

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

6:30 p.m. – 7:22 p.m.

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

Also Present: Jim Malloy, Town Manager, Kristi Williams, Assistant Town Manager/HR Director

Appointment of Ernie D'Elia to the Westborough Cultural Council as a Voting Member for a 2-Year Term to Expire on 6/30/17 / Lynn Watts, Ernie D'Elia

Cliff Watts and Ernie D'Elia appeared before the Board.

Selectman Johnson's motion to appoint Ernie D'Elia to the Cultural Council for a 2-year term to expire on 6/30/17 was seconded by Selectman Drewry. Discussion: Mr. D'Elia reviewed his background and reasons for his interest in joining the Council. Vote: 5-0

Request for Permission to Include the Cultural Council's Arts in Common Flyer in the Tax Bill Mail-Out / Lynn Watts

Mr. Watts came before the Board and provided the Board with a sample of the flyer. The Town Treasurer is willing to include the flyer in the June tax bill mailing.

Selectman Johnson's motion to approve the Cultural Council's ad for Arts in Common to be included in the tax bill was seconded by Selectman Dodd. Vote: 5-0

The Arts in Common will be held on September 26, 2015.

Public Hearing for a Site Plan Review for Landscape Designing, Inc., 218 Flanders Road / Doug Curtiss

Selectman Goldblatt's motion to continue the public hearing for Landscape Designing, Inc. was seconded by Selectman Johnson. Vote: 5-0

Garrett and Phil Curtiss appeared before the Board. Their site plan presentation was made at the previous meeting.

Selectman Drewry'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 Johnson. Discussion: Mr. Htway noted that he has no issues. Mr. Curtiss pointed out that there is information that has to be added to the permit documents, which they anticipated, and he has worked with the Engineering Dept. and thoroughly understands their comments. The permit drawings will be delivered to the Building Dept. tomorrow. Mr. Curtiss asked about a small discontinued portion of the Flanders Rd extension that is owned by the Town but is abandoned and Mr. Malloy agreed to assist them with the process for a possible purchase of the land. Vote: 5-0

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

Transfer of Town Owned Land Under a Tax Taking Treasures Deed to the Conservation Commission Pursuant to MGL Ch.40 §8C / Andrew Koenigsberg

Mr. Koenigsberg appeared before the Board and explained that as the Commission began to look at the plans for the Dept. of Transportation's I-90/I-495 Interchange Improvement Project they noted that there is quite a bit of Town owned swamp land around the interchange. Portions of the land will most likely be taken by the State and while it has no value as swamp land it does have value as a resource area. If it becomes conservation land and not Town owned land the DOT will want to negotiate a monetary compensation or trade it for State owned land for these parcels. Mr. Koenigsberg noted that the Commission recommends this transfer even if the land is never taken by the State as it should be under the Commission's purview.

Selectman Goldblatt's motion that the Board transfer the following parcels Assessor's Map 22, Parcel 1; Map 23, Parcel 2; and Map 23, Parcel 8 to care, custody and control of the Conservation Commission was seconded by Selectman Dodd. Vote: 5-0

Application by a Farmer Winery for a License to Sell at a Farmer's Market by Zoll Brothers Private Cellars LLC / Frank Zoll

Mr. Zoll appeared before the Board to request his 4th annual Farmer's Winery License for the Town's Farmer's Market.

Selectman Johnson's motion to approve the Farmers Market Special Liquor License for Zoll Brothers Private Cellars, LLC Winery to participate in the Westborough Farmers Market at the Congregational Church property from June 11, 2015 through September 24, 2015 subject to the \$50 fee was seconded by Selectman Dodd. Discussion: Selectman Goldblatt questioned who carries insurance and Mr. Malloy pointed out that the Church has insurance as well as each vendor. Mr. Zoll noted that as a winery he has extensive insurance and that the Church does have insurance that covers the market during the hours of operation. Selectman Johnson mentioned that as it is not a Town sponsored event so the Town has no liability. Chief Gordon stated that he has no issues. Vote: 5-0

Stormwater NPDES Permit / Town Engineer / Carl Balduf

Mr. Balduf came before the Board and reviewed the permit process that was required by the EPA in order for towns to discharge storm water into its rivers and streams. He presented a draft permit, which expands on the previous one, and noted that it is more extensive and requires more effort. The cost burden to comply with the permit is carried by the Town. There is no action required by the Board other than the Chairman's signature on the Town's annual report for its NPDES Phase II Small MS4 General (Stormwater) Permit.

There was a brief discussion regarding the timing of the draft permit's release and the positive impact to the Town as a part of the regional planning process for stormwater management.

Miscellaneous Scrap Metal Surplus Property / Town Manager / Jim Malloy

Mr. Malloy informed the Board that the DPW has quite a bit of scrap metal that cannot be used and has been stored on site for quite some time. While looking for a way to dispose of any valuable scrap at the State Hospital site, Ms. Williams discovered a State bid that allows a contractor to pick up the material at the DPW and pay the Town for it. In order to begin the process the Board must first declare this material as "surplus".

Selectman Drewry's motion to declare the miscellaneous scrap metals determined by the DPW Manager to be surplus personal property and to authorize the Town Manager to sell the surplus property in accordance with MGL was seconded by Selectman Johnson. Vote: 5-0

Town Manager Report

Water and Sewer Rate Increase: Mr. Malloy explained that the Town is losing Astra Zeneca as a water/sewer customer which will be a loss of approximately \$400,000. This was calculated into the FY 2016 rates and there will be a 0.0% increase in the water rate and a 2.0% increase in the sewer rate. The calculation for the rates prepared by the Town Account is included in the Board's packet.

Town Counsel Billing: Mr. Malloy explained how he tracks the Town Counsel billing when the Town is using contracted services. A spreadsheet is included in the Board's packet breaking down the expenses by department.

Senior Transportation Service Strategic Plan: The Board received a report from Ms. DeManche a couple of months ago and Mr. Malloy noted that there has been no real discussion on whether it is acceptable and ready to be voted on or if more information is needed. The 4th bus driver has been funded effective July 1, 2015. Selectman Barrette will work with the Council on Aging to obtain a concise report with their goals and guidelines. He asked the Board for their input of what they want the report to include. It was noted that the framework for the report already exists in the original request and they were asked to provide measurable goals but what was presented was more subjective. It was agreed that it would be addressed at the first meeting in June and Selectman Barrette requested that the Board send their input to him so that he can meet with Mr. Malloy and Ms. Williams before then and give the COA a deadline of the first week in June. There was a brief discussion of the bus fare and whether it is relevant to the report and other ideas to fund the program.

Citizen Leadership Academy: Mr. Malloy had presented the Board with the final agenda for the Citizen Leadership Academy at a previous meeting and if the Board finds it acceptable he will advertise it and determine how many residents are interested. The consensus was to proceed.

Mr. Malloy mentioned the Community Preservation Act brought up by Selectman Dodd at a previous meeting. He looked into it and prepared an estimated cost/benefit analysis. The figures suggest that this is worth looking into more because of the savings and potential future cost benefits for coverage of all or part of the Town's debt service for the Town Hall and Forbes Municipal Building projects. The Board agreed to discuss it further and place it on the Fall Town Meeting Warrant.

Issues and Correspondence of the Selectmen

Selectman Goldblatt paid tribute to the late Nancy Yendriga, former Town Clerk of 20 years.

Selectman Johnson asked about the recent issue with the possible purchase of Charter Communications' by Time/Warner. Mr. Malloy confirmed that Charter did renew their franchise agreement with the Town and if Time/Warner did purchase Charter they would have had to meet the conditions of the agreement for the next 10 years.

Selectman Dodd reiterated his support for the previously mentioned Community Preservation

Act and its benefits.

Selectman Barrette noted that there are still jobs available in the Senior Tax Work-Off Program and anyone that is interested should contact Alma DeManche at the Senior Center.

Executive Session

Selectman Drewry's motion to enter into Executive Session at 7:22 p.m. under M.G.L. Chapter 30 §21-8 to consider applicants for appointment by a preliminary screening committee if the Chair declares that an Open Meeting would have a detrimental effect on obtaining qualified applicants; provided however that this clause will not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening was seconded by Selectman Goldblatt.

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

Submitted by Paula M. Covino

Chairman Barrette

Vice Chairman Drewry

Selectman Goldblatt

Selectman Dodd

Selectman Johnson