

**Westborough Board of Selectmen  
Meeting Minutes  
January 28, 2015**

**6:30 p.m. – 8:24 p.m.**

Present: Chairman Barrette, Selectmen Drewry and Johnson

Also Present: Jim Malloy, Town Manager

**Consent Agenda**

Approval of Minutes – January 13, 2015

Request to Appoint Election Officials

Request to Reappoint Bill Domings to the Westborough TV Board of Directors

Selectman Johnson's motion to approve the consent agenda and to send letters of appreciation to the three retiring election officials was seconded by Selectman Drewry. Vote: 3-0

**Request to Approve Easement Agreement with National Grid for the Town Hall / Town Manager**

Mr. Malloy explained that the elevator equipment for the Town Hall requires new three phase underground electric service to the transformer and the easement agreement allows National Grid to replace the current underground lines. Both abutters have agreed to sign the agreements.

Selectman Johnson's motion to approve the easement agreement between the Town of Westborough and National Grid allowing for underground power to be provided to Town Hall as described in the attached easement agreement and depicted on the easement sketch #15446337 dated 8/22/14 was seconded by Selectman Drewry. Vote: 3-0

**Request to Approve "In Your Shoes" 2<sup>nd</sup> Annual Casino Night on March 21, 2015 / Terry Gavin**

Ms. Gavin came before the Board and distributed information about the event.

Selectman Drewry's motion to approve the Casino Night Permit for In Your Shoes for March 21, 2015 at the Knights of Columbus Saturday, March 21 from 7:30 to 10:30 p.m. was seconded by Selectman Johnson. Discussion: Ms. Gavin noted that they have been working with Veterans' Services and the funds raised will be used to provide gift cards to veterans in need. Chief Gordon has no issues with the event. Vote: 3-0

**Charter Review Committee / Bob Deysher**

Bob Deysher, Bill Linnane, and Lisa Blazejewski came before the Board. Mr. Deysher noted that this is an interim report and reviewed the Committee's history and charge. The Committee will not meet in February due to Annual Town Meeting. Mr. Deysher reviewed their process and presentation that was included in the Board's packet.

Mr. Deysher asked the Board for approval to change their charge by including the following language: "Additionally, work with legal counsel to clean up some legal issues and resolve language that could create conflict." He noted that the Committee expects to have all their Articles ready for the Fall Town Meeting.

Selectman Johnson had no issue with the language addition to the Committee's charge. He asked if they would consider switching the public hearings/open forums to before presenting to the Selectmen. Mr. Deysher noted that he would be more comfortable and prefer to have the Board see first what the Committee is going to present to the Town and what would be presented to the Selectmen first would be for their review before the presentation is made at a public hearing. The Board agreed with that process and will attend any public hearings to hear the public input. Selectman Drewry requested that the presentation be recorded by and shown on Westborough TV.

Mr. Doret, also a member of the Committee, noted that the changes to the Charter that are being proposed are regarded as a practical review by the Committee and the public's concept of the changes is philosophical. He agreed that the Selectmen should first review what will be presented at the public hearings.

Mr. Deysher noted that there will be a cost associated with obtaining legal counsel.

Selectman Johnson moved to amend the charge originally provided to the Charter Review Committee by adding the proposed language at the end, "Additionally, work with legal counsel to clean up some legal issues and resolve language that could create conflict" was seconded by Selectman Drewry. Vote: 3-0

## **FY 2016 Budget - Discussion/Decisions**

### Police Department – Chief Gordon

Chief Gordon reviewed the increase to salaries/wages, which is due to collective bargaining and step increases. He noted that the State may be taking away a grant that is currently \$39,000 per year, which is used to pay one of the dispatchers and Chief Gordon may have to increase the budget by that amount. Expensed have increased by \$1,960 due to an increase in the radio system's maintenance agreement and office supplies. The overall increase is 2.4%.

Chief Gordon noted that there is one Article to replace three older Crown Victoria cruisers with SUV's. Ford no longer makes them and the SUV's perform better in the bad weather. The fleet will not increase as the three cruisers will be traded and the cost is \$139,348 according to the State bid through MHQ. Chief Gordon reviewed the benefits of the new vehicles.

### DPW – John Walden

Mr. Walden reviewed the process to develop the budget and explained the Warrant Articles:

- Article 8E is the annual appropriation of Chapter 90 funds for road maintenance for FY 2016.
- Article 9 is to approve the increase to the Chapter 90 appropriation that was released by Governor Baker for FY 2015.
- Article 11 is related to a capital expenditure, and allows the borrowing for a street sweeper.
- Articles 12A, B, C, D, and E are part of the Capital Improvement Plan and Selectmen Barrette noted that they were reviewed and rated by the Committee as to their need.

Mr. Walden reviewed the three Articles related to the water and sewer systems.

Mr. Walden also noted that sidewalk snow removal should be completed tonight, tomorrow night the snow will be removed from the center of Town and they will work on the narrower side streets during the day.

### Fire Department – Chief Perron

Chief Perron reviewed the budget and that the \$77,806 increase is due the increase in wages and expenses for the new building. He noted that the electricity and gas budgets remained the same with the expectation that the new building will operate more efficiently. Chief Perron explained that Heery provided the estimates for the building maintenance budget. Mr. Malloy noted that the Town Accountant received the first electric bill and it may be more than what was expected. It will need to be recalculated with the TransCanada rates and Mr. Malloy will work on a new estimate, which could be \$14,000 per year.

Chief Perron reviewed the Warrant Articles:

- Article 12F, the only Capital Improvement Article, is the replacement of 10 of the firefighters' radios, which are their lifeline and now obsolete.
- Article 27 will be deleted.
- Regarding Article 26, Chief Perron noted that the Town's labor attorney advised him and Ms. Williams that once a firefighter or police officer retires with a disability retirement the Town is no longer obligated to cover any medical expense unless the Town has accepted MGL Ch. 41, Section 100B. He checked with other towns and found that many have accepted the statute. Other employees, including those in the private sector are covered under worker's compensation. Chief Perron distributed copies of the statute and further explained that when firefighters and police officer are injured on duty (IOD) they receive full pay and their medical expenses are covered. The issue is with the coverage of medical expenses after they retire. He noted that there needs to be a committee in place, consisting of a Selectman, Town Manager, and Town Counsel who choose a doctor to confirm that the medical expenses are related to the IOD injury. The Board expressed concern that they did not have enough information and did not fully understand the matter to make a decision. Chief Perron noted that he was just made aware of the issue recently. Mr. Malloy explained that when an police officer or firefighter goes out on disability retirement they receive 72% of their pay tax free and the Town pays 75% of their health insurance premium until they pass away no matter how long they were employed or what age they are when they disability retire. If the statute is accepted then the Town would be the primary payer for any medical expenses related to the disability.

The Board asked for examples in order to understand how the program works today, how it would work under the statute and what the cost would be to the Town.

The Board agreed to approve or call out for discussion each department budget and to place, support, or not place the Articles on the Warrant at the February 10, 2015 meeting, which will begin at 6:00 p.m. The Warrant will be closed at the February 24, 2015 meeting.

### **Town Manager Report**

Mr. Malloy reviewed the RFQ for legal services that was included in the Board's packet, which includes a policy for access to Town Counsel. The responses are due February 27, 2015, interviews will take place in March, with an anticipated appointment date of March 27, 2015 and a start date of approximately April 1, 2015. He asked the Board to review it and provide him any comments or changes. Selectman Barrette questioned whether the policy for the Selectmen's access to Town Counsel is permanent and Mr. Malloy noted that it is and also pertains to the current temporary Counsel. The Board agreed with the terms and conditions and the process and instructed Mr. Malloy to advertise the RFQ.

Mr. Malloy informed the Board that the new permanent electronic sign has been installed and suggested that the Board review and amend the electronic sign policy, which was for the portable

signs on the Rotary. It has not been connected yet as the DPW has to dig a trench to run the electrical but the software has been installed on computers in the Selectmen's office. There was a brief discussion of what will continue to be posted on the portable signs as well as the new on. The Board agreed to discuss the policy at the second meeting in February.

### **Issues and Correspondence of the Selectmen**

The Board commended the DPW, Fire and Police Departments for their efforts and dedication during the snowstorms. There was a discussion regarding the Board's required contribution to their retirement accounts due to the stipend that they receive. It is not a significant amount of money and other options/choices were reviewed, such as donating the money to charity. Mr. Malloy offered to write a letter to the legislature on behalf of the Board asking them to consider another option.

### **Adjournment**

Selectman Johnson's motion to adjourn at 8:24 p.m. was seconded by Selectman Drewry. Vote: 3-0

*Submitted by Paula M. Covino*

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Chairman Barrette

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Selectman Drewry

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Selectman Johnson