

TOWN OF HOPKINTON

BOARD OF SELECTMEN Meeting Date: March 1, 2005 MINUTES

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

Member Absent: Leonard A. Holden

Others Present: Selectmen's Office Theodore D. Kozak, Executive Secretary, and Geri Holland.

6:30 p.m. Public Meeting Opened/Move into Executive Session (Rm. 211) Contract Negotiations

Vote: Mr. Sonnett opened the public meeting entertained a motion to move into executive session for the purpose to discuss contract negotiations. So moved Mr. Clark. Second Mr. Nelson. The roll call vote follows: **Mr. Sonnett: yes; Mr. Nelson: yes; Mr. Clark: yes; Mrs. Pratt: yes. Unanimously voted.**

6:55 p.m. Public Meeting re-opened:

Mr. Sonnett re-opened the public meeting. **Vote:** Mr. Sonnett entertained a motion to deny the grievance request as presented pertaining to DPW employee Steve Graveline, and to uphold the one (1) day suspension without pay, with the condition that he would be reimbursed for two (2) day's wages, making him whole for any lost benefits accrued for sick days or vacation time due to this suspension, thus eliminating the Personnel Committee's stipulation of the reimbursement payout after six (6) months of satisfactory employment. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

The Board moved the meeting into the Selectmen's Hearing Room at this time.

Others Present: HCAM Station: Michael Torosian; MetroWest News: Kathy Flynn; Hopkinton Independent: Sarah Duckett; Lynn Tokarczyk, Business Development Strategies, Inc; Gary Haroian; Ronald Foisy; DPW: John T. Gaucher, Director, and Michael Mansir, Highway Manager; Recycling Committee: Thomas Drechsler, Chairman; Senior Center Building Committee: Fred White, Chairman, Thomas Nealon, and Sarah Duckett; Cindy Chesmore, Director of the Senior Center; Parks & Recreation Commission: Al Rogers, Chairman; Planning Board, Open Space Commission and Community Preservation Committee: John Coolidge; Sealer of Weights & Measures: Lou Sakin; School Committee: David Stoldt, Chairman; Youth Commission: Michele Lenk, Chairman, and Nadine Stewart; Historic Commission: Michaelyn Holmes; Cemetery Commission: Ken Weismantel; Scott Richardson, Gorman Richardson Architects; High School Student Government Program: Paul Arnold, Lelia Bray-Musso, Dave Mastroianni, and Ethan Burnham-Fay; John Hakansson; Selectmen's Office Theodore D. Kozak, Executive Secretary, and Geri Holland, Executive Assistant.

Public Meeting Opened/Pledge of Allegiance (Selectmen's Hearing Room):

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

Selectmen's minutes: 2/15/05; 2/17/05

1. February 15, 2004:

Vote: Mr. Sonnett entertained a motion to approve the February 15, 2005 Selectmen's minutes. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

2. February 17, 2005:

Vote: Mr. Sonnett entertained a motion to approve the February 17, 2005 Selectmen's minutes. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

Economic Commission Development & Financing Authority (one vacancy; term to '05): Gary Haroian

Mr. Sonnett asked Mr. Haroian to give an overview of his background and state why he wishes to be appointed to the Economic Commission Development & Financing Authority (ECDFA). Mr. Haroian said that as a resident he believes the Town has done a good job with the Town's residential growth, and believes that now the Town needs to do this with the Town's commercial growth. He said that he would like to take part in the planning of this growth, and believes his background would benefit the ECDFA. Mr. Clark said that he knows Mr. Haroian and believes that he is an excellent candidate for the ECDFA position and recommended his appointment. Mrs. Pratt asked Mr. Haroian if he has the time to serve on the ECDFA. Mr. Haroian replied yes. Mr. Sonnett stated that Mr. Haroian would be an asset to the ECDFA.

Vote: Mr. Sonnett entertained a motion to appoint Mr. Haroian to the Economic Commission & Development Financing Authority for a term to 2005. **So moved Mr. Nelson Second Mr. Clark. Unanimously voted.**

Marlborough-Framingham Region Economic Target Area (ETA): Lynn Tokarczyk, Business Development Strategies, Inc.

Mr. Sonnett began a discussion of the Town's interest in joining the Marlborough-Framingham Region Economic Target Area (ETA). He said that at the February 15th Selectmen's meeting the Board voted to send a letter of intention to join the ETA. Lynn Tokarczyk, Business Development Strategies, Inc. explained the benefits of the Town's joining the ETA. She explained the next step in joining the ETA is to send a Petition to the Economic Assistance Coordinating Council to Amend the Marlborough-Framingham Region Economic Target Area Application to include the Town of Hopkinton (see attachment). Ms. Tokarczyk also said that letters of support from the Towns of Ashland, Framingham, Hudson, Natick, Northborough, and City of Marlborough along with letters from Rep. Paul Loscocco, Senator Karen Spilka, the MetroWest Chamber of Commerce and the Hopkinton Chamber of Commerce would be attached to the Petition. Ms. Tokarczyk said that the timeline for the Town's approval as an ETA would be the end of March. There was discussion regarding the Board of Selectmen sponsoring an Article on the 2005 Town Meeting Warrant to approve Tax Increment Financing (TIF) for Barry Controls, a company that plans to lease a manufacturing plant on South Street. Ms. Tokarczyk explained that a TIF would exempt a business from paying personal or property taxes in full for many years. There was no further discussion at this time.

Vote: Mr. Sonnett entertained a motion to approve sending the Petition to the Economic Assistance Coordinating Council to Amend the Marlborough-Framingham Region Economic Target Area Application to include the Town of Hopkinton. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Snow & Ice Account Expenditures: John T. Gaucher, DPW Director

Mr. Gaucher requested the Board's support to authorize him, as Director of Public Works, to incur liabilities in excess of appropriation, for the purpose of snow and ice removal an additional \$200,000 totaling \$400,000 in excess of the original appropriation for FY'05. Mr. Gaucher explained that it has been a severe winter in regards to the amount of snowfall, and that there has been a one-third increase in fuel and salt costs. Mr. Mansir said that there are great results from the liquid treatment that the DPW is using on the roadways for the snow and ice, and that the materials are fairly inexpensive. Mr. Sonnett asked Mr. Gaucher if he believes \$200,000 would be enough to carry him through this winter. Mr. Gaucher responded that he believes the \$200,000 is enough funds for the DPW to get through the rest of the season. Mr. Sonnett reiterated his concern that \$200,000 might not be enough. Mrs. Pratt agreed with

Mr. Sonnett's concern. Mr. Sonnett recommended approving another \$50,000 beyond the \$200,000. The Board members agreed.

Vote: Mr. Sonnett entertained a motion to authorize Mr. Gaucher, as the DPW Director, to incur liabilities in excess of appropriation, for the purpose of snow and ice removal an additional \$250,000 totaling \$450,000 in excess of the original appropriation for FY'05, as provided in M.G.L. Chapter 44, Sec. 31D. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

Recycling Equipment Grant Agreement

Mr. Sonnett began a discussion regarding the Recycling Equipment Grant that was awarded to the Town by the Commonwealth of MA's Department of Environmental Protection. Mr. Sonnett commented that the Town needs a new bin structure for recycling materials. Mr. Drechsler responded that the Recycling Committee is presently looking into a standard bin with a cover and wheels. He added that this is a fairly inexpensive solution. Mr. Sonnett talked about the lack of compliance to recycle by some of the Town's residents, and questioned how to enforce the mandatory recycling that falls under the Town's Solid Waste Bylaw. Mr. Gaucher referred to the Curbside Recycling flyer that is distributed throughout the Town which states that trash will not be picked up and violators are subject to fines if recycling is not left out for pickup. Mr. Gaucher said that mandatory recycling would be enforced beginning the next recycling pickup week that begins the week of March 7th. Mr. Sonnett reiterated to the Town's residents that there would be no trash pickup if recycling material were not left out. Mr. Sonnett asked if there is an attendant for those residents who use the Recycling Center. Mr. Gaucher explained that Recycling Center's drop-off hours are on Saturdays from 7:30 a.m. to 3:00 p.m. He hopes to open the Recycling Center on Sundays from 8:00 a.m. to Noon to drop-off brush. He added that those residents who use the Center to drop off their recycling are exempt from curbside recycling. Mr. Clark asked about the kitchen buckets and where to obtain one. Mr. Drechsler responded that the buckets are available at the Recycling Center when it's open on the weekends. Mr. Gaucher also announced that through a grant the Town was able to purchase compost bins, which are still available at the Recycling Center at \$20.00 each. He said that future costs of the bins would be \$65.00 each.

Vote: Mr. Sonnett entertained a motion to authorize the Chairman of the Board to sign the Recycling Equipment Grant Agreement between the Town of Hopkinton and the Commonwealth of MA Department of Environmental Protection, effective March 1, 2005. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

DPW Article Discussion: J.T. Gaucher, Director

Mr. Sonnett invited Mr. Gaucher to explain the article that amends language for driveway permit openings for new homes that would be presented by the Planning Board at the May 2005 Town Meeting. Mr. Sonnett stated that he has concerns about the transfer of the responsibility and liability of this issue from the builder to the Town.

Mr. Gaucher said he reviewed what the Planning Board has proposed as an article for driveways. He said that the article dictates the slope or the pitch of the driveway as it approaches the street. He added that the article has language to include how the run off should not impact the right of way or the property. Mr. Gaucher explained that when the DPW does a permit review, they determine if there is a need for a culvert or a gully along the side of the road. Mr. Gaucher said that he suggested modifications to the article such as enforcing how driveways are installed.

Mr. Clark asked Mr. Gaucher to give a synopsis of how the driveway opening permits are issued.

Mr. Gaucher said that the driveway permitting process is part of the Building permit application, and the applicant is advised that they also need a driveway permit from the DPW. He added that the applicant also needs to provide a plan that includes the location of the driveway and what it looks like. He said that the DPW also looks to see that there is no conflict with utilities. He added that the Building Inspector does not release an occupancy permit of the home until a driveway permit is issued.

Mr. Clark asked if there is a fee for the driveway permit application. Mr. Gaucher responded no, but that the DPW is looking into this. There was no further discussion at this time. Mr. Sonnett thanked Mr. Gaucher for his overview of the process.

Proclaim March as Youth Appreciation Month: Michele Lenk, Chairman of the Youth Commission

Ms. Lenk gave an overview of the Commission's mission and some of the activities that the Youth Commission is sponsoring during the month of March. She also made an appeal to submit to the Youth Commission the names of those "unsung heroes" who should be recognized during the month of March. She also thanked the Board for this time to talk about the Youth Commission and their progress. Mr. Sonnett read a Proclamation that proclaims the month of March 2005 as Hopkinton Youth Appreciation Month. She also mentioned that the Youth Commission will take part in the Wellness Fair at the High School scheduled this Saturday (March 5) between 10 a.m. – 3 p.m.

Vote: Mr. Sonnett entertained a motion to proclaim the month of March 2005 as Hopkinton Youth Appreciation Month. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

Youth Commission (two (2) vacancies: one (1) term to '06; one (1) term to 2005): Ron Foisy

Mr. Sonnett asked Youth Commission candidate, Ronald Foisy, to give an overview of his background and state why he would like to serve on the Youth Commission. Mr. Foisy said that he has lived in Hopkinton since 1989 and has coached Little League baseball and Youth Soccer. He believes that it is important to invest time and energy in keeping the Town's youth engaged in constructive activities. Mr. Clark commented that he knows Mr. Foisy and believes he would make a great addition to the Commission. Mr. Sonnett agreed with Mr. Clark and also recommended his appointment.

Vote: Mr. Sonnett entertained a motion to appoint Ronald Foisy to the Youth Commission for a term to 2006. **So moved Mrs. Pratt. Second Mr. Nelson. Unanimously voted.**

Public Hearing: Chapter 61 Properties located at 0 Front Street and 60 Front Street

8:10 p.m. Mr. Sonnett entertained a motion to re-open the public hearing that was continued from the February 15, 2005 Selectmen's Meeting that pertains to the Chapter 61 properties owned by John Braim and James Braim located at 0 Front Street and 60 Front Street, and continue the public hearing at 8:25 p.m. this evening. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

Legislative Updates: Senator Karen Spilka and Rep. Paul Loscocco

Mr. Sonnett thanked Senator Karen Spilka and Rep. Paul Loscocco for their attendance. Mr. Clark commented how Rep. Loscocco has been helpful in working with State agencies on the Town's behalf in regards to the Fruit Street property that the Town is presently developing for municipal purposes.

Senator Karen Spilka and Rep. Paul Loscocco gave a legislative update including their priority to increase local aid for education. There was discussion regarding the school's enrollment growth and the Town's potential of being reimbursed about 75% of the money under the School Building Assistance Bureau (SBAB). The Board expressed the need for them to represent the Town, and Sen. Spilka commented that

she and Rep. Loscocco work together and are strong advocates for the Town. The Board discussed their concern for proposed legislation to allow cities and towns to receive State matching funds by a mechanism other than the current guidelines in the Community Preservation Act (CPA), as indicated in a letter dated January 19, 2005 from the Massachusetts Area Planning Council's (MAPC). Both Rep. Loscocco and Senator Spilka stated their disagreement with Governor Romney's attempt to raid designated CPA funds for any reasons. The Board thanked Sen. Spilka and Rep. Loscocco for their overviews.

Public Hearing: Chapter 61 Properties owned by John Braim and James Braim located at 0 Front Street and 60 Front Street

8:25 p.m. Mr. Sonnett entertained a motion to re-open the public hearing that pertains to the Chapter 61 properties owned by James Braim and John Braim located at 0 Front Street and 60 Front Street. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

Mr. Kozak gave an overview of the public hearing that was opened at the February 1, 2005 Selectmen's Meeting pertaining to the Chapter 61 properties located at 0 Front Street and 60 Front Street. He said the Board voted to continue the hearing to February 15 as John Coolidge, on behalf of the Open Space Committee and Community Preservation Committee, expressed an interest in purchasing a portion of the 60 Front Street property, and was negotiating with the owners of the property. Mr. Kozak said that at the February 15th Selectmen's meeting, the Board was informed that since the February 1st Selectmen's meeting, the 60 Front Street property had a Purchase & Sales Agreement for \$1M that was signed on February 1st between the owners and buyer. He said the Selectmen's Office has since received a letter dated February 28, 2005 from Attorney Lamond, attorney for the owners of the Front Street property, withdrawing his client's previously filed Notification of Intent to Sell and their new Notification of Intent to Sell with the attached Purchase and Sale Agreement for the 60 Front Street property.

Mr. Kozak said that the first issue for the Board's attention is to whether or not to exercise the Right of First Refusal of the 0 Front Street property, which has a Purchase & Sales Agreement of \$2M. He said that the Board had determined at the Selectmen's February 1st meeting to not exercise the Right of First Refusal, as the Town's Boards including the School Department, Planning Board, Conservation Commission, Open Space Committee and Community Preservation Committee do not have any municipal purposes for this property.

Mr. Kozak said the second issue before the Board this evening is to determine whether or not to exercise the Right of First Refusal for the 60 Front Street, which the Open Space Committee and Community Preservation Committee had expressed an interest to purchase. He said that the Board could go forward with the option to continue discussions about purchasing this property as the Town now has a 120-day extension.

There was a discussion regarding the 60 Front Street property having the potential of only four buildable lots versus five, and should this cause the Purchase & Sales Agreement to fall through, the Town should not lose its right to negotiate the property. Mr. John Haakanson, the buyer/developer of the property, said that he still plans to purchase the property whether it has five or four buildable lots. Mr. Coolidge pointed out that Town Counsel counseled him that the Town should have the ability to re-negotiate Chapter 60 property should the Town vote to not exercise its First Right of Refusal and then to learn that the Purchase & Sales Agreement failed.

Mr. Coolidge said that the original notification for the 60 Front Street property was for an Intent to Convert, but now the property has a Purchase & Sales Agreement of \$1M. He said that the Open Space Committee and Community Preservation Committee gave him a window to negotiate the property, but

that the \$1M was outside the window. He said that the Committee's are no longer interested in negotiating the \$1M Purchase & Sales Agreement.

Public Hearing Closed:

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

0 Front Street

Vote: Mr. Sonnett entertained a motion to not exercise the Right of First Refusal, as provided in MA General Laws Chapter 61, Sec. 8 for the Braim property located at 0 Front Street, Parcel R25-26-0. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

60 Front Street

Vote: Mr. Sonnett entertained a motion that in response to the notice of John Braim and James F. Braim of intent to sell the property at 60 Front Street, Assessors' map R 19, Lot 24, Block 0, for the sum of \$1M, the Town hereby indicates that it does not wish exercise its first refusal option to meet the offer which was provided with the notice; and, however, should the transaction contemplated by the offer referred to in the notice not be consummated, a new notice must be provided to the Town containing the terms of any bona fide offer to purchase the land in order that the Town have the opportunity to exercise its first refusal option. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

Senior Center Building Presentation (see attachment): Sr. Center Building Committee

Mr. Sonnett welcomed members of the Senior Center Building Committee and Scott Richardson from Gorman Richardson Architects. Mr. Richardson presented a progress report of the proposed Senior Center including the original project costs, cost increase over the past three years, cost saving approaches, proposed project costs, and the needed additional funding to complete the project. Mr. Richardson also noted that the plans were amended to exclude the Senior Center's basement to help keep the cost of the project down.

Town Meeting Articles (see attachment)

Mr. Sonnett said that the Board would review the synopsis of the following Town meeting articles and then vote as to whether or not to place on the 2005 Town meeting warrant.

ARTICLES 1-11:

Mr. Kozak explained that the first eleven articles are routine and are placed on the Town Meeting warrant yearly. Mr. Sonnett read each article as follows:

1. **ARTICLE:** To hear and act on the reports of Town Officers and Committees.
2. **ARTICLE:** To see if the Town will vote to fix the salary or compensation of all of the elected officers of the Town in accordance with General Laws, c. 41, Section 108. **Sponsor: Personnel Committee**
3. **ARTICLE:** To see if the Town will vote to amend the Town's Personnel Bylaw in all relevant aspects. **Sponsor: Personnel Committee**
4. **ARTICLE:** To hear and act on reports and recommendations of the Appropriation Committee, Selectmen, and other Officers and Committees of the Town and the Boards of Trustees, and to raise and appropriate money, by transfer from available funds or otherwise, for the operation of the Town during the ensuing fiscal year and for all other necessary expenses of the Town. **Sponsor: Board of Selectmen**
5. **ARTICLE:** To hear and act on reports and recommendations of the Appropriation Committee and the School Committee and to raise and appropriate money, by transfer from available funds or otherwise, for the operation of the School Department during the ensuing fiscal year. Said sum to be spent under the direction of the School Committee. **Sponsor: Appropriation Committee**
6. **ARTICLE:** To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to meet the Town's share of the annual operating and debt service expenses of the South Middlesex

Regional Vocational Technical School District for the ensuing fiscal year. Said sum to be spent under the direction of the South Middlesex Regional Vocational Technical School District Committee. **Sponsor: Appropriation Committee**

7. **ARTICLE:** To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the expenses of the Sewer Department for the ensuing fiscal year, such sum to be offset by revenues of the Sewer Department received during fiscal year 2004. Said sum to be spent under the direction of the Director of the Department of Public Works. **Sponsor: Director of the Department of Public Works**
8. **ARTICLE:** To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the debt service of the Sewer Department for the ensuing fiscal year. **Sponsor: Director of the Department of Public Works**
9. **ARTICLE:** To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the expenses of the Water Department for the ensuing fiscal year, such sum to be offset by revenues of the Water Department received during fiscal year 2004. Said sum to be spent under the direction of the Director of the Department of Public Works. **Sponsor: Director of the Department of Public Works**
10. **ARTICLE:** Debt service of the Water Department for the ensuing fiscal year. **Sponsor: Director of the Department of Public Works**
11. **ARTICLE:** To see if the Town will vote to authorize the establishment and use of the revolving funds (see attachment for the department using the revolving fund) pursuant to G.L.c. 44, Section 53E1/2 for the fiscal year beginning July 1, 2005. **Sponsor: BoS**

Mr. Clark asked what the process is should the DPW wish to charge a fee for driveway permits. Mr. Kozak responded that the fees could go into an expense account or the Municipal Inspector could establish a 53E½ account. Mr. Sonnett asked what the process would be regarding a fee structure. Mr. Kozak responded that the DPW would not need a revolving account if they were to establish a fee structure.

Vote: Mr. Sonnett entertained a motion to approve the placement of the first eleven articles on the Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

ARTICLE 12 AND 13 (FSDC):

12. **ARTICLE:** Supplemental engineering work. **Sponsor: Fruit Street Development Committee**
13. **ARTICLE:** Funds for drainage improvements on Fruit Street. **Sponsor: Fruit Street Development Committee**

Mr. Clark stated, on behalf of the Fruit Street Development Committee (FSDC), that this article is a placeholder on the warrant. He said that a cost estimate for the engineering work would be submitted from VHB, the Town's engineering firm, at the next FSDC meeting. Mr. Kozak said that it's possible that this might be placed on the Special Town meeting warrant. Mr. Clark gave a brief statement about article 13 requesting funds for drainage improvement on the Fruit Street property.

Vote: Mr. Sonnett entertained a motion to approve the placement of article 12 and 13 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

ARTICLE 14 (BOS): (WITHDRAWN)

ARTICLE 15 (P&R):

15. **ARTICLE:** To see if the town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the preparation of architectural plans, engineering plans and construction of athletic fields, parking facility and infrastructure to support athletic fields on approximately 28 acres designated as area 5 by the Fruit St. Developmental Committee on the property containing approximately 257 acres on Fruit St. which was acquired by the town pursuant to the vote under article 2 of the special town meeting of October 21, 2002. Said sum to be spent under the direction of the Parks and Recreation Commission. **Sponsor: Parks & Recreation Commission**

Mr. Rogers, Chairman of the Parks & Recreation Commission, presented Article 15 regarding the requests for funds to support athletic fields on approximately 28 acres on the Fruit Street property.

Vote: Mr. Sonnett entertained a motion to approve the placement of article 15 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

ARTICLE 16 (FSDC):

16. **ARTICLE:** Fruit Street culvert. **Sponsor: Board of Selectmen Tabled until 3/15**

Mr. Clark said that the FSDC is waiting to receive correspondence from the Conservation Commission regarding this article, and that it's possible that this article might be withdrawn. The Board will discuss this at the March 15 Selectmen's meeting.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 16 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

ARTICLE 17 (CPC):

17. **ARTICLE:** Funds to help offset the field design & construction of fields at Fruit St. **Sponsor: CPC**

Mr. Kozak suggested combining Articles 16 and 17 with joint sponsorship by the FSDC and CPC. Mr. Coolidge said that he would be agreeable to combining the two articles. The Board agreed to keep these articles separate.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 17 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

ARTICLES 18 (SCHOOL COMMITTEE):

18. **ARTICLE:** To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of obtaining final design drawings, bid documents, site development plans, and cost figures for the building of a new elementary school, an early childhood center, and improvements to Elmwood School etc. Said sum to be spent under the direction of the School Committee. **Sponsor: School Committee**

Mr. Stoldt gave a brief overview of Article 18 submitted by the School Committee. The funds are to be determined.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 18 on the Annual Town Meeting warrant. **So moved Mr. Nelson. Second Mrs. Pratt. Unanimously voted.**

ARTICLES 19 (SCHOOL COMMITTEE):

19. **ARTICLE:** To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of obtaining design drawings, cost figures, bid documents, site development plans, materials, equipment and/or services for repairs, renovations, and/or improvements to school buildings etc. Said sum to be spent under the direction of the School Committee. **Sponsor: School Committee**

Mr. Stoldt gave a brief overview of Article 19 submitted by the School Committee. He estimated the funds of this article at \$220,000. Mr. Kozak will contact the School Department's business manager to obtain the amount of funds needed for Article 19.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 19 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

ARTICLES 20 (SCHOOL COMMITTEE):

20. ARTICLE: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of acquiring modular classrooms, prefabricated classrooms, and/or modular office systems including all costs for design, development, site renovations, site improvements, and/or services to address growing enrollments at the Hopkins Elementary School and the Middle School etc. Said sum to be spent under the direction of the School Committee. **Sponsor: School Committee**

Mr. Stoldt gave a brief description of Article 20 submitted by the School Committee. He said that the funding for this article is estimated between \$200,000 to \$400,000.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 20 on the Annual Town Meeting warrant. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

ARTICLES 21 (SCHOOL COMMITTEE):

21. ARTICLE: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of acquiring new computers and related accessories to update classroom technology at the Hopkins School and for the purpose of acquiring new computers and related accessories for a new technology lab at the Middle School. Said sum to be spent under the direction of the School Committee. **Sponsor: School Committee**

Mr. Stoldt gave a brief overview of Article 21 submitted by the School Department and estimates that funding to be about \$230,000.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 21 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

ARTICLE 22 (DPW):

22. ARTICLE: To see if the town will vote to appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purchase of the following:

- a.) Street sweeper for the Highway Division of the Department of Public Works. This vote shall also authorize the disposal of one 1994 Elgin Pelican Street Sweeper by trade in or otherwise.
- b.) Six wheel dump truck with plow and necessary equipment and accessories for the Highway Division of the Department of Public Works. This vote shall also authorize the disposal of one 1988 Mack RD690P dump truck, presently being used by the Department of Public Works, by trade in or otherwise.
- c.) Backhoe for the Highway Division of the Department of Public Works. This vote shall also authorize the disposal of one 1995 Case 580 Backhoe by trade in or otherwise.
- d.) Front-end Loader with necessary equipment and accessories for the Highway Division of the Department of Public Works. This vote shall also authorize the disposal of one 1986 Caterpillar IT-28 Loader, presently being used by the Department of Public Works, by trade in or otherwise.
- e.) Four wheel drive vehicle with utility body and necessary equipment and accessories for the Highway Division of the Department of Public Works. This vote shall also authorize the disposal of one 1994 Ford F-250 with utility body, presently being used by the Department of Public Works, by trade in or otherwise
- f.) Four wheel drive vehicle with plow with utility body and necessary equipment and accessories for the Highway Division of the Department of Public Works. This vote shall also authorize the disposal of one 1996 Ford F-250 with utility body, presently being used by the Department of Public Works, by trade in or otherwise.
- g.) One ton dump truck with plow and necessary equipment and accessories for the Highway Division of the Department of Public Works. This vote shall also authorize the disposal of one 1993 Ford 1-ton dump truck with plow, presently being used by the Department of Public Works, by trade in or otherwise.

Said sum to be spent under the direction of the Public Works Director. **Sponsor: Department of Public Works**

Mr. Sonnett said that the Board met with the DPW Director about Article 22, and recommends the placement of Article 22 on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 22 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

ARTICLES 23 (DPW):

23. ARTICLE: To see if the town will vote to authorize Board of Selectmen to enter into a contract for the disposal of solid waste pursuant to General Laws Chapter 30B, Section 12(f), for a term not to exceed twenty years, or to take any other action relative thereto. **Sponsor: Department of Public Works**

Mr. Sonnett said that this article authorizes the Board of Selectmen to begin contract negotiations for the disposal of solid waste, and recommends the placement of Article 23 on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 23 on the Annual Town Meeting warrant. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

ARTICLE 24 (DPW): WITHDRAWN

ARTICLE 25 (DPW):

25. ARTICLE: To see if the town will vote to raise and appropriate the sum of \$ from the enterprise fund for the purpose of replacing and upgrading water mains, services fire hydrants and other appurtenances on West Main Street from Wood street to Lumber Street and on Spring Street to Pond Street. Said sum to be spent under the direction of the Director of the Department of Public Works. **Sponsor: Department of Public Works**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 25 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

ARTICLE 26 (DPW):

26. ARTICLE: To see if the town will vote to have the areas noted as future water supplies on the Fruit Street master plan, be placed under the jurisdiction of the water department. Department of Public Works. **Sponsor: Department of Public Works**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 26 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

SEE ATTACHMENT OF ALL THE PLANNING BOARD ARTICLES

ARTICLE 27 (PLANNING BOARD):

27. ARTICLE: Open Space and Landscape Preservation Development in RLF Districts (zoning). **Sponsor: Planning Board**

Mr. Coolidge gave a brief overview of Article 27, and recommended the placement of this article on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 27 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

ARTICLE 28 (PLANNING BOARD):

28. ARTICLE: Water Resources Protection Overlay District (zoning). **Sponsor: Planning Board**

Mr. Coolidge gave a brief overview of Article 28, and recommended the placement of this article on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 28 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

ARTICLE 29 (PLANNING BOARD):

29. ARTICLE: Signs and Identification Devices (zoning). **Sponsor: Planning Board**

Mr. Coolidge gave a brief overview of Article 29, and recommended the placement of this article on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 29 on the Annual Town Meeting warrant. **So moved Mrs. Pratt. Second Mr. Nelson. Unanimously voted.**

ARTICLE 30 (PLANNING BOARD):

30. ARTICLE: Drive-through windows (zoning). **Sponsor: Planning Board**

Mr. Coolidge gave a brief overview of Article 30, and recommended the placement of this article on the warrant. The Board requested more information on this article, and will address this at the March 15 meeting.

ARTICLE 31 (PLANNING BOARD):

31. ARTICLE: Residence A District/animal enclosures (zoning). **Sponsor: Planning Board**

Mr. Coolidge gave a brief overview of Article 31, and recommended the placement of this article on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 31 on the Annual Town Meeting warrant. **So moved Mr. Nelson. Second Mr. Clark. Unanimously voted.**

ARTICLE 32 (PLANNING BOARD):

32. ARTICLE: Driveways. **Sponsor: Planning Board**

Mr. Coolidge gave a brief overview of Article 32, and recommended the placement of this article on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 32 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

ARTICLE 33 (PLANNING BOARD):

33. ARTICLE: Dumpster Screening. **Sponsor: Planning Board**

Mr. Coolidge gave a brief overview of Article 33, and recommended the placement of this article on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 33 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

ARTICLE 34 (PLANNING BOARD):

34. ARTICLE: Street Acceptances. **Sponsor: Planning Board**

Mr. Coolidge gave a brief overview of Article 34, and recommended the placement of this article on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 34 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

ARTICLE 35 (PLANNING BOARD):

35. ARTICLE: Accept gift of land. **Sponsor: Planning Board**

Mr. Coolidge gave a brief overview of Article 35, and recommended the placement of this article on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 35 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

ARTICLE 36 (CPC): WITHDRAWN

ARTICLE 37 (OSC):

37. ARTICLE: Reed Park, to purchase or take by eminent domain land adjacent to Reed Park. **Sponsor: Open Space Preservation Committee/CPC**

The Board had a discussion regarding several concerns and agreed to obtain more information before voting to place this on the Annual Town Meeting warrant. The Board tabled this until the March 15 Selectmen's meeting.

ARTICLE 38 (CPC):

38. ARTICLE: Historical Society roof design & preservation construction. **Sponsor: CPC**

Mr. Coolidge gave a brief overview of Article 38, and recommended the placement of this article on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 38 on the Annual Town Meeting warrant. **So moved Mr. Nelson. Second Mr. Clark. Unanimously voted.**

ARTICLE 39 (CPC):

39. ARTICLE: Reserve funds associated with the sale of the EMC House back to the CPC Housing account line item as per the original town meeting article. **Sponsor: CPC**

Mr. Coolidge gave a brief overview of Article 39, and recommended the placement of this article on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 39 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

ARTICLE 40 (CPC):

40. ARTICLE: Reserve FY '06 state and local tax revenues to the CPC Fund accounts. **Sponsor: CPC**

Mr. Coolidge gave a brief overview of Article 40, and recommended the placement of this article on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 40 on the Annual Town Meeting warrant. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

ARTICLE 41 (CPC):

41. ARTICLE: Rails to Trails. **Sponsor: CPC**

Mr. Coolidge gave a brief overview of Article 41, and recommended the placement of this article on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 41 on the Annual Town Meeting warrant. **So moved Mr. Nelson. Second Mrs. Pratt. Unanimously voted.**

ARTICLE 42 (FIRE CHIEF):

42. ARTICLE: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purchase of a new cruiser, including all related accessories, and equipment, for the Fire Department. Said sum to be spent under the direction of the Fire Chief. **Sponsor: Fire Chief**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 42 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

ARTICLE 43 (P&R):

43. ARTICLE: To see if the town will vote to authorize the Board of Selectmen to accept as a gift from Wood St. Realty Trust certain parcels of land off Wood St. near Reed Park to be held under the jurisdiction of the Parks and Recreation Commission as park land. **Sponsor: Parks & Recreation Commission**

Mr. Rogers gave a brief overview of Article 43, and recommended the placement of this article on the warrant.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 43 on the Annual Town Meeting warrant. **So moved Mr. Nelson. Second Mr. Clark. Unanimously voted.**

ARTICLES 44 AND 45 (BOS):

44. ARTICLE: To see if the Town will vote to appropriate funds to purchase the North Pond/Lake Maspenock Dam. **Sponsor: Board of Selectmen**

45. ARTICLE: Lake District Legislation. **Sponsor: Board of Selectmen**

Vote: Mr. Sonnett entertained a motion to approve the placement of Articles 44 and 45 on the Annual Town Meeting warrant. **So moved Mrs. Pratt. Second Mr. Nelson. Unanimously voted.**

ARTICLE 46 (BOS):

46. ARTICLE: to require all boards (elected as well as appointed) to post agenda with HCAM 48 hours prior and to deposit minutes to Town Clerk in a timely fashion. **Sponsor: Board of Selectmen**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 46 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

ARTICLES 47 (TOWN CLERK): WITHDRAWN

ARTICLE 48 (CEMETERY COMMISSION): WITHDRAWN, as it is to be included under the budget.

ARTICLE 49 (CEMETERY COMMISSION): WITHDRAWN, as it is to be included under the budget.

ARTICLE 50 (CEMETERY COMMISSION/DPW):

50. ARTICLE: To raise and appropriate money by transfer from available funds or otherwise for beautification or improvement or repair of the Town's cemeteries or to prepare an engineering study report of the drainage at the Mount

Auburn cemetery during the ensuing fiscal year. **Sponsor: Cemetery Commission and the Director of Department of Public Works (\$10,000)**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 50 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

ARTICLE 51& 52 (SEALER OF WEIGHTS & MEASURES):

51. **ARTICLE:** To see if the Town of Hopkinton will vote to accept MGL Chapter 40, Section 22F, as added by Section 123 of Chapter 138 of the Acts of 1991, provided that departments covered by Chapter 107 of the existing Town of Hopkinton by-laws shall file their fees with the Town Clerk, or take any other action relative thereto. **Sponsor: Board of Selectmen**

52. **ARTICLE:** To see if the Town of Hopkinton will repeal Chapter 107 FEES as it currently exists, or take any other action relative thereto. **Sponsor: Board of Selectmen**

The Board discussed adding another article concerning this issue and would like more information before voting on these articles. The Board tabled this until the March 15 meeting.

ARTICLE 53 (SENIOR CENTER BUILDING COMMITTEE):

53. **ARTICLE:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money for the purpose of increasing the amount appropriated under Article 29 of the Annual Town Meeting of May, 2002 for the construction of a senior center building including original equipment related thereto. Said sum to be spent under the direction of the Senior Center Building Committee. **Sponsor: Senior Center Building Committee**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 53 on the Annual Town Meeting warrant. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

ARTICLE 54 (HISTORIC DISTRICT/HISTORICAL COMMISSION):

54. **ARTICLE:** The Woodville Historic District Study Committee in proposing an historic district. **Sponsor: Historical Commission/Historic District Commission**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 54 on the Annual Town Meeting warrant. **So moved Mr. Nelson. Second Mrs. Pratt. Unanimously voted.**

ARTICLE 55 (HISTORICAL COMMISSION):

ARTICLE: Depot (\$5,779) **Sponsor: Historical Commission**

Mr. Kozak suggested tabling this article until the March 15 meeting, as it could be paid through a Reserve Fund transfer.

ARTICLE 56 (FACILITIES DIRECTOR): WITHDRAWN

ARTICLE 57 (BOARD OF HEALTH):

57. **ARTICLE:** To see if the Town will vote to continue membership in the Central Massachusetts Mosquito Control Project or take any relative action thereto. **Sponsor: Board of Health (Tabled until 3/15)**

The Board requested to invite a Board of Health representative to the March 15 meeting to talk about whether or not the Board of Health takes a position on this article.

ARTICLE 58 (BOARD OF HEALTH):

58. ARTICLE: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of financing and the following Water Pollution Abatement Facility Projects: the repair, replacement and/or upgrade of failing septic systems pursuant to agreements between the Board of Health and residential property owners, including, without limitation, all costs thereof as defined in Section 1 of Chapter 29C of the General Laws and to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise. Said sum to be spent under the direction of the Board of Health. **Sponsor: Board of Health**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 58 on the Annual Town Meeting warrant. **So moved Mrs. Pratt. Second Mr. Nelson. Unanimously voted.**

ARTICLE 59 (BOS):

59. ARTICLE: To see if the Town will vote to approve the Tax Increment Financing (TIF) Plan and Tax Increment Financing Agreement with Barry Controls, Inc. for the property located at 82 South Street described in the Certified Project application, shown on Assessors Map Parcel _____ pursuant to the provisions of M.G.L Chapter 40, Section 59 on file with the Board of Selectmen and Town Clerk, or act thereon. **Sponsor: Board of Selectmen**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 59 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

ARTICLE 60 (DPW):

60. ARTICLE: To see if the town will Vote to raise and appropriate the sum of \$ _____ to obtain an easement and for the design and purchase of materials to replace and upgrade a drain and related accessories at 61 Main Street serving the Grove Street area. Said sum to be spent under the direction of the Director of the Department of Public Works. **Sponsor: Department of Public Works**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 60 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

ARTICLE 61 (BOS): WITHDRAWN

ARTICLE 62 (BOS):

ARTICLE: Legislation for sewer debt. **Sponsor: Board of Selectmen**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 62 on the Annual Town Meeting warrant. **So moved Mrs. Pratt. Second Mr. Nelson. Unanimously voted.**

ARTICLE 63 (BOS):

63. ARTICLE: Approval of underground wiring legislation. **Sponsor: Board of Selectmen**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

ARTICLE 64 (BOS):

64. ARTICLE: Land purchase, first right of refusal Chapter 61A purchase of Weston Nurseries property. **Sponsor: Board of Selectmen**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 64 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

ARTICLE 65 (BOS):

65. ARTICLE: Private/Public partnership for development of Weston Nurseries property. **Sponsor: Board of Selectmen**

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 65 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

ARTICLE 66 (BOS):

66. ARTICLE: Permission for Wildwood Glen subdivision to use town property for nitrogen loading. **Sponsor: Board of Selectmen**

Mrs. Pratt stated that without compensation for the land, she would not support this article.

Vote: Mr. Sonnett entertained a motion to approve the placement of Article 66 on the Annual Town Meeting warrant. **So moved Mr. Clark. Second Mr. Nelson. Mrs. Pratt voted no. So voted.**

ARTICLE 67:

67. ARTICLE: To bring in their ballots on May 16, 2005 at an adjourned session of the above meeting in the gymnasium of the Middle School for the election of the Officers.

PETITIONS (3):

Mr. Sonnett gave a brief overview of the three petitions to be placed on the Annual Town Meeting warrant, as follows:

1. To see if the Town will vote to discontinue High Street in the Town of Hopkinton. Sponsor: Thomas P. Nealon
2. To see if the Town will vote to amend the Zoning Bylaws of the Town of Hopkinton in the following manner:
By deleting present Subsection L from Article II, Residence A District, Section 210-6, Permitted Uses, and inserting therefor a new Subsection L as follows: Accessory uses customarily incidental to any use permitted herein. The keeping of all farm animals, including saddle or riding horses, for the use of the occupants only parcels of land of three (3) acres or more, provided that they are kept in an enclosure or building 50 feet or more from any street line and 30 feet or more from any side or rear lot line.
By deleting present Subsection D from Article V, Agricultural District, Section 210-15, Permitted Uses, and inserting therefor a new Subsection D as follows: Farms of all kinds, except fur farms, on parcels of land of three (3) acres or more, provided that they are kept in an enclosure or building 50 feet or more from any street line and 30 feet or more from any side or rear lot line.

By amending Article V, Agricultural District, Section 210-5, Uses allowed by special permit, Subsection A, by inserting "on parcels of three (3) acres or more" at the end of the sentence. Sponsor: Katherine Wilme
3. To see if the Town will vote that the Town shall require that the wording of all articles that come before Town Meeting and require funding to fully explain the purpose of the funds and to specify in detail how the funds will be spent. Further, approval of this article shall require that a written public record shall be kept stating exactly how the money was spent with a specific reference to the town meeting article from which it was granted.
Sponsor: Christine Dietz

Expand Land Use Study Committee: (7) members to (11) members to include Chairs of BOH & Con.Com; 2 at-large

Mr. Sonnett recommended expanding the Land Use Study Committee that the Board established at the February 15th Selectmen's meeting from a seven (7) member Committee to an eleven (11) member Committee, to include the Chairs of the Board of Health and Conservation Commission and two (2) at large members. The Board agreed with this recommendation.

Vote: Mr. Sonnett entertained a motion to expand the Land Use Study Committee from a seven (7) member Committee to an eleven (11) member Committee to include the Chairs of the Board of Health and Conservation Commission and two (2) at large members. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Mr. Sonnett announced that there are two (2) at large vacancies on the Land Use Study Committee and interested persons should submit their letter of intent to the Selectmen's Office.

Municipal Inspector's Disclosure Issue

Mr. Sonnett read a letter from Michael Shepard, Zoning Enforcement Officer, disclosing that his daughter, Devlyn Coelho, resides at 31 Fruit Street, and that his daughter's house does not directly abut the Fruit Street property, which the Town is presently working towards developing for municipal purposes. Mr. Shepard wrote in his letter that his daughter's home is in close proximity to the site at the intersection of Fruit and Cunningham Streets. Mr. Shepard's letter stated that his daughter has not expressed an opinion regarding the proposed uses of the Fruit Street property, and that he and his daughter have "no financial implication relative to the proposed uses of the Fruit Street land". Mr. Shepard wrote that he relies on his "professional conduct and integrity in rendering an unbiased opinion, should the need arise", as he has "done on numerous instances for both residential and commercial development". Mr. Sonnett read that Mr. Shepard requests the Board to submit a written determination that he disclosed in his letter to the Board, not "so substantial as to be deemed likely to affect the integrity of the services", which the Town might expect from him in his capacity as the Zoning Enforcement Officer relative to the Fruit Street property. The Board agreed to Mr. Shepard's request for written documentation from them.

Vote: Mr. Sonnett entertained a motion to approve Mr. Shepard's request to receive written documentation regarding the appearance of conflict of interest relative to the development of the Fruit Street property, and to recognize that the disclosure of Mr. Shepard's daughter, Devlyn Coelho, who resides at 31 Fruit Street, which abuts the Town's property located on Fruit Street, is not substantial enough as to be deemed likely to affect the integrity of the services which the Town might expect from him as the Zoning Enforcement Officer relative to this specific site. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.** Mr. Sonnett noted that a copy of this vote should be sent to the Town Clerk and Town Counsel.

Procedure for Releasing Minutes

Mr. Sonnett read a proposed policy prepared by Executive Secretary, Mr. Kozak, to review Executive Session minutes as follows:

- The Executive Secretary shall review minutes with Town Counsel for previous fiscal years and provide recommendations to the Board of Selectmen on actions that have been completed and eligible for release by the Board.
- The Board of Selectmen shall review the recommendations, and upon the Board's approval, release the executive session minutes.

- The Executive Secretary and Town Counsel shall review executive session minutes at the close of each fiscal year to determine if actions are complete and eligible for release.

Mr. Clark suggested adding a timeframe in how back one has to go to review the minutes. Mr. Kozak responded that he doesn't believe the Board can place a timeframe, as the law does not allow this. He said that MA Gen. Public Records Law requires that the executive session minutes be reviewed from time to time. Mr. Clark recommended communicating this policy to all Town Boards. Mr. Kozak agreed that all Town Boards could institute this policy also. He added that the proposed policy that he prepared is only for the Board of Selectmen.

Vote: Mr. Sonnett entertained a motion to establish a policy for reviewing executive session minutes as follows: *The Executive Secretary shall review minutes with Town Counsel for previous fiscal years and provide recommendations to the Board of Selectmen on actions that have been completed and eligible for release by the Board. The Board of Selectmen shall review the recommendations, and upon the Board's approval, release the executive session minutes. The Executive Secretary and Town Counsel shall review executive session minutes at the close of each fiscal year to determine if actions are complete and eligible for release.* **So moved Mr. Nelson. Second Mr. Clark. Unanimously voted.**

MAPC Update: Mary Pratt

Mrs. Pratt gave an overview of the MAPC's Executive Session meeting that discussed the Mayor's response to the United States Conference of Mayors Staff Analysis of the President's FY'06 budget (see attachments). The areas of discussion included the Community Development Block Grant, Cops in School Program, Amtrak funding, and Homeland Security and Public Safety Program. Mrs. Pratt said she gave copies of the attachment to Fire Chief Daugherty and Police Chief Irvin and also the second attachment has the budget comparison of funding levels for municipal program in FY'05 and the proposed FY'06 budget.

Selectmen's Liaison Reports

Mr. Nelson gave an update regarding obtaining donations to fund the Athletic Champion Sign that the Board is sponsoring. He said that after speaking to the Booster's Club, he believes he might have enough funds to obtain one sign for installation. He also recommended that the first sign be installed at the West Main Street/495 Intersection. The Board agreed that this is the best place to install the first sign. The Board would like the sign installed in time for the 2005 Boston Marathon. Mr. Nelson also announced that checks should be made to the Hopkinton Athletic Association, P. O Box 820, Hopkinton, and to include that the donation is specifically for the Champion sign.

Readout Mail

Mr. Sonnett read a notice from the Framingham Planning & Economic Development Office regarding the new LIFT schedule. He also noted that the Town of Framingham is offering free rides on all LIFT Transit buses on Thursday, March 3 and Friday, March 4, as part of a promotion to encourage ridership throughout MetroWest.

Legal Assistance Request: Planning Board

Mr. Sonnett read a legal assistance request from the Planning Board for three hours of advice from Town Counsel to review the articles submitted by the Planning Board for the 2005 Annual Town Meeting Warrant.

Vote: Mr. Sonnett entertained a motion to approve the legal assistance request from the Planning Board for three hours of advice from Town Counsel to review the articles submitted by the Planning Board for

the 2005 Annual Town Meeting Warrant. **So moved Mrs. Pratt. Second Mr. Nelson. Unanimously voted.**

Ambulance Gifts

Vote: Mr. Sonnett entertained a motion to accept gifts into the Ambulance Gift Account from Barbara Kimball for \$75.00, and from the following donors in memory of Angel Doherty: James & Mary Stanley for \$75.00; Sue Pauli for \$50.00; Charlotte Colella for \$40.00; Thomas and Dora Garabedian and sons for \$50.00; Paul & Ruth Phipps for \$30.00; Paul & Georgia Danahy for \$25.00; Carolyn Chace for \$20.00; and Michael & Wyllyn Doherty for \$50.00. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

Quarterly Meeting Date

Mr. Sonnett talked about scheduling a date to hold the Quarterly meeting with Department Heads and Supervisory Personnel to discuss the permitting process, 53E ½ account and the re-appointment process. The Board agreed to schedule the meeting on Tuesday, March 29.

EMC Gift

Mr. Sonnett read a letter from Sandra Lehane, Global Facilities Project Manager from EMC Corporation, of EMC's gift of \$19,675.81 to the Town for application to the payment of the work performed under Payment Application #18 of the South Street Traffic & Roadway Improvements Project.

Vote: Mr. Sonnett entertained a motion to accept the gift of \$19,675.81 from EMC Corporation for application to the payment of the work performed under Payment Application #18 of the South Street Traffic & Roadway Improvements Project. **So moved Mr. Clark. Second Mr. Nelson. Unanimously voted.**

Meeting Adjourned:

11:25 p.m. 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: 3/15/05