

TOWN OF HOPKINTON

BOARD OF SELECTMEN

Meeting Date: June 1, 2004

MINUTES

Members Present: F. Eric Sonnett, Chairman; Paul J. Nelson, Vice-Chairman; Ronald M. Clark; Leonard A. Holden; Mary C. Pratt.

Others Present: HCAM Station Director: Jim Cozzens; HopNews: Bob Falcione, reporter; MetroWest News: Dave McLaughlin, reporter; Hopkinton Independent: Muriel Kramer, reporter; Teri Phipps; Evan Brooks; Auxiliary Police Candidates: Jarrad Seely, and Auxiliary Police Chief Don Creswell; Board of Health: Nancy Peters, Chairman, and Dave Edson; Board of Appeals: Wayne Davies, Chairman; Affordable Housing Task Force: John Coolidge; Revenue Enhancement Committee: Finley Perry, Jim Rogoze, Sandra Altamura; Cultural Arts Alliance: Dora Garabedian, President, and Deb Phelan, Director; Brian Herr; Wayne Mezitt; M/M Henry Kunicki; Selectmen's Office: Theodore D. Kozak, Executive Secretary, and Geri Holland.

Public Meeting Opened/Pledge of Allegiance:

7:00 p.m. Mr. Sonnett opened the public meeting and invited everyone to stand for the Pledge of Allegiance. Town warrants and bills were approved for payment.

Selectmen's minutes: 2/24; 3/30 (ES); 5/11; 5/18 (1st ES); 5/18 (2nd ES); 5/18; 5/18 (Appro. App't Committee)

Vote: Mr. Sonnett entertained a motion to approve the February 24, 2004 Selectmen minutes. **So moved Mr. Clark. Second Mr. Holden.** Mr. Nelson abstained from the vote, as he was not present at the meeting. **Unanimously voted.**

Vote: Mr. Sonnett entertained a motion to approve the March 30, 2004 Executive Session Selectmen minutes. **So moved Mr. Holden. Second Mr. Clark. Unanimously voted.**

Vote: Mr. Sonnett entertained a motion to approve the May 11, 2004 Selectmen minutes. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Vote: Mr. Sonnett entertained a motion to approve the May 11, 2004 Executive Session (1st session) Selectmen minutes. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Vote: Mr. Sonnett entertained a motion to approve the May 11, 2004 Executive Session (2nd session) Selectmen minutes. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

Vote: Mr. Sonnett entertained a motion to approve the May 18, 2004 Selectmen minutes. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

Vote: Mr. Sonnett entertained a motion to approve the May 18, 2004 Appropriation Appointing Committee minutes. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

Auxiliary Police Interviews (one (1) year terms): 1.) Teri Phipps; 2.) Evan Brooks; 3.) Jarrad Seely

Mr. Sonnett invited Auxiliary Police candidates to give an overview of their background and why they would like to serve as an Auxiliary Police Officer. The Board held a question and comment discussion with each candidate. Both Mr. Brooks and Mr. Seely both expressed their wishes to assist the public and believe that this would be accomplished if appointed to the Auxiliary Police. Auxiliary Police Chief Creswell stated that Ms. Phipps was not able

to attend the meeting as she is studying for her Master's degree and attends classes on Tuesday evenings for this purpose. He recommends all candidates for appointment.

Vote: Mr. Sonnett entertained a motion to appoint Teri Phipps, Evan Brooks, and Jarrad Seely as Auxiliary Police Officers for one (1) year terms. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Resignation from the Economic Commission & Development Financing Authority (ECDFA): Robin Johnson

Mr. Sonnett read a memo from Robin Johnson informing the Board of her resignation effectively immediately from the Economic Commission & Development Financing Authority.

Vote: Mr. Sonnett entertained a motion to accept with regret the resignation effectively immediately from Robin Johnson from the Economic Commission & Development Financing Authority. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.** The Board requests to send a letter of thanks to Ms. Johnson for serving on the ECDFA.

Reappointment: Economic Commission & Development Financing Authority (term: 2009) Robert McGuire, Jr.

Vote: Mr. Sonnett entertained a motion to reappoint Robert McGuire, Jr. to the Economic Commission & Development Financing Authority for a five (5) year term to 2009. **So moved Mr. Holden. Second Mrs. Pratt. Unanimously voted.**

Special Officers (terms to 2007): Selectmen Ronald Clark and Leonard Holden

Mr. Sonnett explained that newly re-elected Selectmen, Ronald Clark and Leonard Holden, should be appointed as Special Officer for three (3) year terms.

Vote: Mr. Sonnett entertained a motion to appoint Selectmen Ronald Clark and Leonard Holden as Special Officers for terms to 2007. **So moved Mrs. Pratt. Second Mr. Nelson. Unanimously voted.**

Accept Gift: EMC Corporation

Mr. Sonnett read a letter from EMC Corporation of their gift in the amount of \$72,519.20 to the Town for application of work performed under Payment Application #10 of the South Street Traffic & Roadway Improvements Project.

Vote: Mr. Sonnett entertained a motion to accept a gift from EMC Corporation in the amount of \$72,519.20 for EMC's payment to the Town for application of the work performed under Payment Application #10 of the South Street Traffic & Roadway Improvements Project. **So moved Mrs. Pratt. Second Mr. Holden. Unanimously voted.**

Marathon Fund Request: Tri-Valley Track Club

Mr. Sonnett read a Marathon Fund request from Tri-Valley Track Club for \$3,270.00 for the purpose of helping to fund the cost of a trip for five (5) student athletes and coach to attend the National Scholastic Track and Field Championships held at North Carolina State University in Raleigh.

Vote: Mr. Sonnett entertained a motion to approve the Marathon Fund request from Tri-Valley Track Club for \$3,270.00 for the purpose as stated. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.**

Parade Permit: *The Michael Carter Lisnow Respite Center (October 16, 2004)*

Mr. Sonnett read a letter from Mary McQueeney, Director of The Michael Carter Lisnow Respite Center, requesting a parade permit for their 7th annual Michael's 5K Run/Walk scheduled on October 16, 2004 at noon starting at the Town Common. Mr. Sonnett noted that Police Chief Irvin has no problem with the Board issuing the parade permit, and that the Hopkinton Police Department would provide traffic control on the day of the event.

Vote: Mr. Sonnett entertained a motion to approve the Parade Permit from The Michael Carter Lisnow Respite Center, as requested. **So moved Mrs. Pratt. Second Mr. Holden. Unanimously voted.**

Accept Memorial Benches Gift: *H.H.S. Class of 1964*

Mr. Sonnett read a letter from Joanne Phipps, Hopkinton High School Class of 1964 Reunion Committee, of their donation of two granite memorial benches to be placed in front of the Town Hall.

Vote: Mr. Sonnett entertained a motion to accept with gratitude the donation of two granite memorial benches from the H.H.S Class of 1964. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.** The Board requests to send a letter of thanks to the Class of 1964.

Revenue Enhancement Committee Overview: *Finley Perry*

Mr. Perry, Co-Chairman of the Revenue Enhancement Committee (REC), presented a report (see attachment) of the Committee, including activity to date, what the Committee has learned, and the work that is in front of the Committee. He said that the Committee has been looking at ways to increase revenue by expanding the business potential of commercial properties, improvement of the downtown area, and the district between the downtown area and the 495 Corridor. He commented that sewer is an important element in developing these areas. Mr. Perry hopes to present a more detailed report in the fall. Mr. Nelson, the Selectmen's representative on the REC, explained the Committee is in the "gathering information mode", and hopes that over the summer the Committee will work on the details, moving forward with these ideas in the fall. Mr. Perry talked about focusing on grant writing and sewer expansion. Mr. Sonnett asked what the Board of Selectmen could do to help with their mission. Mr. Perry responded that the Board's support is critical. He added that the REC would like to come back to the Board either late August or early September to have more dialogue about the Committee's findings, and to hold a public discussion in October. Mr. Rogoze, Chamber of Commerce representative on the Committee, talked about the type of business in town and the need for sewer. Mr. Sonnett said to consider the BoS as an asset to the Revenue Enhancement Committee. The Board thanked Mr. Perry for his presentation and commended the Committee for their progress.

Establish Cultural Arts Alliance Barn Building Committee

Mrs. Garabedian, President of the Cultural Arts Alliance (CAA), presented a request to establish a building committee to help with the restoration of the barn located at the CAA on the property at 98 Hayden Rowe, which is leased from the Town. Mrs. Garabedian also requested the services of Brian Main, Facilities Director, as a professional resource person for the project. Mr. Sonnett explained Mr. Main's primary mission is to work on several of Town projects including the new Police Station, Senior Center etc. He recommended that the CAA contact the Facilities Board to determine how Mr. Main is to use his time, as he unable to determine how Mr. Main could assist with the barn project. He recommended that Mrs. Garabedian contact Ken Allor, Chairman of the Facilities Board. Mr. Clark also expressed concern about Mr. Main's time being used in this project. He pointed out that the various Building Committees fund Mr. Main's position, and recommended to Mrs. Garabedian to consider how to assist funding Mr. Main's position also. He also talked about Mr. Main's charge as Facilities Director. Mrs. Garabedian pointed out that the barn project is on Town property, and that the Board should consider this. There was discussion regarding the Committee's membership and the expertise of various individuals could bring to the Committee such as building

background etc. Mrs. Garabedian commented that the names of individuals that she submitted are those that are interested in the project, and pointed out their expertise such as electrical background etc. Mrs. Garabedian asked about the appointment process. Mr. Sonnett explained that the Board would establish the Committee, determining structure, membership etc., and that an announcement would be made to inform the a resident of the committee, giving them an opportunity to apply, if interested. He added that the Board would make appointments to the Committee at their next meeting scheduled in two weeks. Mr. Sonnett said that it's usual for a building committee to report to the "holder" of the project, that being the Community Preservation Commission (CPC) for the barn project, as they are funding this project. He added that the CPC would most likely manage the building committee. Mrs. Pratt asked if Mr. Scott Richardson is going to work with the architectural plans. Mrs. Garabedian responded that the CAA has not initiated a conversation with him as yet. Mr. Clark agreed that the committee should report to the CPC. Mr. Nelson pointed out that the barn project is different than the other building committees, as it is an old structure and the CAA is trying to figure a way to preserve it for the Town. He realizes that the CPC is funding the project, but that the CAA is the sponsor and that they should work closely with the CPC. Mr. Sonnett recommended a seven- (7) member committee consisting of two (2) representatives each from the CPC and CAA and three (3) members at large. He believes this would guarantee input from everyone. Mrs. Garabedian asked about the formal process in appointing the committee. Mr. Sonnett said that the CAA and CPC would submit their two representatives and that the BoS would make an announcement for the three- (3) at large members. Mr. Sonnett announced that all those interested in the committee to submit their letters of interest to the Selectmen's Office by Noon on June 11th.

Vote: Mr. Sonnett entertained a motion to establish a seven (7) member Cultural Arts Alliance Barn Building Committee consisting of two (2) representatives each from the Cultural Arts Alliance and the Community Preservation Commission, and three (3) at large members for the Life of the Project. **So moved Mr. Clark. Second Mr. Nelson. Comments: Mrs. Pratt talked about expanding the committee, if needed. Mr. Sonnett said to start with a membership of seven. Mrs. Pratt agreed. Unanimously voted.**

Special Municipal Employee Status: Board of Health

Mr. Edson explained his request that the Board of Selectmen designate his status of Special Municipal Employee considering that he was recently elected to the Board of Health, and that he is currently contracted to provide drinking water engineering services to the DPW. He said that his request is in accordance with MA Gen. Law Ch. 268A, Conflict of Interest Law. Mr. Clark commented that by law the entire Board of Health has to be granted the status of Special Municipal Employee, and recommends that the Board grant this status to the entire Board of Health. Mr. Nelson concurred.

Vote: Mr. Sonnett entertained a motion to give all members of the Board of Health Special Municipal Employee status according to MA Gen. Law Ch. 268A §20, subsection c. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Board of Appeals Appointment: Henry Kunicki

Mr. Sonnett explained that as Board of Appeals member, Russ Ellsworth, does not wish to be reappointed for another five- (5) year term to the Board of Appeals, an associate member now has an opportunity to advance as a full member. He added that Henry Kunicki, Associate member of the Board of Appeals, has expressed an interest in the full member position. Mr. Kunicki gave an overview of his experience in serving as an associate member for the last five years. He added that he understands the zoning laws, and believes that he can do the job as a full member on the Board of Appeals. Mr. Davies, Chairman of the Board of Appeals, explained the Board of Appeals membership including five (5) full members and four (4) associate members. He said that associate members are given the opportunity to sit as a full member and that Mr. Kunicki has done this at least a dozen times. He added that Mr. Kunicki is fully qualified for a full membership. He stated that he and the three (3) Board of Appeals officers endorse Mr. Kunicki's appointment as full member on the Board of Appeals.

Vote: Mr. Sonnett entertained a motion to appoint Henry Kunicki as a full member on the Board of Appeals for a five-(5) year term from July 1, 2004 to June 30, 2009. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Mr. Sonnett announced an opening as an associate member on the Board of Appeals, and recommended that those that are interested in serving should apply to the Selectmen's Office.

Review Liaison List

Mr. Sonnett opened the discussion about the Board's assignments for the FY'05 Selectmen's liaison list. Mr. Clark stated that he wished to discuss the issue of what a liaison's role is specifically in determining if a liaison should be attending meetings of the committees that they represent. He commented that he has been criticized for not attending meetings and would like the Board to agree together that it is not the liaison's role to attend all meetings. Mr. Nelson agreed that there is a misconception about the function of the liaison. He said that the liaison should be used as a resource to the committee they represent. Mr. Sonnett said that he never felt that a Selectman should attend all meetings, and that the role of a liaison is to be a resource to the chairman of the committee, as needed. The Board discussed this issue further and agreed that the role of the liaison is to be a resource to the chairman of the committees that they represent, and that attendance is not required, but should be done at the discretion between the liaison and chairman of the committee. It was agreed the Mr. Sonnett, as the Chairman, would review each Selectmen's liaison's list and present assignments at the next Selectmen's meeting.

Update Selectmen's Liaison

Mr. Holden reported that the recent TREK USA event was a success, and wished to congratulate the Veteran's Celebration Committee for planning the Memorial Day service, which was a tribute to all Veterans. Mrs. Pratt agreed and added that the "send-off" of resident, Sgt. Coffin, to Iraq, sponsored by Grace Chapel, was also a tribute to him. Mr. Sonnett invited residents to notify the Board of Selectmen if they know of anyone else who is leaving for Iraq.

Memorandum of Agreement: Wildlife & Fisheries

Mrs. Pratt stepped off the Board at this time, as she is an abutter to the Fruit Street property.

Mr. Clark gave a recap of the events that led to a Memorandum of Agreement (MOA) between the Town of Hopkinton and the Division of Fisheries and Wildlife for the Fruit Street property. He explained that the MOA would allow the Town to build a gravel roadway, as permitted under the Phase I waiver, allowing public access to the open space; and, secondly, it gives the Town the ability to start construction of a recreation area and athletic fields. Mr. Clark explained the reason for the MOA was due to letters of opposition of the development to allow roadways etc. from the Conservation Commission, Mrs. Pratt, and the Division of Fisheries and Wildlife. He added that the MOA was drawn up in response to this opposition. He hopes that the Conservation Commission and Mrs. Pratt would now send letters of support of the MOA. Mrs. Pratt stated concerns that language mandating signs designating where the habitats of the spotted turtles are located was removed from that the new version of the MOA. Mr. Sonnett explained that the purpose of removing the language was to keep the public from being drawn to the habitat.

Vote: Mr. Sonnett entertained a motion to authorize the Chairman of the Board of Selectmen to execute the Memorandum of Agreement with the recommendations as submitted. **So moved Mr. Clark. Second Mr. Holden. Mr. Sonnett: yes; Mr. Nelson: yes; Mr. Clark: yes; Mr. Holden: yes. Unanimously voted.**

VHB Agreement for the Fruit Street MEBA Review

Mr. Clark explained that the funding for an Environmental Impact Report for the Fruit Street property was approved at the May 2004 Special Town meeting; and from the bids received for services to be performed for the EIR, Vanasse

Hangen Brustlin, Inc. (VHB) was awarded the bid, as the lowest bidder. Mr. Clark presented the Agreement for Professional Services between VHB and the Town of Hopkinton for a Single Master Plan Environmental Impact Report for the Fruit Street Property. Mr. Kozak added that the Agreement for the EIR was based on the Request For Proposals (RFP) and recommended that the Board of Selectmen approve the Agreement.

Vote: Mr. Sonnett entertained a motion to authorize the Chairman to execute the Agreement for Professional Services between VHB and the Town of Hopkinton for a Single Master Plan Environmental Impact Report for the Fruit Street Property. **So moved Mr. Nelson. Second Mr. Clark. Mr. Sonnett: yes; Mr. Nelson: yes; Mr. Clark: yes; Mr. Holden: yes. Unanimously voted.**

Mrs. Pratt stepped back on the Board at this time.

Housing Committee

Mr. Sonnett gave an overview of the Board's decision to combine the Affordable Housing Task Force and the Housing Partnership into one housing committee. Based on recommendations submitted by the Town Planner, Mr. Sonnett recommended that the Housing Committee consist of seven (7) members with staggered terms as follows: three (3) with three year terms; (2) with two year terms; and two (2) with one year terms. He suggested appointing those members of the Affordable Housing Task Force, who wished to be reappointed, for appointment to the Housing Committee as follows: Mary Harrington, Ron Roux, and Bob Clark for three (3) year terms each; John Coolidge and Tom Bond for two (2) year terms each; and Ted Gassett, as the representative of the Board of Selectmen, and Dolores Ivester, as the Housing Authority representative, for one (1) year terms each. Mrs. Pratt commented that she believes that there should still be a Housing Partnership. Mr. Sonnett reminded her that the Board had already discussed this issue at a previous Selectmen's meeting, and it was determined that a Housing Partnership was not necessary.

Vote: Mr. Clark motioned to establish a general membership of the establishment of a Housing Committee with the responsibilities as outlined in the report submitted by the Town Planner (see attachment); and whose membership would include a representative from the Board of Selectmen for a one-year term. **So moved Mr. Nelson.** Mr. Kozak recommended that this committee would represent the Town's requirements for a Housing Partnership Committee. Mr. Clark amended his motion to include this. **Second Mr. Sonnett. Mr. Sonnett: yes; Mr. Nelson: yes; Mr. Clark: yes; Mrs. Pratt: no; Mr. Holden: yes. So voted.**

Vote: Mr. Sonnett entertained a motion to appoint Mary Harrington, Ron Roux, and Bob Clark for three (3) year terms each; John Coolidge and Tom Bond for two (2) year terms each; and Ted Gassett, as the representative of the Board of Selectmen, and Dolores Ivester, as the Housing Authority representative, for one (1) year terms each. **So moved Mr. Clark. Second Mr. Nelson. Mr. Sonnett: yes; Mr. Nelson: yes; Mr. Clark: yes; Mrs. Pratt: no; Mr. Holden: yes. So voted.**

Legal Assistance request: Department of Public Works

Mr. Sonnett reviewed the legal assistance request for one hour from Town Counsel to give an opinion relative to the road improvement bid that the DPW recently sent out. The cost of the legal assistance request is \$90.00.

Vote: Mr. Sonnett entertained a motion to approve the DPW's request for one (1) hour of legal assistance for Town Counsel's opinion that pertains to the road improvement bids. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.**

Cookie Kumlin Doughboy Restoration Gift Fund Account

Vote: Mr. Sonnett entertained a motion to accept a gift of \$50.00 from Barry and Lynda Cain into the Cookie Kumlin Doughboy Restoration Gift Fund Account. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

Review Future Agenda

Mr. Sonnett reviewed the future agenda and noted that June 29th is the Quarterly meeting. Mr. Kozak recommended that the Board discuss their goals for fiscal year 2005 in preparation for the Quarterly meeting.

READOUT MAIL

Mr. Sonnett referred to a letter from the Framingham Planning & Economic Development about the elimination of LIFT 5 and LIFT 6 services due to lack of funding. The Board discussed this issue and agreed to send a letter to Senator Magnani and Representative Paul Loscocco to request their support of the LIFT in the community. Mrs. Pratt requested to also send a letter to the Secretary of Transportation.

PWED Grant

Mr. Sonnett read a letter from the Executive Office of Transportation and Construction of the Commonwealth of MA's approval for a time extension of the Public Works Economic Development (PWED) Grant #G-0003 to June 30, 2005 that allows the Town to complete the South Street Corridor Project.

Vote: Mr. Sonnett entertained a motion to approve for the Chairman's signature of the PWED Grant #G-0003 for a time extension to June 30, 2005. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.**

9:20 p.m. Public Meeting Adjourned:

Vote: Mr. Sonnett entertained a motion to adjourn the public meeting. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

Respectfully submitted,

Geri Holland
Executive Assistant
Date Approved: 6/15/04