

# TOWN OF HOPKINTON

## BOARD OF SELECTMEN

Meeting Date: May 17, 2005

### MINUTES

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

**Others Present:** HCAM Station: Michael Torosian; HopNews: Robert Falcione; MetroWest News: Kathy Flynn; Strategic Benefits Strategy, Inc.: Mark Abate, Principal; Richard Brault; Board of Assessors: Dr. John Duffy, Chairman; Beth Herlihy; Gail Fallon; MaryJo LaFreniere; Jean Vickers; Craig Campbell; Ed Mills; Connie Wright; Bernadette Markey; Michael Shepard; Tom Pratt; Selectmen's Office Theodore D. Kozak, Executive Secretary, and Geri Holland.

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#### 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.

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#### Board of Selectmen Re-organization

Mr. Sonnett explained that after Town Election, it's the Board policy to reorganize the Board including the nomination of the Chairman and Vice-Chairman.

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#### Nominations: Chairman of the Board of Selectmen

**Vote:** Mrs. Pratt nominated Eric Sonnett as the Chairman of the Board of Selectmen. **Second Mrs. Kramer.** Mr. Holden motioned to close the nominations. Mr. Sonnett noted that there were no other nominations.

The votes follow: Mr. Clark: yes; Mr. Holden: yes; Mrs. Pratt: yes; Mrs. Kramer: yes; Mr. Sonnett: yes. **Unanimously voted.**

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#### Nominations: Vice-Chairman of the Board of Selectmen

**Vote:** Mr. Clark nominated Mr. Holden as the Vice-Chairman of the Board of Selectmen. **Second Mrs. Pratt.** Mr. Sonnett noted that there were no other nominations.

The votes follow: Mr. Clark: yes; Mr. Sonnett: yes; Mrs. Pratt: yes; Mrs. Kramer: yes; Mr. Holden: yes. **Unanimously voted.**

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#### Selectmen's minutes: 5/10/05; 5/10/05 (executive session)

##### May 10, 2005

**Vote:** Mr. Sonnett entertained a motion to approve the May 10, 2005 Selectmen's minutes. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.** (Mrs. Kramer abstained.)

##### May 10, 2005 (executive session)

**Vote:** Mr. Sonnett entertained a motion to approve the May 10, 2005 Selectmen's executive session minutes. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.** (Mrs. Kramer abstained.)

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### Chapter 90 Notes

Mr. Sonnett presented on behalf of the Town Treasurer, Maureen Dwinell, a State Aid Anticipation – Chapter 90 Note for \$26,000.00 at an interest rate of 3.39% that is \$193.18 totaling \$26,193.18.

**Vote:** Mr. Sonnett entertained a motion to approve for signature the State Aid Anticipation – Chapter 90 Note for \$26,000.00 at an interest rate of 3.39% that is \$193.18 totaling \$26,193.18. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

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### Flexible Spending Account: Mark Abate

Mr. Kozak began the discussion regarding a Flexible Spending Account that Mr. Abate, the Town's insurance advisor from Strategic Benefits Strategies Advisors, and the Personnel Committee have met to discuss this plan. Mr. Kozak added that there is no cost to the Town and is a benefit for Town employees. Mr. Kozak introduced Mr. Abate and asked him to present to the Board the Flexible Benefit Plan. Mr. Abate gave brief overviews of the two Flexible Benefit Plans that could be offered to Town employees. He explained the plans, one being the Health Care Flex Spending Account and the other the Dependent Care Flex Spending Account. He explained that these plans are a pre-tax treatment of employee's out of the pocket medical and dependent day care expenses. He stated that employees could estimate the amount of money they expect to spend out of their pocket on health care service in the upcoming year for themselves and their dependents. He said that in regards to the Health Care Flex Spending Account, employees may contribute up to \$2,000 a year into their employee's Health Care Accounts to offset dental, vision or medical expenses etc. In regards to the Dependent Care Flex Spending Account, employees could contribute up to \$5,000 a year into their Dependent Care Flex Spending Account to offset child or elder dependent day care in a licensed facility or in their home. Mr. Kozak said that should the Town adopt these plans, the yearly amount could be expanded to a higher amount in a couple of years. Mr. Kozak noted that the Personnel Committee and Insurance Advisory Committee recommend the plans. Mr. Abate said that if the Board votes to endorse the plans, the next step would be for the Human Resource Director, Amy Downing, to implement the process by educating the employees about the plans. The employees could then enroll in the plans during open enrollment period. The Board asked questions including what would happen to the funds if employees didn't use them by the end of the year. Mr. Abate said that the funds would be absorbed into the Town's Insurance Fund account. Mrs. Pratt asked if the funds would accrue interest, of which Mr. Abate responded no. There were no further questions or comments at this time.

**Vote:** Mr. Sonnett entertained a motion to approve the Health Care Flex Spending Programs as recommended by the Personnel Committee and Insurance Advisory Committee. **So moved Mrs. Pratt.** Mr. Clark asked if he should abstain from the vote, as his wife is an employee of the Town. Mr. Sonnett responded yes. **Second Mr. Holden.** The votes follow: Mr. Sonnett: yes; Mr. Holden: yes; Mrs. Pratt: yes; Mrs. Kramer: yes. **Unanimously voted.** Mr. Clark abstained from the vote.

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### Senior Citizen's Fixed Income Issue: Richard Brault and Dr. John Duffy

Mr. Brault began a discussion regarding an idea to help senior citizens on fixed incomes pay their increasing real estate taxes. Mr. Brault believes that working within an already established law called Clause 41C "Elderly Exemption" by removing the word "asset" and upgrading the income to \$50,000 per year versus the present \$40,000 per year and eliminating the asset exclusion qualifications for real estate exemptions. He added that this would be helpful. Mr. Brault recommended looking at this law and removing some of the restrictions. Mr. Brault suggested that the Board of Selectmen write a letter to the State House Representatives to request that they file an amendment, and to sit down together to review his proposal. Dr. Duffy, Chairman of the Board of Assessors, gave an overview and history of the 41C program, and how the Assessors' Office administers the program. He commented that Mr. Brault's proposal would cost about \$87,000 per year, of which approximately \$35,000 would be reimbursed. Mrs. Kramer expressed an interest in exploring options. Mr. Clark commented that the Board is not in a position to make any decisions regarding this issue tonight, and noted that Mrs. Kramer will research this issue and report back to the

Board. Mr. Sonnett asked Dr. Duffy if the Town could just "legislate" ourselves and do whatever requirement we wish to do. Dr. Duffy replied no and that the Town has maximized their options already. When Mr. Sonnett asked Mr. Brault if he would be willing to work with Selectman Kramer in exploring options, Mr. Brault replied that he would be more than happy to work with Mrs. Kramer. Mr. Holden also offer to work on this with Mr. Brault and Mrs. Kramer. Mr. Sonnett requested that Mrs. Kramer and Mr. Brault submit their findings at the June 21<sup>st</sup> Quarterly meeting. Mr. Clark recommended that the Board of Assessors and Appropriation Committee also be prepared at the Quarterly Meeting to discuss this issue. Mr. Sonnett thanked Mr. Brault and Dr. Duffy for their attention to this issue.

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#### **MAPC Update: Mary Pratt**

Mrs. Pratt gave a brief update of her activities as the Board's liaison to the Metropolitan Area Planning Council. She reported that she would be attending a meeting the next day, and that she is running unopposed for a seat on the Executive Committee. She added the Municipal Election, in which the Town is running for election to represent the Boston MPO region, is being held on May 25 at MAPC's Annual Meeting.

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#### **Selectmen's Liaison Reports**

Mr. Holden wished to speak about the interviews that the Board of Selectmen (BoS) held at the April 19<sup>th</sup> Selectmen's meeting specifically pertaining to the Historical District Commission member who was up for reappointment. He stated that the discussion was upsetting to him and believes that the BoS could review the reappointment process. He said that the Board of Selectmen expects other Town Committees and Boards to respect them, and that the BoS should also do the same. Mr. Sonnett responded that the BoS has a responsibility in the reappointment process, and referred to an reappointment incident that occurred several years ago when a committee member was not reappointed and had not been contacted beforehand about any issues. Mr. Holden said that the committee member could be met with off camera and out of a public meeting to talk to them about any issues, before making a decision as to whether or not to reappoint them. He added that it's important to treat the Town's committee members with respect. He noted that residents get involved because they have a passion about what they are doing. Mrs. Pratt commented that in a presentation by MIIA, the Town insurance carrier, at the 2004 November Quarterly Meeting, representative noted that in order to avoid litigation, everyone should be treated similarly. She added that with the other Town re-appointments, there was no discussion. Mrs. Kramer commented that if there is a known concern or issue with a committee member, there should be a process that includes both the member and the BoS in a conversation about any issues before bringing it up in a public meeting. Mr. Sonnett said that he would entertain a change in the procedure, but to keep in mind the requirements of the open meeting law. He asked Mrs. Kramer if she and Mr. Holden would work on implementing a new process and to bring their recommendations to the Board. Mr. Holden and Mrs. Kramer agreed.

**Vote:** Mr. Sonnett entertained a motion that Mr. Holden and Mrs. Kramer work on a suggestion for revised re-appointment process and then to bring their recommendations to the Board of Selectmen for discussion. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

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#### **Grant of Title 5 Nitrogen Loading Restriction and Easement: *Wildwood Glen Estates Subdivision***

Mr. Sonnett noted that the Town approved the Grant of Title 5 Nitrogen Loading Restriction and Easement for Wildwood Glen Estates Subdivision at the 2005 Annual Town Meeting, and now needs a vote to authorize the Chairman of the Board to sign the document.

**Vote:** Mr. Sonnett entertained a motion to authorize the Chairman of the Board to sign the Grant of Title 5 Nitrogen Loading Restriction and Easement for Wildwood Glen Estates Subdivision. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.**

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#### **Marathon Committee Proclamation(s)**

Mr. Sonnett said that the Marathon Committee requests the Board to provide a Proclamation honoring members for their service and dedication that could be presented to (2) members at the Post-Race Party scheduled on May 19<sup>th</sup>.

Mr. Sonnett noted that the Commission requests to not name the members, as the Committee wishes to present them on May 19<sup>th</sup> as a surprise. The Committee also requests a citation from the Board to recognize Thomas Brown, a former resident who recently passed away, for his contributions to the community and the Boston Marathon Association. Mr. Sonnett also said that the Proclamations would be presented by a member of the Board of Selectmen at the Marathon Post-Race Party.

**Vote:** Mr. Sonnett entertained a motion to approve for signature two (2) proclamations recognizing the two members for their service on the Marathon Committee, and the citation for Thomas Brown. **So moved Mr. Holden. Second Mrs. Pratt. Unanimously voted.**

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#### **Hopkinton at the Crossroads - Community-Wide Forum**

Mrs. Kramer talked about the Hopkinton At The Crossroads - Community-Wide Forum sponsored by the Master Plan Committee & Voices for Vision Civic Engagement Committee that is scheduled on Wednesday, May 25<sup>th</sup> from 7-9:30 p.m., at The First Congregational Church of Hopkinton. She encouraged those residents who wish to attend to either call the Town Planner, Elaine Lazarus, or Trish Perry, Chairman of the Voices for Vision Civic Engagement Committee.

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#### **Special Police Officer: Muriel Kramer**

**Vote:** Mr. Sonnett entertained a motion to appoint Muriel Kramer as Special Police Officer for the same term as her appointment to the Board of Selectmen. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

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#### **Proposal for SEIR Supplemental Work (Fruit Street Property Master Plan)**

Mrs. Pratt stepped off the Board, as she is an abutter to the Fruit Street property. Mr. Clark gave a brief overview of Earth Tech's proposal to provide additional service to address the water and wastewater issues identified by MEPA in response to the Fruit Street Development's Single Environmental Impact Report (SEIR). He said that the proposal to complete the work for \$20,000 was approved at the 2005 Annual Town Meeting, and presented the Proposal for the SEIR Supplemental Work for the Board's authorization to execute the Agreement. Mrs. Pratt asked if there would be a monitoring of the wells to check their condition. Mr. Clark responded that he is sure that Earth Tech would check the wells. Mrs. Pratt also asked that any biochemical be checked into. Mr. Clark said that the supplemental work on Fruit Street, which was proposed by MEPA, included what should be tested and would also look at the wastewater irrigation for use of wastewater for treated effluent field irrigation. Mrs. Kramer asked if there is a way to include in the analysis the issues that Mrs. Pratt has asked. Mr. Clark responded that if Mrs. Pratt's request were in line with the SEIR supplemental work, this would be addressed. Mr. Sonnett added that the Board could ask Earth Tech for their opinion on this.

**Vote:** Mr. Sonnett entertained a motion to authorize the Board's execution of the Proposal for SEIR Supplemental Work as submitted by Earth Tech. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.** Mrs. Pratt stepped back on the Board at this time.

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#### **Board of Selectmen's Goals and Objectives**

Mr. Kozak recommended for the Board to review their FY'06 Goals and Objectives and the Board's Liaison to Town Committee's assignments at the June 7<sup>th</sup> Selectmen's Meeting.

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#### **Meeting Adjourned:**

**8:20 p.m. Vote:** Mr. Sonnett entertained a motion to adjourn the meeting. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

Respectfully submitted, Geri Holland, Executive Assistant  
Approved:

Date