

Westborough Board of Selectmen
Meeting Minutes
November 10, 2009
7:00 p.m. – 8:45 p.m.

Members Present: Chairman Emery, Selectmen Goldblatt, Thompson and Dodd

Also, Present: James J. Malloy, Town Manager; Maryanne Bilodeau, Assistant Town Manager; Greg Franks, Town Counsel

Absent: Vice Chairman Rod Jane´

The meeting was called to order at 7:00 p.m. by Chairman Emery.

Pledge of Allegiance/Open Forum:

Police Chief Gordon announced that it is hunting season and reminded residents of the Town’s Hunting By-laws along with proper hunting wear.

Committee Vacancies:

Bay State Green Condominium Resident Representative
Central Massachusetts Regional Planning Committee (Alt)
Green Technology Advisory Group
Massachusetts School Building Authority Westborough Representative for the Assabet Valley
Regional Vocational School (1)
Youth Commission – (1)

Selectman Thompson moved to appoint Mr. Singleton, as the representative of Westborough, to the Massachusetts School Building Authority Representative for the Assabet Valley Regional Vocational School project. Selectman Goldblatt seconded. 4-0

Request to Accept Gift Fund/Recreation Commission Director

Frank DeSiata, Recreation Director, requested that the Board establish a Gift Fund Account for the renaming of the Upton Ball Fields under the name of the Greg Montalbano Field Account.

Selectman Goldblatt moved to establish the “Greg Montalbano Field Gift Account”. Selectman Thompson seconded. 4-0

Tax Classification Hearing/Board of Assessors

Present: Linda Swadel, Chief Assessor; Walter Kinell, Board Member

Ms. Swadel requested that the Board vote for either a single tax rate or a double tax rate. Ms. Swadel said that for Fiscal Year (FY) 2010 the tax rate will be \$16.98 per thousand which is an increase over last year’s tax rate of \$15.50 (\$1.48). For FY2010 the total valuation of the Town of Westborough decreased by approximately \$41 million.

The Town had \$40 million in total new growth valuation, with the bulk of the growth coming from the personal property class at \$28.6 million. Ms. Swadel said that by using last year's tax rate of \$15.50/thousand, this gives an additional \$625,270 in tax dollars which may be added to the tax levy. (Chief Assessor's letter attached).

The Board of Selectmen voiced their concern regarding the economy and the additional 9C cuts from the Governor. Chairman Emery stated that this is why the Town Manager is developing a five year projected financial forecast.

Selectman Goldblatt moved to approve a single tax rate of \$16.98/per thousand. Selectman Thompson seconded.

Mr. Malloy suggested that the motion be stated as follows: "moved to approve a residential factor of 1.0"

Motion Amended:

Selectman Goldblatt moved to approve a residential factor of 1.0. Selectman Thompson seconded. 4-0

Request for a Wine & Malt Restaurant Liquor License Hearing/Chipotle Mexican Grill/Attorney Matt Fogelman

Attorney Fogelman requested that the Board approve a Wine & Malt Restaurant Liquor License for Chipotle Mexican Grill, located at 1 Oak Street. Attorney Fogelman noted that Chipotle is not seeking an alcohol license for the patio service.

Selectman Thompson moved to approve a Wine & Malt Restaurant Liquor License for Chipotle Mexican Grill, located at 1 Oak Street, confirming that liquor will not be served at the patio. Selectman Goldblatt seconded. 4-0

Request to Accept Gift Fund/Youth & Family Services Director

Mr. Badenhausen requested that the Board accept the Country Club's Charity Corporation donation of \$1,000 to the Youth and Family's Free Holiday Store.

Selectman Thompson moved to authorize the Youth & Family Services to spend the \$1,000 donation as well as to disperse all donated food goods given in the year 2009 by the Lutheran Church. Selectman Goldblatt seconded.

Town Counsel recommended that Mr. Badenhausen come before the Board of Selectmen with a list of donated property for the Board's approval. 4-0

Request to Appoint Member to the Trustees' of Soldiers Memorials/Chairman Matson

Mr. Matson requested that the Board appoint Denzil Drewry (a Veteran) to the Trustees' of Soldiers Memorials Committee with a term ending June 30, 2011.

Selectman Goldblatt moved to appoint Denzil Drewry to the Trustees' of Soldiers Memorials Committee with a term ending June 30, 2011. Selectman Thompson seconded. 4-0

Minutes: November 10, 2009

Mr. Matson announced that any donations to the Trustee's of Soldiers Memorials Committee be sent to him at 19 Heath Street made payable to the Trustee's of Soldiers Memorials Committee. He said that the donations are for the upkeep of the landscaping, flags and memorials in town.

Longmeadow Road Parking Update/Police Chief

Police Chief Gordon said after researching the special permit conditions for the Mitsubishi Dealership he recommends that the Board approve installing "No Parking" from Route 9 to the corner of Longmeadow Road and from the first curb cut (dealership's entrance) and after the curb cut to the Mitsubishi Dealership driveway to install "No Parking from 7:30 a.m. to 9:00 a.m. and from 4:00 p.m. to 5:30 p.m., Monday – Friday".

Selectman Goldblatt moved to authorize the DPW to install "No Parking" from Route 9 to the corner of Longmeadow Road from the first curb cut (dealership's entrance) and after the curb cut to the Mitsubishi Dealership driveway to install "No Parking from 7:30 a.m. to 9:00 a.m. and from 4:00 p.m. to 5:30 p.m., Monday – Friday. Selectman Thompson seconded. 4-0

Preliminary Review of Mixed-Use Multi-Family Apartment Project/Francis Zarette

Chairman Emery informed the Board that the Board of Appeals requested that Mr. Zarette present his proposed plan to the Board of Selectmen tonight and requests the Board's opinion of the plan. Chairman Emery said that this item normally would come before the Board under a site plan review approval item.

Mr. Zarette said that the proposed development will be located at 346 Turnpike Road (Route 9) and is a mixed-used multi-family apartment project. The proposed residential community would be comprised of 110 one-bedroom units, and 110 two-bedroom units for a total of 220 residences of which 10% of the total number of units will be affordable. Mr. Zarette said that for each bedroom type 10% would be designated as affordable housing consistent with the Massachusetts Department of Communities and Development affordable housing regulations. The development is geared to start with construction within two years of the approval date, if the project is approved. Mr. Zarette reviewed the impact analysis summary from Connery Associates, a recognized evaluation firm that analyzes the financial impact of the real estate projects on communities (report attached).

Jim Robbins, Town Planner, informed the Board that the Planning Board is in full support of this proposed project.

Mr. Malloy, Economic Development Committee Member (EDC), informed the Board that the EDC is also in full support of Mr. Zarette's proposed project.

Selectman Thompson moved to advise the Board of Appeals that the Board of Selectmen supports Mr. Zarette's proposed project.

The Board thanked Mr. Zarette for his presentation.

EPA Stormwater Rule Survey/Board of Selectmen Chairman

Chairman Emery requested that the Board approve to have Carl Balduf, Town Engineer, answer the Environmental Protection Agency's Information Collection Request (ICR) survey for the proposed rulemaking regarding the strengthening of stormwater regulations and the establishment of a comprehensive program to reduce stormwater from newly developed and redeveloped sites.

Selectman Goldblatt moved to have Carl Balduf, Town Engineer, conduct the survey regarding the EPA Stormwater Rule as requested. Selectman Thompson seconded. 4-0

Town Counsel Report

Town Manager Report

Contract Award – Auctioneer Services (action required)

Mr. Malloy informed the Board that the Town recently went out to bid for an auctioneer to sell real estate that the Town had obtained through non-payment of property taxes. Joanne Savignac, Treasurer/Collector and Greg Franks, Town Counsel reviewed the two proposals and recommended awarding the contract to Zekos Group at 7% buyer's premium.

Selectman Goldblatt moved to appoint Joanne Savignac, Treasurer/Collector as the custodian of the property at 69 Hopkinton Road, empowering her to sell the property as per MGL Ch. 60, §77B. Selectman Dodd seconded. 4-0

Selectman Goldblatt moved to award the contract for auctioneer services for the purpose of selling 69 Hopkinton Road to Zekos Group at a 7% buyer's premium as per their bid. Selectman Dodd seconded. 4-0

Assabet Valley Regional Vocational School Building Committee

This item was acted upon under the Committee Vacancies section.

New Year's Eve Liquor Sales (action required)

Mr. Malloy requested that the Board approve extending the hours for liquor sales for New Year's Eve through 2 AM.

Selectman Goldblatt move to approve extending the hours of liquor sales for all Club, Innholder and Restaurant Liquor Licenses to allow for liquor sales until 2 AM on New Year's Eve (2 AM on 1/1/10). Selectman Dodd seconded. 3-1 (Selectman Thompson opposed)

Miscellaneous

Mr. Malloy informed the Board of the following miscellaneous items:

- Mr. Malloy said that the letter to the Secretary of Housing and the Economic Development's letter are in the Board's packet with additional background information and dollar totals for Massachusetts.
- Attached is a letter of support from the Economic Development Committee on a mixed use project off Route 9 that will be coming before the Board on 11-10-09.

- Mr. Malloy said that the latest version of Senate Bill 2059 regarding the Commission on the Re-Use of the Westborough State Hospital is in the Board's packet and that Representative Polito's office have submitted a request to amend the legislation to include 3 representatives from Westborough this week.
- Mr. Malloy said that after the Board voted to amend the Charter Cable TV Franchise Agreement he was informed that the Town needed to execute a formal amendment. After looking into it further, Charter indicated that it requires a public hearing before the Town can amend, so the Town will be scheduling a public hearing which will be 35 days after the notice is published sometime next week. The hearing will likely be the first Selectmen's meeting in January.
- Mr. Malloy reminded the Board that at their last meeting he provided a proposal that he had discussed with the Personnel Board regarding updating the Personnel Bylaw, because of his absence, the Board decided to hold off until the next meeting to discuss the item. Mr. Malloy informed the Board of the revised Personnel Bylaw and noted that if the Board adopts this revision the Town would need to adopt (concurrently) a Personnel Policy/Employee Hand Book. Mr. Malloy said that he will place this revised bylaw on the annual town meeting warrant and that the only item that would need to be address at that time will be the appointing authority.

The Board thanked Mr. Malloy for the alacrity in which he has approached his goals, unresolved items and duties since his employment in the Town and voiced their happiness having him here.

Issues and Correspondence of the Selectmen

Selectman Thompson thanked everyone who was involved in the special town meeting coordination and also thanked Karen Bain-Morgado for typing the Board's minutes tonight while Nidia Ruberti is on vacation.

Chairman Emery noted that there were approximately 600 attendees at the special town meeting and thanked Tim Novak for filming tonight's Board meeting.

Selectman Dodd thanked the following individuals for their efforts and hard work in implementing and coordinating the Employee /Volunteer Recognition Ceremony:

Nidia Ruberti
Karen Bain-Morgado
Leah Talbot
Maryanne Bilodeau

Selectman Dodd also thanked the former and current Town Manager and the Board of Selectmen's support for this event.

Selectman Goldblatt reminded our residents that the Veterans Day Parade starts at 9:30 a.m. at the Pine Grove Cemetery and also requested that we keep our servicemen and women in our thoughts and prayers so far from home.

Adjourn Open Session

Selectman Thompson moved to adjourn the Board of Selectmen meeting at 8:45 p.m.
Selectmen Dodd seconded. 4-0.

Submitted by Nidia Ruberti

Chairman Leigh Emery	Vice Chairman Rod Jané	Selectman Lydia Goldblatt
	<i>(Absent)</i>	

Selectman Timothy A. Dodd

Selectman George Thompson