

**TOWN OF HOPKINTON
BOARD OF SELECTMEN
Meeting Date: January 4, 2005
MINUTES**

Members Present: F. Eric Sonnett, Chairman; Ronald M. Clark; Leonard A. Holden; and Mary C. Pratt.

Member Absent: Paul J. Nelson, Vice-Chairman

Others Present: HCAM Station Director: Michael Torosian; HopNews: Robert Falcione; MetroWest News: Kathy Flynn; Town Clerk: Ann Click; Council on Aging: Amy Kent, and Terry Rousseau; Fire Department: Lieutenant P. Kenneth Clark; H.C. Larter Company: John Larter; First Congregational Church of Hopkinton: John Rexford; Economic Commission & Development Financing Authority Candidate: Julie Lockner; Philip Mecagni; Nancy Peters; Carol DeVeuve; High School Student Government Program: Ben Charleston, Sara Tibbo, Nicole Moschini, Adam Schuck, John Hendrick, Carrie Mackoff, James Woodmaska, Becca Phillips; Selectmen's Office Theodore D. Kozak, Executive Secretary, and Geri Holland, Executive Assistant

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: 12/14/04; 12/14/04 (ES)

Vote: Mr. Sonnett entertained a motion to approve the December 14, 2004 Selectmen's minutes. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.**

Vote: Mr. Sonnett entertained a motion to approve the December 14, 2004 Executive Session Selectmen's minutes. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Proclamation: Edna McCormack (Age 102)

Mr. Sonnett explained that the Board recognizes Edna McCormack, the recipient of the Boston Post Cane as Hopkinton's eldest resident at age 102. Mr. Sonnett welcomed Ms. McCormack's grandniece, Terry Rousseau, who accepted the Proclamation, on behalf of her aunt, proclaiming Ms. McCormack as Citizen of the Day. The Board thanked her for coming to the meeting.

Mr. Holden gave a brief history of the Boston Post Cane, and said that the tradition was established in 1906 by the editor of the Boston Post, and was given to the oldest male citizen of the town. In 1930, after considerable controversy, women became eligible for the cane as well. The Board had a discussion about where the cane should be kept, and it was suggested to store the cane in the locked cabinet located in the Selectmen's Hearing Room.

Chapter 90 Notes (see attachment)

Mr. Kozak presented the State Aid Anticipation Note, Chapter 90 Highway, for re-financing of Whitehall Dam and Blood's Pond Dam, in the amount of \$180,713 with a 2.49% interest rate.

Vote: Mr. Sonnett entertained a motion to authorize to sign the State Aid Anticipation Note for \$180,713. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

Amend Flammable Storage License: John Larter, H.C. Larter Co., 2 Mechanic Street

Mr. Sonnett read the public hearing notice on the application of John Larter, 4 Mechanic Street, to amend the current license for flammable storage at 2 Mechanic Street from two (2) 500 gallon tanks underground to two (2) 500 gallon tanks aboveground.

7:10 p.m. Vote: Mr. Sonnett entertained a motion to open the public hearing. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Mr. Sonnett asked Mr. Larter to explain his request. Mr. Larter said that he wished to amend the fuel storage license from two (2) 500-gallon tanks underground to two (2) aboveground tanks, as the tanks are old and need to be replaced. Fire Department's Lt. Clark said that the Fire Department favorably endorses Mr. Larter's plan to install two (2) 500-gallon combustible liquid tanks aboveground. Lt. Clark noted that Mr. Larter has taken all the necessary installation requirements.

When Mr. Sonnett asked if there were any abutters present, Mr. Philip Mecagni, 226 Wood Street, responded. Mr. Mecagni commented that Mr. Larter is an excellent neighbor and has no objections to his request to amend the fuel storage license. He said that his questions are actually directed to the Town, and asked if the Town is doing due diligence regarding the environment, safety, and esthetics near and on this property. Mr. Mecagni said that he is concerned about the environment as the property is near Lake Whitehall. In regard to safety, he questioned if the insulation around the tanks is appropriate, and should there be additional protection. He questioned the esthetics of the property, and asked for consideration of residents that live near the property. He mentioned planting shrubs etc.

Mr. Larter responded to the issue of safety and said that the Fire Department requires double wall tanks meeting safety requirements, and that there would be steel pipes and a railing around the area. In regards to esthetics, Mr. Larter explained that the tanks' location would not be visible to Wood Street.

Lt. Clark explained the double wall protection, and said that the Fire Department will inspect the tanks after they are installed, and also monitor the tanks once a year. He added that the Fire Department is comfortable with the location. Mr. Sonnett asked if everything meets the codes. Lt. Clark responded yes. Mr. Mecagni said that this information is very reassuring, especially with the ongoing monitoring by the Fire Department.

Mrs. Pratt questioned if there was protection under the tanks. Lt. Clark said that there shouldn't be any leaks because of the double wall. Mrs. Pratt asked about an alarm system. Lt. Clark said that there is an alarm system in place.

Mr. Clark commented that it appears that the esthetics meets approval, and questioned if the double wall tank meets the containment system under the town bylaw. Lt. Clark further explained the system and said that it does meet the standards.

Vote: Mr. Sonnett entertained a motion to close the public hearing. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Vote: Mr. Sonnett entertained a motion to approve the request from Mr. Larter to amend the current license for flammable storage at 2 Mechanic Street to two (2) 500 gallon aboveground tanks. **So moved Mr. Mr. Holden. Second Mr. Clark. Unanimously voted.**

Public Hearing: 1st Congregational Church (61A Property)

Mr. Sonnett explained that the First Congregational Church in Hopkinton sent a notice to the Town of their intention to sell a portion of its land located at 146 East Main Street, which is currently under the provisions of MA General Laws, Ch. 61B.

7:20 p.m. VOTE: Mr. Sonnett entertained a motion to open the public hearing regarding the First Congregational Church's intention to sell its property at 146 East Main Street, Hopkinton, MA to Richard Barbieri, of 7 Daisley Place, Framingham, MA.

Mr. Sonnett invited the First Congregational Church's representative, Mr. John Rexford, to further explain the request.

Mr. Rexford explained that the Church is selling a small parcel of its land, which is approximately 13,663 square feet, located on the boundary line with the Town of Ashland. He said that the buyer wishes to add this property to land that he already owns that abuts this property.

Mr. Sonnett said that the Selectmen's Office contacted various Town Department, including the Planning Board, Conservation Commission, Open Space Preservation Commission, and School Committee to request that they review the proposed plans and submit recommendations as to whether they anticipate a potential municipal or open space use for the land. He said that each Department informed the Selectmen's Office that they do not anticipate any potential municipal or open space purpose for this land.

There were no further comments at this time.

VOTE: Mr. Sonnett entertained a motion to close the public hearing. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

VOTE: Mr. Sonnett entertained a motion that the Board of Selectmen to not exercise its Right of First Refusal, as provided in MA General Laws, Chapter 61B, for property of the First Congregational Church, at 146 East Main Street, Assessor's Map U8; B1; 12; Lot 0. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Economic Commission & Development Financing Authority Interview (three vacancies: one term to 2007; two terms to 2008): 1.) Julie Lockner

Mr. Sonnett invited Economic Commission & Development Financing Authority candidate, Julie Lockner, to introduce herself, to give an overview of her background and why she would like to serve on this Committee. Ms. Lockner explained that she and her husband have been residents of Town twice, originally in 1993, and again since 2000. She expressed how the Town has changed significantly over the last ten years, and that she is interested in becoming actively involved in decisions that affect future changes in Hopkinton. Ms. Lockner said that she would like to return her family's investment in the town, by giving back to the community. Ms. Lockner said that she does have the time to serve. Mr. Clark asked what she would like to accomplish over the next year, if she were appointed to the ECDFA. Ms. Lockner responded that she has some ideas, but would like to have a better understanding of ECDFA's mission before answering this question. Mr. Holden asked what changes she has noticed in the community since returning to Hopkinton. Ms. Lockner said that the new high school is one of the changes, and believes that the number of Town businesses doesn't match with the population of people living in the Town. She also noted how the Town is very much a family oriented community with "lots" of children.

Vote: Mr. Sonnett entertained a motion to nominate Ms. Lockner for the vacancy on the Economic Commission & Development Financing Authority. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

Vote: Mr. Sonnett entertained a motion to appoint Julie Lockner to the Economic Commission & Development Financing Authority for a term to expire on June 30, 2008. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Massachusetts Area Planning Committee (MAPC) Letter Discussion:

Mr. Sonnett began a discussion regarding a letter sent by Marc Draisen, of the Massachusetts Area Planning Committee (MAPC), that was submitted to Ellen Roy Herzfelder, Secretary of the Executive Office of Environmental Affairs (EOEA), that made comments about the Town's Fruit Street Master Plan's Single Environmental Impact Report (SEIR) proposal. Mr. Sonnett said that in response to this letter, he was struck by the "outrageous" conclusions made by MAPC and that he had not seen anything like this except by people with personal agendas like the person sitting next to him on his right, referring to Mrs. Pratt, the Board's representative to the MAPC. He said that MAPC went beyond their jurisdiction in recommending closing Fruit Street, change the location of the new elementary school, and combining the proposed senior and affordable

housing. Mr. Sonnett proposed sending a response letter, which he read, to Mr. Richard Dimino, President of MAPC that would state the Board's concerns with MAPC'S conclusions. He questioned if Mrs. Pratt used her role as liaison to the MAPC to influence MAPC causing them to send this letter. Mr. Clark said that the MAPC letter is "unfortunate and outrageous", and that the responsible thing to have done was to contact the Board of Selectmen. Mr. Clark noted that comment letters that were submitted to the EOE by the Board of Health, Planning Board, and Conservation Commission were not copied to the MAPC, and asked Mrs. Pratt if she was the source who sent the letters to them. Mrs. Pratt responded that they (MAPC) called her (12/17/04) and asked if she could get copies of the comment letters. She said that she did call the various departments and asked them to forward their letters to MAPC, which they probably did. She explained that MAPC routinely comments on MEBA projects like this. Mr. Clark said that she and the Chairman of the Board of Health are the only two people who he has heard discuss closing Fruit Street and moving it. Mrs. Pratt responded that MAPC called her about the SEIR and asked if she had looked at the plan commenting that it was "terrible". Mrs. Pratt responded that she told them "to make their own comments", and added that she has "no influence" on the MEPA or MAPC, as they act independently. She said that the individuals who comment on the MEBA have been doing this for almost 20 years. She added that she told them that she is an abutter to the property and has her own issues. The Board had more discussion regarding how MAPC received their information. Mr. Clark supported the letter that Mr. Sonnett proposed. Mr. Sonnett said that he is very disappointed with MAPC's letter, and asked Mrs. Pratt to be prepared at the January 18th Selectmen's meeting to explain to members of the Board of Selectmen why they should not consider rescinding her appointment as the Board's representative to the MAPC.

Vote: Mr. Sonnett entertained a motion to endorse sending the proposed letter (see attachment) to Mr. Richard Dimino, President of MAPC. **So moved Mr. Clark. Second Mr. Holden. The vote follows: Mr. Sonnett: yes; Mr. Clark: yes; Mr. Holden: yes; Mrs. Pratt: no. So voted.**

Selectmen's Liaison Reports

- Mr. Clark gave an update, on behalf of the Fruit Street Committee, of the recent decision from the Executive Office of Environmental Affairs granting a waiver for the development of recreational fields on the Fruit Street property.
- Mrs. Pratt, on behalf of the Charter Commission, said that at the next meeting scheduled on January 5th, the Commission would discuss the Town's finances.
- Mr. Holden gave an update on behalf of the Marathon Committee of a meeting held with Guy Morse, Director of the Boston Athletic Association (BAA), to discuss the license agreement between the BAA and the Town.
- Mr. Holden recommended flying the Town flags at half-mast in memory of the victims who lost their lives from the recent Tsunami disaster. The Board agreed.

Vote: Mr. Sonnett entertained a motion to fly the Town flags at half-mast in memory of the Tsunami victims throughout this week. **So moved Mrs. Pratt. Second Mr. Holden. Unanimously voted.**

Readout Mail

Mr. Sonnett read a letter from Mark Garner, a Boy Scout from Troop 1, that states his concern for those in need, and requests to place a box in the Town Hall's front lobby to collect food donations. Mark also wrote that he is willing to deliver the food monthly or more than once a month, if needed, to the food pantry. He also offered to deliver the food donations collected in the Senior Center to the food pantry. The Board requests to ask who from the Senior Center delivers donations to the food pantry, and to invite Mark and Cindy Chesmore, Director of the Senior Center, to the next Selectmen's meeting to discuss this matter.

Accept Resignation from the Youth Commission: Luke Glenn

Mr. Sonnett read a letter from Luke Glenn informing the Board of his resignation from the Youth Commission due to personal issues.

Vote: Mr. Sonnett entertained a motion to accept with regret Luke Glenn's resignation from the Youth Commission. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.** The Board asked to send a letter of thanks to Mr. Glenn for serving on the Youth Commission.

Youth Commission (4) Vacancies Announcement:

Mr. Sonnett announced the following vacancies on the Youth Commission: one (1) with a term to 2005; two (2) with terms to 2006; and one (1) term to 2007. Mr. Sonnett recommended for those who might be interested in the Youth Commission to contact the Selectmen's Office.

Accept Ambulance gifts

Vote: Mr. Sonnett entertained a motion to accept gifts into the Ambulance Gift Account in memory of Guy DeStefano from the Paul Phipps Insurance Agency for \$100 and Roger & Constance Justice for \$50. **So moved Mr. Holden. Second Mrs. Pratt. Unanimously voted.**

Appoint Special Officers/Details & Matrons (terms to June 30, 2005): Tania Alibrandi, Gail Klein, and Katherine Nelson

Vote: Mr. Sonnett entertained a motion to appoint, per the Police Chief's request, Tania Alibrandi, Gail Klein, Katherine Nelson as Matrons and Special Officers for Details for a one-year term to June 30, 2005. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.**

Accept gift from Charles B. and Louis R. Perini Family Foundation (\$2,500) to the Parks & Recreation Dept.

Mr. Sonnett read a letter from Mike Preite, Parks and Recreation Director, that notifies the Board of Selectmen of a gift for \$2,500 from the Charles B. and Louis R. Perini Family Foundation to the Hopkinton Parks and Recreation Department to be spent under the jurisdiction of the department for the EMC TOT LOT.

Vote: Mr. Sonnett entertained a motion to accept a gift for \$2,500 from the Charles B. and Louis R. Perini Family Foundation to be spent under the Jurisdiction of the Hopkinton Parks and Recreation Department. **So moved Mr. Holden. Second Mrs. Pratt. Unanimously voted.**

Common Carrier License

Mr. Sonnett referred to a letter from Mr. Nathaniel G. Lees, Office Manager of JC Transportation Inc, of Lynn, MA, a shuttle service in Boston, that requests permission from the Town of Hopkinton to access Interstate 495 that is located in Hopkinton, in order to provide shuttle service to the Wrentham Shopping Outlets. The letter explains that the Department of Telecommunications and Energy (D.T.E.) requires JC Transportation and their sub-company, Wrentham Shopping Express, under MA Law 159A of the D.T.E. rules and regulations, to get permission from each city/town that they would be traveling through.

Vote: Mr. Sonnett entertained a motion to approve the Common Carrier License to JC Transportation Inc. as requested. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.**

Meeting Adjourned:

8:25 p.m. Vote: Mr. Sonnett entertained a motion to adjourn the meeting. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Respectfully submitted,

Geri Holland
Executive Assistant

Date approved: 1/18/05

January 3, 2005

Mr. Richard Dimino
President
Massachusetts Area Planning Committee
60 Temple Place
Boston, MA 02111

Dear Mr. Dimino:

On behalf of the Hopkinton Board of Selectmen, I am writing in regards to the letter prepared by Marc D. Draisen and submitted to Ellen Roy Herzfelder, Secretary of the Executive Office of Environmental Affairs, regarding the Town of Hopkinton's Fruit Street Master Plan's SEIR proposal.

The Board is very concerned with conclusions that were contained in the letter, such as the relocation of Fruit Street, removal of a proposed Department of Public Works building and the questions regarding the Affordable Housing location on this site. The Town has spent the past two years working on the Master Plan, which included a volunteer committee with representatives from the Planning Board, Conservation Commission, Affordable Housing Committee, and Board of Selectmen to develop a comprehensive plan for this environmentally conscious development on the property. This committee has worked hard to protect the water aquifer for the Town's wells and has gained support from the representatives of the Department of Environmental Protection to utilize the Fruit Street entrance. Our proposal to improve Zone 1 by improving the current drainage on Fruit Street is both environmentally sound and cost effective for the Town.

In regards to the affordable housing components, our community as well as this region, is in desperate need of affordable housing, and we believe Hopkinton, with the support of our Affordable Housing Committee, is taking a big step towards this important need. We believe a site, which will include a new elementary school and several recreational fields, is an ideal location for families to reside. The Town should be commended for trying to provide affordable housing in our community.

In addition to these concerted efforts, this committee has utilized the assistance of three reputable Environmental Engineering Companies to plan for the protection of the environment of this area. The Town has also provided 116 acres to be set aside for wetland protection and open space use. This represents one-third of the property tract and was purposely set aside to protect the resources of this property.

The Board would like to request why Mr. Draisen provided these comments without first communicating with our Board to make certain of all the facts prior to preparing this letter. We believe your organization has the duty to inform us of any issues you may have prior to submittal to the State, in order to give the proponents of such an important project an opportunity to explain the dynamics of the whole process.

We regret that the MAPC response may only provide a missed opportunity for the Town to move forward and will likely cause additional expenses and delay for a very important Town project.

Please take our comments into consideration when similar projects are put forward by other communities in your region.

Sincerely yours,

F. Eric Sonnett
Chairman

FES:gfh