

**TOWN OF HOPKINTON
BOARD OF SELECTMEN
Meeting Date: December 2, 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; Hopkinton Crier: Sarah Duckett, Editor: Planning Board: John Coolidge, Chairman; Board of Assessors: John Palmer, Chairman, Mary Jo LaFreniere and Robert Bushway, Principal Assessor; Heidi Kriger, Town Accountant; Maureen Dwinell, Town Treasurer/Collector; J. T. Gaucher, DPW Director; Fay, Spofford & Thorndike: David Glenn, Project Manager, and William Scarpati, Asset Management Specialist; Attorney Douglas Resnick (Mezitt Agricultural Corporation, Weston Nurseries, Inc.); Student Government High School Students: Keegan Bradley, Justin Wright, and Brian Dinka; Lynn DeFilippo, resident; Theodore D. Kozak, Executive Secretary, and Geri Holland, Clerk to the Board of Selectmen.

Open Public Session

7:00 p.m. Mr. Clark opened the public session and invited all those in attendance to stand for the Pledge of Allegiance. Town bills were approved for payment and Town warrants were signed as follows:

- Town payroll #04-21 (pay period: 11/23-11/29/03) for \$171,757.33 (FICA: \$1,877.04)
- Town manual check #04-32 (run date: 12/2/03) for \$26,026.80
- School payroll #04-11 (pay period: 11/13-11/26/03) for \$850,041.57 (FICA: \$10,331.91)
- School account payable #04-0029 (run date: 12/2/03) for \$118,972.78
- Town accounts payable #04-31 (run date: 12/2/03) for \$9,687.59

The Board signed the following warrants on November 26, 2003:

- Town payroll #04-21 (pay period: 11/16-11/22/03) for \$124,977.51 (FICA: \$1,406.85)
- School tuition reimbursement #04-0025 (run date: 11/25/03) for \$56,334.65
- School accounts payable #04-0028 (run date: 11/25/03) for \$77,796.69
- Town accounts payable #04-30 (run date: 11/25/03) for \$120,996.29

Announcements:

Mr. Clark welcomed the students from the Student Government High School Program. He gave an update about the Charter Commission project and invited residents to contact Tim Kilduff and Marie Eldridge, if they would like to help with the signature campaign.

Selectmen Minutes: 10/7/03

Mr. Clark asked if the Board was prepared to vote approval of the October 7, 2003 public session minutes. Mrs. Pratt expressed that she believes that all public session meetings should be broadcast on the local cable station. She said that the October 7th public meeting, which commenced at 6:00 p.m., was held in Room 211 was not televised and that the 7:00 p.m. session, which was held in the Selectmen's Hearing Room at 7:00 p.m., was televised. She added that the Board discussed the 53G Account at the 6:00 p.m. session in Room 211 and that

the public should have been allowed to view that portion of the meeting. Mr. Clark noted that the October 7th meeting began earlier than usual as it was a full agenda and pointed out that it was a five (5) hour meeting beginning at 6:00 p.m. and ended at 11:10 p.m. Secondly, Mr. Clark said that at the 6:00 p.m. public session that was held in Room 211 regarding the 53G Account discussion, it was agreed after discussion by the Board to present a course of action at a future meeting, which is scheduled for the January 20, 2004 Selectmen's meeting. There were no further comments about this issue at this time.

VOTE: Mr. Clark entertained a motion to approve the October 7, 2003 minutes, as amended by Mr. Clark to change the wording on page 1, under the 53G account discussion from "using the 53G account" to reflect "*regarding the use of the 53G account*". There were no other comments about the minutes at this time. So moved Mr. Holden. Second Mr. Sonnett. Unanimously voted.

Sidewalk and Pavement Management (Phase II): J.T. Gaucher, DPW Director (see attachment)

Mr. Gaucher gave a progress report of the Pavement Management program and said that out of the ninety-six streets that had been identified as in need of repair under the pavement management program for this year, ninety two streets have been crack sealed. He explained that four out of the ninety-six streets had not been repaired because they are not town-accepted streets. Mr. Gaucher said that the cost of this project including police detail was \$190,000 and was significantly under the original estimate. Mr. Gaucher explained that Wood Street was in such poor condition and it was believed that the roadway would not "survive the winter", and the needed repair work was done at a cost of \$33,000. Mr. Gaucher introduced David Glenn and William Scarpati, from Fay, Spofford & Thorndike, the consultants who performed the Pavement and Sidewalk Management studies, and asked them to give a summary outlining the Town's Pavement Management Study for year two.

Mr. Scarpati began the presentation and gave a history of the program and said that year two would consist of routine and preventative maintenance for twenty-four out of thirty-six roadways. Mr. Scarpati said that it is recommended that the twelve regaining roadways receive preventive maintenance and explained in more detail about what that includes. When Mr. Clark asked which twelve roads, Mr. Scarpati read off the list of streets (**See attachment of the roadway listings.**)

When Mr. Clark asked what the cost was to repair the thirty-six roadways, Mr. Gaucher responded that it would cost \$550,000 per year, which doesn't include the cost of \$150,000 to perform routine maintenance.

Mr. Clark questioned how the \$550,000 would be funded. Mr. Gaucher said that the funds would be paid through various accounts such as the DPW maintenance account and Chapter 90, which was \$273,000 for Fiscal Year 2003 and \$294,000 for Fiscal Year 2004.

Mr. Clark hopes that there would be enough money from State and Town funds to cover these costs. He added that, if not, the project would be put on hold so as not to incur expenses before having the funds available. Mr. Gaucher responded that prior to initiating the work, he is looking at the how to fund this project.

Mr. Kozak commented that this is a good time of the year to go out to bid. He explained how it would be helpful if this could be completed in March and April before the preparation of the Town meeting. He added that knowing the cost before the Town meeting could be helpful when working with the Appropriation Committee. Mr. Gaucher agreed to consider this.

In regards to the Sidewalk Management Program, Mr. Glenn explained how they identified all of the town's sidewalks, which the town has 46.7 miles. He talked about the sidewalk material types including the differences in the concrete and brick surfaces. He explained the repair strategy for each sidewalk (SCI) and estimates that the repair costs at approximately \$256,000. He presented three scenarios in addressing the sidewalk management program. The first is to not take any action for the next ten years, secondly, historical funding for the next 10 years at \$66,000 per year, or thirdly, maintain the SCI funding program at \$120,000 a year. Mr. Glen recommended that the town consider maintaining the SCI funding of \$120,000 a year to maintain the existing

sidewalk infrastructure network. Mrs. Pratt suggested having a sidewalk gift account similar to the Ambulance Gift account and other gift accounts.

Mr. Clark asked that the DPW Director and DPW Advisory Committee work together to establish a plan about funding this project and come back to the Board of Selectmen with a plan. He commented that it would be a challenge to complete the amount of work with the limited amount of money.

Sewer Hook-up Request (Stonecrossing Way)

Mr. Gaucher explained that the owners of 79 Ash Street request to tie into town sewer and water from the newly subdivided lot with frontage on Stone Crossing Way. He said that the Planning Board voted to approve this request on October 20, 2003 and that the Municipal Director, Mr. Shepard, stated that this is a buildable lot. Mr. Sonnett, as the DPW Advisory Committee Chairman, said that the DPW Advisory Committee voted to approve to recommend allowing the request on November 19, 2003 under General Rule #2, Sub Rule #3 of the Sewer Connection Rules and Regulations.

VOTE: Mr. Clark entertained a motion to allow the request to tie into town sewer and water on the property located at the corner of Ash Street and Stonecrossing Way parcel number is Map U2 Block 29 Lot 1, under the terms of General Rule #2, Sub Rule #3 of the Sewer Connection Rules and Regulations, subject to a privilege fee of \$3,600. So moved Mr. Sonnett. Second Mrs. Pratt. Unanimously voted.

Legal Assistance Request: DPW Advisory Committee

Mr. Sonnett, as the DPW Advisory Committee Chairman, explained the Legal Assistance request for Town Counsel from the DPW Advisory Committee for one hour of advice relative to the Town's liability regarding a lawsuit from a Town employee from the School Department who had an accident from falling on ice on School property. He explained that the employee is suing the plow vendors who are contracted by the DPW.

VOTE: Mr. Clark entertained a motion to approve the legal assistance requests for Town Counsel from the DPW Advisory Committee for one hour of advice relative to the Town's liability regarding a lawsuit resulting from an accident on Town property. So moved Mr. Holden. Second Mrs. Pratt. Unanimously voted.

Mezitt Agricultural Corporation, Weston Nurseries, Inc. & Montrose School: Att'y Douglas Resnick

Attorney Resnick advised the Board that he represents Mezitt Agricultural Corporation, Weston Nurseries, Inc. that is R. Wayne Mezitt, Elizabeth Mezitt, Roger Mezitt and Merylyn Mezitt regarding the sale of the property (38.6 +/- acres of land) off East Main Street in Hopkinton to the Montrose Foundation, Inc., a non-profit organization that operates the Montrose School. Attorney Resnick talked about the Purchase and Sale Agreement for a purchase price of \$3,875,000 and that the buyer intends to develop the property as a private, non-profit girls' day school. Attorney Resnick explained that in accordance with the provisions of MA General Laws, Ch. 61A, Sec. 14, the Town must be notified of the landowner's intention to sell the property for a non-agricultural use so as to determine if whether or not to exercise the Town's Right of First Refusal, as provided in the statute. Mr. Clark asked Mr. Coolidge, Chairman of the Open Space Preservation Committee (OSPC) and Planning Board, if the OSPC and Planning Board have any feedback or recommendations. Mr. Coolidge replied that the OSPC and Planning Board would submit their comments and recommendations once they have met to discuss the purchase and sale of the property. Attorney Resnick commented that the Board of Selectmen must hold a public hearing regarding the purchase and sale. The Board agreed to hold a public hearing at the next Selectmen's meeting scheduled on December 16th, if responses are given to the Board from the appropriate committees i.e., Open Space Preservation Commission, Planning Board, Community Preservation Committee. The time of the public hearing is to be determined. The Board thanked Attorney Resnick for this notification.

TOWN DEPARTMENT SERIES (*Finance Departments: Town Accountant, Town Treasurer/Collector, and Principal Assessor*) (*see attachment*)

Robert Bushway, Heidi Kriger, and Maureen Dwinell, each gave an overview of their department's responsibilities through a PowerPoint presentation. After a period of questions and answers, the Board thanked them for their overviews.

Purchasing Discussion: Theodore Kozak and Heidi Kriger

Mr. Clark gave an overview of a discussion that the Board had at a previous meeting regarding the possibility of implementing a centralized purchasing system for municipal departments, so that the Town could be more efficient in its purchasing practices. Mr. Kozak said that he has had discussions with various individuals including Town Department heads, the Town Accountant, the Town's accounting software vendor, MAPC's collective procurement expert and a representative from the Town of Bedford. Mr. Kozak explained that after an in-depth study, it is his and the Town Accountant's opinion that the most cost-effective approach is that of collective procurement. He explained that developing a routine practice of identifying acquisitions common to Town departments and choosing a common provider would achieve the most value at the lowest cost for the Town. He cited some examples of items that are commonly purchased by departments and could be included in the policy.

After a discussion regarding the use of the policy, Mr. Clark suggesting asking all independent Boards including the School Department to participate with this policy.

Mr. Sonnett and Mrs. Pratt stated their support of the purchasing policy. Mr. Clark read the recommendation to adopt a Central Purchasing Policy submitted by Mr. Kozak and the Town Accountant, Ms. Kriger, as follows:

1. It shall be the policy of the Town of Hopkinton that all Town departments shall work together to achieve practicable cost effective spending outcomes through the use of cost efficient purchasing methods.
2. The Board of Selectmen shall determine, in consultation with the Town Accountant, the practices to be established and shall see their prompt implementation.
3. The Town Accountant shall report to the Board on the quantitative results of this endeavor no less often than annually, and at more frequent intervals if required by the Board.
4. All Town department heads and officials with budgetary discretion shall be responsible to ensure their jurisdiction's responsiveness to the Board of Selectmen's effort and adherence to this policy.

VOTE: Mr. Clark entertained a motion to adopt the Central Purchasing Policy as recommended by Mr. Kozak and the Town Accountant, Ms. Kriger. So moved Mr. Sonnett Second Mrs. Pratt. Unanimously voted.

Selectmen Liaison Update

Mr. Sonnett, as the liaison to the Board of Health, said that he has been attending the Board of Health (BoH) meetings. He explained that at the last BoH meeting, E.L. Harvey offered to pay for the cost to test the wells in the landfill area and that the BoH voted to approve E.L. Harvey's offer.

Ambulance Gift Account: In memory of Paul Kenney

VOTE: Mr. Clark entertained a motion to accept the following donations into the Ambulance Gift Account in memory of Paul Kenney: Ocean Curve Condo Homeowners Association for \$100 and Mary F. McCormack for \$25. So moved Mrs. Pratt. Second Mr. Sonnett. Unanimously voted.

Convey property located on Yale Street

Mr. Clark reviewed the issue of homeowners, David Cardillo and Ruth Cardillo of 15 Yale Road, Hopkinton, that a portion of their home is located on town Property. He commented that since all the paperwork in order, the Board would vote to authorize the conveyance of the property located at 15 Yale Road to Mr. And Mrs. Cardillo at a price of \$12,800 to be deposited into the Open Space Fund Account.

VOTE: Mr. Clark entertained a motion to authorize the conveyance of the property located at 15 Yale Road, lots 160 and 161, to Mr. And Mrs. Cardillo at a price of \$12,800, and to authorize the Board of Selectmen to sign the deed and any other necessary documents. So moved Mr. Sonnett. Second Mrs. Pratt. Unanimously voted.

Voices for Vision Civic Engagement Committee Resignation: Christine Bordonaro

Mr. Clark read a letter of resignation effective immediately from Christine Bordonaro, member of the Voices for Vision Civic Engagement Committee, as she does not have the time required to participate.

VOTE: Mr. Clark entertained a motion to accept with regret Christine Bordonaro's resignation from the Voices for Vision Civic Engagement Committee effective immediately. So moved Mrs. Pratt. Second Mr. Sonnett. Unanimously voted. The Board requests that a letter of thanks be sent to Ms. Bordonaro.

Voices for Vision Civic Engagement Vacancy (Term to 2004)

Mr. Clark announced the vacancy on the Voices of Vision Civic Engagement Committee for a term to 2004 and invited interested candidates to submit a letter of interest and resume to the Selectmen's Office as soon as possible.

Historic District Commission Resignation: Michael Roughan

Mr. Clark read a letter of resignation, effective immediately, from Michael Roughan, member of the Historic District Commission.

VOTE: Mr. Clark entertained a motion to accept with regret Michael Roughan's resignation from the Historic District Commission, effective immediately. So moved Mrs. Pratt. Second Mr. Holden. Unanimously voted. The Board requests that a letter of thanks be sent to Mr. Roughan.

Historic District Commission Vacancy (Term to 2006)

Mr. Clark announced the vacancy on the Historic District Commission for a term to 2006 and invited interested candidates to submit a letter of interest and resume to the Selectmen's Office as soon as possible. Ms. Holland noted that the vacancy has a specific requirement that being the candidate must be a member of the Boston Society of Architects.

Assistant Plumbing and Gas Inspector Resignation: Paul Elder, Jr.

Mr. Clark read a letter of resignation effective immediately from Paul Elder, Jr. as the Town's Assistant Plumbing and Gas Inspector. Mr. Clark invited interested candidates to contact the Municipal Building Director, Michael Shepard, for more information about the position.

VOTE: Mr. Clark entertained a motion to accept with regret, effective immediately, Paul Elder, Jr.'s resignation as the Town's Assistant Plumbing and Gas Inspector. So moved Mrs. Pratt. Second Mr. Holden. Unanimously voted.

Facilities Board Resignation: Paul Giroux

Mr. Clark read a letter of resignation, effective immediately, from Paul Giroux, member of the Facilities Board, as he is not able to give the required time needed to serve on this Board.

VOTE: Mr. Clark entertained a motion to accept with regret Paul Giroux's resignation from the Facilities Board, effective immediately. So moved Mr. Sonnett. Second Mrs. Pratt. Unanimously voted. The Board requests that a letter of thanks be sent to Mr. Giroux.

Facilities Board Vacancy Announcement (term to 2004)

Mr. Clark announced the vacancy on the Facilities Board for a term to 2004 and requests interested candidates to submit a letter of interest and resume to the Selectmen's Office as soon as possible.

Future Agenda Overview

Mr. Clark reviewed the Selectmen's future agenda including license renewals, Town Department Series: Permitting, and the Conservation Commission interviews scheduled on December 16. He invited those residents interested in the vacancy on the Conservation Commission to submit a letter of interest and resume as soon as possible. Mr. Clark asked Mrs. Pratt if she would present information about the Affordable Housing Plan at the January 6th meeting, and Mrs. Pratt agreed to this. Mr. Clark added that Mr. Kozak would give an overview of the uniform legal expense collection procedures as referred to in the October 7, 2003 Selectmen minutes at the January 20, 2004 meeting.

Aggregate Industries Gift (75 Cubic Yards of Paving Materials for the New Police Station):

Mr. Clark read a letter from Police Chief Irvin regarding Aggregate Industries located on Spring Street in Ashland of their gift to the Town of 75 cubic yards of paving materials valued at approximately \$2,625, for the construction of a temporary parking area at the Police Station.

VOTE: Mr. Clark entertained a motion to accept the gift of 75 cubic years of paving materials estimated at \$2,625 to construct a temporary parking area at the new Police Station from Aggregate Industries. So moved Mr. Sonnett. Second Mr. Nelson. Unanimously voted.

The Board requests to send a letter to Aggregates Industries to thank them for their generous donation.

Meeting Adjourned:

8:30 p.m. Mr. Clark entertained a motion to adjourn the public meeting. So moved Mr. Sonnett. Second Mr. Nelson. Unanimously voted.

Respectfully submitted,

Geri Holland
Date Approved: 12/16/03