

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

Present: Laila J. Michaud, Joseph E. Flanagan, and Wayne R. Walker

CALL TO ORDER

Ms. Michaud called the meeting to order at 6:00 p.m. in the Selectmen’s Office at Town Hall. She announced that the meeting was being broadcast live and recorded by Ashburnham Westminster Community Access TV. She also confirmed that Steve Wendell of WGAW will be doing an audio recording.

APPROVAL OF WARRANTS/MINUTES

Mr. Walker moved that the Board approve the regular session minutes of January 23, 2012, as printed. Mr. Flanagan seconded the motion. The motion passed unanimously.

Board members reviewed and approved the following warrants:

February 13, 2012	Payroll #49	\$155,680.00
	Accounts Payable # 48	\$ 21,885.69
February 16, 2012	Deduction #49D	\$136,972.69
February 21, 2012	Accounts Payable #50	\$264,205.95

ANNOUNCEMENTS

- The Board of Selectmen’s meeting on February 27, 2012 will start at 6 pm. At 6:45 pm the Board will recess to attend the Town Caucus at the Westminster Elementary School. The Selectmen’s meeting will resume after the Town Caucus.
- American flags have been put up on Main Street in honor of Navy Reserve Lieutenant Commander Moores who is coming home to Westminster. Ms. Michaud thanked Lieutenant Moores for his service.
- On Saturday, February 25th, from 10 am to noon there will be a ‘Meet and Greet’ at Town Hall. Residents are invited to meet the Selectmen and Town Planner. Comments and suggestions regarding the Town are welcomed.

PAYROLL AUTHORIZATION

Mr. Flanagan moved that the Board approve a Payroll Authorization for a part time Police Dispatcher. Mr. Walker seconded the motion for discussion.

Mr. Walker indicated he would abstain from voting because of the lack of proper procedure. He further stated that he would like to remind department heads of the proper procedure for bringing new employees on to the payroll.

The motion passed with two in favor and one abstained (Mr. Walker).

FINALIZE COMMENTS TO MEPA IN RESPONSE TO NOTICE OF PROJECT CHANGE (WACHUSETT STATION AND LAYOVER FACILITY)

The Board reviewed the comments from the Planning Board and made the following comments or changes:

Item #1 – Mr. Walker requested adding ‘potential’ before the word direct.

Item #2 – Ms. Michaud commented – How often does a business owner or developer asks Westminster officials where their business should be sited? Westminster officials were invited to go on a reverse train ride from Westminster to Fitchburg looking at potential layover sites in the Westminster Business Park. A site located near Crocker Pond was eliminated primarily because of WEST’s concerns. Another site was chosen but once engineers looked at the site, it was apparent that this site would require an extensive wall to be built and there was concern about two streams being compromised. The final selection was lot 1-4A.

Item #2 – Mr. Flanagan asked Ms. Michaud exactly when Lot 1-4A was selected. He indicated that essentially Lot 1-4A and 1-4B were the sites chosen. Westminster was never consulted as to whether it preferred Lot 1-4A over either Lot 1-4A and 1-4B or the original location, Lot 1-8.

Item #4 – Ms. Michaud commented – Even though cost benefit analysis were not done on the alternative sites, we did learn that one site would have required home takings, another site was polluted and clean-up money was not available in this project and another site was home to many wetlands. Based on these limiting factors, development would not have been suitable at these and cost/benefit analysis would not have been necessary.

Selectmen Walker and Flanagan found no reason to discuss or amend.

Item #5 – Ms. Michaud reiterated same comments as Item #4. Selectmen Walker and Flanagan found no reason to discuss or amend.

Item #6 – Ms. Michaud reiterated same comments as Item #4. Selectmen Walker and Flanagan found no reason to discuss or amend.

Item #7 – Ms. Michaud commented – Even though there may be some wetland impact, it does not appear to be as significant as some of the alternative sites. Selectmen Walker and Flanagan found no reason to discuss or amend.

Item #7 – Mr. Walker commented – Everything will become clear when the Conservation Commission becomes involved.

Item #8 – Ms. Michaud commented – The Tiger Grant was awarded for one project consisting of two elements; a new commuter rail station in Fitchburg and a layover facility in Westminster. Selectmen Walker and Flanagan found no reason to discuss or amend.

~ ~

Item #9 – Ms. Michaud commented – The layover facility will be over 1/3 mile from the primary recreation facility. Selectmen Walker and Flanagan found no reason to discuss or amend.

Item #9 – Mr. Walker commented he would like confirmation or denial of the reference to a total of 20 events.

Item #10 – Ms. Michaud commented – The MBTA’s engineers are currently working with Westminster DPW to discuss connection to the municipal sewer system. Selectmen Walker and Flanagan found no reason to discuss or amend.

Item #12 – Ms. Michaud commented – The Board of Selectmen will be requesting funding for a noise study which will cost \$10,000. The Town will fund \$6,667 and MART will fund \$3,333. . Selectmen Walker and Flanagan found no reason to discuss or amend.

Item #13 – Ms. Michaud commented – Even though the time frame for the NPC will have passed, we would still like the opportunity for MEPA to review the noise study results which we anticipate will be available at the end of June 2012. Selectmen Walker and Flanagan found no reason to discuss or amend.

Item #13 – Mr. Flanagan moved to remove the last two sentences and add the following in its place: Even though the timeframe for the MEPA NPC will have passed, we would still like the opportunity for the State’s MEPA office to review the noise study results which we anticipated will be available at the end of June 2012 at the latest. Mr. Walker seconded the motion. The motion passed unanimously.

The Board was in agreement with the comments from the Fire Department.

The Board reviewed their comments and made the following comments or changes:

Item #2 – Ms. Michaud commented – We have been told and retold that freight access is a real possibility but we would need a business/company that could use it. Pan Am would work with the company to establish the necessary connection. Selectmen Walker and Flanagan found no reason to discuss or amend.

Item #3 – Mr. Walker requested adding the word ‘possibly’ before the word “make” in the last sentence.

Mr. Flanagan moved that the Board add Item #5 as requested by Mr. Walker to read; ‘We request written assurances from the MBTA that it will fully comply with the conditions stipulated in the Board of Selectmen’s statement of conditional approval dated April 27, 2010. We also request written assurances that if these conditions are violated, the Town has recourse to insure compliance that will be binding on the project proponent.’ Ms. Michaud seconded the motion. The motion passed unanimously.

Ms. Michaud mentioned that MART/MBTA had received additional money beyond the \$50 million. She thought this additional money could justify building a parking garage at the proposed site.

~ ~

Mr. Flanagan moved to include Chairman Michaud’s suggestions. Mr. Walker seconded the motion. The motion passed unanimously.

The Board also agreed to add Item #6 to read; ‘We request that the project proponent provide the Town with copies of all filings and reports made with the relevant State and Federal entities involved in this project.

Mr. Flanagan moved that the Board authorize Mrs. Murphy to send a letter on behalf of the Town to McMahan Associates requesting the information on the noise study. Mr. Walker seconded the motion. The motion passed unanimously.

Mr. Flanagan moved that the Board sign the letter to Secretary Richard Sullivan, at the Executive Office of Energy and Environmental Affairs regarding the Comments of Notice of Project Change – Wachusett Extension Project – EEA No. 14516. Mr. Walker seconded the motion. The motion passed unanimously.

6:50 PM ADJOURNMENT

Mr. Flanagan moved that the Board adjourn. Mr. Walker seconded the motion. The motion passed unanimously.

Respectfully submitted,

Wayne R. Walker, Clerk
(Prepared by B. Kazan)