

**Westborough Board of Selectmen
Meeting Minutes
August 23, 2016**

6:30 p.m. – 9:07 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

Earl Storey came before the Board and expressed concerns regarding the State Hospital property and the disregard for the “10 m.p.h.” speed limit signs, the “no bathing/swimming” and “no grilling/barbequing” signs. There is also an issue with people not picking up after their dogs. He noted that these are major issues on the weekends mostly, there is no way to regularly patrol the area, and suggested that the Selectmen consider designating area for Westborough residents only. Chief Gordon added that it is an ongoing and they do patrol the area, but it should let up as summer is almost over. Selectman Emery asked to put the issue on a future agenda.

Request to Approve the Minutes of June 28, 2016

Selectman Barrette’s motion to approve the minutes of June 28, 2016 was seconded by Selectman Drewry. A correction to Mr. Ball’s name on page 5 was noted and will be corrected. Vote: 5-0

Request to Approve the Minutes of July 19, 2016

Selectman Tretter’s motion to approve the minutes of July 19, 2016 was seconded by Selectman Drewry. Vote: 4-0-1 (Barrette)

Selectman Emery pointed out that her request to invite the Police and Fire Chiefs and DPW Director to the next meeting for the Animal Control Officer discussion was omitted from the June 28, 2016 minutes. The Board agreed to revote the revised minutes at the next meeting.

Request to Appoint a Constable / Chief Gordon

Chief Gordon informed the Board Russell Johnson resigned. Mr. Ostrander came before the Board. The Chief reviewed Mr. Ostrander’s background as a Reserve Intermittent Police Officer and a Call Firefighter. Selectman Emery asked what the qualifications are and Chief Gordon reviewed the position’s requirements and that he will be responsible for training Mr. Ostrander so that he meets the qualifications.

Selectman Barrette’s motion to appoint Alan Ostrander as the Constable for a term ending June 30, 2017 was seconded by Selectman Drewry. Vote: 5-0

Request to Appoint a Non-Voting Associate Member to the Country Club Operating Committee / John Arnold

Mr. Arnold informed the Board that Mr. Bouffard has been attending meetings for the past 6 months and has been an asset to the Committee. Mr. Bouffard came before the Board and reviewed his reasons for his interest in volunteering.

Selectman Tretter's motion to appoint Don Bouffard as an Alternate Member to the Country Club Operating Committee was seconded by Selectman Drewry. Vote: 5-0

SMART (Save Money and Reduce Trash) Program Presentation / Board of Health/Public Health Director and Irene Congdon, MA DEP

Mr. Baccari introduced Irene Congdon and reviewed the issue that the amount of trash generated per household in Westborough is the highest in Worcester County and the amount recycled is low. A grant was applied for and received, the Recycling Materials Management Committee was formed and Mr. Baccari explained their process. The power point presentation was reviewed which included details about the trash/recycling issue, the recommendation to use the "Save Money and Reduce Trash" (SMART) program, grants that are available, and the current and proposed budget. The Town's collective cost for the Town for Tidy Town customers and residents with dump stickers is currently \$1.3 million. The proposal is to institute pay by bag curbside weekly pickup of trash and every two weeks for mixed recycling. Carts for recycling are provided as part of the program. The cost comparisons were reviewed and the cost would increase for drop-off users. The program benefits would upgrade the Town services by providing a uniform program, allow residents to have control over their costs by paying for only what they throw out, and would reduce the Town's trash volume 30-50%. Program grants are available and were explained. The grant money comes from a Waste to Energy Fund (renewable energy credit) and not the taxpayer.

Issues/questions discussed with the Board:

- The Town has so much trash as there are a lot of recyclable materials that are included in the regular trash and disposal is not monitored at the Transfer Station. There is no incentive to recycle there and it costs extra for recycling with Tidy Town.
- A household consists of 1 – 3 family houses and there are 4,071 in Town.
- Apartment complexes were briefly discussed which are not included as they have their own trash disposal but they could purchase a dump sticker.
- Grocery stores are beginning to recycle their organics, currently that is not available to residents.
- The issue of residents with dump stickers taking items to the transfer station for those who do not have them does happen occasionally but the Board of Health tries to monitor it.
- Concerns were expressed with trash sitting around for a week and the inability to bring it to the Transfer Station, the durability of the plastic bags and potential difficulty for seniors/disabled residents to get the bag to the curb. All concerns were addressed.

The Board agreed to take the proposal under advisement and a decision will need to be made within the next few months.

Dexter Blois asked if the bags are plastic and the response was that they are and are not recyclable. For the Board's consideration, he noted that communities are trying to get rid of plastics in the landfill. Mr. Blois added that Tidy Town customers should pay the dump sticker fee contribute to the cost for the trash to be transferred to Wheelabrator. John Arnold spoke to his concerns regarding the number of bags he generates and truck traffic.

Mr. Malloy noted that the next steps would be a joint decision by the Selectmen and Board of Health. It will not happen until 2018 as new two-year dump stickers were just issued. The program will be discussed further at a future meeting and representatives from E. L. Harvey's will be asked to attend.

Request to Approve the Westborough TV, Inc. Bylaw Changes / Karen Henderson, Brian McLaughlin

Ms. Henderson and Mr. McLaughlin came before the Board. Ms. Henderson reviewed the changes to Westborough TV, their programming and what they have to offer the public and Town. She explained to the Board the process to edit the bylaws, obtain approval from their legal counsel and vote to accept the changes.

Selectman Drewry's motion to approve the Westborough TV Bylaws as submitted was seconded by Selectman Emery. Discussion: Selectman Barrette asked why they put term limits in the bylaws as it can be difficult to recruit volunteers. Mr. McLaughlin explained that they have a very active Board, but there are many tasks that are time consuming and they agreed there should be the opportunity to cycle people through in order to obtain a fresh perspective. Vote: 5-0

Request to Hold a Filming Session in Downtown Westborough by Commander Softpants, Inc. / Stephen Hartman, Location Manager

Mr. Hartman came before the Board and provided information on the film whose working title is "Almond Benefits 2". He reviewed the schedule, the towns they are working in, what will take place during the filming, and changes to signage and flags as the scene takes place in Canada. He has been working with the Police Chief and businesses in the downtown area. Selectman Drewry asked what film is rated and stated that he would not vote for it without that information. Mr. Hartman explained the process for rating a movie which does not happen until the film is completed. Selectmen Barrette asked if Hopkinton and Concord approved the project and Mr. Hartman noted that they had. Mr. Malloy reviewed the MetroWest Daily News article regarding the approval in Hopkinton and that this film is a follow up to "Super Troopers 2", which was rated "R".

Selectman Drewry's motion to not approve the request until more details are provided was seconded by Selectman Barrette. Discussion: Selectman Emery pointed out that the filming is September 7, the Board does not meet again before that, and there is limited time to appear before another town. This has no bearing on her decision to support Mr. Hartman's request. Selectman Johnson expressed concern regarding safety and Chief Gordon noted that he has no issues with the exception of changing the flags. Chief Purcell was unaware of the request but as long as Chief Gordon has no issues he supports it. Mr. Hartman explained that they could be creative and keep the flags out of the shot. He also noted that they plan to donate \$1,000 to the Downtown Beautification Project and will compensate businesses. Selectman Tretter supports the request as it is a good opportunity for the Town and seems innocuous. Vote: 2-3 (Johnson, Emery, Tretter)

Selectman Tretter's motion to approve the use of public areas in the downtown as requested by Commander Softpants, Inc. for the purpose of filming on Wednesday, September 7, 2016 from 3-7 PM provided that all the requirements of the Police Chief be met was seconded by Selectman Emery. Vote: 3-2 (Drewry, Barrette)

Town Hall Parking Lot / Town Manager

Mr. Malloy explained the reasoning and benefits to closing the alleyway between the Town Hall and Subway. The intent would be to convert it to a community gathering place and walkway. Once it was closed off a title search company was hired and it was determined that there is a 10-foot deeded right of way and 5 parties that have a right to it, including the Town. The owners were sent a legal document that would extinguish their rights to the right of way and the Town's proposed plan for it. Mr. Malloy noted that after discussions and negotiations with the 4 building owners they agreed to extinguish their rights and the Town will allow them to continue to have parking behind the building for their tenants. There will be a vote at Fall Town Meeting to grant and accept easements. A demonstration project was set up over the last week for the benefit of the building owners and tenants.

Building tenants, Aaron Wood, Maryanne Piche and John Smith came before the Board to express their concerns regarding closing the alleyway, the parking situation behind their building, the Municipal lot on South Street and its lighting, and to get clarification on the parking. Mr. Malloy and the Board responded to their concerns noting that improvements to the South Street lot are being worked on with the Police Chief and DPW Director, handicap parking will be added, and once the project is complete it will be a permanent solution.

Request to Recruit a Part-Time Animal Control Officer / Town Manager

Mr. Malloy noted that he has been meeting with Shrewsbury and Grafton regarding the regionalization of the Animal Control Officer and Inspector services. No conclusion has been reached as of yet as the other towns currently do not have a vacancy. He recommended that the Board hire a part-time ACO based on the call statistics included in the Board's packet, which he reviewed. Mr. Malloy added his concern that hiring a full-time ACO would make it difficult to change the position to part-time in six months if does not work.

Selectman Drewry's motion to authorize the Town Manager to move forward recruiting a part-time Animal Control Officer at a maximum of 19 hours per week was seconded by Selectman Tretter. Discussion: Selectman Barrette asked about hiring backup service and how many hours it would be. Mr. Malloy explained that it would be an "on call" position, would fluctuate during the year and they would be paid out of the Animal Control salary budget line item. There was a discussion regarding the options for the hours the ACO would work and how it would be scheduled. The FY 2017 budget covers a full-time position. Vote: 4-0-1 (Emery)

Discussion of Lighting the Sidewalks connecting the MBTA Commuter Rail and the Westborough Transit Oriented Village / Town Manager

Mr. Malloy informed the Board that the Town has received a request to light sidewalk from the MBTA commuter rail station to Westborough Village from resident who is legally blind and takes the train into Boston every day. His issue is when he comes home and it begins to get dark earlier. He reviewed some lighting options and a solar powered sidewalk lighting system was chosen as a test. The DPW will install the pilot light and if it does not work an Article will be needed to go to Town Meeting for taller street lights. The builder was required to install the sidewalks but street lights were not a condition of the project.

Selectman Johnson's concern is that there are other neighborhoods with sidewalks but no lighting which may spur requests for lighting as well. Mr. Malloy noted that lighting is needed as it is commuter related and the residents are encouraged to walk to the station and use the train.

Selectman Barrette suggested using the same kind of lighting at the South Street parking lot if it works well as people are being encouraged to live downtown and walk. Selectman Emery was informed by the Conservation Officer that residents of Westborough Village are walking on Otis Street where there are no sidewalks and cutting through the woods near the Town well sites as a shortcut. She is going to investigate the issue and bring it back to the Board.

The consensus of the Board was to give the solar lighting a test trial connecting the MBTA commuter rail station to Westborough Village.

Town Manager Report

H181: Mr. Malloy reported that House Bill H181, the liquor license for the Nathan Fisher property, has been approved. In addition, the Charter has been engrossed by the House and has gone to the Senate. The Town's State Representatives are encouraging the Senate to move quickly and Mr. Malloy reached out to Senator Eldridge's office and was told it will be put through as quickly as possible and may be approved by September.

7 Parkman Street RFP: A property bound survey was completed as part of the Forbes Municipal Building (FMB) renovation project and it included the Library and 7 Parkman (Spurr House). Mr. Malloy noted that he cancelled the RFP as there is a property line issue and it will have to go through the ANR process to re-subdivide the lot. He will work with the Town Engineer to begin the process which may take a couple of months before it can be put back out to bid. The transformer for the FMB is actually located on the Spurr House property and the need to locate the new generator for the FMB outside of the building are other issues that will be addressed. The Municipal Building Committee (MBC) reviewed this information and unanimously voted at their last meeting to submit a Warrant Article to rescind the previous Article authorizing the sale of the property so it can be used for future parking and the location of the transformer and generator.

Issues and Correspondence of the Selectmen

Selectman Tretter noted that the construction of the trail between East Main and Lyman Streets has been delayed due to the storm cleanup. Earl Storey is managing the project and Selectman Tretter will keep residents informed.

Selectman Emery asked to invite the Pre-K 3rd Grade Committee along with the Building Committee to come before the Board to provide an update on apartments that have been constructed or are going to be as well as any other potential developments. She also requested a comparison of the school enrollment projections versus the actual for these apartments/developments. Mr. Malloy will ask the Committee to come before the Board when they meet next along with the School Committee and he will get the information on developments from the Town Planner and Building Commissioner.

Selectman Barrette noted that the Town is still on track to begin the process to become a Dementia Friendly Community on October 1, 2016 and they are looking for committee volunteers for the community-wide event. The Westborough State Hospital Cemetery Memorial at Pine Grove now has a Facebook page with information on fund raising and genealogy.

Selectman Johnson informed the Board that questions have been asked about the 300th Anniversary Committee and the fireworks display as part of the celebration. There was a

meeting today where concerns about chemicals in the water supply were discussed. He noted that the concerns are being taken seriously and hopes that the Town will be able to have them as many residents have been asking for them. Mr. Malloy added that a specialist will be brought in to the next meeting for recommendations. Selectman Johnson spoke to the recent resignation from the School Committee and noted that it is an interim appointment made jointly with the Selectman according to Mass. General Law. The open position will be posted.

Executive Session

Selectmen Drewry's motion to enter into Executive session at 9:07 p.m. to discuss strategy with respect to collective bargaining; to consider the purchase, exchange, lease or value of real property was seconded by Selectman Emery. 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; Selectmen Drewry – yes; Selectman Barrette – yes.

Submitted by Paula M. Covino

Chairman Johnson

Vice Chairman Drewry

Selectman Barrette

Selectman Emery

Selectman Tretter