

**Westborough Board of Selectmen
Meeting Minutes
March 8, 2016**

6:30 p.m. – 8:15 p.m.

Present: Chairman Johnson, Vice Chairman Drewry, Selectmen Barrette, Emery, and Tretter.

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

Open Forum

Abigail McLucas informed the Board of the Project 351 spring cleaning drive to be held March 28, 2016 to April 8, 2016 where they will be collecting clothes, shoes, books and toys for children 12 and under. There are host sites with collection boxes at each of the schools and they are looking at other sites as well.

Chief Purcell thanked Ted's Towing from Fayville that assisted with the severe car accident on West Main Street last week. They went way above and beyond with the extrication of the victim from the car and he will be writing a letter of thanks to them and asked the Board to do so as well. Mr. Malloy will draft a letter of thanks for the Board to sign.

Reorganization of the Board

Selectman Drewry nominated Selectman Johnson for Chairman of the Board of Selectmen. Selectman Tretter seconded the nomination. Vote 5-0

Selectman Emery nominated Selectman Drewry for Vice Chairman of the Board of Selectmen. Selectman Johnson seconded the nomination. Vote: 5-0

Selectman Johnson chaired the meeting.

Request to Approve the Minutes of January 26, 2016.

Selectman Drewry's motion to approve the minutes of January 26, 2016 with the amendments to clarify the discussion of the appointing authority of Animal Control and to correct the spelling of "Burroughs" on page 5 was seconded by Selectman Barrette. Vote: 3-0-2

Public Hearing for a Site Plan Review for Site Improvements and the Conversion of a Portion of the Distribution Center to Office Space at Cumberland Farms, 165 Flanders Road / Michael Tierney, Cumberland Farms; Marc Belanger, Bohler Engineering

Selectman Barrette's motion to open the public hearing for Cumberland Farms, 165 Flanders Road was seconded by Selectman Tretter. Vote: 5-0

Bill Goebel, representing Bohler Engineering, reviewed the distribution center site plan. The scope of the project is to relocate employees in leased office space in Framingham to the building in Westborough. There will be no expansion to the building footprint. They have met with the Planning Board, Conservation Commission, Board of Health, DPW and Engineering and have addressed all the comments. They will repave the access roads and separate truck traffic from employee traffic. There will be 225-250 employees coming to the facility. Mr. Goebel also reviewed the parking expansions, storm water management and landscaping improvements. Chief Purcell and Chief Gordon are satisfied with plans and traffic flow. Mr.

Saari, Conservation Officer, noted that the Dept. of Environmental Protection approved the project and with no comments. Mr. Htway added that he owes the Board a letter of approval. Mike Tierney, Director of Construction, commented on the process and support from the Town. The intent is to be complete by the end of the year.

Selectman Barrette's motion to approve the site plan approval for Cumberland Farms at 165 Flanders Road as per the attached decision letter dated March 8, 2016 was seconded by Selectman Drewry. Vote: 5-0

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

Public Hearing for a Pole Petition, Arch Street Pole #6-50 / Mike Parent

Selectman Emery's motion to open the public hearing for the Pole Petition at Arch Street Pole #6-50 was seconded by Selectman Tretter. Vote: 5-0

Mr. Parent came before the Board and addressed the reasons for the petition to install a new joint owned pole between National Grid and Verizon. Chief Gordon questioned the location of the pole with regard to line of site. Mr. Parent showed the Chief the plan and he had no issues.

Selectman Drewry's motion to approve the Pole Petition as shown on plan 21077584 for pole P6-50 and P7 on Arch Street as shown in the attached petition dated 1/12/2016 was seconded by Selectman Barrette. Vote: 5-0

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

Request to Approve the July 4th Block Party on West Main Street / Recreation Director

Jenn Kirkland came before the Board to make the request to close West Main Street for the annual Block Party.

Selectman Emery's motion that the Board approve closing West Main Street from Church Street to the Rotary from 4 PM until 11 PM on 7/1/16 for the purpose of the annual 4th of July Block Party was seconded by Selectman Drewry. Vote: 5-0

Town Meeting Warrant Articles – Bicycle and Pedestrian Advisory Committee / Bruce Tretter

Selectman Tretter came forward and reviewed his power point presentation for the Warrant Article to fund the first portion of a trail starting on East Main Street to Lyman Street in the amount of \$33,120 and also to fund additional easement and survey work from Lyman to Park Street in the amount of \$10,000. A public meeting was held on February 10th and one person attended. Selectman Tretter will directly address the concerns and questions that have come up from the neighbors. Chief Gordon noted that there should be no issue for the neighbors as people will not be riding or walking in their yards. Selectman Drewry asked if there is a similar situation in another town, what the maintenance costs are, if it will be open all year and will there be a speed limit. Selectman Tretter noted that the maintenance costs have not been determined and Mr. Burn informed the Board that Holliston has had a similar existing trail to what is being proposed for five years and there are minor maintenance costs. There are no plans to plow the trail and there will be a speed limit of 5-10 miles per hour. Mr. Malloy added that it will be a 15-20 year project once it gets started to completion; it will benefit the community, will be used by

families and it will have a positive impact. He noted that there was a positive meeting with Gene Colangelo, owner of Westborough Shopping Center, and he is supportive of the project. Selectman Johnson noted that the previous vote by the Board on this Article was 2-2. Selectman Tretter asked that the Article be re-voted.

Selectman Tretter's motion to support Article 31 was seconded by Selectman Emery. DD wait until Town Meeting to get unanswered questions considered. Vote: 4-0-1.

Request to Approve the Purchase and Sale Agreement for 146 Oak Street, Release Well-Being Center / Town Manager

Mr. Malloy noted that the final Purchase and Sale Agreement for the Nathan Fisher House has been drafted by Attorney Marshall Gould, who is representing the buyer, and Kopelman & Paige, who is representing the Town. Both attorneys are in agreement with the terms and the closing will take place in March.

Selectman Barrette's motion to approve the purchase and sale agreement between Release Well-Being Center LLC and the Town of Westborough for the property located at 146 Oak Street (the Nathan Fisher House) for the amount of \$1.1 million as per their proposal and further to authorize the Chairman of the Board of Selectmen to execute any other documents required to effectuate the sale was seconded by Selectman Emery. Discussion: Selectman Johnson noted the misspelling of Linda Townsend's home address. Vote: 5-0

Legislature Petition for One (1) Additional Liquor License at 146-148 Oak Street / Town Manager

Mr. Malloy reviewed the edits made by General Counsel for House No. 3896 which would authorize the Town to issue an additional liquor license at the Nathan Fisher property. Town Meeting had approved the additional license and the changes are not substantive. He noted that it will not affect future transfers from one owner to another and recommended that the Board approve the changes.

Selectman Barrette's motion to approve the changes as proposed by the general counsel on H3896 was seconded by Selectman Drewry. Vote: 5-0

Budget Discussion – Historical Commission / Selectman Barrette

Selectman Barrette explained that the Service Level Study Committee (SLSC) had recommended the reduction in hours for the Historical Commission's Administrative Assistant. He had met with Hazel Nourse about the hours and subsequently she met with the Town Planner and Building Commissioner to discuss the issues and responsibilities that they share. It seemed that the information was not disseminated correctly to the SLSC. Selectman Barrette suggested leaving the hours as they are for the next budget year and noted his reasons. The budget could be questioned and the hours restored to what they were previously on Town Meeting floor.

Selectman Emery's motion to support restoring the original Salary & Wages budget for the Historical Commission on Town Meeting floor was seconded by Selectman Drewry. Selectman Johnson expressed concern about voting on this now and Selectman Barrette further explained the SLSC's process for reviewing Commission's needs and the reasoning behind the need to keep the position at the same hours. Vote: 5-0

Request to Approve the 7th Annual 5k/10k Fundraiser for the Lustgarten Foundation / Town Manager

Selectman Drewry's motion to approve the 5k/10k to benefit the Lustgarten Foundation for Pancreatic Cancer Research on Sunday, April 10, 2016 subject to any requirements of the Chief of Police was seconded by Selectman Tretter. Discussion: Chief Gordon has no issues.
Vote: 5-0

Request to Designate the Town Manager to Sign the Mosquito Control District Funding / Town Manager

Mr. Malloy explained that there was a change in the process and the "Chief Executive Officer" has to authorize the Town Manager to sign the declaration.

Selectman Emery's motion to designate the Town Manager as authorized to execute the Mosquito Control Funding Declaration was seconded by Selectman Tretter. Vote: 5-0

Town Manager Performance Review / Selectman Barrette

Selectman Barrette noted that he and Selectman Johnson met with Mr. Malloy for his annual review. He explained the evaluation process and the rating system. The overall result was a 6.6 which is satisfactory on the edge of commendable with room for some improvements. Selectman Barrette reviewed Mr. Malloy's accomplishments and noted that they would like to see him become more involved with the public so that they can get to know him better.

Town Manager Report

Performance Measurement: Mr. Malloy noted that at Fall Town Meeting he asked the voters if they would support funding to undertake a couple of programs one of which was a performance measure program. The ICMA Insights program did receive support and the cost presented was approximately \$6,000. Due to other budget increases he looked at a lower tier for the program, the cost being \$1,595, which would be a start and it could be paid out of this year's Staff Development expense budget. The program can be structured to focus on the needs of the Town. Mr. Malloy reviewed the training programs that department heads will be attending. He asked the Board for support to move forward as it will provide good information on the costs and quality of the Town's services. The consensus of the Board was to move forward with the program.

Issues and Correspondence of the Selectmen

Selectman Barrette noted that Town Meeting will be held on Saturday, March 12, 2016 at 1:00 p.m. He also noted that there is an opening on the Council on Aging and letters of interest should be sent to the Selectmen's office for their review. He emphasized that this is the process as well for all Boards/Committees that the Board appoints.

Selectman Emery extended the Board's condolences to the White family who suffered a loss in the car/bus accident last week and acknowledged the superb response from the Fire and Police Departments and Ted's Towing of Southborough for their assistance. She thanked the voters for coming out to vote and electing her as Selectman. Selectman Emery suggested that the Board request of the Town Moderator the opportunity at Town Meeting to acknowledge and thank Ed Turner of the Art Emporium for the work done for the Town Hall renovation as it will be the first Town Meeting since the reopening of the Town Hall and read the acknowledgment. With the Board's permission she will contact John Arnold with the request. She asked the Board to place on the next agenda consideration of Bill S.2155 which would require operators of riding schools and horse stables, which are licensed by the Department of Agricultural Resources, to obtain criminal offender record information before accepting anyone as an employee, volunteer, vendor or contractor if the person works with children age 18 or younger and be on the premises for at

least five days per year. Selectman Emery noted that she heard a significant number of complaints about difficulty in navigating the parking lot and school interior during and after the election. She asked to put it on a future agenda for assessment and discussion. Mr. Malloy noted that the Town Clerk and Superintendent are going to meet to discuss the election process and he suggested that once they meet the Board can address it at a future meeting.

Selectman Tretter asked the Board for their consensus regarding his involvement in legislative advocacy for changes in education. He reviewed the process and noted that he has been asked to spearhead the effort to achieve some resolution regarding the administrative mandates that currently overwhelm the Town's and State schools. Selectman Tretter pointed out that there are also municipal mandates and that he would like to be an agent in that effort as well. The Board's concerns were that he is careful to not speak on behalf of the Board or community and the he is not perceived as the Board. Selectman Tretter was asked to provide the Board with more specific information on the projects and who he will be meeting with so that he can deliver messages that all the Board members support. Selectman Tretter agreed to forward all communication to the Board before he sends it out.

Selectman Johnson requested that the meeting time for the Board at Town Meeting should be posted for 12:30 p.m. He noted that he received another email from a resident who lives on Butterfield Drive regarding chip sealing and pointed out that DPW has done a good job sweeping, it is a good, economical method, but asked if there was anything the Board could look at or do differently. Mr. Malloy explained that the DPW sweeps the chipped sealed street again the following spring and once residents see that it is done they are satisfied. It is a standard product that is used all over the United States.

Adjournment

Selectman Emery's motion to adjourn at 8:15 p.m. was seconded by Selectman Tretter.
Vote: 5-0

Submitted by Paula M. Covino

Chairman Barrette

Vice Chairman Drewry

Selectman Emery

Selectman Johnson

Selectman Tretter