

**Westborough Board of Selectmen
Meeting Minutes
October 28, 2014**

6:30 p.m. – 7:28 p.m.

Present: Chairman Barrette, Vice Chairman Dodd (arrived at 6:34 p.m.), Selectmen 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 Johnson's motion to approve the minutes of October 14, 2014 was seconded by Selectman Drewry. Vote: 3-0

Public Hearings: FY 2015 Tax Classification / Chief Assessor

Selectman Johnson's motion to open the public hearing for the FY 2015 tax classification was seconded by Selectman Drewry. Vote: 4-0

Ms. Swadel, Mr. MacDonough, and Mr. Silverberg came before the Board. Ms. Swadel noted the decrease in the debt exclusion number; that the excess levy capacity is \$7.728 million; the total valuation of the Town has increased by a little over \$160 million; and the tax rate decreased by \$.70 to \$18.59.

Selectman Johnson noted that the excess levy capacity is in line with the goals set by the Board, that he is in favor of the single tax rate as it attracts businesses, and encouraged the effort to continue to lower the tax rate for the benefit of homeowners. Selectman Drewry pointed out that if homes increase in value the taxes will not decrease. Ms. Swadel noted that to have only increased the levy by \$688,766 with a total levy just under \$64 million and a \$94 million budget is remarkable in her opinion.

Karen Chapman, president of Corridor Nine Chamber of Commerce, informed the Board that they support the single tax rate. Gary Wells, Advisory Finance Committee Chair, noted that he supports a single tax rate to encourage new business. He reviewed the value of residential versus commercial/industrial and pointed out that the single family tax bill will decrease by \$90 and the commercial/industrial will increase by \$1,365 indicating that commercial/industrial and personal property are incurring more of the tax burden which is another reason to support the single rate.

Selectman Drewry's motion to maintain a single tax rate for FY15 was seconded by Selectman Johnson. Vote: 4-0

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

Request to Approve the Change to the Law for Off-Premises Retail Liquor Licensees to Open at 10:00 AM on Sunday / Town Manager

Mr. Malloy noted that the ABCC has issued notification that the law regarding the Sunday opening time for off-premises liquor licenses has changed from 12:00 p.m. to 10:00 a.m.

effective October 26, 2014. Some of the license holders have requested to open at 10:00 a.m. next Sunday. Chief Gordon has no concerns.

Selectman Johnson's motion to permit the following businesses to open at 10 AM on Sundays, subject to the businesses submitting the proper change of hours paperwork to the Town/ABCC: Andy's Variety, Inc., Famous Liquors, Inc., Highpoint Liquors, LLC, Kuma Ventures, Inc., LD Wines, Inc., Mendon Wines & Spirits, Inc., Orobi Enterprises, Inc., OSJL, Inc., Pro Wine, Inc., and Sunshine Convenience Store was seconded by Selectman Drewry. Vote: 4-0

Request to Approve the Use of the Electronic Sign at the Rotary for Scouting for Food / Jim Rhein, Troop 100

Jim Rhein, Committee Chair, Eagle Scout Greg Tubman, and Scoutmaster David Buffo from Troop 100 came before the Board. Mr. Tubman informed the Board that this is Scouting for Food's 27th year and it serves 21 towns in the area. He noted that in recent years the number of families that donate food has declined while there has been an increase to the amount of people in need. Their request is to use the electronic sign at the rotary and the electronic billboard on Route 9 to increase awareness in the community. Mr. Malloy will send the request to the digital billboard company.

Selectman Johnson's motion to permit the use of the electronic sign board for the Boy Scouts from November 5th through the 8th at the Rotary to read, "Scouting For Food, Saturday, November 8th" was seconded by Selectman Drewry. Vote: 4-0

Request to Approve Utility Easement at 42 Milk Street / Town Manager

Mr. Malloy explained that Verizon's request for the utility easement is to install underground utilities from a pole on Grove Street to the new fire station. The work has been finished, but the paperwork needs to be completed and filed at the Registry of Deeds.

Selectman Johnson's motion to approve the easement document and authorize the Board to execute and return the document to Verizon to be filed at the Registry of Deeds was seconded by Selectman Dodd. Vote: 4-0

Request to Reduce Certain Building Inspection Fees / Selectman Barrette

Selectman Barrette noted that the increase in inspection fees from \$40 to \$100 has been a hardship for non-profit organizations in Town. He requested that the Board change it for Group A-3 which includes lecture halls and churches and places of religious worship. There is no mechanism to refund fees already paid this year.

Selectman Barrette's motion to set a fee for inspection of buildings for non-profits of \$40, with an effective date of 10/29/14 was seconded by Selectman Dodd. Discussion: Mr. Htway came before the Board and explained that the request to increase fees was because the latest version of the Building Code did not include a fee in the table. When Mr. Htway reviewed the Town's fee schedule relative to the inspection process he determined that \$100 was fair. He suggested giving an exemption on an individual basis.

Selectman Barrette's amended motion to set a fee for inspection of buildings for non-profits in the A-3 Category of \$40 with an effective date of 10/29/14 was seconded by Selectman Johnson. Vote: 4-0

Request to Approve a Rotary Club Gift Account / Town Manager

Attorney Bloom introduced Rotary Club members: Ron Goodnow, Chairman Bill Domings, Dave Kaiser, and Jessica Thomas. Also in attendance were Nick Schur, who is leading the installation of the electron sign for his Eagle project, his father, Dan Schur, Eagle Scout Greg Tubman, and Troop 100's Scoutmaster, Dave Buff and Committee Chair, Jim Rhein. Attorney Bloom noted that the project is ready to move forward, the sign vendor has been selected, and they are ready to break ground. The Rotary Club is funding the project with a gift to the Town.

Selectman Drewry's motion to establish two Rotary Gift Accounts for the purpose of purchasing and installing an electronic sign board at the intersection of E. Main Street and Lyman Street and the holiday lights was seconded by Selectman Johnson. Vote: 4-0

Request to Approve the Land Disposition Agreement for the Westborough State Hospital Property / Town Manager

Selectman Dodd recused himself from the discussion as he is employed by the Commonwealth.

Mr. Malloy explained that this is the final step in the process of acquiring the State Hospital property, which is equivalent to a purchase and sale agreement. He and Attorney Franks have been working on the wording of the Land Disposition Agreement and with the Town Engineer on the language in the Easement Agreement. Mr. Malloy reviewed the contents of the documents.

Selectman Drewry's motion to approve the Land Disposition Agreement between the Commonwealth of MA Division of Capital Asset Management and Maintenance and the Town of Westborough for the purchase of the Westborough State Hospital, the MEPA Agreement, the Easement Agreement and Disclosure Statement, including Sections 1 – 4A of Chapter 220 of the Acts of 2014 and further to authorize the Chairman of the Board of Selectmen to sign these documents and the related deed on behalf of the Board of Selectmen was seconded by Selectman Johnson. Vote: 3-0

Town Manager Report

Mr. Malloy provided an update on the Fire Station and Town Hall projects. The Fire Station inspections are scheduled for Friday and Monday, they will begin moving in on Monday, November 3rd and will finalize the move next Friday, November 7th. Once the building is demolished a base coat will be put down to allow for parking. Mr. Malloy reviewed the progress on the Town Hall exterior and noted that the new windows will be delivered on Monday, November 3rd and that they will begin to install them on Wednesday, November 5th. The schedule indicates a completion date sometime in May or June of 2015. Selectman Johnson asked when the Fire Station would be available for public viewing and Mr. Malloy stated that once the old building has been demolished and an area for parking has been established there will be a ribbon cutting ceremony and open house.

Issues and Correspondence of the Selectmen

Selectman Johnson reviewed the following upcoming events: Trivia Bee on November 3 at 6:30 p.m.; Good Scout Dinner honoring Peter Gardner of Curry Printing on November 10; Election Day, November 4; and the 5K Family Fun Run/Turkey Trot on November 22.

Selectman Drewry reminded the public that Veterans' Day is November 11th and that the day's activities begin at 8:00 a.m. at the VFW followed by ceremonies at the Town's cemeteries.

Selectman Dodd requested to add to the December 9 meeting agenda a discussion of the purpose of Fall Town Meeting. The Moderator will be invited to attend. Mr. Malloy will research what other communities do. Selectman Dodd suggested that the discussion should also focus on the language in the Town Charter relative to Special Town Meeting as it may be .

Selectman Barrette noted that he has received complaints regarding unleashed dogs at Veterans' Freedom Park, reminded the public about the leash law and he will also talk to the Animal Control Officer about this issue.

Executive Session

Selectman Dodd moved to enter into Executive Session at 7:28 p.m. 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; and that the Board adjourns the meeting without returning to Open Session.

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

Submitted by Paula M. Covino

Chairman Barrette

Vice Chairman Dodd

Selectman Drewry

Selectman Johnson