

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

6:30 p.m. – 7:56 p.m.

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

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 Drewry's motion to approve the minutes of February 25, 2014 as amended was seconded by Selectman Johnson. Vote: 5-0

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

Selectman's Johnson motion to approve the minutes of March 15, 2014 was seconded by Selectman Drewry. Vote: 5-0

Continuation of Site Plan Review Public Hearing for Spectrum Health Oak Street / Town Manager

Attorney Marshall Gould appeared before the Board. Accompanying him were Diane Dooley, Architect, Chuck Faris and Frank Hight from Spectrum, and Michael Scott from Waterman Design. Attorney Gould noted that the building plan was approved by the Zoning Board of Appeals and he then reviewed the site plan. There are minor issues remaining with engineering. Originally Spectrum was going to remove the white building on the corner of Oak Street however the State wants it to remain. It will be empty and Spectrum will maintain the exterior. The Selectman will appeal to the Representatives regarding the removal of the building.

Selectman Drewry's motion to extend the deadline for the Spectrum Health Systems site plan for 30 days until May 5, 2014 was seconded by Selectman Johnson. Vote: 5-0

Recognition of Service – Frank DeSiata

Mr. DeSiata, who retired from his position as Recreation Director came before the Board. The Chairman read and presented Mr. DeSiata with a proclamation and the Board thanked him for his thirty-six years of service.

“Westborough Reads Together” / Maureen Ambrosino and John Badenhause

Mr. Badenhause and Ms. Fontes came before the Board. Ms. Fontes reviewed the program and summarized the book that is being read, “Home of the Brave” by Katherine Applegate. The kick-off event will be held on Friday, April 4, 2014 at 6-7:30 p.m. in the High School lobby.

Public Hearing for Liquor License Request for Moelicious, LLC d/b/a Moe's Southwest Grill, 76 Otis Street / Ryan Rouleau

Selectman Dodd's motion to open the public hearing for the liquor license request was seconded by Selectman Johnson. Vote: 5-0

Mr. Rouleau appeared before the Board as the Manager for the new Moe's Southwest Grill on Otis Street. Mr. Rouleau noted that he plans to visit the Westborough location every day as he does with the Worcester and Shrewsbury locations. Selectman Johnson stressed the importance of alcohol awareness training and Mr. Rouleau assured the Board that anyone handling alcohol will be certified.

Selectman Dodd's motion to approve the All Alcohol License for Moelicious, LLC d/b/a Moe's Southwest Grill at 76 Otis and naming Ryan Rouleau as the Manager of Record was seconded by Selectman Johnson. Vote: 5-0

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

Request to Approve Common Victualer Permit for Moelicious, LLC d/b/a Moe's Southwest Grill, 76 Otis Street / Ryan Rouleau

Selectman Johnson's motion to approve the Common Victualer Permit for Moelicious, LLC d/b/a Moe's Southwest Grill located at 76 Otis Street was seconded by Selectman Drewry. Vote: 5-0

Public Hearing for Fuel Storage Permit for 128 Turnpike Road / Attorney Marshall Gould, Michael Scott (Waterman Design) and Tom Healy (Nouria Energy)

Selectman Drewry's motion to open the public hearing for the Fuel Storage Permit for 128 Turnpike Road was seconded by Selectman Johnson. Vote: 5-0

Attorney Gould and Tom Healy, from Nouria Energy, appeared before the Board. Mr. Healy reviewed the request for the new underground storage tanks with a capacity of 38,000 gallons.

Selectman Johnson's motion to approve the underground fuel storage permit for Bowman Realty Land Trust, LLC for the Shell Gas Station at 128 Turnpike Road as per the attached application and plan dated 8/15/13; further, that spill containment equipment shall be available on site for service station personnel and emergency responders; equipment shall be stored outside and readily accessible; and to include booms, speedi-dri and storm drain containers, was seconded by Selectman Drewry. Discussion: Chief Perron and the Building Commissioner have no issues with the request. Vote: 5-0

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

Request to Declare Vehicles as Surplus / DPW Manager

Mr. Walden came before the Board to request that three vehicles be declared surplus in order to be auctioned.

Selectman Johnson's motion to declare the equipment on the March 14, 2014 memo from John Walden surplus equipment and authorize its sale was seconded by Selectman Drewry. Vote: 5-0

Request to Approve Mutual Aid Agreement with the City of Worcester / Chief Gordon

Chief Gordon came before the Board to request their approval of the Mutual Aid Agreement that was approved at Annual Town Meeting. The Town has agreements with other Towns and he reviewed the reasons why the agreement is needed with Worcester. Attorney Franks has reviewed and approved the agreement.

Selectman Johnson's motion to approve the agreement between the Town of Westborough and City of Worcester as attached for the purpose of providing mutual aid among the two police departments was seconded by Selectman Drewry. Vote: 5-0

Public Hearing for Site Plan Review for Taco Bell, 289 Turnpike Road / Attorney Marshall Gould, Michael Scott (Waterman Design) and David Lockwood (Lockwood McKinnon Group)

Selectman Emery's motion to open the public hearing for Site Plan Review for Taco Bell at 289 Turnpike Road was seconded by Selectman Johnson. Vote: 5-0

Attorney Gould, Michael Scott and David Lockwood, proponent, appeared before the Board. Mr. Scott reviewed the site plan, what transpired to acquire the property and the process that was followed with the Town Departments.

Selectman Johnson'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 Drewry. Discussion: Mr. Lockwood informed the Board that construction will begin at the end of April, the property was acquired today and they will open in the summer. The DPW Manager and Fire Chief have no issues with the project. Vote: 5-0

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

Request to Approve Amended Electronic Sign Board Policy / Town Manager

Mr. Malloy noted one amendment to policy which is a requirement that the notice specifically benefits Town Departments.

Selectman Emery's motion to approve the Electronic Sign Board Policy as attached was seconded by Selectman Johnson. Discussion: Selectman Barrette noted his dislike of the sign in the rotary and Mr. Malloy informed the Board that there is a new permanent electronic sign being designed. The Board briefly discussed the various groups in Town that would use the sign board and the option for a permanent one. Vote: 5-0

Request to Post Message on the Electronic Sign Board from Girl Scout Troop 30555 for Styrofoam Collection / Julie Baldwin

Julie Baldwin came before the Board and explained the Girl Scouts' project to collect Styrofoam for recycling as it should not be deposited in the landfill.

Selectman Johnson's motion to approve the use of the Electronic Sign Board to advertise the Girl Scouts' Styrofoam recycling project on March 29, 2014 was seconded by Selectman Drewry. Vote: 5-0

Request to Accept Fran Sowa's Letter of Resignation from the Insurance Advisory Committee / Town Manager

Selectman Dodd's motion to accept the letter of resignation from Fran Sowa for the Insurance Advisory Committee and to send him a letter thanking him for his service was seconded by Selectman Emery. Discussion: Selectman Barrette noted that the Committee's vacancy will need to be filled by a retired resident and encouraged the public to consider applying by sending a letter of interest to the Board. Mr. Malloy reviewed the committee's function. Vote: 5-0

Town Counsel Report

Attorney Franks informed the Board that the Legislature has approved the liquor license for the Downtown Planning Overlay District, which is mostly the Bay State Commons area. He is also working on the easement for the Town Hall transformer which is shared with a neighboring business owner and the release of the preservation restriction on the Nathan Fisher House.

Attorney Franks noted that the Town's request for the ability to approve unlimited liquor licenses will most likely die in Committee. Mr. Malloy noted that he had asked to be informed about the hearing date and was never notified. The Board discussed the benefit of having the ability of unlimited licenses and what other options there are to pursue this.

Issues and Correspondence of the Selectmen

Selectman Emery asked about the Legislators' decision to not address a bill regarding facilities that would provide end of life services in Massachusetts. Mr. Malloy agreed to look into it.

Selectman Johnson requested that the next agenda include a recap of Town Meeting. He noted that some of the Board's efforts to reduce taxes are voted down at Town Meeting and asked Mr. Malloy to look into the option of a Proposition 2 ½ override. Mr. Malloy will update his presentation and present it at the next meeting. Selectman Johnson reminded residents to sign up for the Planning Charrette for the State Hospital property. There are 50 people currently signed up.

Selectman Barrette noted that the work has begun for the new cemetery on Nourse Street. He has received inquiries regarding the ability to purchase plots. It will be another 5-7 years before the project is complete and the ability to offer plots is in the long range plan.

Executive Session

Selectman Dodd moved to enter into Executive Session at 7:56 p.m. for the following purposes:

- To discuss collective bargaining, as an Open Session would have a detrimental effect on the Town's bargaining position;
- To discuss the discipline or dismissal of an employee;
- To consider the purchase, exchange, lease or value of real property, as Open Meeting would have a detrimental effect on the Town's negotiation position.

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

Submitted by Paula M. Covino

Chairman Barrette

Vice Chairman Dodd

Selectman Johnson

Selectman Emery

Selectman Drewry