

**Westborough Board of Selectmen  
Meeting Minutes  
June 14, 2016**

**6:30 p.m. – 8:49 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

**Request to Approve the Minutes of May 10, 2016**

Selectman Emery's motion to approve the minutes of May 10, 2016 was seconded by Selectman Tretter. Vote: 4-0-1 (Barrette)

**Request to Approve the Minutes of May 24, 2016**

Selectman Tretter's motion to approve the minutes of May 24, 2016 was seconded by Selectman Drewry. Vote: 5-0

**Public Hearing for Hassan Ghanim d/b/a Milenio Motors, 276 Turnpike Road / Hassan Ghanim**

Selectman Barrette's motion to open the public hearing for Hassan Ghanim d/b/a Milenio Motors was seconded by Selectman Drewry. Vote: 5-0

Mr. Malloy reviewed the mandatory insurance requirement for a Class II License and noted that the Town received notice that Mr. Ghanim's insurance was revoked. He was informed twice that he needed to obtain insurance and because the Town did not hear back, Mr. Ghanim was noticed that a hearing had been scheduled to revoke the license. Mr. Ghanim explained there was an issue on the insurance company's part and the insurance has been reinstated without lapse of coverage. He received a letter to that effect, which is included in the Board's packet, but it came after the public hearing was scheduled. All other documentation is in order and there is no reason to revoke the license.

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

**Request to Appoint Voting and Non-Voting Youth Members to the Youth Commission / John Badenhause**

Mr. Badenhause came before the Board. Sarah Whitaker, Jayati Anand and Cassidy Sams came before the Board and reviewed their reasons for interest in serving on the Commission.

Selectman Tretter's motion to appoint Jayati Anand and Sarah Whitaker as voting members of the Youth Commission for terms to expire in 2018, and further to appoint Natalie Bergeron, Luara El-Dine, Paris Ghazi, Wonjae Jang, Mridhu Khanna, and Cassidy Sams as non-voting members through 2017 was seconded by Selectman Barrette. Vote: 5-0

**Request to Post a Hot Summer Nights Sign in front of the Forbes Municipal Building from June through August / John Badenhause**

Mr. Badenhausen came before the Board and requested the placement of an A-frame sign in front of the Forbes Municipal Building to advertise the Hot Summer Nights activities as it will be more visible to the foot traffic that is generated there by his department and the library, which is the population that they want to reach.

Selectman Drewry's motion to approve the request of the Dept. of Family and Youth Services to place a sign in front of the Forbes Municipal Building related to the Hot Summer Nights Program from June through August was seconded by Selectman Tretter. Discussion: Selectman Barrette noted that this is in direct conflict of the Board's policy, the information can be found online, and he will not vote for it. Selectman Johnson noted that he agreed somewhat with Selectman Barrette, understood his point, will vote for it, but asked Mr. Badenhausen to look into a way to eliminate the sign next year. Mr. Badenhausen noted that they do post the information on the Town website and social media. Selectman Emery agreed with Selectman Barrette's position and will vote against it. Selectman Drewry added that exceptions should be made in certain situations as part of the decision making process. Selectman Tretter agreed with making an exception and posting the sign has a positive impact. Vote: 3-2 (Barrette, Emery)

**Discussion on Animal Control Officer Position / Kathy MacKenzie, Director of Framingham Animal Control; Hilary Cohen, ACOAM Eastern Vice President & Norfolk Animal Control Officer**

Ms. MacKenzie and Ms. Cohen came before the Board. Ms. MacKenzie noted that the position has evolved immensely over the past several years, there are new laws, they provide public education, and ACO's serve as Special Police Officers as well. Ms. Cohen reviewed her background and explained that Animal Control has grown into a proactive program that requires special training. Selectman Emery asked about the mandated training program and Ms. MacKenzie reviewed the 12 week program including the classes and certifications earned. They added that they are available to the Town to answer questions and provide guidance. Also discussed were the responsibilities of the Animal Control Officer, Animal Inspector, Problem Animal Control, which is a separate license and a private entity, and the relationship with the Police Department and Town Clerk. The handling of some responsibilities/issues may vary from town to town or case by case. Ms. MacKenzie provided the Board with a copy of the posting for an open position in Framingham and information from the National Animal Control Association regarding the recommended formula for determining the Town's need for staffing. Other duties were reviewed as well as the issue of cruelty to animals, updating the bylaws, education programs, and types and number of calls received.

Stacie Colby, resident, asked the Board what the next steps are and Selectman Johnson explained that they are investigating options to fill the position and are trying to become educated about the process and the updated regulations. She offered to be a resource as she has been involved with animal rescue for 25 years.

**Interview/Appointment**

Mr. Watts and Mr. Hashmi came before the Board. Mr. Hashmi explained his reasons for serving on the Council.

Selectman Barrette's motion to appoint Syed Hashmi to the Cultural Council for a term to expire on June 30, 2019 was seconded by Selectman Tretter. Vote: 5-0

**Interview/Appointment**

Mr. Gelcich and Mr. Silverberg came before the Board. Mr. Gelcich reviewed his background as an urban planner.

Selectman Barrette's motion to appoint John Gelcich to the Open Space Preservation Committee for a term to expire on June 30, 2017 was seconded by Selectman Drewry. Vote: 5-0

**Request to Appoint Kevin O'Loughlin as a Full Time Patrolman for the Westborough Police Department / Chief Gordon**

Chief Gordon and Mr. O'Loughlin came before the Board. Chief Gordon reviewed Mr. O'Loughlin's background and noted that he has met the all the criteria. He informed the Board that Mr. O'Loughlin is academy trained and requested that he start at P-4, Step 2.

Selectman Barrette's motion to appoint Kevin O'Loughlin to the Westborough Police Department as a full-time Police Officer, starting at P-4, Step 2 effective immediately was seconded by Selectman Drewry. Discussion: Chief Gordon assured the Board that there is funding in the budget for the increased starting rate. Vote: 5-0

**Request to Appoint Reserve Intermittent Police Officers / Chief Gordon**

Chief Gordon introduced the candidates and reviewed their backgrounds.

Selectman Emery's motion to appoint Logan Trainor, Raymond Reynolds, Vincent Pignataro and Mark Allen as Reserve Intermittent Police Officers in the Westborough Police Department effective immediately was seconded by Selectman Drewry. Vote: 5-0

**Purchase of Electronic Control Weapons (Tasers) for Police Officers / Chief Gordon**

Chief Gordon requested to use money from their gift account for the purchase of Electronic Control Weapons. The focus now is to de-escalate dangerous situations without using lethal weapons. Written approval was received by the Executive Office of Public Safety and Security for the department to use "less than lethal" weapons, known as Tasers. Chief Gordon reviewed the process and five year program to pay for them and noted that there is enough money in the gift account to pay for the first year and there are other funds available for the second year. He will have to ask the Town for approximately \$10,000 per year for years three through five.

Selectman Tretter's motion to approve the use of gift funds for the purchase of Electronic Control Weapons (Tasers) in the Westborough Police Department was seconded by Selectman Drewry. Discussion: Selectman Emery asked about reports on the misuse of Tasers and how the officers will be trained. Chief Gordon noted that there is a strict training program which will be conducted by a certified trainer from the Grafton Police Department. Mr. Hashmi agreed with de-escalation especially in the current environment and spoke about his concerns regarding the use of electricity and its effects on the body in certain situations. Milford Police Chief O'Loughlin explained how they are used and noted that in five years their use of Tasers has produced a significant reduction in injuries and medical costs for the town. There are stringent policies adopted by the State and if someone is Tased, paramedics have to be called. Chief Purcell spoke in favor of them and assured the Board they will respond when called. Vote: 5-0

**Request to Approve and Sign the Bid for the Outstanding Interfund Borrowings / Town Manager**

Mr. Malloy noted that the bond paperwork is for temporary and other loans to provide funding for the following: \$100,000 for the Forbes Municipal Building; \$1,350,000 for Gibbons; \$75,000 for the Fire Station, totaling \$1,525,000. These are projects that are underway or completed.

Selectman Tretter's motion to award the \$1,525,000 Town of Westborough, Massachusetts Bond Anticipation Notes/Municipal Purpose Loan dated June 24, 2016 and maturing August 12, 2016 to Unibank for Savings at a rate of 0.70% was seconded by Selectman Barrette. Vote: 5-0

### **Yearly Reappointments**

Selectman Tretter's motion to appoint those individuals listed on the attached reappointment listing dated June 14, 2016 and further to concur with the Town Manager's reappointment of Kristi Williams as the Assistant Town Manager and Leah Talbot as the Town Accountant was seconded by Selectman Barrette. Discussion: Selectman Barrette noted that there was some discussion in the past regarding the reduction of Town employees on the Economic Development Committee. Mr. Malloy will look into it and it will be addressed at Special Town Meeting. There was a brief discussion of those committee members that only attend a couple of meetings, whether they should be reappointed, and how to address the issue. Vote: 5-0

### **Request to Create a Gift Fund for Downtown Improvements / Town Manager**

Mr. Malloy noted that the downtown improvement program presented at the last meeting received a large response and commitments from businesses to sponsor the flower pots and a give fund needs to be established.

Selectman Barrette's motion to approve the Downtown Improvement Gift Fund with donations from individuals and businesses to be used for the purpose of installing street planters, banners and other improvements to the downtown area was seconded by Selectman Tretter. Vote: 5-0

### **Request to Declare Equipment as Surplus / Town Manager**

Mr. Malloy reviewed the process to auction old equipment that is replaced with new.

Selectman Tretter's motion to declare the items listed on the attached memorandum dated June 6, 2016 as surplus property to be sold to the highest bidder was seconded by Selectman Emery. Discussion: Selectman Emery asked to post the list on the Town website. Vote: 5-0

### **Request to Support Moving the Massachusetts Liberty Bell Replica Within the State House / Selectman Johnson**

Selectman Johnson explained the request from George Warren, Whitinsville, MA, to support the relocation of the Liberty Bell replica within the State House. Several other towns have voted to support the request. The consensus was to draft a letter of support for the Chairman to sign.

### **Discussion of the Function of the Walkup-Robinson Fund Committee / Town Manager**

Mr. Malloy had provided the Board with a copy of the will that established the fund and reviewed the language which instructs how the money will be used, mainly conservation, open space and recreation. The balance in the account is a little over \$2.1 million and the principal amount, approximately \$360,000 cannot be used. The committee has not met in years and some members have moved. Mr. Malloy noted that the Town has not used the funds for what they were intended and reviewed what could be done with them now. The Board discussed the

options to restore the Committee, replace the vacancies, and set up meetings with other committees and departments so that they can develop goals and recommendations. It was suggested that there should be representation from the Selectmen on the Committee as they will be expending funds. Changes to the Committee and appropriation of the funds will have to go before Town Meeting. Mr. Malloy will reach out to the Committee and relay the Board's intent.

### **Discussion of Committee Open Positions / Town Manager**

Selectman Johnson noted that while the committee vacancies have decreased he would like to see the remainder of the open committee positions filled and challenged the Board to try to find members for the open positions. The goal is to fill them by July 1, 2016. Selectman Tretter volunteered for one of the open positions on the Open Space Preservation Committee.

### **Town Manager Report**

Goal Setting: Mr. Malloy has spoken with Selectmen Johnson, Barrette and Tretter on separate occasions about setting goals for the Board. He recommended an off-site meeting with goal setting as the only agenda item with a facilitator to assist and who then provides a report with the identified goals. Mr. Malloy is familiar with a facilitator and will check on his availability. The cost would be approximately \$200 and he reviewed the process. The Board agreed to pursue this course of action.

Mr. Malloy spoke with Rep. Danielle Gregoire today who provided an update on the liquor license legislation. He reviewed the process that Francisco Torres, Jim Robbins and Jonathan Steinberg followed to develop a formula that determines the number of licenses that the Town would need. The resulting number was 22 and Mr. Malloy noted that this number was reported favorably out of the Joint Committee and will be phased in over a three year period once it is signed by the Governor.

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

Selectman Drewry noted the success of the Memorial Day activities and thanked the Veterans' Advisory Board.

Selectman Emery recognized Mary Stanton, who had moved out of Town, for her years of service to the Town on various committees and as an Election Officer.

Selectman Tretter noted that Selectman Drewry was elected to be the Chairman of the Executive Board for the Central MA Regional Planning Commission. He informed the Board that he received a letter from a Mill Pond student regarding the importance of sidewalks and he responded to the teacher offering to visit the class. He and Ms. Williams, who is working on the Town's sidewalk plan, visited the classroom and had a productive discussion with the students. Selectman Barrette asked about the status of the sidewalk plan and Mr. Malloy noted that sidewalk plan was included in the street management plan as part of the budget and Mr. Walden and Mr. Voutas were asked to review and prioritize it. He will follow up with them as to what their plans are. There was a discussion regarding the amount of time that has passed where the sidewalk issues have not been addressed and getting Articles for adding sidewalks on the Town Meeting Warrant.

Selectman Johnson spoke about the Memorial Day Parade and the impressive attendance in spite of the weather. He noted that the Library Building Committee has requested an hour for a

presentation at the July meeting and depending on the agenda for that meeting the Board may need to hold a second meeting which will be determined as the date gets closer. The Advisory Finance Committee and School Committee will be in attendance as well.

### **Executive Session**

Selectman Drewry's moved to enter into Executive Session at 8:49 p.m. under M.G.L. Chapter 30A, §21(3) to discuss strategy with respect to collective bargaining and (6) to consider the purchase, exchange, lease or value of real estate. Chairman Johnson declared that an Open Meeting would have a detrimental effect on the negotiating position of the Board of Selectmen.

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

*Submitted by Paula M. Covino*

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Chairman Johnson

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Vice Chairman Drewry

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Selectman Barrette

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Selectman Emery

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Selectman Tretter