

TOWN OF HOPKINTON
BOARD OF SELECTMEN
Meeting Date: July 1, 2003
MINUTES

Members Present:

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

Others Present:

Comcast Technician: Russ Phipps
Department of Public Works: J.T. Gaucher, Director; Eric Carty, Water/Sewer Mgr.
Personnel Committee: Kathleen LaFlash, Chairman; Ezzat Parnia, Elaine Cinelli; and Amy
Downing, Personnel Director
Economic Commission & Development Financing Authority: Bill Newell, Chairman
Recycling Committee: Peter Hubbe, Chairman, and Jim Monahan
Theodore D. Kozak, Executive Secretary.
Attorney Thomas Nealon, Diana Campbell (Voices for Vision Forum), and Robert Foster

Public Session Opened and Move into Executive Session:

6:15 p.m. (Room 211) **VOTE:** Mr. Clark opened the public meeting and motioned to move into Executive Session for the purpose to discuss contract negotiations, and then to move back into public session for the sole purpose to continue the public meeting. So moved Mr. Sonnett. Second Mr. Nelson. Mr. Clark: yes; Mr. Holden: yes; Mrs. Pratt: yes; Mr. Sonnett: yes; Mr. Nelson: yes; Unanimously voted.

Public Session Reconvened:

7:00 p.m. (Selectmen's Hearing Room) Mr. Clark invited everyone present to stand for the Pledge of Allegiance. The Board approved the Town bills for payment and Town warrants were signed as follows:

- ◆ Town payroll #03-51 (pay period: 6/15-6/21/03) for \$115,609.48 (FICA: \$1,261.95)
- ◆ Town payroll #03-52 (pay period: 6/22-6/28/03) for \$129,853.31 (FICA: \$1,425.90)
- ◆ Town manual #03-73 (run date: 6/18/03) for \$816,199.78
- ◆ Town account payable #03-76 (run date: 6/23/03) for \$135,361.38
- ◆ Town accounts payable #03-77 (run date: 7/1/03) for \$96,391.52
- ◆ Taxpayers refund #03-75 (run date: 7/01/03) for \$22,998.99)
- ◆ School payroll #03-26 (pay period: 6/20/03) for \$2,684,099.75 (FICA: \$30,867.49)
- ◆ School payroll #03-27 (pay period: 6/12-6/25/03) for \$229,034.05 (FICA: \$2,901.76)
- ◆ School accounts payable #03-0096 (run date: 6/23/02) for \$179,783.05
- ◆ School student activity #03-0097 (run date: 6/23/03) for \$14,090.33
- ◆ School accounts payable #03-0098 (run date: 7/1/03) for \$77,927.54
- ◆ School accounts payable #03-0099 (run date: 7/1/03) for \$121,266.74
- ◆ School student activity #03-00101 (run date: 7/1/02) for \$19,483.03

Selectmen Minutes: 5/23/03; 5/23/03 (ES); 6/3/03

Mr. Clark asked the Board to approve the Selectmen's Minutes dated May 23, 2003, May 23, 2003 (executive session), and June 3, 2003.

1. May 23, 2003:

VOTE: Mrs. Pratt motioned to approve the May 23, 2003 Minutes as submitted. Second Mr. Nelson. Unanimously voted.

2. May 23, 2003 (executive session):

VOTE: Mrs. Pratt motion to approve the May 23, 2003 (executive session) Minutes as submitted. Second Mr. Nelson. Unanimously voted.

3. June 3, 2003:

VOTE: Mrs. Pratt motioned to approve the June 3, 2003 Minutes as submitted. Second Mr. Sonnett. Unanimously voted.

Recycling Program Discussion (see attachment):

J. T. Gaucher gave an overview of the current and future goals for the Town's Trash Recycling/Solid Waste Disposal program. Mr. Peter Hubbe, Recycling Committee, has looked at the "pay as you throw" program and is undecided if this program is appropriate for the Town. He is concerned about how the program would be enforced. He said he is trying to utilize the new recycle bins program. Mr. Clark said he would like to have a new program by January. He suggested a "pay as you throw" and stated the need to pull together a game plan. He asked for public input. Mr. Nelson suggested educating the public by going through the schools. Both Mr. Gaucher and Mr. Hubbe will come back for the September 16th meeting to give an update regarding the proposal. Mr. Monahan said he spoke to a BFI route person, and he said the Town is doing a good job now, but that stickers cause problems. He believes the bag method works better.

Comprehensive Wastewater Management Plan (see attachment):

Mr. Carty spoke about the MEPA Certificate on the Special Procedure for Phase II of the Comprehensive Wastewater Management Plan/Environmental Impact Report. He explained that there are many unresolved issues in the Certificate and discussed how Earth Tech, the Town's Consultants, could resolve these issues. Mr. Carty presented a draft letter to the Executive Office of Environmental Affairs and gave an overview of the issues that were not part of the original approved scope. Mr. Sonnett said that the DPW Advisory Committee approved the letter. He said the original scope of work has been unfairly explained and that the Town should try to stress the original scope of the work and resolve these issues now. Mr. Clark suggested including a meeting date in the letter.

VOTE: Mr. Sonnett motioned to authorize the Chairman of the Board of Selectmen to sign the letter to the EOE. Second Mrs. Pratt. Unanimously voted.

Sewer Connection: Stone Crossing (see attachment):

Mr. Carty said the property located at Stone Crossing was subdivided into two lots two years ago as shown on the plan as Parcel D and Parcel F. He said that the Building Inspector has given approval for a building permit and that the Planning Board has given approval for another house

to be built on the street. Mr. Sonnett said that the DPW Advisory Committee voted to recommend to the Board of Selectmen to grant a sewer connection.

VOTE: Mr. Clark entertained a motion to grant approval of the request for sewer connection on Stone Crossing on Parcel D and Parcel F, as shown on the plan, and according to paragraph 2 under the Rules & Regulations for Sewer Main Extensions and Connections and with a privilege fee. So moved Mr. Sonnett. Second Mrs. Pratt. Unanimously voted.

Personnel Issues Update: Personnel Committee

Mr. Clark asked for input on the Personnel Evaluation program and link pay increases to performance. Mrs. LaFlash said she is putting together a report for the July 15 Quarterly meeting and that the Personnel Committee would work with managers. Mrs. Downing said that she worked with department heads on the performance evaluation forms, and asked for feedback from both Group A & B employees. She added that she held a training session for the Salary Administration Plan employees and the next step is to hold ongoing training for department heads. The Board of Selectmen asked questions and gave comments on the proposed plan for the Personnel Committee's consideration. The Personnel Committee will take their suggestions under advisement. Mr. Clark suggested that there should not be a step increase until managers report satisfactory performance. Mrs. LaFlash said that this is a goal for this year and knows that it is necessary. She added that the Personnel Committee would come back with a plan on September 16th. Mr. Clark asked if the Salary Administration Plan would incorporate drug screening for new employees. Ms. Downing responded that all new employees are asked to have a pre-employment drug test.

Ms. Cinelli addressed the Personnel Committee's recommendation to allow employees who were placed on Step 4 on the new Salary Administration Plan to be allowed to go to Step 5 on their second anniversary date of hiring. This may allow some employees during the transition period to go to Step 5 prior to the twenty-four month period in the plan, which would effect about eight employees. Mr. Sonnett said he had no issue with the anniversary date and suggested that the department supervisor provide a review of the performance of the employees. The Board of Selectmen agreed to allow Mr. Kozak to sign the authorization for the Step increase upon receipt of a performance review by the supervisor.

VOTE: Mr. Sonnett moved this action with the review of the Board of Selectmen Chairman. Second Mrs. Pratt. Unanimously voted.

Personnel Committee (three (3) year term to 2006): Kimberly Pulnik

This interview was tabled to a later date, as Ms. Pulnik was unable to attend the meeting.

Downtown Revitalization:

Mr. Clark discussed the process to look at the revitalization of the downtown. He recommended two options: 1.) The Economic Commission & Development Financing Authority do this as a project, or 2.) Appoint a new blue ribbon committee whose mission would be to research how to revitalize the downtown. For the second recommendation, Mr. Clark suggested a nine- (9) member board including one- (1) member each from the Economic Commission, Planning

Board, Historic District, Zoning Board of Appeals, Conservation Commission and a participant from the Voices for Vision Forum held last February.

Ms. Campbell, a participant from the Voices for Vision Forum, recommended the following: 1.) Research what is going on now; 2.) Clarify what is the “downtown” area; 3.) Develop a dialogue and strategy; and 4.) Find ways to go forward with an action plan.

Mr. Newell, Chairman of the Economic Commission & Development Financing Authority, said that the ECDFA has been meeting biweekly and are currently looking at the Master Plan. He added that the Downtown Revitalization Committee’s goal should be getting clarification of what the Town wants.

Mr. Nelson said that the scope of the Economic Commission is larger than just downtown and that they could help the process, but not limit themselves to this goal.

Mr. Holden agreed with Mr. Nelson and would like to see a separate committee including the town business sector and the Chamber of Commerce. He recommended looking at the Town’s zoning and South Street.

Mr. Sonnett believes that there is validation for this committee and that a separate committee, which includes representation from the Chamber of Commerce, is preferable i.e., a Blue Ribbon Committee.

Mrs. Pratt said that the downtown area is already a zoned business district. She said that we should do little to interrupt the downtown. She commented that a Blue Ribbon Committee would not be right and by appointing a separate committee, there would be “too many cooks spoiling the broth”.

Mr. Clark prefers a separate committee and recommends waiting until September 2 to interview and appoint a new Revitalization Committee. He also recommends that the Board discuss the makeup of the committee at the August 5th meeting. Mr. Sonnett suggested a separate workshop for with the ECDFA to help set their goals.

Disposition of Land on Yale Road: Robert Foster (see attachment)

Mr. Foster explained that a recent survey of his client’s property located at 15 Yale Road revealed that their house is partially located on town-owned land. The appraisal cost of the land is estimated at \$12,000. He explained that the town-owned parcel, which the house is partially located on, is adjacent to other town-owned land, as shown in the 2001 Open Space and Recreation Plan for future open space use. Since the survey has shown that the house is located on a portion of the land, this portion is not suitable for open space. Mr. Foster said that the owners wish to purchase the land from the Town and that the Planning Board recommends conveying two small parcels 160 and 161 to the owners, with the condition that the proceeds from the sale be deposited into the Open Space Preservation Fund. The town could then obtain open space elsewhere. Mr. Foster said that he would be willing to speak to Town Counsel about the process to convey the property.

VOTE: Mr. Clark entertained a motion to convey Parcel 160 and 161 through the proper process recommended by Town Counsel. So moved Mrs. Pratt. Second Mr. Nelson. Unanimously voted.

Accept Zoning Board of Appeals Resignation (Mary Harrington)

Mr. Clark read a letter submitted by Mary Harrington stating her resignation from the Zoning Board of Appeals effective July 1, 2003. Mr. Clark noted Mrs. Harrington's years of service to the Town in serving on the Board. Mr. Foster, Chairman of the ZBA, said how valuable Mrs. Harrington has been to the Board. He added that another alternate will be resigning and would need additional members for the Board.

VOTE: Mr. Clark entertained a motion to accept with regret Mrs. Harrington's resignation from the Zoning Board of Appeals. So moved Mr. Nelson. Second Mrs. Pratt. Unanimously voted.

Zoning Board of Appeals Appointment

Mr. Clark read a letter from Mr. Foster, Chairman of the Board of Appeals, requesting that the Board appoint Ross Ginsburg to full member on the Board of Appeals from his current position as an associate member.

VOTE: Mr. Clark entertained a motion to appoint Ross Ginsburg as a full member to the Board of Appeals with a term to 2006. So moved Mr. Nelson. Second Mrs. Pratt. Unanimously voted. The Board asked that a letter of thanks be sent to Mrs. Harrington.

Board of Selectmen Liaison List (see attachment)

Mr. Clark reviewed the Board of Selectmen's Liaison List and requests that a letter be sent to the Chairmen of each Committee informing them of their liaison. He also stressed that it is not the role of the Selectmen to attend each meeting, but rather be a resource and help to the Committee when needed. Mrs. Pratt also requests that she serve as liaison to the Community Preservation Committee. The Board agreed.

Entertainment License: Gibson Grille

Mr. Clark explained that the Gibson Grille requests an Entertainment License for a DJ, karaoke on Thursday, Friday, and Saturday evenings from 8:00 p.m. to 12:a.m., live music with a limit to seven (7) people for special occasions. The Board of Appeals unanimously voted at their meeting dated June 4, 2003 (see attachment) to grant the Special Permit with the following conditions: This Special Permit is granted for two (2) years; There are to be no pyrotechnics used; no entertainment in the outside area, and all doors are to remain closed on the days when entertainment is in place; capacity for the entire structure is to be determined by the Petitioner and the Director of Municipal Inspections and to be in compliance with the State Building Code. A letter from Michael Shepard, Director of the Office of Inspectional Services, approves the license in accordance with the Board of Appeals decision issued on June 7, 2003, and stated that the building is completely sprinklered and the occupant load has been posted and complies with the State Building Code.

VOTE: Mrs. Pratt motioned to approve the Gibson Grille's request for an Entertainment License based on the inspection by the Director of the Municipal Inspections Office and contingent upon the recommendations made by the Zoning Board of Appeals at their June 4, 2003 public hearing. So moved Mr. Nelson. Unanimously voted.

MetroWest Regional Services Consortium

Mr. Kozak explained an invitation for bid by the MAPC for the MetroWest Regional Services Consortium for general office supplies. He said that he is presently reviewing the Bid and requests the Board's to authorize him to make a decision on behalf of the Town.

VOTE: Mr. Sonnett motioned to authorize Mr. Kozak to make a decision on behalf of the Town in regards to the Invitation for Bids for the MetroWest Regional Services Consortium. Second Mrs. Pratt. Unanimously voted.

Reserve Fund Transfers: Selectmen's Office

Mr. Kozak explained the Reserve Fund Transfer requests for the Selectmen's Office and requests the Board to authorize the Chairman to sign the requests that will be submitted to the Appropriation Committee for their approval. The requests are for Legal expenses for \$21,434.14, Parking Expenses for \$275, Blanket insurance for \$2,730, and Unemployment for \$21,502.

VOTE: Mr. Sonnett entertained a motion to authorize the Chairman to sign the Reserve Fund Transfers for the Appropriation Committee's consideration as follows: Legal expenses: \$21,434.14, Parking Expenses: \$275, Blanket Insurance: \$2,730 and Unemployment Expenses: \$21,502. Second Mrs. Pratt. Unanimously voted.

Dog Warrant: William Proctor

VOTE: Mr. Sonnett motioned to appoint William Proctor as Dog Officer for the Commonwealth of Massachusetts effective to July 1, 2004. Second Mr. Holden. Mrs. Pratt questioned if the Town paid a \$3 fee for adopted dogs, and does not believe the Town should pay it because of liability issues. Mr. Clark: yes; Mr. Holden: yes; Mr. Sonnett: yes; Mr. Nelson: yes; Mrs. Pratt: no. So voted.

Accept Ambulance Gifts

VOTE: Mr. Clark entertained a motion to accept the following gifts into the Ambulance Gift Account in memory of Mary Pyne: Robert Pyne: \$25; Margaret Prescott: \$25; Henry Scagnelli: \$50; Celia Bonaccorso: \$5; William & Phyllis Pyne: \$20; E.J. Murphy Co., \$50; Norton & Haines Transportation Co., Inc.: \$100; Edward & Mavis O'Leary: \$25; Marcia Canter: \$20; Alice Pyne: \$100; Ron Hickey: \$20; Beverly McIntyre: \$50; Charlotte & Maureen Lavoie: \$25; Wallace & Joan Steele: \$75; Jean Doan & Anne Senior : \$100; Hopkinton Permanent Firefighters: \$50; Kimball Sand Co., Inc.: \$50; Mary Jo Lynch, Cathy & Jim Kennedy: \$30. So moved Mrs. Pratt. Second Mr. Holden. Unanimously voted.

Vets Celebration Committee Appointment (one (1) year term to 2004): 1.) Patrick Lynch

Mr. Clark noted an application to the Vets Celebration Committee from Patrick Lynch. Mr. Sonnett stated his support of Mr. Lynch's application and believes he is very qualified for this Committee.

VOTE: Mr. Sonnett motioned to appoint Patrick Lynch to the Vets Celebration Committee for a one-year term to 2004. Second Mrs. Pratt. Unanimously voted.

Council on Aging Appointment (one (1) year term to 2004): 1.) Pauline Knorr

VOTE: Mr. Sonnett motioned to appoint Pauline Knorr to the Council on Aging for a one-year term to 2004. Second Mrs. Pratt. Unanimously voted.

Historical Commission (three (3) year terms to 2006): 1.) Claire Wright 2.) Roger Mezitt

VOTE: Mr. Sonnett motioned to re-appoint Claire Wright and Roger Mezitt to the Historical Commission for a three-year term to 2006. Second Mrs. Pratt. Unanimously voted.

Historic District Commission (three (3) year terms to 2006): 1.) Rose Leveille; 2.) Beth Kelly; and 3.) Michael Roughan

VOTE: Mr. Sonnett motioned to re-appoint Rose Leveille, Beth Kelly and Michael Roughan to the Historical District Commission for a three-year term to 2006. Second Mrs. Pratt. Unanimously voted.

Bond Anticipation Note:

VOTE: Mr. Clark entertained a motion to approve the Bond Anticipation Note for \$4,350,540 of which \$4,310,540 is for the purpose of the development and construction of the new Police Station and \$40,000 is for the purpose of plans and specifications for a new Public Works Facility. So moved Mr. Sonnett. Second Mr. Nelson. Unanimously voted.

The Board discussed the possibility of long-term borrowing in regards to this Bond and will ask the Town Treasurer if this is possible. The Board agreed to hold a special meeting, if necessary.

Police Station: Temporary Walking Path

Mr. Kozak explained Police Chief Irvin's letter regarding the elimination of the pedestrian access from Davis Road to Main Street due to the construction of the new police station. Chief Irvin explained that the Police Station Building Committee would like to construct a temporary path from Davis Road through their property to 76 Main Street, which is owned by Appeal Realty. The property owners agreed to the temporary path pending an agreement between them and the Town that would protect them from liability. The Chief requests the Board to authorize him to enter into the license agreement for a temporary-walking path. Mrs. Pratt asked to check if this would be covered by the Town's umbrella insurance.

VOTE: Mr. Clark entertained a motion to authorize Police Chief Irvin to enter into an agreement with Appeal Realty, 76 Main Street, for a temporary walking path on their property. So moved Mrs. Sonnett. Second Mrs. Pratt. Unanimously voted.

Meeting Adjourned:

10:05 p.m. Mr. Sonnett motioned to adjourn the public session. Second Mrs. Pratt. Unanimously voted.

Respectfully submitted,
Theodore D. Kozak, Executive Secretary

TDK:gfh

Date Approved: 8/5/03