd and Barrette. Vote: 1-4 (Drewry, Emery, Barrette, Dodd)

Selectman Barrette's motion to vote on Articles 19 and 20 at Town Meeting was seconded by Selectman Drewry. Vote: 5-0

Selectman's Barrette's motion to close the Town Meeting Warrant was seconded by Selectman Drewry. Vote: 5-0

Town Counsel Report

Attorney Franks noted that Charter's Cable license is up for renewal and the committee appointed by the Board is currently negotiating the renewal. Due to certain issues that have come up Attorney Franks recommended that the Cable Committee hire the attorney they used during the previous negotiations from Kopelman & Paige to assist the Committee during the process. There are funds in his budget to support the request, he suggested an amount not to

exceed \$15,000, and asked the Board to authorize the appointment of special counsel and Mr. Malloy to sign the contract.

Selectman Dodd's motion to authorize the Town Manager to expend up to \$15,000 in a contract for outside counsel services for pending contract negotiations for the Town's cable license was seconded by Selectman Barrette. Vote: 5-0

Issues and Correspondence of the Selectmen

Selectman Dodd noted that the Town is allowed three voting delegates and one alternate on the Central Mass. Regional Planning Committee. The Selectmen appointed Selectman Drewry as their one voting delegate and can appoint one alternate. The Planning Board can appoint two voting delegates and they do not have to be a Planning Board member. He suggested the Selectmen advertise their alternate member opening and inform the Planning Board of their appointments openings as well. Selectman Dodd requested an update on the bus shuttle service in April and to address the land disposition policy at the next meeting.

Selectman Barrette noted that the Senior Tax Work-Off program is still taking applications and encouraged residents to sign up. He reminded residents to vote in the Town Election on Tuesday, March 4, 2014.

Selectman Johnson noted that Troop 100 will hold its 36th Annual Pancake Breakfast on Sunday, March 2, 2014.

Executive Session

Selectman Barrette's motion at 8:21 p.m. that the Board enters into Executive Session to consider the purchase, exchange, lease or value of real property, as an Open Meeting would have a detrimental effect on the Town's negotiating position.

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

Submitted by Paula M. Covino

Chairman Johnson

Vice Chairman Barrette

Selectman Dodd

Selectman Emery

Selectman Drewry