

**WESTBOROUGH BOARD OF SELECTMEN
MEETING AGENDA**

Tuesday, July 22, 2014

Forbes Municipal Building, 45 West Main Street, Room #23
6:30 p.m.

(Times are approximate)

RECEIVED
TOWN CLERK'S OFFICE
2014 JUL 17 AM 11:05
TOWN OF WESTBOROUGH

1. 6:30 p.m. **Pledge of Allegiance**

Conservation Commission (2 Non-Voting Associates)
Economic Development Committee (1 Member)
Historical Commission (2 Members, 2 Non-Voting Associates)
Housing Partnership Committee (1 Member)
Open Space Preservation Committee (1 Member)
Recreation Commission (1 Non-Voting Associate)
Veterans' Advisory Board (2 Members)
Water Resource Review Committee (7 Members)
Youth Commission (2 Members)

Request to Approve the Board of Selectmen Minutes

- June 10, 2014
- June 24, 2014

Open Forum

2. 6:35 p.m. **Request to Approve Award of Contract 10-04 Warren Street Culvert
Drainage Improvements / Town Engineer**
3. 6:40 p.m. **Request to Approve Liquor License Change of Manager for Double
Tree Hotel, 5400 Computer Drive / Michael Twomey**
4. 6:45 p.m. **Request to Approve Liquor License Change of Manager for Ruby
Tuesday, Inc., 34 Lyman Street, / Karl Yetter**
5. 6:50 p.m. **Request to Approve Common Victualer Permit for L/M Tacoma, Inc.
d/b/a Taco Bell, 289 Turnpike Road / David Lockwood**
6. 6:55 p.m. **300th Anniversary Committee Interviews/Appointments**
 - Lois Toeppner
 - Nancy Strecker (Historical Commission Representative
replacing Hazel Nourse)
7. 7:00 p.m. **Historical Commission Interview/Appointment / Cindy DuBose**
8. 7:05 p.m. **Request to Sign Notes and Bonds / Treasurer/Collector**
9. 7:10 p.m. **Request to Approve Temporary Dock at 78 Lyman Street / Jim Ball /
Derek Saari**

10. 7:15 p.m. Request to Appoint Reserve Intermittent Police Officers / Chief Gordon
 - Casey Cullen
 - Joseph Badgley
 11. 7:20 p.m. Westborough State Hospital Committee Interviews
 - Matt McCafferty
 - Garry Kessler
 - Hazel Nourse
 - Cliff Watts
 - Earl Storey
 12. 8:00 p.m. Remote Participation Policy / Selectman Barrette
 13. Town Counsel Report
 14. Town Manager Report
- Issues and Correspondence of the Selectmen
- Adjournment
- Executive Session

**Westborough Board of Selectmen
Meeting Minutes
June 10, 2014**

6:30 p.m. – 8:30 p.m.

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

Also Present: Jim Malloy, Town Manager; Kristi Williams, Assistant Town Manager/HR Director and Greg Franks, Town Counsel

Request to Approve the Board of Selectmen Minutes

Selectman Dodd's motion to approve the May 27, 2014 minutes was seconded by Selectman Emery. Discussion: Selectman Barrette noted that the statement Mr. Burn made during the Hocomonco Pond discussion regarding a letter from Jim DiLorenzo at the EPA was looked into and found to be incorrect as no such letter was sent. Vote: 4-0-1 (Drewry)

Westborough State Hospital Charrette Report / Dr. John Mullin

Dr. Mullen came before the Board and summarized the key points made by the Charrette participants as outlined in his report included in the Board's packets and on the Town website. Selectman Barrette noted that the goal of the Board is to first recruit committee members. Mr. Malloy pointed out that the Urban Land Institute will be in Westborough on June 17, 2014 to interview stakeholders and hold a public presentation at the High School at 6:30 p.m. Mr. Malloy suggested including the five members of the Negotiating Committee, Earl Storey, Jim Robbins, Ian Johnson, Garry Kessler and himself, and adding two or four residents.

Comments from the audience included:

- Preserve the legacy of the buildings by including museums.
- Include a member of the Westborough Community Land Trust, a representative from the Historical Commission, Open Space Preservation Committee, Economic Development Committee, and a youth representative
- Provide the opportunity at the meetings for Town Boards/Committees to offer input.
- In response to the question regarding what best constitutes this type of committee Dr. Mullen suggested the use of subcommittees to focus on certain issues and that structure is an important component; there should be no more than nine members.

The Board provided their input on the number of members, which included 7-9 members; the use of subcommittees or an advisory board; and Mr. Malloy Mr. Robbins should be part of the core committee, either as voting or non-voting with the addition of seven residents., maybe they are non-voting but need to be present. Mr. Hensley suggested first performing a needs analysis as it may not include the original five.

Selectman Drewry's motion to advertise for seven positions for a seven person committee was seconded by Selectman Johnson. Discussion: It was agreed to wait to see who and how many apply and possibly add two more if needed. Vote: 5-0

Letters of interest should be sent in to the Selectmen's Office by July 15, 2014 and it will be posted on the Town website. Mr. Malloy noted that the legislation for the purchase of the property was held up at the House Ways & Means Committee, but will be moving to the House for a final reading over the weekend and should close by the end of the year.

Insurance Advisory Committee / Interviews & Appointment

Lucy Whitin, who worked in the Westborough Public Library for 32 years, provided her background and reasons for interest in the committee.

Marianne O'Connor, who is retiring on June 30, 2014 as Superintendent of Schools reviewed her background and regular participation in the IAC meetings.

There are two other candidates who will be interviewed at the June 24, 2014 meeting and a decision will be made then.

300th Anniversary Committee Interviews & Appointments

Ed Newton, Jr. and Jean Newton appeared before the Board and provided background information and reasons for applying for this committee.

Selectman Dodd's motion to appoint Ed Newton and Jean Newton to the 300th Anniversary Committee for indefinite terms was seconded by Selectman Drewry. Vote: 5-0

Youth Commission Student Interviews & Appointments

Jorge Nario noted his reasons for interest in a position on the Commission, and provided his background which included participation in the peer mediation program and studying Spanish.

Daniel Moon informed the Board of his involvement with school and extracurricular activities, interest in politics and government, and his participation on the school debate team. He is also studying Spanish and speaks Korean at home.

Arpita Joyce noted that she is on the Student Council, had participated in many of the Hot Summer Nights activities and would like to be involved in planning them. She speaks a southern Indian language.

Andrew Rosenshine, a member of the Youth Commission came before the Board and provided supportive comments for each of the candidates. As there are three candidates and two positions available Mr. Badenhause informed the Board that in the past students that were not members were encouraged to come to the meetings where they could participate but not vote. The Board discussed the appointment of a non-voting associate member.

Selectman Emery's motion to appoint to the Youth Commission Jorge Nario and Arpita Joyce for terms to expire on June 30, 2016 and Daniel Moon as a non-voting member was seconded by Selectman Drewry. Vote: 5-0

Request to Approve Fee Changes / Town Clerk

Ms. Mickel came before the Board and reviewed the current fee structure and reasons for the increase. Selectman Johnson questioned the practice of providing them to committee members

for free. Selectman Dodd suggested putting them on the Town website and Ms. Mickel noted that they are required to record everyone that purchases a list.

Selectman Drewry's motion to amend the fee schedule to increase Town Clerk fees for Zoning Bylaws from \$5 to \$10; Zoning Map from \$5 to \$10; and Street Lists from \$12 to \$15 and free for over 70 years old was seconded by Selectman Emery. Discussion: The Board discussed providing the street lists at no cost to committee members and agreed to discuss and vote on the issue at a future meeting. Vote: 4-1 (Johnson)

Request to Appoint Kelley Donley to the Open Space Preservation Committee / Mark Silverberg / Kelley Donley

Kelley Donley, who is a member of the Conservation Commission, provided information on her background and what she will contribute to the OSPC.

Selectman Dodd's motion to appoint Kelley Donley to the Open Space Preservation Committee for a term to expire on June 15, 2015 was seconded by Selectman Johnson. Vote: 5-0

Request to Appoint a Reserve Intermittent Police Officer / Chief Gordon

Chief Gordon and Mr. Hulbert came before the Board. Chief Gordon reviewed Mr. Hulbert's background and recommended him for the position.

Selectman Johnson's motion to appoint Alvin C. Hulbert as a Reserve Intermittent Police Officer for a term ending June 30, 2015 was seconded by Selectman Drewry. Vote: 5-0

Request to Sign Notes / Town Manager

Mr. Malloy noted that Morgan Stanley was the low bid for the borrowing of \$7,575,000 for Water, Sewer, Town Hall Renovations, Municipal Building Design and the Fire Station construction.

Selectman Johnson moved to approve the sale of to approve the sale of a \$7,575,000 0.50 percent General Obligation Bond Anticipation Note of the Town dated June 19, 2014, and payable August 22, 2014 (the "Notes"), to Morgan Stanley & Co., LLC at par plus a premium of \$5,681.25.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 28, 2014, and a final Official Statement dated June 4, 2014, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures in such form as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update such procedures, in order to monitor and maintain the tax-exempt status of the Notes.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

The motion was seconded by Selectman Drewry. Vote: 5-0

Eagle Project

Nicholas Schur came before the Board, provided a handout and reviewed his Eagle Scout Project which is to manage the installation of an electronic message sign board and the construction of the base at the corner of Route 30 and Lyman Street. The Rotary Club is providing funding up to \$20,000. The Board commended Mr. Schur, provided comments of support and thanked the Rotary Club for their donation.

Selectman Johnson's motion to approve the request from Nicholas Schur to move forward with his Eagle Project was seconded by Selectman Drewry. Vote: 5-0

Nathan Fisher House RFP / Town Manager

Mr. Malloy reviewed the structure of the Nathan Fisher House RFP without the deed restriction. The Board discussed the components of the RFP and asked Mr. Malloy to redraft it so the Lots E-1 and E-2 are separated. The consensus of the Board was to proceed with the RFP.

Town Counsel Report

Attorney Franks informed the Board the Town received the release of the restriction on the Nathan Fisher House.

Town Manager Report

Mr. Malloy informed the Board that after discussions with the DPW Manager and Town Account it was determined that there will be no increase or decrease in the Fiscal 2015 water and sewer rates.

Issues and Correspondence of the Selectmen

Selectman Dodd noted that he is looking into a formal process for the issuance of proclamations and citations. He requested that remote participation at meeting be on the next agenda.

Selectman Emery informed the Board the Green Technology Advisory Group is proceeding with the Hocomonco Pond solar project. She provided the Board with a meeting and process schedule and asked the Board to review it and make comments.

Executive Session

Selectman Dodd's motion to enter into Executive Session at 8:30 p.m. for the purpose of discussing collective bargaining, as an Open Session would have a detrimental effect on the Town's bargaining position and that the Board will adjourn the meeting at the end of Executive Session.

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

Submitted by Paula M. Covino

Chairman Barrette

Vice Chairman Dodd

Selectman Drewry

Selectman Emery

Selectman Johnson

DRAFT

**Westborough Board of Selectmen
Meeting Minutes
June 24, 2014**

6:30 p.m. – 8:39 p.m.

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

Also Present: Jim Malloy, Town Manager; Kristi Williams, Assistant Town Manager/HR Director and Greg Franks, Town Counsel

Open Forum

Earl Storey came before the Board and noted his concern and disappointment that no one from the Board attended the evening presentation by the Urban Land Institute on the State Hospital. Selectman Barrette informed the Board that he has the DVD of the presentation filmed by Westborough TV. He has viewed it and will provide it to the Board. Selectman Johnson explained that he was scheduled to participate in an interview and attend the presentation but a last minute work commitment prevented him from attending.

Stormwater Maintenance Project Update / Derek Saari

Mr. Saari came before the Board and reviewed his presentation on the 260 sites that are part of his storm water maintenance program. Mary Ann Depinto, from the Department of Environment Protection, who has worked with Mr. Saari, was also in attendance to view this presentation as Westborough is the only community in Massachusetts to have this program in place.

Insurance Advisory Committee / Interviews & Appointment

Ross Eldridge, who is retired from the Fire Department, came before the Board and reviewed his background and previous participation in the Committee.

Ann McCarthy, who is retired from the School Department, came before the Board and reviewed her background.

Selectman Emery's motion to appoint Lucy Whitin was seconded by Selectman Johnson. Discussion: Selectman Emery noted that she is in favor of providing the opportunity to someone who is new; Selectman Johnson commented on each of the candidates and how they would contribute to the committee; and Selectman Dodd suggested reaching out to the candidates to see if they would have interest in another committee. Vote: 4-0-1 (Drewry)

Selectman Dodd's motion to send a letter to the four remaining candidates thanking them for their interest and asking if they would be interested in another committee was seconded by Selectman Johnson. Vote: 5-0

Public Hearing for Site Plan Review for 15 Connector Road, Westborough / Patrick Healy and Paresh Patel

Selectman Emery's motion to open the public hearing for site plan review for 15 Connector Road, Westborough was seconded by Selectman Johnson. Vote: 5-0

Mr. Healy, Project Manager, Mr. Patel, petitioner, and Bill Scully, from Green International Affiliates, came before the Board. Mr. Healy noted that Mr. Patel is planning to build a four-story, 106-room Hampton Inn & Suites hotel with a coffee shop with a drive-thru lane. Mr. Healy reviewed the site plan.

Selectman Emery's motion to approve site plan as per the attached decision and subject to the conditions A – H recommended by the departments as contained in the decision was seconded by Selectman Dodd. Discussion: Mr. Htway noted that Chief Gordon had a concern regarding the turning movements at the light. Mr. Scully informed the Board that he is working with Mass DOT and reviewed the actions that are being taken to address the concerns, which includes a re-evaluation based on real volumes once the hotel is open and operational as a condition of the special permit. Chief Perron has no issues with the plan. Selectman Emery expressed concern regarding water usage and the effect on the water table. Selectman Drewry noted that he is in favor of the project but was hesitant to approve it if there were going to be traffic issues that they would have to come back to address. Attorney Franks assured him that the special permit covers the issue and it is enforceable. Selectman Johnson asked for clarification regarding whether the Town or Mass DOT is responsible for the intersection at Connector Road and Computer Drive as it was not part of the traffic study and was an expressed concern in a letter from an abutter. Mr. Scully noted that Computer Drive, Connector Road and Research Drive are Mass DOT jurisdiction and the intersection in question was looked at and determined that there it is busy during peak hours but is light during the remainder of the day and evening.

Mr. Huang, business owner at 2 Connector Road, is in favor of the project and reviewed his concerns regarding the traffic as outlined in the June 17 and June 19, 2014 letters included in the Board's packet. He asked that the developer be required to implement any upgrades to this intersection as deemed necessary by the Town as is required by the special permit for the intersection at the proposed site. Kevin Gill, Owen O'Leary's manager, spoke in favor of the hotel and asked the developer not hinder his ability to continue operating and provide parking during construction. Vote: 4-0-1 (Drewry)

Selectman Emery's motion to close the public hearing for 15 Connector Road was seconded by Selectman Johnson. Vote: 5-0

Interview and Appointment for the Cultural Council / Tercia Jeans

Ms. Jeans came before the Board and reviewed her background in art and desire to serve the community and promote the Cultural Council.

Selectman Dodd's motion to appoint Tercia Jeans to serve on the Cultural Council for a term to expire on June 30, 2016 was seconded by Selectman Drewry. Vote: 5-0

Interviews and Appointments for the 300th Anniversary Committee

Jim Hatherley and Reese Hatherley came before the Board reviewed reasons for their interest in participating on the committee.

Selectman Dodd's motion to appoint Jim and Reese Hatherley to an indefinite term on the 300th Anniversary Committee was seconded by Selectman Johnson. Vote: 5-0

Request to Approve a Class II Dealer License for Westboro Auto City, 22 East Main Street / Dom Cucinotta, Manager

Mr. Cucinotta came before the Board.

Selectman Drewry's motion to approve the Class II Used Vehicle License for Westboro Auto City as per their application with a maximum of 24 vehicles was seconded by Selectman Johnson. Discussion: Mr. Malloy noted that he spoke with Chief Gordon and there are no issues. The owner of the business has changed but Mr. Cucinotta will remain as the manager. He will use the Mobile Station as the repair facility. Vote: 5-0

Request to Appoint Election Officers / Town Clerk

Ms. Mickel came before the Board with a request to appoint additional election workers.

Selectman Johnson's motion to appoint Jane Domings as a substitute election worker for a term to expire in August 2014, to appoint William Domings as a substitute election worker for a term to expire in August 2014, to appoint Douglas McLeod as an election worker for a term to expire in August 2014, and to appoint Dominic Caprioli as an election worker for a term to expire in August 2014 was seconded by Selectman Emery. Vote: 5-0

Request to Approve an Indemnification for 3 Whispering Pine Drive / John Walden

Mr. Malloy explained that the owner installed a pool and due to the slope of the property the filter pad, heat pump and electric pad are located within a utility easement owned by the Town and Mr. Walden is requesting the homeowner to indemnify the Town against any damage to their equipment that may be caused by the Town when accessing the easement.

Selectman Emery's motion to approve and sign the Utility Easement Indemnification Agreement with the owners of 3 Whispering Pine Drive was seconded by Selectman Johnson. Vote: 5-0

Request to Approve the Bituminous Concrete in Place and Chip Seal Award to J. H. Lynch & Sons / John Walden

Mr. Walden came before the Board and explained that this the annual bid for materials.

Selectman Emery's motion to award the bituminous pavement in place bid to J.H. Lynch as per their per unit prices included in the attached spreadsheet for a total estimated amount of \$275,100 and to award the Oil/Chip Seal for Items 1 & 2 to Comer Contracting Inc. for \$115,000 and Items 3 & 4 to All States Asphalt for \$213,750 was seconded by Selectman Johnson. Vote: 5-0

Yearly Reappointments Effective July 1, 2014 / Town Manager

Selectman Dodd's motion to appoint the individuals listed on the attached sheet to the Boards and Committees and for the terms identified on the list, which he read aloud as part of the motion, was seconded by Selectman Johnson. Vote: 5-0

Budget Transfers / Town Manager

Mr. Malloy reviewed the reasons for the budget transfers.

Selectman Johnson's motion to approve the transfer from the Insurance Account (11933-5706) of \$20,000 to the Town Counsel Expense Account (11513-5219A); the transfer from the

Insurance Account (11933-5706) of \$1,387.84 to the Personnel Board Training and Education Account (11523-5218); the transfer from the Town Clerk Salaries & Wages Account (11611-5103) of \$2,000 to the Election & Registration Expenses – Printing & Copying Account (11513-5219A) was seconded by Selectman Drewry. Vote: 5-0

Request to Declare Surplus Property for the Fire Department / Town Manager

Mr. Malloy explained that new building will be furnished mostly with new items and in order to sell/throw away the items that will not be needed they have to be declared surplus.

Selectman Drewry's motion to declare the items in the existing fire department that are not being used in the new fire station surplus property was seconded by Selectman Johnson. Vote: 5-0

Remote Participation Policy Discussion

Selectman Dodd's motion to request that Town Counsel draft for the next meeting in July a remote participation policy for consideration by the Board and further that this policy 1) requires the use of a standard telephone system and 2) requires from the participants to bear any costs associated with calling it, was seconded by Selectman Johnson. Discussion: The Board was in agreement that the policy may be necessary for committee members who travel for business or for other reasonable situations. There was a discussion of the components of the policy and their concerns including that a quorum must be physically present; items a – e in the draft policy should be included and it is the chairman's decision, who must also be present, to determine if the reason is adequate; this policy should be the exception not the rule; the participant is responsible for the cost/equipment when there are circumstances where the telephone will not be adequate and the participant must use technology that allows them to see a presentation in order to vote. Attorney Franks understands the Board's concerns and will address them in his draft for discussion in July. The Board briefly discussed notifying the chair of the boards/committees when the policy is drafted. Vote: 5-0

Town Counsel Report

Attorney Franks informed the Board that a notice was received from Comcast that they are taking over Charter Communication and they are required under Federal law that to inform the Town that they will be assuming the license. If the Board wants to have to have a hearing, which would be to determine if Comcast is a suitable organization or to ask questions, it must be held within 60 days. Selectman Barrette will speak with the Cable Negotiating Committee and there will be a placeholder on the July agenda for this item.

Town Manager Report

Mr. Malloy informed the Board that the Urban Land Institute will be submitting a written report in approximately eight weeks. He reviewed the items that they addressed that Dr. Mullen did not. Mr. Malloy noted that he has begun investigating "E-Packets" and Ms. Williams and Mr. Stockman will be meeting with another town to review their process. He informed the Board that the legislation on the State Hospital property is just waiting for Senate approval.

Issues and Correspondence of the Selectmen

Selectman Dodd noted that once the Board has the platform for the "E-Packets" they could be used by other Committees. He also asked to post the electronic packet information on the Town website, which Mr. Malloy agreed to do.

Selectman Barrette asked how the water ban is determined. Mr. Malloy explained that it is part of the State Water Management Act and is monitored between Memorial Day and Labor Day. It is put in effect once the Assabet River gauge drops below a certain level. Mr. Malloy will post it on the website home page.

Adjournment

Selectman Johnson's motion to adjourn at 8:39 p.m. was seconded by Selectman Emery.

Vote: 5-0

Submitted by Paula M. Covino

Chairman Barrette

Vice Chairman Dodd

Selectman Drewry

Selectman Emery

Selectman Johnson

AGENDA ITEM: Bid Award – Warren Street Culvert

SUMMARY

Attached please find recommendation from Woodard and Curran, the engineers on this project recommending an award to CJP & Sons Construction Co, Inc. in the amount of \$551,845. As the Board is aware, after several serious flooding incidents, in 2009 the Town Meeting approved \$600,000 to undertake a flood mitigation project. Under the original design, the Town was not able to move forward due to the lack of obtaining easements from the affected property owners. After two redesigns, obtaining the necessary easements from other property owners, and obtaining all of the permits through the Conservation Commission, MADEP and Army Corps of Engineers, we are ready to move forward with this project. There is approximately \$580,000 remaining from the original appropriation and the DPW is prepared to utilize Chapter 90 funds for any overages in order to complete this project this Fall.

TOWN MANAGER'S RECOMMENDATION

That the Board vote to award the Warren Street Culvert project to CJP & Sons Construction Co., Inc. in the amount of \$551,845 as per their bid.

TOWN COUNSEL'S COMMENTS *(AS APPROPRIATE)*

n/a

RECOMMENDATION TO APPROVE

Move to award the Warren Street Culvert project to CJP & Sons Construction Co., Inc. in the amount of \$551,845 as per their bid and further to authorize the Town Manager to execute any contract documents related to the project.

RECOMMENDATION TO DENY

N/A – Lack of a motion/second or majority in favor is all that is needed.

July 11, 2014
Sent via email;



Mr. James Malloy, Westborough Town Manager
Town of Westborough
131 Oak St
Westborough, MA 01581

RE: Warren Street Culvert Drainage Improvements Bid Award Recommendation

Dear Mr. Malloy:

Woodard & Curran has reviewed the bids received for the Warren Street Culvert Drainage Improvements Project on July 10, 2014. This review included a tabulation of bid results, a check on the required bid submissions, and an arithmetical check of all unit price bid items. The table below summarizes the range of base bid prices of the general bids received.

Contractor	Bid Price
C.J.P. & Sons Construction Co., Inc.	\$551,845.00
J.A. Polito & Sons	\$586,443.40
D'Allessandro Corp..	\$646,017.50
Baltazar Contractors	\$728,979.00
UEL Contractors	\$781,635.00
Northern Construction Service	\$799,430.00

C.J.P. & Sons Construction Co., Inc. is the apparent low bidder for the project at a Bid contract price of \$551,845.00. Woodard & Curran has enclosed bid tabulations for the six (6) bids received for your records. Woodard & Curran has contacted and enclosed contractor references who have reported favorably on similar work performed by C.J.P. & Sons Construction Co., Inc. The bid from C.J.P. & Sons Construction Co., Inc. is accompanied by the required statutorily forms and all documents required by the invitation to bid, all of which appear to be in order. Additionally, C.J.P. & Sons Construction Co., Inc. is prequalification by the Massachusetts Department of Transportation as is required for consideration of Chapter 90 project funds. It appears that C.J.P. & Sons Construction Co., Inc. represents the lowest responsible and eligible bidder.

Accordingly, based upon the findings of the review, Woodard & Curran recommends that the Town consider awarding the contract for the Warren Street Culvert Drainage Improvements Project to C.J.P. & Sons Construction Co., Inc., 1420 Main Street, Mills, MA 02054 at their bid price of \$551,845.00.

Woodard & Curran has attached the Notice of Intent to Award and the Notice of Award for your execution. Once the Notice of Award is executed & delivered by the Town, C.J.P. & Sons Construction Co. will have ten (10) days to provide the indicated documentation. Upon receipt of the Notice of Award documentation,

Woodard & Curran will provide six (6) original contracts to the Department of Public Works Manager for execution by the Town and C.J.P. & Sons Construction Co.

Sincerely,

WOODARD & CURRAN



A handwritten signature in dark ink, appearing to read "R.J. Dowling IV", is written over the printed name.

R.J. Dowling IV
Project Technical Specialist

Enclosures: Bid Tabulation and Contractor References

Cc: Mr. John Walden, Department of Public Works Manager, via email
Carl Balduf, P.E., Town Engineer, via email
Bill Irwin, C.J.P. & Sons Construction Co., Inc., via email
David White, P.E., Woodard & Curran, via email

NOTICE OF AWARD (C-00 51 00)

Date: _____

Project: Warren Street Culvert Drainage Improvements	
Owner: Town of Westborough	Owner's Contract No.:2010-4
Contract:	Engineer's Project No.: 219974.01
Bidder: C.J.P. & Sons Construction Co., Inc., ,	
Bidder's Address: 1420 Main Street	
Mills, MA 02054	

You are notified that your Bid dated July 10, 2014 for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for: Warren Street Culvert Drainage Improvements subject to the following conditions being met and subject to required reviews and approvals and specifically, funding approval by MassDOT Chapter 90.

The Contract Price of your Contract is Five Hundred Fifty-one Thousand Eight Hundred Forty-five Dollars (\$551,845.00).

You must comply with the following conditions precedent **within 10 days** of the date you receive this Notice of Award.

1. Deliver the Contract security (Bonds) as specified in the General Conditions and Supplementary Conditions (Articles 2 and 5);
2. Deliver the insurance certificates indicating coverages as specified in the General Conditions and Supplementary Conditions (Articles 2 and 5);
3. Deliver the following completed and executed certifications and documents:
 - a. Pursuant to MGL Chapter 30, Section 39R *Definitions; contract provisions; management and financial statements; enforcement* per Section 00 22 13;
 - A statement by management on internal accounting controls (sample attached);
 - A statement prepared by an independent certified public accountant regarding management's statement (sample attached); and
 - An audited financial statement for the most recent completed fiscal year.

WOODARD & CURRAN

SAMPLE NOTICE OF AWARD

00 51 00-1

based on EJCDC C-510 Notice of Award

Prepared by the Engineers Joint Contract Documents Committee and endorsed by the Construction Specifications Institute.

b. From each Subcontractor:

- Certificate of Good Standing from the Department of Revenue with respect to all returns due and taxes per Section 00 22 13
- Certification from the Secretary of State for foreign corporations per Section 00 22 13

Failure to comply with the above conditions within the time specified will entitle the Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

After confirming that you have complied with the above conditions and required approvals are obtained, Owner will deliver the conformed Contract Documents for execution.

Owner

By: _____
Authorized Signature

Title

Copy to Engineer

SAMPLE LETTER FROM CONTRACTOR REGARDING ACCOUNTING CONTROLS
Pursuant to MGL Chapter 30, Section 39R

TO BE SUBMITTED ON CONTRACTOR'S LETTERHEAD

DATE

INSERT Owner name and address

RE: [INSERT CONTRACT #/PROJECT # AND NAME]

Dear []:

This letter is being submitted pursuant to MGL Chapter 30 §39R(c). Please be advised that our firm has a system of internal accounting controls which assure that:

- (1) transactions are executed in accordance with management's general and specific authorization;
- (2) transactions are recorded as necessary, to permit preparation of financial statements in conformity with generally accepted accounting principles, and to maintain accountability for assets;
- (3) access to assets is permitted only in accordance with management's general or specific authorization; and
- (4) the recorded accountability for assets is compared with the existing assets at reasonable intervals and appropriate action was taken with respect to any difference.

Sincerely,

[Name and title of authorized representative of Contractor]

SAMPLE LETTER FROM CPA REGARDING CONTRACTOR ACCOUNTING CONTROLS
Pursuant to MGL Chapter 30, Section 39R

TO BE SUBMITTED ON CPA'S LETTERHEAD

DATE

INSERT Owner name and address

RE: [INSERT CONTRACT #/PROJECT # AND NAME]

Dear []:

Please be advised that we have reviewed the Statement of Internal Accounting Controls prepared by [NAME OF CONTRACTOR], in connection with the above-captioned Project as required under MGL Chapter 30, § 39R. In our opinion, representations of management are consistent with our evaluations of the system of internal accounting controls and such representations are, in addition, reasonable with respect to transactions and assets in amounts which would be material when measured in relation to [NAME OF CONTRACTOR]'s financial statements.

Sincerely,

_____, CPA
[Name]



95 Cedar Street | Suite 100
Providence, Rhode Island 02903
www.woodwardcurran.com

T 800.985.7897
T 401.273.1007
F 781.251.0847

Bid Results July 10, 2014
Warren Street Culvert Drainage Improvements
City of Westborough, Massachusetts

Item No.	Item Description	Estimated Quantity	C.J.P. & Sons Construction			J.A. Polito & Sons			D'ALLESSANDRO			Baltazar Contractors			UEL Contractors			Northern Construction		
			Unit Bid Price	Extended Cost Figures	Unit Bid Price	Extended Cost Figures	Unit Bid Price	Extended Cost Figures	Unit Bid Price	Extended Cost Figures	Unit Bid Price	Extended Cost Figures	Unit Bid Price	Extended Cost Figures	Unit Bid Price	Extended Cost Figures	Unit Bid Price	Extended Cost Figures	Unit Bid Price	Extended Cost Figures
1	4-inch PVC Pipe	56 LF	\$30.00	\$1,680.00	\$30.00	\$1,680.00	\$60.00	\$3,360.00	\$40.00	\$2,240.00	\$40.00	\$2,240.00	\$40.00	\$2,240.00	\$25.00	\$1,400.00				
2	8-inch Ductile Iron Pipe	165 LF	\$180.00	\$29,700.00	\$80.00	\$13,200.00	\$180.00	\$29,700.00	\$248.50	\$41,002.50	\$70.00	\$11,550.00	\$70.00	\$11,550.00	\$210.00	\$34,650.00				
3	10-inch Ductile Iron Pipe	33 LF	\$200.00	\$6,600.00	\$80.00	\$2,640.00	\$270.00	\$8,910.00	\$181.00	\$5,973.00	\$100.00	\$3,300.00	\$100.00	\$3,300.00	\$200.00	\$6,600.00				
4	12-inch Reinforced Concrete Pipe	21 LF	\$50.00	\$1,050.00	\$100.00	\$2,100.00	\$100.00	\$2,100.00	\$100.00	\$2,100.00	\$80.00	\$1,680.00	\$80.00	\$1,680.00	\$60.00	\$1,260.00				
5	30-inch by 60-inch Corrugated Metal Pipe	42 LF	\$450.00	\$18,900.00	\$250.00	\$10,500.00	\$330.00	\$13,860.00	\$421.50	\$17,703.00	\$1,200.00	\$50,400.00	\$1,200.00	\$50,400.00	\$400.00	\$16,800.00				
6	3-foot by 8-foot Pre-cast Concrete Box Culvert	375 LF	\$765.00	\$286,875.00	\$720.00	\$270,000.00	\$900.00	\$337,500.00	\$787.00	\$295,125.00	\$1,160.00	\$435,000.00	\$1,160.00	\$435,000.00	\$1,000.00	\$375,000.00				
7	Pre-cast Headwall # 1	1 LS	\$27,000.00	\$27,000.00	\$48,500.00	\$48,500.00	\$30,000.00	\$30,000.00	\$75,000.00	\$75,000.00	\$43,000.00	\$43,000.00	\$43,000.00	\$43,000.00	\$60,000.00	\$60,000.00				
8	Pre-cast Headwall # 2	1 LS	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00	\$8,000.00	\$8,000.00	\$31,000.00	\$31,000.00	\$18,000.00	\$18,000.00	\$18,000.00	\$18,000.00	\$25,000.00	\$25,000.00				
9	Pre-cast Headwall # 3	1 LS	\$7,500.00	\$7,500.00	\$25,000.00	\$25,000.00	\$8,000.00	\$8,000.00	\$40,000.00	\$40,000.00	\$23,000.00	\$23,000.00	\$23,000.00	\$23,000.00	\$35,000.00	\$35,000.00				
10	Drainage Manhole Frame and Cover	2 EA	\$800.00	\$1,600.00	\$450.00	\$900.00	\$600.00	\$1,200.00	\$700.00	\$1,400.00	\$600.00	\$1,200.00	\$600.00	\$1,200.00	\$1,000.00	\$2,000.00				
11	Armored Drainage Channel	134 LF	\$50.00	\$6,700.00	\$150.00	\$20,100.00	\$230.00	\$30,820.00	\$112.00	\$15,008.00	\$100.00	\$13,400.00	\$100.00	\$13,400.00	\$100.00	\$13,400.00				
12	Water Service and Corporation Stop	1 LS	\$1,500.00	\$1,500.00	\$1,100.00	\$1,100.00	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$1,500.00	\$1,500.00				
13	Water Gate Valve	2 EA	\$1,500.00	\$3,000.00	\$1,000.00	\$2,000.00	\$1,500.00	\$3,000.00	\$1,500.00	\$3,000.00	\$3,000.00	\$6,000.00	\$3,000.00	\$6,000.00	\$2,000.00	\$4,000.00				
14	Hot Mix Asphalt Curb, Type-2	34 LF	\$10.00	\$340.00	\$25.00	\$850.00	\$10.00	\$340.00	\$20.00	\$680.00	\$20.00	\$680.00	\$20.00	\$680.00	\$15.00	\$510.00				



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City of Westborough, Massachusetts

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15	Hotmix Asphalt Base Course	80 TON	\$135.00	\$10,800.00	\$180.00	\$14,400.00	\$200.00	\$16,000.00	\$250.00	\$20,000.00	\$160.00	\$12,800.00	\$140.00	\$11,200.00						
16	Hot Mix Asphalt Surface Course- Standard Top	60 TON	\$135.00	\$8,100.00	\$180.00	\$10,800.00	\$200.00	\$12,000.00	\$250.00	\$15,000.00	\$160.00	\$9,600.00	\$160.00	\$9,600.00						
17	Cement Flagstone Walkway	260 SF	\$35.00	\$9,100.00	\$30.00	\$7,800.00	\$20.00	\$5,200.00	\$20.00	\$5,200.00	\$18.00	\$4,680.00	\$50.00	\$13,000.00						
18	Controlled Density Fill (CDF)	5 CY	\$100.00	\$500.00	\$100.00	\$500.00	\$70.00	\$350.00	\$200.00	\$1,000.00	\$160.00	\$800.00	\$200.00	\$1,000.00						
19	Gravel Base	220 CY	\$8.00	\$1,760.00	\$12.00	\$2,640.00	\$8.00	\$1,760.00	\$25.00	\$5,500.00	\$32.00	\$7,040.00	\$35.00	\$7,700.00						
20	Loam Borrow	340 CY	\$30.00	\$10,200.00	\$0.01	\$3.40	\$0.01	\$3.40	\$35.00	\$11,900.00	\$40.00	\$13,600.00	\$35.00	\$11,900.00						
21	Seeding	4410 SY	\$1.00	\$4,410.00	\$2.50	\$11,025.00	\$0.01	\$44.10	\$1.25	\$5,512.50	\$1.50	\$6,615.00	\$1.50	\$6,615.00						
22	Tree - Remove & Dispose	23 EA	\$500.00	\$11,500.00	\$875.00	\$20,125.00	\$600.00	\$13,800.00	\$1,000.00	\$23,000.00	\$600.00	\$13,800.00	\$1,000.00	\$23,000.00						
23	Tree Protection	10 Ea	\$100.00	\$1,000.00	\$100.00	\$1,000.00	\$20.00	\$200.00	\$150.00	\$1,500.00	\$100.00	\$1,000.00	\$200.00	\$2,000.00						
24	Brush & Vegetative Plantings, R&D	245 SY	\$10.00	\$2,450.00	\$20.00	\$4,900.00	\$5.00	\$1,225.00	\$10.00	\$2,450.00	\$10.00	\$2,450.00	\$25.00	\$6,125.00						
25	Wooden Stockade Fence 72 Inches in Height	200 LF	\$40.00	\$8,000.00	\$40.00	\$8,000.00	\$30.00	\$6,000.00	\$40.00	\$8,000.00	\$40.00	\$8,000.00	\$60.00	\$12,000.00						
26	PVC 48 Inches in Height	109 LF	\$45.00	\$4,905.00	\$70.00	\$7,630.00	\$30.00	\$3,270.00	\$40.00	\$4,360.00	\$50.00	\$5,450.00	\$80.00	\$8,720.00						
27	Trench Drain	30 LF	\$50.00	\$1,500.00	\$20.00	\$600.00	\$120.00	\$3,600.00	\$80.00	\$2,400.00	\$100.00	\$3,000.00	\$200.00	\$6,000.00						



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28	Granite Curb Wall - Remove, Stack and Reinstall	20	\$100.00	\$2,000.00	\$100.00	\$2,000.00	\$100.00	\$2,000.00	\$100.00	\$2,000.00	\$200.00	\$4,000.00	\$125.00	\$2,500.00
		LF												
29	Granite Curb Wall	10	\$200.00	\$2,000.00	\$100.00	\$1,000.00	\$110.00	\$1,100.00	\$200.00	\$2,000.00	\$200.00	\$2,000.00	\$200.00	\$2,000.00
		LF												
30	Field Stone Wall- Remove and Replace	10	\$200.00	\$2,000.00	\$100.00	\$1,000.00	\$140.00	\$1,400.00	\$200.00	\$2,000.00	\$300.00	\$3,000.00	\$250.00	\$2,500.00
		LF												
31	Granite Stacked Stone Headwall, Remove and Dispose	2	\$500.00	\$1,000.00	\$100.00	\$200.00	\$100.00	\$200.00	\$1,000.00	\$2,000.00	\$1,000.00	\$2,000.00	\$2,500.00	\$5,000.00
		EA												
32	Bituminous Pavement Demolition, Remove and Dispose	675	\$3.00	\$2,025.00	\$12.00	\$8,100.00	\$5.00	\$3,375.00	\$3.00	\$2,025.00	\$10.00	\$6,750.00	\$6.00	\$4,050.00
		SY												
33	Mailbox – Remove and Relocate	1	\$50.00	\$50.00	\$150.00	\$150.00	\$200.00	\$200.00	\$300.00	\$300.00	\$100.00	\$100.00	\$150.00	\$150.00
		EA												
34	Irrigation System - Cut, Cap and Restore	1	\$100.00	\$100.00	\$1,000.00	\$1,000.00	\$4,000.00	\$4,000.00	\$600.00	\$600.00	\$6,000.00	\$6,000.00	\$2,500.00	\$2,500.00
		Lump Sum												
35	Trench Excavation Below Normal Grade	100	\$20.00	\$2,000.00	\$10.00	\$1,000.00	\$20.00	\$2,000.00	\$20.00	\$2,000.00	\$20.00	\$2,000.00	\$20.00	\$2,000.00
		CY												
36	Rock Boulder Excavation	50	\$50.00	\$2,500.00	\$50.00	\$2,500.00	\$50.00	\$2,500.00	\$50.00	\$2,500.00	\$80.00	\$4,000.00	\$125.00	\$6,250.00
		CY												
37	Mobilization/ Demobilization	1	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$45,000.00	\$45,000.00	\$34,000.00	\$34,000.00	\$10,000.00	\$10,000.00	\$35,000.00	\$35,000.00
		Lump Sum												
38	Project Signage	1	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
		NTE												
39	Traffic Police Details	1	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00
		NTE												
40	Materials Escalation Price Adjustment Contingency Allowance (statutory requirement)	1	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
		NTE												
Total				\$551,845.00		\$586,443.40		\$646,017.50		\$728,979.00		\$781,635.00		\$799,430.00

NOTICE OF INTENT TO AWARD (00 50 55)

Date: _____

Project: Warren Street Culvert Drainage Improvements

Owner: Town of Westborough

Owner's Contract No.: 2010-4

Contract:

Engineer's Project No.: 219974.01

Bidder: C.J.P. & Sons Construction Co., Inc.

Bidder's Address: 1420 Main Street

Mills, MA 02054

You are notified that your Bid dated July 10, 2014 for the above Contract has been considered. You are the Successful Bidder and it is intended that a Contract for Warren Street Culvert Drainage Improvements be awarded to you subject to required reviews and approvals and specifically, funding approval by MassDOT Chapter 90.

Subject to the above, a formal Notice of Award will be sent which will require you to comply with certain conditions within 10 days of the date you receive the Notice of Award, including, but not limited to the following.

1. Delivering the Contract security (Bonds) as specified in the General Conditions and Supplementary Conditions (Articles 2 and 5);
2. Delivering the insurance certificates indicating coverages as specified in the General Conditions and Supplementary Conditions (Articles 2 and 5);
3. Delivering the following completed and executed certifications and documents:
 - a. Pursuant to MGL Chapter 30, Section 39R *Definitions; contract provisions; management and financial statements; enforcement* per Section 00 22 13;
 - A statement by management on internal accounting controls (sample attached);
 - A statement prepared by an independent certified public accountant regarding management's statement (sample attached); and
 - An audited financial statement for the most recent completed fiscal year.
 - b. From each Subcontractor:
 - Certificate of Good Standing from the Department of Revenue with respect to all returns due and taxes per Section 00 22 13
 - Certification from the Secretary of State for foreign corporations per Section 00 22 13

WOODARD & CURRAN

NOTICE OF INTENT TO AWARD
00 50 55-1

based on EJCDC C-510 Notice of Award
Prepared by the Engineers Joint Contract Documents Committee and endorsed by the Construction Specifications Institute.

After you comply with the conditions of the Notice of Award and required reviews and approvals are obtained, Owner will thereafter deliver the conformed Contract Documents for execution.

Owner

By: _____
Authorized Signature

Title

Copy to Engineer



REFERENCE CHECK

CONTRACTOR: C.J.P. & Sons Construction
REFERENCE FOR: Warren Street Culvert Drainage Improvements
Westborough, MA
REFERENCE FROM: Steven Callahan - CDM
DATE: 2014.07.10

What did the project involve?

2 projects in the Town of Tewksbury.

1--Sewerage Works Improvements Phase 9 contract 31 (\$7,114,161)

2--Sewerage Works Improvements Phase 8 contract 26 (\$4,691,655)

How was the quality of work?

Good

How was the Contractor's paperwork? Was it correct and timely?

Paperwork was proper

How were the Contractor's relationships with the Owner? Engineer? Subcontractors?

Worked well with all

How many change orders? What type? What magnitude?

Any CO's were resolved, non SRS funding

Would you recommend this contractor for similar work? Would you hire the contractor again?

Yes/ Yes

Were there any bonds invoked or legal efforts initiated by any parties?

No / No



REFERENCE CHECK

CONTRACTOR: C.J.P. & Sons Construction
REFERENCE FOR: Warren Street Culvert Drainage Improvements
Westborough, MA
REFERENCE FROM: Mike Buxton – Town of Dracut
DATE: 2014.07.10

What did the project involve?

Peters Pond East area sewers (\$7,731,663)

New neighborhood sewer, interconnection between Methuen & Dracut. 3 pump stations, street paving, utility service connections

How was the quality of work?

Fine

How was the Contractor's paperwork? Was it correct and timely?

Filed on time, any issues resolved with CDM resident project engineer

How were the Contractor's relationships with the Owner? Engineer? Subcontractors?

Normal, contractor was aware & handled residents complaints

How many change orders? What type? What magnitude?

Minor; within scope of work CO's

Would you recommend this contractor for similar work? Would you hire the contractor again?

Yes/ Yes

Were there any bonds invoked or legal efforts initiated by any parties?

No / No



REFERENCE CHECK

CONTRACTOR: C.J.P. & Sons Construction
REFERENCE FOR: Warren Street Culvert Drainage Improvements
Westborough, MA
REFERENCE FROM: Nick Bouthilette – Fay, Spofford & Thorndike
DATE: 2014.07.10

What did the project involve?

2 watermain projects. One for Town of Norwood (\$656,809) on Route 1 & Walnut Ave in high traffic & visibility. The other for the Town of Gloucester(\$6,565,288)
8 inch & 16 inch watermain construction.

How was the quality of work?

Good quality

How was the Contractor's paperwork? Was it correct and timely?

Yes, accolades to Bill Irwin

How were the Contractor's relationships with the Owner? Engineer? Subcontractors?

Client & resident relationships good, sometimes site supervisor (Company owner on site) is tough on personnel.

How many change orders? What type? What magnitude?

Co's directed by Town for additional quantities, meet Town procedures for sampling, justified.

Would you recommend this contractor for similar work? Would you hire the contractor again?

Yes/ Yes

Were there any bonds invoked or legal efforts initiated by any parties?

No / No



REFERENCE CHECK

CONTRACTOR: C.J.P. & Sons Construction
REFERENCE FOR: Warren Street Culvert Drainage Improvements
Westborough, MA
REFERENCE FROM: Ryan Allgrove – Stantec Consulting
DATE: 2014.07.10

What did the project involve?

Town of Watertown – Lexington St & Main St Water, Sewer & Drain replacement.
Rehabilitation project that included 2,000 ft of watermain & 700-800 ft of sewer & drain replaced in kind.
Temp bypass of watermain, sidewalk reconstruction.

How was the quality of work?

Good, no issues.

How was the Contractor's paperwork? Was it correct and timely?

Better than most contractors worked with in the past.

How were the Contractor's relationships with the Owner? Engineer? Subcontractors?

Fine, nothing out of the ordinary.

How many change orders? What type? What magnitude?

3, nothing major. Work added to the scope by Owner.

Would you recommend this contractor for similar work? Would you hire the contractor again?

Yes/ Yes

Were there any bonds invoked or legal efforts initiated by any parties?

No/ no



REFERENCE CHECK

CONTRACTOR: C.J.P. & Sons Construction
REFERENCE FOR: Warren Street Culvert Drainage Improvements
Westborough, MA
REFERENCE FROM: Kurt Kelly – Town of Arlington
DATE: 2014.07.10

What did the project involve?

Rehabilitation of watermain / Lancaster area (\$658,223).
Replace 1 mile of CI watermain with new DI within tough project area.

How was the quality of work?

Good

How was the Contractor's paperwork? Was it correct and timely?

yes

How were the Contractor's relationships with the Owner? Engineer? Subcontractors?

No issues, no subs

How many change orders? What type? What magnitude?

Couple CO's that were owner initiated & minor in magnitude.

Would you recommend this contractor for similar work? Would you hire the contractor again?

Yes/ Yes

Were there any bonds invoked or legal efforts initiated by any parties?

No / No

AGENDA ITEM: Double Tree Hotel Liquor License Change of Manager

SUMMARY

Attached please find the Change of Manager License Application for the Double Tree Hotel seeking to name Michael Twomey as the Manager of Record. The application is complete and includes a valid TIPS certification.

TOWN MANAGER'S RECOMMENDATION

That the Board vote to approve the Change of Manager License Application for the Double Tree Hotel.

TOWN COUNSEL'S COMMENTS *(AS APPROPRIATE)*

n/a

RECOMMENDATION TO APPROVE

Move to approve the Change of Manager License for IVC WHH Westborough dba Double Tree Hotel at 5400 Computer Drive, naming Michael Twomey as the Manager of Record, as per their application.

RECOMMENDATION TO DENY

N/A – Lack of a motion/second or majority in favor is all that is needed.



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

☐ For Reconsideration

FORM 43
MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

143800002

ABCC License Number

Westborough

City/Town

7/22/14

Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input checked="" type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> New Stockholder | <input type="checkbox"/> Other <input type="text"/> |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Wine & Malt to All Alcohol | |

Name of Licensee IVC WHH Westborough

EIN of Licensee 45-3126596

D/B/A Double Tree Hotel - Westborough

Manager Michael D. Twomey

ADDRESS: 5400 Computer Dr.

CITY/TOWN: Westborough

STATE MA

ZIP CODE 01581

Annual

All Alcohol

Hotel

Annual or Seasonal

Category: (All Alcohol- Wine & Malt Wine,
Malt & Cordials)

Type: (Restaurant, Club, Package
Store, General On Premises, Etc.)

Complete Description of Licensed Premises:

5400 Computer Dr.: 224 guest room hotel with restaurant (capacity 125), lounge (capacity 150), meeting & function rooms (capacity 1200) & outdoor patio (capacity 40). The hotel consists of two 4-story buildings with pool area.

Application Filed: 6/19/14

Date & Time

Advertised: n/ap

Date & Attach Publication

Abutters Notified: Yes ☐ No ☒

Licensee Contact Person for Transaction Atty. Albert DeNapoli

Phone: (617) 218-2024

ADDRESS: Tarlow Breed, etc., Prudential Ctr., 101 Huntington

CITY/TOWN: Boston

STATE MA

ZIP CODE 02199

Remarks:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

ABCC Remarks:



**TARLOW BREED
HART & RODGERS, P.C.**

Counsellors at Law

ALBERT A. DENAPOLI

DIRECT DIAL: (617) 218-2024

E-MAIL: ADENAPOLI@TBHR-LAW.COM

June 16, 2014

Karen Bain-Morgado, Administrative Assistant
Town of Westborough, Town Hall
34 West Main Street
Westborough, MA 01581-1998

RE: Change of Manager – IVC WHH Westborough d/b/a
Double Tree Hotel - Westborough

Dear Karen:

Please find enclosed the following papers relative to the Change of Manager Application for Michael D. Twomey in the above-referenced matter.

- (1) Monetary Transmittal Form,
- (2) Check in the amount of \$200 for filing fees,
- (3) Petition for Change of License,
- (4) Corporate Vote,
- (5) Manager Application,
- (6) Personal Information Form,
- (7) CORI Request Form,
- (8) Copy of Michael D. Twomey's Birth Certificate (proof of citizenship), and
- (9) Michael D. Twomey's TIPS Certification Card.

Thank you for your attention to this.

Very truly yours,

Albert A. DeNapoli

AAD/sc

Enclosures

cc: Peter Karcewski (via e-mail w/ encls.)

Michael Twomey (via e-mail w/ encls.)

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

PETITION FOR CHANGE OF LICENSE

143800002

ABCC License Number

Westborough

City/Town

The licensee **IVC WHH Westborough**

respectfully petitions the Licensing Authorities to approve the following transactions:

☒ Change of Manager

☐ Alteration of Premises

☐ Pledge of License/Stock

☐ Cordial & Liqueurs

☐ Change of Corporate Name

☐ Change of Location

☐ Change of DBA

☐ Change of License Type (\$12 ONLY, e.g. "club" to "restaurant")

☒ Change of Manager

Last-Approved Manager:

Thomas John Plunkett

Requested New Manager:

Michael D. Twomey

☐ Pledge of License /Stock

Loan Principal Amount: \$

Interest Rate:

Payment Term:

Lender:

☐ Change of Corporate Name/DBA

Last-Approved Corporate Name/DBA:

Requested New Corporate Name/DBA:

☐ Change of License Type

Last-Approved License Type:

Requested New License Type:

☐ Alteration of Premises: (must fill out attached financial information form)


Description of Alteration:

☐ Change of Location: (must fill out attached financial information form)

Last-Approved Location:

Requested New Location:

Signature of Licensee



(If a Corporation/LLC by its authorized representative)

Christopher Hoeffel
Vice President

Date Signed

5/28/2014



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

MANAGER APPLICATION

All proposed managers are required to complete a Personal Information Form,
and attach a copy of the corporate vote authorizing this action and appointing a manager.

1. LICENSEE INFORMATION:

Legal Name of Licensee:	IVC WHH Westborough LLC	Business Name (dba):	Doubletree Hotel Westborough
Address:	5400 Computer Drive		
City/Town:	Westborough	State:	MA Zip Code: 01581
ABCC License Number: (if existing licensee)	143800002	Phone Number of Premise:	(508) 366-5511

2. MANAGER INFORMATION:

A. Name:	Michael D. Twomey	B. Cell Phone Number:	(781) 985-6981
C. List the number of hours per week you will spend on the licensed premises:	50 Hours		

3. CITIZENSHIP INFORMATION:

A. Are you a U.S. Citizen:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	B. Date of Naturalization:		C. Court of Naturalization:	
----------------------------	---	----------------------------	--	-----------------------------	--

(Submit proof of citizenship and/or naturalization such as Voter's Certificate, Birth Certificate or Naturalization Papers)

4. BACKGROUND INFORMATION:

A. Do you now, or have you ever, held any direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages? Yes ☐ No ☒

If yes, please describe:

B. Have you ever been the Manager of Record of a license to sell alcoholic beverages that has been suspended, revoked or cancelled? Yes ☐ No ☒

If yes, please describe:

C. Have you ever been the Manager of Record of a license that was issued by this Commission? Yes ☐ No ☒

If yes, please describe:

D. Please list your employment for the past ten years (Dates, Position, Employer, Address and Telephone):

F&B Director, Holiday Inn Rockland, 929 Hingham Street, Rockland, MA 02370	(781) 871-0545
Executive Chef, Holiday Inn Taunton, 700 Myles Standish Blvd, Taunton, MA 02780	(508) 823-0430
Executive Chef, Sturbridge Host Hotel, 366 Main Street, Sturbridge, MA 01566	(508) 347-7393

hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature

Date

6/6/14



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee	IVC WHH Westborough LLC	B. Business Name (dba)	Doubletree Hotel Westborough	
C. Address	5400 Computer Drive	D. ABCC License Number (If existing licensee)	143800002	
E. City/Town	Westborough	State	MA	Zip Code 01581
F. Phone Number of Premise	(508) 366-5511	G. EIN of License		

2. PERSONAL INFORMATION:

A. Individual Name	Michael D. Twomey	B. Home Phone Number	(401) 738-1669	
C. Address	35 Walker Rd.			
D. City/Town	Warwick	State	RI	Zip Code 02889
E. Social Security Number	004-68-2085	F. Date of Birth	10/7/73	
G. Place of Employment	Doubletree Westborough Hotel			

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes ☐ No ☒

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

I hold the position of Director of F&B and Executive Chef for Doubletree Westborough.

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.

*If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature

Date

6/6/14

Title

F&B Director/Executive Chef

(If Corporation/LLC Representative)

IVC WHH Westborough, LLC,

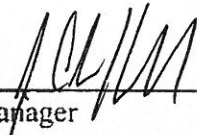
Consent in Lieu of Meeting

May 28, 2014

The undersigned, being the sole Manager of IVC WHH Westborough, LLC, (the "Company") required to adopt the following resolutions without the necessity of a meeting pursuant to the Company's operating agreement, hereby consents as follows:

RESOLVED: That the officers and Manager of the Company are, and each of them is, hereby authorized and empowered, for and on behalf of the Company, to appoint Michael D. Twomey, as its manager and principal representative, with as full authority and control of the premises described on the Innholder License of the Company and of the conduct of all business therein relative to service of alcoholic beverages as the licensee itself could in any way have and exercise if it were a natural person resident in the Commonwealth of Massachusetts and that a copy of this resolution duly certified by the Manager of the Company and delivered to said manager and principal representative shall constitute the written authority required by G.L. c. 138, § 26 and to execute and deliver any and all other documents, papers or instruments and to do or cause to be done any and all such acts and things as they, or any of them, may deem necessary, appropriate or desirable in order to cause Michael D. Twomey to be approved as Manager of Record for the Company as to its Innholder License by the Board of Selectmen for the Town of Westborough, Massachusetts, and the Massachusetts Alcoholic Beverages Control Commission.

EXECUTED as of the date set forth above.



Manager
Christopher Hoeffel
Vice President



On Premise

Issued: 2/18/2014

ID#: 3661921

SSN: XXX-XX-XXXX

Expires: 1/30/2017

D.O.B.: XX/XX/XXXX

MICHAEL D TWOMEY
5400 Computer Dr
Westborough, MA 01581-1767

For service visit us online at www.gettips.com
Thomas Plunkett, 16589

AGENDA ITEM: Ruby Tuesday Liquor License Change of Manager

SUMMARY

Attached please find the Change of Manager License Application for Ruby Tuesday's seeking to name Karl Yetter as the Manager of Record. The application is complete and includes a valid Alcohol Intervention Methods certification.

TOWN MANAGER'S RECOMMENDATION

That the Board vote to approve the Change of Manager License Application for Ruby Tuesday's.

TOWN COUNSEL'S COMMENTS (AS APPROPRIATE)

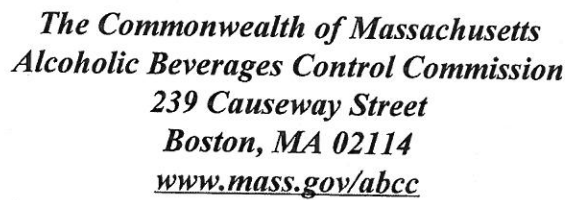
n/a

RECOMMENDATION TO APPROVE

Move to approve the Change of Manager License for Ruby Tuesday Inc dba Ruby Tuesday's at 34 Lyman Street, naming Karl Yetter as the Manager of Record, as per their application.

RECOMMENDATION TO DENY

N/A – Lack of a motion/second or majority in favor is all that is needed.



All proposed managers are required to complete a Personal Information Form, and attach a copy of the corporate vote authorizing this action and appointing a manager.

Signature Paul E. Galt Date 6/23/2014

PETITION FOR CHANGE OF LICENSE

ABCC License Number

Westborough

City/Town

The licensee Ruby Tuesday, Inc.

following transactions:

respectfully petitions the Licensing Authorities to approve the

☒ Change of Manager

☐ Alteration of Premises

☐ Pledge of License/Stock

☐ Cordial & Liqueurs

☐ Change of Corporate Name/DBA

☐ Change of Location

☐ Change of License Type (§12 ONLY, e.g. "club" to "restaurant")☒ Change of Manager

Last-Approved Manager:

Timothy Dolan

Requested New Manager:

Karl E. Yetter

☐ Pledge of License /Stock

Loan Principal Amount: \$

Interest Rate:

Payment Term:

Lender:

☐ Change of Corporate Name/DBA

Last-Approved Corporate Name/DBA:

Requested New Corporate Name/DBA:

☐ Change of License Type

Last-Approved License Type:

Requested New License Type:

☐ Alteration of Premises: (must fill out attached financial information form)

Description of Alteration:

☐ Change of Location: (must fill out attached financial information form)

Last-Approved Location:

Requested New Location:

Scarlett May, Sr. V.P., Chief Legal Officer & Secretary

Signature of Licensee

Date Signed

06/11/2014

(If a Corporation/LLC, by its authorized representative)



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee	Ruby Tuesday, Inc.	B. Business Name (dba)	Ruby Tuesday # 4186		
C. Address	34 Lyman Street	D. ABCC License Number (If existing licensee)	143800005		
E. City/Town	Westborough	State	MA	Zip Code	01581
F. Phone Number of Premise	508-389-9985	G. EIN of License	63-0475239		

2. PERSONAL INFORMATION:

A. Individual Name	Karl Ehren Yetter	B. Home Phone Number	860-381-9841		
C. Address	674 Cass Avenue Apt. 2				
D. City/Town	Woonsocket	State	RI	Zip Code	02895
E. Social Security Number	049-78-2852	F. Date of Birth	5/31/1986		
G. Place of Employment	Ruby Tuesday, Inc. d/b/a Ruby Tuesday #4186				

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes ☐ No ☒

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

None.

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.
*If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature		Date	6/23/2014
Title	General Manager	(If Corporation/LLC Representative)	

SECRETARY'S CERTIFICATE

I, Scarlett May, do hereby certify that I am the duly elected and acting Secretary of Ruby Tuesday, Inc.

I do hereby certify that Karl Yetter has been elected as General Manager for the Ruby Tuesday restaurant located at 34 Lyman Street Westborough, Massachusetts 01581. Karl Yetter is replacing Timothy Dolan as registered Manager of this location.

Karl resides at 674 Cass Avenue Apartment 2 Woonsocket, RI 02895. It is understood that Karl Yetter will make application with the Town of Westborough and the Massachusetts Alcoholic Beverage Control Commission to become registered manager of Ruby Tuesday #4186 in Westborough, Massachusetts.



SCARLETT MAY

Senior Vice President, Chief Legal
Officer & Secretary

Date: June 11, 2014

CERTIFICATION NUMBER

74570

ALCOHOL INTERVENTION METHODS
CERTIFIES:

Karl E. Yetter

CAMPBELL TRENT
508-756-8542

EXPIRES:
SEP 08 2013

AGENDA ITEM: Taco Bell Restaurant

SUMMARY

Attached please find the Common Victualler's Application for the Taco Bell Restaurant at 289 Turnpike Road as well as proof of insurance.

TOWN MANAGER'S RECOMMENDATION

That the Board vote to approve the application for the Common Victualler's License

TOWN COUNSEL'S COMMENTS *(AS APPROPRIATE)*

n/a

RECOMMENDATION TO APPROVE

Move to approve the Common Victualler's License for the Taco Bell Restaurant at 289 Turnpike Road.

RECOMMENDATION TO DENY

N/A – Lack of a motion/second or majority in favor is all that is needed.



TOWN OF WESTBOROUGH MASSACHUSETTS

GENERAL PERMIT APPLICATION

TO THE LICENSING AUTHORITIES:

In accordance with the provisions of the General Laws relating thereto, application for a permit/license is hereby made by:

Company/Business: L/M Tacoma, Inc.

D/B/A (if applicable): Taco Bell

Business Address: 79 North Main St., Mansfield, MA 02048

Business Phone: 508-339-6150

For a license/permit as follows:

Type of License/Permit: Common Victualer

Location: 289 Turnpike Road, Westborough, MA

Dates (& Times, if applicable): 7 days, 7AM - 3AM

Please describe type of operation proposed: Quick Service Restaurant

Manager/Owner/Contact Person Information:

Name: David Lockwood Title: President

Mailing Address (if different from above): _____

Telephone: 508-339-6150

FID/EIN #: 04-3411620 (or, if unavailable,) Social Security #: _____

Signature of Applicant: Sue Doherty Date: 6/27/14

TAX CERTIFICATION STATEMENT

Pursuant to M.G.L., Chapter 62C, Sec. 49 A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

June 27, 2014
Date

04-3411620
FID/EIN Number ~ OR ~

Social Security Number

L/M Tacoma, Inc.
Corporate Name ~ OR ~

Company Name, D/B/A

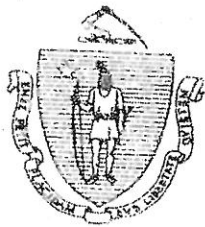
289 Turnpike Road
Westborough Location (Street Address)

By: David A. Lockwood
Signature of Corporate Officer/Company Official/Business Owner

David A. Lockwood
Print Name of Corporate Officer/Company Official/Business Owner

President
Title of Signatory Above

508-339-6150
Contact Telephone Number



The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
600 Washington Street, 7th Floor
Boston, Mass. 02111

Workers' Compensation Insurance Affidavit - General Businesses

Applicant information:

Please PRINT legibly

name: Lockwood/McKinnon Company Inc.
address: 79 N. Main Street
city: Mansfield state: MA zip: 02048 phone #: 508-339-6150

work site location (full address): 289 Turnpike Rd. Westborough, MA 01581

☐ I am a sole proprietor and have no one working in any capacity. Business Type: ☐ Retail ☐ Restaurant/Bar/Eating Establishment
☒ I am an employer with 25 employees (full & part time). ☐ Office ☐ Sales (including Real Estate, Autos etc.)
☐ Other

☒ I am an employer providing workers' compensation for my employees working on this job.

company name: L/M Tacoma Inc. dba TacoBell

address: 289 Turnpike Rd.

city: Westborough MA 01581

phone #:

insurance co. Am Trust North America

policy # TWC3395664

☐ I am a sole proprietor and have hired the independent contractors listed below who have the following workers' compensation policies:

company name:

address:

city:

phone #:

insurance co.

policy #

company name:

address:

city:

phone #:

insurance co.

policy #

Attach additional sheet if necessary

Failure to secure coverage as required under Section 25A of MGL 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one years' imprisonment as well as civil penalties in the form of a STOP WORK ORDER and a fine of \$100.00 a day against me. I understand that a copy of this statement may be forwarded to the Office of Investigations of the DIA for coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct

Signature Sue Doherty

Date 6/27/14

Print name Sue Doherty

Phone # 508-339-6150 x15

official use only do not write in this area to be completed by city or town official

city or town: permit/license #

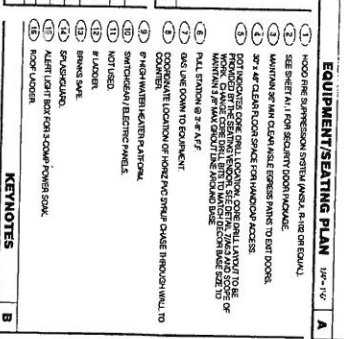
☐ check if immediate response is required

contact person:

(revised Sept. 2003)

phone #:

- ☐ Building Department
☐ Licensing Board
☐ Selectmen's Office
☐ Health Department
☐ Other



STONE MASONRY 429596

TAOQ BELL

259 TULANE RD. (PTE 9)
WESTBROOK, MA


TAOQ BELL

LIVE MAS
MEDUSA

**EQUIPMENT
AND
SEATING
PLAN**

A2.0

FOOT DATE

12153.020



1526 E. Douglas Wichita, KS 67211
Tel: (316) 266-4367 Fax: (316) 266-2666

7/22

Paula Covino

From: Jim Malloy
Sent: Monday, April 28, 2014 9:06 AM
To: lois toepner
Cc: Paula Covino
Subject: RE: 300th anniversary committee

Mrs. Toepner – Thank you for getting in touch with my office, I'll forward your letter of interest to the Board of Selectmen and we'll be in touch shortly.

Jim

Jim Malloy, Town Manager
Town of Westborough
34 W. Main Street
Westborough, MA 01581
Telephone: (508) 366-3030
Fax: (508) 366-3099

Note: Temporary Office Address during Town Hall renovation is 131 Oak Street, Westborough, MA 01581

Please Consider the Environment Before Printing this Email

From: lois toepner [mailto:loistoepner@gmail.com]
Sent: Monday, April 28, 2014 9:04 AM
To: Jim Malloy
Subject: 300th anniversary committee

Jim,

I read in the Community Advocate about plans to celebrate turning 300 in 2017. My husband and I moved to Westborough in 2002 after having lived in Sudbury for many years. While living in Sudbury, I was an integral part of planning that Town's 350th anniversary and enjoyed working for other community citizens as we planned a series of activities.

We are pleased that we moved to Westborough and think it's a really first-rate town. I would be interested in serving on this committee.

Sincerely,

Lois Toepner

4 Wessonville Village Way, Westborough
508-366-0509; 978-376-4036



This email is free from viruses and malware because avast! Antivirus protection is active.

INDEFINITE
TERM



RECEIVED


JUN 30 2014

TOWN OF WESTBOROUGH
SELECTMEN'S OFFICE

Westborough Historical Commission

*Forbes Municipal Building
45 West Main Street, Room 26
Westborough, MA 01581-1916
Tel: (508) 366-3048
Fax: (508) 871-5198*

MEMO

DATE: June 25, 2014
TO: Board of Selectmen
FROM: Nancy Strecker, 3 Jackstraw Path 
SUBJECT: 300th Anniversary memo

I would like to be considered for a position on the 300th Anniversary Committee. I am a member of the Westborough Historical Commission and have lived here for 30 years. I have a B.A. from Boston College. I am retired; my work history includes IT project management, computer programming, data base analysis, writing and editing. I have a particular interest in telling Westborough's story to our young people (four of my grandchildren live in town).

Thank you for your consideration.

INDEFINITE
TERM

HAZEL W. NOURSE
80 Nourse Street
Westborough, MA 01581

RECEIVED

JUN 30 2014

OWN OF WESTBOROUGH
SELECTMEN'S OFFICE

June 23, 2014

To: Board of Selectmen, Town of Westborough

Please accept my resignation from the 300th Anniversary Committee. As I was the representative of the Westborough Historical Commission, I would request that the Board appoint Nancy Strecker as the Historical Commission's representative on the Committee as she will be a valuable addition and has been fully endorsed by the other members of the Commission.

Respectfully,



Hazel W. Nourse



RECEIVED

JUN 30 2014

TOWN OF WESTBOROUGH
TOWN CLERK'S OFFICE

Westborough Historical Commission

*Forbes Municipal Building
45 West Main Street, Room 26
Westborough, MA 01581-1916
Tel: (508) 366-3048
Fax: (508) 871-5198*

MEMO

DATE: June 25, 2014
TO: Board of Selectmen
FROM: Westborough Historical Commission
SUBJECT: 300th Anniversary Committee

At our meeting last week and pursuant to our discussions, the Commission would like to have more of our members participate in Town Committees which should have representation from the Historical Commission. Therefore, we would like to request that the Board of Selectmen accept the resignation of Hazel Nourse, who is our representative on the 300th Anniversary Committee, and replace her with Nancy Strecker, whose letter of interest is included herewith.

Her long residency in the Town and her interest and work to further the interest of the community in the history of the Town will make her a valuable addition to the Committee and we fully endorse her appointment to the Committee.

If you have any further questions or comments, please feel free to contact the Commission

Respectfully submitted,

The Westborough Historical Commission



RECEIVED

JUL - 3 2014

TOWN OF WESTBOROUGH
PLANNING OFFICE

Westborough Historical Commission

*Forbes Municipal Building
45 West Main Street, Room 26
Westborough, MA 01581-1916
Tel: (508) 366-3048
Fax: (508) 871-5198*

MEMO

DATE: July 3, 2014
TO: Board of Selectmen
FROM: Historical Commission
SUBJECT: Perspective new member for the Historical Commission

At our June meeting we had the opportunity to Meet Cindy DuBose who had expressed interest in becoming a voting member on the Historical Commission.

After talking with her, we are delighted to recommend her appointment by the Board of Selectmen to the Commission. We feel that her interest in the history of the Town and skillset will be a valuable asset to the Commission.

The Commission unanimously recommends her appointment.

Respectfully,

Westborough Historical Commission.

FOR A TERM
EXPIRING 6/30/2015
(FILLING CHRISTINE
KURTZ'S TERM WHO
RESIGNED)

Due Speckman

From: Cynthia DuBose [cynthiad9@gmail.com]
Sent: Thursday, July 03, 2014 10:02 AM
To: sspeckman@town.westborough.ma.us
Cc: Cynthia DuBose
Subject: Historical Commission Membership

To the Board of Selectmen,

I would like to express my interest in becoming a member of the Westborough Historical Commission. I am a long time Westborough resident, recently retired.

I am very interested in the mission and mandate of the Board and would appreciate the opportunity to participate in its work.

Thank you for your consideration of my request.

Cynthia DuBose
15 Rev.Thomas Hooker Rd.
Westborough, MA 01581

508-366-5405 (h)
774-249-0753 (c)

AGENDA ITEM: Bonds

SUMMARY

Attached please find a summary of bonds we will be issuing for various projects. The low bid is Fidelity Investments with a net interest rate of 2.80482%. The total amount of bonds is \$6,935,000 split between the Fire Station, Town Hall and design costs for these projects as shown on the attached. These are all projects that are underway and we received a competitive bid through the normal bid process. There are also bond anticipation notes in the amount of \$14,786,000 and the winner on these notes was Eastern Bank at 0.119% (through the same process).

TOWN MANAGER'S RECOMMENDATION

That the Board approve the vote as written in the attached vote by our Fiscal Advisor.

TOWN COUNSEL'S COMMENTS (AS APPROPRIATE)

n/a

RECOMMENDATION TO APPROVE

Move to (read the vote as attached)...

RECOMMENDATION TO DENY

N/A – Lack of a motion/second or majority in favor is all that is needed.

Paula Covino

From: Joanne Savignac [jsavignac@town.westborough.ma.us]
Sent: Wednesday, July 16, 2014 11:20 AM
To: Paula Covino
Cc: Leah Talbot; Jim Malloy
Subject: Re: Selectmen's Agenda

Hi -
I now have basic info -
4 bids on the notes. The winner is Eastern Bank at 0.119% net interest cost (\$127,369.89 premium).
5 bids on the bonds. The winner is Fidelity Investments at 2.80482% net interest cost (\$304,370.00 premium).
The hard paperwork will be here in Monday. They are preparing the certificates and will email them to me.
Joanne

Quoting Paula Covino <pcovino@town.westborough.ma.us>:

> Hi Joanne,
>
> I have you scheduled for 7:05 p.m. next Tuesday for notes/bonds
> signing. Will you have the backup info soon? I am not working on
> Friday and will need to have the packets ready by the end of the day
> tomorrow. Thank you!
>
> Paula
>
> Paula Covino
> Administrative Assistant/Selectmen's Office
> 34 West Main Street
> Westborough, MA 01581
> Phone: (508) 366-3030
> Fax: (508) 366-3099
>
>

Joanne L. Savignac, CMMC, CMMT

Treasurer/Collector

Town of Westborough

45 West Main Street 2nd floor (until early 2015)

Westborough, MA 01581

Telephone: 508-366-3080

Fax: 508-366-3099

PART I
THE BONDS

DESCRIPTION OF THE BONDS

The Bonds will be dated August 15, 2014 and will mature on August 15 of the years and in the principal amounts as follows:

<u>Due</u> <u>August 15</u>	<u>Principal</u> <u>Amount</u>	<u>Due</u> <u>August 15</u>	<u>Principal</u> <u>Amount</u>
2015	\$350,000	2025	\$345,000
2016	350,000	2026	345,000
2017	350,000	2027	345,000
2018	350,000	2028	345,000
2019	350,000	2029	345,000
2020	350,000	2030	345,000
2021	350,000	2031	345,000
2022	350,000	2032	340,000
2023	350,000	2033	340,000
2024	350,000	2034	340,000

The Bonds will bear interest at the rate or rates per annum specified by the successful bidder. The Bonds are subject to optional redemption prior to their stated dates of maturity, as described herein.

Principal and semi-annual interest on the Bonds will be paid to The Depository Trust Company ("DTC"), New York, New York by U.S. Bank National Association, Boston, Massachusetts, or its successor, acting as paying agent (the "Paying Agent"). Interest will accrue from the date of issuance of the Bonds and will be payable February 15, 2015 and semi-annually thereafter on each August 15 and February 15. So long as DTC or its nominee, Cede & Co., is the Bondowner, such payments of principal and interest on the Bonds will be made directly to DTC. Disbursement of such payments to the DTC Participants is the responsibility of DTC and disbursement of such payments to the Beneficial Owners is the responsibility of the DTC Participants and the Indirect Participants, as more fully described herein.

The Bonds are issuable only in fully registered form without coupons, and, when issued, will be registered in the name of Cede & Co., as Bondowner and nominee for DTC. DTC will act as securities depository for the Bonds. Purchases of the Bonds will be made in book-entry form, in the denomination of \$5,000 or any integral multiple thereof. Purchasers will not receive certificates representing their interests in Bonds purchased. So long as Cede & Co. is the Bondowner, as nominee of DTC, references herein to the Bondowners or registered owner shall mean Cede & Co., as aforesaid, and shall not mean the Beneficial Owners (as defined herein) of the Bonds. (See "Book-Entry Transfer System" herein.)

RECORD DATE

The record date for each payment of interest on the Bonds is the last business day of the month preceding the interest payment date, provided that, under certain circumstances, the Paying Agent may establish a special record date. The special record date may not be more than twenty (20) days before the date set for payment. The Paying Agent will mail notice of a special record date to the bondholders at least ten (10) days before the special record date.

AUTHORIZATION AND USE OF PROCEEDS

The Bonds consist of the following amounts and authorizations:

<u>Amount</u>	<u>Purpose</u>	<u>Statutory Authorization</u>	<u>Vote Date</u>	<u>Article</u>
\$5,700,000	New Fire Station	MGL, Ch. 44, s. 7(3)	10/15/12	2
950,000	Town Hall	MGL, Ch. 44, s. 7(3A)	03/16/13	9
285,000	Muni Building Design	MGL, Ch. 44, s. 7(21)	03/19/12	12
<u>\$6,935,000</u>				

The proceeds of the Bonds will be used, in addition to \$50,000 of current revenues and a portion of \$14,786,000 bond anticipation notes to be issued concurrently with the Bonds, to redeem \$12,110,000 bond anticipation notes maturing August 22, 2014.

REDEMPTION PROVISIONS

Optional Redemption

Bonds maturing in the years 2015 through 2022, inclusive, are not subject to redemption prior to their stated dates of maturity.

Bonds maturing on and after August 15, 2023 are subject to redemption prior to maturity, at the option of the Town, on and after August 15, 2022, either in whole or in part at any time, and if in part, by lot within a maturity, at **par** plus accrued interest to the date set for redemption.

So long as DTC is the registered owner of the Bonds, notice of any redemption of Bonds, prior to their maturities, specifying the Bonds (or portions thereof) to be redeemed shall be mailed to DTC not more than 60 days nor less than 30 days prior to the redemption date. Any failure on the part of DTC to notify the DTC Participants of the redemption or failure on the part of the DTC Participants or of a nominee of a Beneficial Owner (having received notice from a DTC Participant or otherwise) to notify the Beneficial Owner shall not affect the validity of the redemption. If moneys for the redemption are held by the Paying Agent on the redemption date and if notice of the redemption shall have been duly mailed, then from and after the redemption date interest on the Bonds (or portions thereof) called for redemption shall cease to accrue.

Mandatory Redemption

Term Bonds, if any are specified by the successful bidder, will be subject to mandatory redemption on August 15 for the Bonds in each year or years immediately prior to the stated maturity of such Term Bonds (the particular Bonds of such maturity to be redeemed to be selected by lot) as indicated on the cover page of the Preliminary Official Statement at the principal amount thereof plus accrued interest to the redemption date.

SECURITY AND REMEDIES

Full Faith and Credit. General obligation bonds and notes of a Massachusetts city or town constitute a pledge of its full faith and credit. Payment is not limited to a particular fund or revenue source. Except for "qualified bonds" (see "Serial Bonds and Notes" herein) and setoffs of state distributions (see "State Distributions" herein), no provision is made by the Massachusetts statutes for priorities among bonds and notes and other general obligations, although the use of certain moneys may be restricted.

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Westborough, Massachusetts (the "Town"), certify that at a meeting of the board held July 22, 2014, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the sale of the \$6,935,000 General Obligation Municipal Purpose Loan of 2014 Bonds of the Town dated August 15, 2014 (the "Bonds"), to Fidelity Capital Markets, a division of National Financial Services LLC at the price of \$7,239,307.60 is hereby approved and confirmed. The Bonds shall be payable on August 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2015	\$350,000	5.00%	2025	\$345,000	2.50%
2016	350,000	4.00	2026	345,000	2.625
2017	350,000	5.00	2027	345,000	3.00
2018	350,000	5.00	2028	345,000	3.00
2019	350,000	5.00	2029	345,000	3.00
2020	350,000	5.00	2030	345,000	3.00
2021	350,000	5.00	2031	345,000	3.00
2022	350,000	5.00	2032	340,000	3.125
2023	350,000	2.25	2033	340,000	3.25
2024	350,000	2.375	2034	340,000	3.25

Further Voted: to approve the sale of a \$14,786,000 1.00 percent General Obligation Bond Anticipation Note of the Town dated August 22, 2014, and payable August 14, 2015 (the "Notes"), to Eastern Bank at par, plus a premium of \$127,369.89.

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated July 2, 2014, and a final Official Statement dated July 16, 2014 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated July 9, 2014, and a final Official Statement dated July 16, 2014, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures in such form as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update such procedures, in order to monitor and maintain the tax-exempt status of the Bonds and the Notes.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds and the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: July 22, 2014

Clerk of the Board of Selectmen

AM 34833000.1

AGENDA ITEM: Temporary Dock Permit

SUMMARY

Attached please find a copy of MGL Ch. 91, §10A which governs temporary docks as well as a memo from Derek Saari regarding the past practice of the Town in regard to temporary docks. I also have a plan of the dock that I'll bring to the meeting for the Board's review.

TOWN MANAGER'S RECOMMENDATION

That the Board vote to approve the dock with the same conditions as the Board has previously approved docks.

TOWN COUNSEL'S COMMENTS *(AS APPROPRIATE)*

n/a

RECOMMENDATION TO APPROVE

Move to approve the temporary dock installation at 78 Lyman Street as per the plan designed by Waterman Designs and further that the dock shall not be installed prior to May 1 and shall be removed each year by October 15 and that if this temporary dock permit is not transferable to future property owners.

RECOMMENDATION TO DENY

/A – Lack of a motion/second or majority in favor is all that is needed.



Print

PART I ADMINISTRATION OF THE GOVERNMENT**TITLE XIV** PUBLIC WAYS AND WORKS**CHAPTER 91** WATERWAYS**Section 10A** Temporary moorings of floats or rafts; permits, issuance or refusal; review; public nuisances

Section 10A. Notwithstanding any contrary provision of law, the harbormaster of a city or town or whomsoever is so empowered by said city or town may authorize by permit the mooring on a temporary basis of floats or rafts held by anchors or bottom moorings within the territorial jurisdiction of such city or town upon such terms, conditions and restrictions as he shall deem necessary. He shall act on applications for such permits within a period of fifteen days from receipt thereof.

A reasonable fee for such mooring permit, proportionate to the city or town's cost of overseeing mooring permits, may be imposed by the city or town or whoever is so authorized by the city or town, but no mooring fee shall discriminate on the basis of residence. Any mooring fee collected shall be deposited into and used in accordance with the purposes of a municipal waterways improvement and maintenance fund established pursuant to section 5G of chapter 40.

Any person aggrieved by a refusal to permit such temporary mooring, or by any condition or restriction imposed relative to such mooring, may appeal to the division of waterways of the department within thirty days after receiving notice of such refusal or of the imposition of such condition or restriction.

Said division shall review the circumstances resulting in such appeal and shall render a ruling either confirming the action of a harbormaster, setting such action aside, or amending such action and imposing its own conditions and restrictions as deemed necessary.

Nothing in this section shall be construed as authorizing the placement of floats or rafts and appurtenant anchors or bottom moorings on private flats of other than the applicant if objected to by the owner or owners thereof.

Actions by a harbormaster and/or the division under this section shall be subject to applicable laws administered by the division of motor boats, the division of marine fisheries, the United States Coast Guard and the United States Corps of Engineers.



TOWN OF WESTBOROUGH MASSACHUSETTS

Conservation Commission

Town Hall, West Main St.
Westborough, MA 01581

MEMO

TO: Jim Malloy, Town Manager
FROM: Derek Saari, Assistant Town Planner/Conservation Officer
DATE: July 15, 2014
RE: Jim Ball Temporary Dock Request for Lake Chauncy
CC:

In accordance with Chapter 91, Section 10A, which states in part "Notwithstanding any contrary provision of law, the harbormaster of a city or town or whomsoever is so empowered by said city or town may authorize by permit the mooring on a temporary basis of floats or rafts held by anchors or bottom moorings within the territorial jurisdiction of such city or town upon such terms, conditions and restrictions as he shall deem necessary". The Board of Selectman are the Harbormasters and have authorized the installation of two other requests along Lake Chauncy in 2004 and 2005 also in accordance with Section 11 of Article 30 of the Town's Bylaws, Rules and Regulations for Lake Chauncy.

I was present when the Selectman voted to approve those two applications and the only condition of approval was that the temporary docks cannot be installed prior to May 1st and must be removed by no later than October 15th of each year. I have included a letter dated July 20, 2005 that could be replicated for Mr. Jim Ball at 78 Lyman Street. I support the request and have worked with Mr. Ball for years on improvements to his property and will be present at the meeting.



TOWN OF WESTBOROUGH MASSACHUSETTS

TOWN COORDINATOR
HENRY L. DANIS, JR.

TOWN HALL - 34 WEST MAIN STREET
WESTBOROUGH, MA 01581-1998
TEL. (508) 366-3030 / FAX 508-366-3099

July 20, 2005

05-133

Mr. and Mrs. Croft
19 Chauncy Street
Westborough, MA 01581

Dear Mr. and Mrs. Croft:

At its meeting of July 19, 2005, the Board of Selectmen voted to allow you to continue the use of your temporary dock in Lake Chauncy with the stipulation that the dock cannot be put into the Lake earlier than May 1st and must be taken out by October 15th of each year. In addition, if you should sell your property, the new owners must seek permission from the Selectmen as well. Should you decide to install a permanent dock, you must get permission from the State through a Chapter 91 permit and conform to all applicable Town of Westborough Bylaws.

Sincerely,



Henry L. Danis, Jr.
Town Coordinator

HLD/nlr

AGENDA ITEM: Reserve Intermittent Police Officers

SUMMARY

Attached please find resumes from Casey Cullen and Joseph Badgley and a request from Chief Gordon to appoint both as Reserve Intermittent Police Officers.

TOWN MANAGER'S RECOMMENDATION

That the Board appoint Casey Cullen and Joseph Badgley as Reserve Intermittent Police Officers.

TOWN COUNSEL'S COMMENTS *(AS APPROPRIATE)*

n/a

RECOMMENDATION TO APPROVE

Move to appoint Casey Cullen and Joseph Badgley as Reserve Intermittent Police Officers for terms to expire in June 30, 2015.

RECOMMENDATION TO DENY

N/A – Lack of a motion/second or majority in favor is all that is needed.



*Police Department
Westborough, Massachusetts*

*Alan R. Gordon
Police Chief
508-366-3060*



July 15, 2014

Board of Selectmen
Town of Westborough

Re: Reserve Intermittent appointments

Dear Board of Selectmen;

I am requesting time at your July 22nd meeting to request that Casey Cullen and Joseph Badgley be appointed as Reserve Intermittent Police Officers. Their resumes are attached.

Sincerely,

A handwritten signature in blue ink, reading "Alan R. Gordon", is written over a horizontal line.

Alan R. Gordon
Chief of Police

Casey Matthew Cullen

90 Fisher Street • Westborough, Massachusetts 01581
Phone: 508-596-0883 • E-Mail: caseycullen77@gmail.com

Education

- N/A Central Massachusetts Chiefs of Police Association Reserve Academy. Boylston, MA 11th Reserve Class, 2014.
- B.S. Psychology. Worcester State University. Worcester MA 01602. Class of 2006,
(Post-Baccalaureate degree in Education conferred in 2012)
- C.E. History. University of Prince Edward Island. Charlottetown P.E.I., Canada. 2007

Experience

- Teacher: Initial Licensure History(9-12) Westborough High School [April 2008- Present]
- Coach: NCAA and NFHS certified in football [April 2008- Present]
- Faculty Advisor/ Program Coordinator: Model United Nations and Speech and Debate Team Coach [September 2010- Present]
- United State Coast Guard: Officer Training Program., [July 1999- January 2000]
Naval Academy Prep School. Newport RI

Publications/Presentations

- *Miracle or Monster: The Career of Walter Freeman at The 42nd* [April 11- 14 2011]
Regional Conference on the Social Studies; Sturbridge MA
- *Dance with the Devil: Evaluating the assassination attempts on Adolf* [February 7-10 2008]
Hitler at The Atlantic University Undergraduate History and
Classics Conference; Charlottetown PE

Teaching Experience

- Advance Placement United States History [September 2013-Present]
- U.S. History II, Juniors, College Prep and Honors Classes [April 2008- Present]
- Psychology, Seniors, College Prep Elective [April 2008- June 2013]
- World History, Freshman, Heterogeneous Grouping [September 2010- Present]

Professional Development

- Teaching American History Grant; the United States Economy, and [July, 2010]
the Economy and Labor. Hudson, MA
- National Endowment for the Humanities Grant: America and the [June 2012]
Industrial Revolution. Lowell, MA
- Advanced Placement Institute. St. Johnsbury Academy, VT [July 2013]

Leadership in Professional Organizations and Affiliations

- **Vice President** of the 11th Reserves Central Mass. Police Academy [Elected February '14]
- **Vice President** ('14-'15) Mass. Council for the Social Studies [Member Since 2010]
- **Board of Directors** ('12-'14) Mass. Council for the Social Studies Appointed January 2014
- **Planning Committee** for the Town of Westborough 300th Anniversary; educational outreach [Appointment term: 2014-2017]
- **Planning Committee & Facilities Coordinator** for the 44th & 45th New England Regional Council for the Social Studies. Sturbridge, MA [April 2013 & '14]
- **Facilities Coordinator** for the National Council for the Social Studies National Conference, Hynes Convention Center. Boston, MA [November 2014]
- **Community and Teacher Mentor**, Charlotte C. Spinney Vision Scholarship Program [Partner Since 2007]

Interests

- Hiking, camping, and horseback riding on many local trails and State Parks
- Viticulture: graduate of the Boston Wine School a wine enthusiast
- Cooking: Completed the Master Chef program through Le Cordon Bleu Boston in 2012

Commendations

- Westborough Education Foundation Honorary donation for commitment to education.
- Dean's list Honors at the University of Prince Edward Island.
- Founding member recognition from the National September 11th Memorial & Museum, and the National Korean War Museum

Joseph Badgley

Objective

I am applying for the Reserve Officer position with the Westborough Police Department. For the past two year, I have been working as a Dispatcher for the Westborough Police Department. In that time, I have learned how to interact with the public and effectively dispatch the resources needed to assist with emergency calls. I became a Dispatcher to start my career in law enforcement with the goal of becoming a Patrol Officer and for me, becoming a Reserve Officer is my next step. I believe my willingness to learn, work ethic and continuing education and work as a dispatcher will make me an excellent Reserve Officer. I wish to further serve the Westborough community and I will do my best to be an asset to the Town of Westborough and the Police Department.

Experience

November 2012- Current Town of Westborough Westborough, MA

Dispatcher

- Answer E911 emergency calls
- Dispatch patrol officers to calls for service
- Assist the public with services and information

December 2011- Baker Fire Equipment Worcester, MA
November 2012

Technician

- Responsible for yearly maintenance of commercial fire equipment
- Complete and record onsite inspections of fire equipment

December 2011- January A&D Pizzeria Millbury, MA
2013

Customer Service

- Responsible for daily operations of the business
- Assisted with customer service and food preparation

Education

September 2008- Westfield State University Westfield, MA
December 2011

Bachelor of Science: Criminal Justice

- Minor in Psychology
- Internship with the Massachusetts State Police Academy (New Braintree, MA)

Certifications

MCJTC Reserve Academy, MA State E911 Academy, MA First Responder, CJIS Certification, Missing & Exploited Children Certification, Dispatch Academy and MA License to Carry

April 16, 2014

Jim Malloy

Town Manager

131 Oak St.

Westborough, MA 01581

Dear Jim,

I recently met with George Barrette, and we discussed me getting involved with the town, whether it be on a committee or some other capacity. My background is in construction, development, project management, and I would love to get involved in something of this nature. I'm also keenly interested in the state hospital property. With these things in mind, maybe we can get together sometime soon to discuss some options.

On timing I'm quite flexible right now, so let me know what works best for you. I live on West St., so I'm nearby. Thanks and hope to hear from you soon.

Best regards,

Matt McCafferty

201 452 1912

June 11, 2014

Dear Mr. Malloy,

Please convey to the Board of Selectmen my sincere interest in serving on the Committee on Planning for the State Hospital Property.

As you know I've had a strong interest in this project from the beginning, having urged the Town to acquire the property and serving on the Acquisition Committee. A Town resident of 36 years, I've participated in Open Space and Conservation issues and served on various committees in Town for over a decade. These include chairing the Town Open Space Committee when we wrote the 2003 update to the Town Open Space and Recreation Plan, serving on the Westborough Community Land Trust Board of Directors for nearly a decade and as President for three years, and currently serving on the Town Conservation Commission.

I thank you and the Board for your consideration.

A handwritten signature in cursive script that reads "Garry Kessler".

Garry Kessler
20 Ruggles St.
Westborough, MA 01581

HAZEL W. NOURSE
80 Nourse Street
Westborough, MA 01581

RECEIVED

JUN 26 2014

TOWN OF WESTBOROUGH
SELECTMEN'S OFFICE

To: The Board of Selectmen
Westborough, MA
Re: Community Development Committee
Westborough State Hospital

Date: June 25, 2014

I am writing to express my interest in being appointed to the Community Development Committee which will be working on the development plan for the Westborough State Hospital property.

I believe that my interests and experience, as set forth below, will be of benefit to the Committee and to the planning process.

1. As Chair of the Historical Commission, I will be able to represent the Commission's viewpoint on the development of the Westborough State Hospital property. The entire State Hospital property was placed on the National Register of Historic Places in 1994. The hospital's main administration building was constructed in 1875. The Commission hopes that a portion of the administration building can be included in any development of the property and that any new construction can be architecturally compatible so that a sense of the property's historical significance can be retained.

2. As a land use attorney with more than 25 years of experience, I am familiar with property development including environmental impact statements and zoning issues in connection with both commercial and residential development. This project is very important to the very fabric of our community, and the planning for its use will need to carefully weight the benefits and detriments to our Town keeping in mind that this is the last large piece of open space property which can be developed for mixed community and commercial use.

3. As a senior and retiree who has chosen to live in Westborough and who has a son and other family members living here, I have a continuing interest in keeping Westborough a thriving and vibrant community for all of our families here.

Finally, I will bring both diversity and inclusiveness to the committee as a female and a senior member of our community.

I am including a copy of my resume and If I can provide any further information for your consideration, please do not hesitate to contact me.

Sincerely,

Hazel W. Nourse

HAZEL W. NOURSE
80 Nourse Street
Westborough, MA 01581

EDUCATION:

B.S. Columbia University (1965)
M.A. Columbia University (American History, 1969)
J.D. Fordham University (1982)

LEGAL EXPERIENCE:

Admitted to practice law in the State of New York in March, 1983; member in good standing from March 1983 until retirement in December 2011.

11/82 - 2/84 Associate Attorney, Galef & Jacobs, 711 Westchester Avenue
White Plains, New York 10603
2/84 - 10/84 Associate Attorney, Margaret H. Tyre, P.C, 7 - 11 Theodore
Fremd Avenue, Rye, New York
10/84 - 12/11 Attorney and owner, Hazel W. Nourse, Attorney at Law,
Mt. Kisco and Somers, New York

Real Estate, purchase and sale of both residential and business properties, representation pf builders on sale of individual and multi- lot residential properties and commercial development ,drafting of contracts in connection therewith, appearances before local planning and zoning boards re property matters, and review of drafting of easements, road dedications and conservation easements and representation of banks for mortgage closings and title closings for title companies. Landlord and Tenant leases both residential and commercial.

Small business corporate practice, including the purchase and sale of businesses, negotiation of employment contracts, business incorporations and advice re various aspects of small business practices..

ZONING BOARD EXPERIENCE:

Member, Zoning Board of Appeals, Town of Bedford, New York, Sept. 1996 to May 2002.
Chair, Zoning Board of Appeals ,Town of Bedford, New York, May 2002 to Jan 2009.

Review and decisions on all matters pertaining to requests for both area and use variances and review of special permits for changes in zoning designations and/or land use which included review of environmental impact statements review of site plans, work with Planning Boards and participation in public meetings concerning such development.

CURRENT ACTIVITIES AND MEMBERSHIPS:

Member and now Chair of the Westborough Historical Commission, April 2012 to present
SHINE volunteer counselor, advising seniors on Medicare, June 2011 until present.
Member, Westborough Garden Club, February 2011 to present

PERSONAL INFORMATION

Married to David A. Nourse since 1963, 3 Children and 4 grandchildren
Residence : 80 Nourse Street, Westborough, MA. (Nourse Farm)

Jim Malloy

From: Lynn Watts <LSWatts@verizon.net>
Sent: Saturday, June 14, 2014 7:34 PM
Subject: Applications - 2

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hi Jim,

Lynn and I are both volunteering to participate in the hospital redevelopment effort. Coming from substantial involvement in the Cultural Council (which Lynn personally roused from a long stretch of torpor), we both have prior town service, she with many years on and chairing the Personnel Board, I first as a Library trustee (and chair for several years) and several years on the FinComm, including several as its vice chair. Prior to retirement I was manager of distributor business systems for the former Norton Company (now St. Gobain) in Worcester and moved to Westborough in 1972 after managing data processing development for the company in Europe for three years. Lynn retired from the Casual Male where she served as advertising director. I am also a retired Navy Commander.

Cliff

RECEIVED

June 18, 2014

JUN 18 2014

TOWN OF WESTBOROUGH
OFFICE OF THE TOWN CLERK

Dear Selectmen,

I would like to express my interest in serving on the Planning Committee for the State Hospital Property.

I have been involved in this project from the beginning, serving on the Acquisition Committee and I have a strong interest in continuing to be a part of the planning and development of this property. Born and raised in Westborough and having raised my own family here, I see this property as an important opportunity for the Town.

I currently serve on the Recreation Commission and am responsible for field maintenance as part of my position in the Department of Public Works.

Thank you for your consideration.



Earl Storey
258 East Main Street
Westborough, MA 01581

TOWN OF WESTBOROUGH

BOARD OF SELECTMEN

POLICY FOR REMOTE PARTICIPATION AT MEETINGS*

Effective date: 07/22/2014

Adopted: 07/22/2014

Applicability: All Boards, Committees, Commissions, Work Groups of the Town ("Town Boards") that are subject to the provisions of the Open Meeting Law, regardless of whether such Town Boards are appointed or elected. Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control.

I. Purpose.

This policy is implemented to allow for remote participation at meetings subject to the Open Meeting Law for those individuals who are not able to attend for specific, identified reasons. The Board of Selectmen may revoke Remote Participation at any time under 940 CMR 29.10(3).

II. Policy.

A member of a Town Board shall be permitted to participate remotely in a meeting if the person chairing the meeting determines that one or more of the following factors makes the member's physical attendance unreasonably difficult yet still leaves that member able to actively participate in the meeting:

- a) Personal illness;
- b) Personal disability;
- c) Emergency;
- d) Military service; or,
- e) Geographic distance.

Individual Town Board members may participate remotely up to three (3) times per fiscal year.

A quorum of the public body, including the individual chairing the meeting shall be physically present at the meeting location. Members who participate remotely shall not be deemed to be absent.

Members of a Town Board shall not be permitted to participate remotely from his or her place of business or other locations if the person chairing the meeting determines that travel from that location to the meeting location is reasonably possible.

III. Procedure.

- 1) Any member of a Town Board who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his/her request.
- 2) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10 for his/her remote participation. This information shall also be recorded in the meeting minutes.
- 3) Remote participants shall preserve the confidentiality of executive session. Certain media, such as speakerphone, can inadvertently be heard by people not party to the executive session discussions. The remote participant shall state at the start of any executive session that no other person is present and/or able to hear the discussion at the meeting location unless the presence of that person is approved by a simple majority vote of the Town Board.
- 4) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.
- 5) The focus of the chair should always be on maintaining the flow of the meeting. If the chair determines that technical difficulties are inhibiting the progress of the meeting, the chair may elect to terminate the participation of the remote member. If technical difficulties arise resulting in the loss of connection with the remote participant, that participant's attendance shall be terminated. The meeting should not be interrupted while any attempt to restore the connection is made.
- 6) Members participating remotely are cautioned that the same obligations of consideration apply as in any physical meeting. Remote participants should direct all their attention to the meeting, and should make their decisions based upon the same information as is available to all the other participants in the meeting. The remote participant shall also state at the beginning of any meeting that no other person is in proximity who could exert undue influence on the participant, in either executive or public session, and shall inform the chair if that situation changes.

IV. Technology.

The acceptable means of remote participation are: conference telephone, internet, or satellite-enabled audio or video conferencing; or, any other technology that is available that enables the remote participant and all persons present to be clearly audible to one another. The chair or in the chair's absence, the person authorized to chair the meeting shall make this determination.

If video technology is used, the remote participant shall be clearly visible to all persons present at the meeting location. The Town shall not be responsible for the reimbursement of any out-of-pocket costs associated with the remote participation of Town Board members.

V. Violations.

Violations of the Open Meeting Law are reportable through the Open Meeting Law division of the Attorney General's office. If the Attorney General determines, after an investigation, that 940 CMR 29.10 has been violated, the Attorney General may resolve the investigation by ordering the public body to temporarily or permanently discontinue its use of remote participation.

**Pursuant to MGL c. 30A, s. 20(d); 940 CMR 29.00*



TOWN OF WESTBOROUGH MASSACHUSETTS

TOWN MANAGER
JAMES J. MALLOY

TOWN HALL - 34 WEST MAIN STREET
WESTBOROUGH, MA 01581-1998
TEL. (508) 366-3030 / FAX 508-366-3099

MEMORANDUM

TO: Board of Selectmen
FROM: Jim Malloy, Town Manager
DATE: July 21, 2014
RE: Manager's Report

The following items are for the Board's information:

- 1) MIIA Credits – Attached please find a copy of the MIIA Rewards Credits for participating in the MIIA Loss Control Project (Kristi coordinates this program). During FY14, the Town earned \$32,537 in credits, that will be taken during the FY15 budget cycle.
- 2) Citizen Leadership Academy – Last week I sent the Board an email with a suggestion on how we could begin to develop future leaders for Boards and Committees that the Board appoints. I've attached that email and the program that I used in a previous position (for discussion).

RECEIVED

JUL 14 2014

**TOWN OF WESTBOROUGH
SELECTMEN'S OFFICE**

July 9, 2014

Ms. Kristi Williams
Assistant Town Manager
34 West Main Street
Westborough MA 01581

Dear Kristi,

Thank you for your exceptional efforts that led to Westborough receiving \$32,537 in FY14 MIIA Rewards credits. We appreciate your cooperation in working with MIIA staff and your coordination of your municipal interdepartmental Rewards submission. Your feedback helps us to streamline the Rewards program each year.

As you know, MIIA Rewards is not only an incentive program that provides premium credit for each line of insurance coverage but, it is also a tool that allows your municipality to enhance its in-house risk management knowledge and practices. Ultimately, this program helps to decrease your municipal insurance premiums by reducing claims and indirect costs as well.

Your support of risk management efforts that benefit your municipal constituencies is laudable.

We look forward to working with you in the coming year.

Thank you,

John Kelly, MIIA Operations Manager
Lin Chabra, MIIA Rewards Coordinator

Cc: Town Manager, James Malloy

Jim Malloy

From: Jim Malloy
Sent: Thursday, July 17, 2014 3:11 PM
To: 'George Barrette'; timothy_dodd@yahoo.com; leigh.emery45@gmail.com; Denzil Drewry; Ian.Johnson@FMR.COM; Paula Covino
Cc: Kristi Williams; Greg Franks
Subject: RE: Agenda

George and others - I was going to write something up formally about some thoughts I've had about Committee vacancies, but given this email chain and some of the discussions the Board has had on the difficulty filling vacancies, here's my informal thoughts:

One is that we simply have too many Committees to realistically fill. Over the past five years we've created several Committees. Perhaps we should set aside time on an agenda to go over some of the roles and responsibilities of various Committees and make a determination whether they are all necessary and/or whether some could be consolidated.

The other idea is something that I implemented when I was in Sturbridge where I was the appointing authority for all Boards, Committees, Commissions, etc. and I had to make an effort every year to fill seats. I developed a program that I called the "Citizen's Leadership Academy" which was about a 15 week program that each week a department head and Board or Committee person presented what their department did and/or what the roles and responsibilities were for that Board/Committee/Commission. I limited it to 20 people (and it was full each year I did it), held a "graduation" ceremony and at the last session talked to them about what their interests were and passed out a Committee volunteer form. I only attended the first session and the last session, department heads and the Chairs handled all of the other sessions. We did take attendance. I would estimate that each year we ended up with about 12 new volunteers for different Boards and Committees and at least three have gone on to be elected to the Board of Selectmen (I noted this year that a fourth ran for the Selectmen but narrowly lost). Since the Board is the appointing authority for most Boards and Committees (I only appoint a few), I would be happy to work with you and cater this so that it's a Selectmen's program.

Perhaps a combination of these two thoughts is what the Board could discuss. We could always discuss this next Tuesday and I could develop it more after that if there is interest.

Jim

Jim Malloy, Town Manager
Town of Westborough
34 W. Main Street
Westborough, MA 01581
Telephone: (508) 366-3030
Fax: (508) 366-3099

Note: Temporary Office Address during Town Hall renovation is 131 Oak Street, Westborough, MA 01581

Please Consider the Environment Before Printing this Email

---Original Message---

From: George Barrette [<mailto:barrettegeorge@yahoo.com>]
Sent: Thursday, July 17, 2014 9:28 AM

To: timothy_dodd@yahoo.com; leigh.emery45@gmail.com; Denzil Drewry; Ian.Johnson@FMR.COM; Paula Covino
Cc: Jim Malloy; Kristi Williams; Greg Franks
Subject: Re: Agenda

Better, thank you. Glad to see the Watts were able to agree without a divorce lawyer.
Good idea to ask Greg about the posting; we can be flexible. I wish we could have choices on these committees; we have tons of vacancies, but people stepping on each other for the newest, whizzy committees, like the State Hospital- maybe we should eliminate some, or at least change the names?
I am at a loss- suggestions are welcome.

On Thu, 7/17/14, Paula Covino <pcovino@town.westborough.ma.us> wrote:

Subject: Agenda
To: "barrettegeorge@yahoo.com" <barrettegeorge@yahoo.com>, "timothy_dodd@yahoo.com" <timothy_dodd@yahoo.com>, "leigh.emery45@gmail.com" <leigh.emery45@gmail.com>, "Denzil Drewry" <denzila102@aol.com>, "Ian.Johnson@FMR.COM" <Ian.Johnson@FMR.COM>
Cc: "Jim Malloy" <jmalloy@town.westborough.ma.us>, "Kristi Williams" <kwilliams@town.westborough.ma.us>, "Greg Franks" <gfranks@town.westborough.ma.us>
Date: Thursday, July 17, 2014, 1:15 PM

Attached is the revised draft
of the agenda. I spoke with Greg and the correct way to post committee interviews and appointments would be "Interview/Appointment", that way if the Board does choose to make the appointment it is on the agenda. I have scheduled five interviews for the State Hospital Committee and the next five will be in August. Please let me know if you have any changes as I need to post this today. Thank you! Paula Paula Covino
Administrative Assistant/Selectmen's Office
34 West Main Street Westborough, MA 01581
Phone: (508) 366-3030
Fax: (508) 366-3099

Town of Sturbridge Citizen Leadership Academy

The Town of Sturbridge is instituting a citizen leadership academy in order to develop a program to educate citizens about town government and to develop a talent pool for various boards and committees that have been trained in various aspects of local government and can join boards and committees with a better understanding of overall Town government operations.

Any resident of the Town of Sturbridge, including current members of Boards and Committees are invited and encouraged to participate in the Citizen Leadership Academy. Information regarding the program will be distributed via the Town's website and will be advertised on the Community Calendar Public Access Channel and at the Town Hall. The program is a nine week long program that will involve interaction with different town staff and current members of various boards and committees.

The Citizen Leadership Academy is also an opportunity for citizens to exchange ideas, suggestions and concerns with town management and staff.

FY07
Town of Sturbridge
Citizen Leadership Academy

Day 1 – Getting to Know the Town Government

7:00 PM – 8:30 PM

Town Administrator

- Introduction to the Citizen Leadership Academy
- Discussion of “growing” future leaders in the community
- Structure of Town Government
 - Overview of Town Departments
 - Town Government Organization
 - Town Administrator’s Authority and Responsibility
- Discussion of Academy Schedule
- Citizen Input

Day 2 – Legal Issues of Town Government

7:00 PM – 8:30 PM

Town Administrator

- Discussion of General, Zoning and Water & Sewer Bylaws
- Discussion of Regulations
- Discussion regarding Town Meeting and how it works
- Ethics and Conflict of Interest
- Citizen Input

Day 3 – Public Safety

7:00 PM – 8:30 PM

Fire Chief & Police Chief

- Police
 - Community Policing Philosophy
 - Service Levels and How we provide them
 - Crime Statistics
 - Other Police Programs offered in the community
- Fire
 - Fire Services
 - Ambulance Services

- Involvement as a Call Firefighter
- Citizen Input

Day 4 – Public Works

7:00 PM – 8:30 PM

DPW Director

- Discussion on Road Management
 - Public Roads
 - Private Roads
- Stormwater Issues
- Water Plant, Wells & Distribution System
- Sewer Plant, Pump Stations & Collection Systems
- Snow Plowing
- Roadside Maintenance
- Citizen Input

Day 5 – Library, Recreation & Senior Services

7:00 PM – 8:30 PM

Library Director, Recreation Coordinator and COA Director

- Library Services – Not just books
 - Regional access to materials
 - Friends of the Library
 - Library Policies
 - Other Library programs
- Recreation Services
 - Summer Concert Series
 - Summer Recreation Program
 - Summer Recreation Leagues
 - Sports Leagues at the High School
 - Budget
 - Tree Lighting
 - Recreational Sports Leagues
 - CORI
 - Park Maintenance
- Senior Services
 - I & R
 - Outreach
 - Resources
 - Assistance

- Programs at the Senior Center
- Advocacy & Education programs
- Physical Fitness programs
- Drop-In Center
- Other Senior Programs
- Volunteer opportunities
- Citizen Input

Day 6 – Planning, Zoning and Conservation Commission

7:00 PM – 8:30 PM

Town Planner, Conservation Agent, Planning Board Chair, Zoning Board Chair & Conservation Commission Chair

- Planning Department
 - Processes & Applications
 - Subdivision Control
 - Site Plan Review
 - Zoning Bylaw Development
- Planning Board
 - Roles and responsibilities of members
 - Time commitment
 - Knowledge base and information available
- Zoning Board
 - Roles and responsibilities of members
 - Time commitment
 - Knowledge base and information available
- Conservation Commission
 - Conservation Agent – role & responsibilities
 - Conservation Commission – role and responsibilities
 - Time commitment
 - Knowledge base and information available
- Citizen Input

Day 7 – Board of Selectmen

7:00 PM – 8:30 PM

Chair, Board of Selectmen

- Role and responsibilities of the Board of Selectmen
- Policy Setting
- Ethics, Public Meetings & Conflict of Interest
- Time commitment

- Citizen Input

Day 8 – Other Town Functions

7:00 PM – 8:30 PM

Town Administrator & Finance Committee Chair

- Other Elected Boards
- Other Appointed Boards
- Other Departments
- The Budget Process and role of the Finance Committee
- Citizen Input

- Wrap-Up

Town of Sturbridge
Citizen Leadership Academy
Application

Sessions run one evening per week for 9 consecutive weeks beginning the second week of January. Location may vary and will be announced each week, the first meeting will be held at the Veteran's Memorial Hall at Town Hall, 308 Main Street. Sessions will run from 7:00 until approximately 8:30 PM. Participants will be expected to attend at least 75% of the sessions.

Name _____

Last *First* *Middle*

Home Address _____
No. & Street *Zip Code*

Home Telephone _____ Business Telephone _____

Email Address _____

Occupation/Job Title _____

How long have you lived in Sturbridge _____

Please list any previous experience you've had with the Sturbridge Town government or other city, town or county government

Please list any current or previous volunteer experience

Please list any specific areas of town government that interest you _____

Please tell us why you want to attend the Town of Sturbridge Citizen Leadership Academy _____

The sessions will be limited to 20 participants, please plan on attending all sessions to receive the full benefit from the information that will be provided.

Signature

Date

Return to:

Town Administrator's Office
308 Main Street
Sturbridge, MA 01566
Fax (508) 347-5886

Please tell us why you want to attend the Town of Sturbridge Citizen Leadership Academy _____

The sessions will be limited to 20 participants, please plan on attending all sessions to receive the full benefit from the information that will be provided.

Signature

Date

Return to:

Town Administrator's Office
308 Main Street
Sturbridge, MA 01566
Fax (508) 347-5886