

**TOWN OF HOPKINTON  
BOARD OF SELECTMEN  
Meeting Date: December 20, 2005  
MINUTES**

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

**Others Present:** HCAM Station: Beth Fennier; HopNews: Robert Falcione; Conservation Commission Chairman, Brian Morrison; Board of Health Chairman, Nancy Peters; Police Chief Thomas Irvin; Fire Chief Gary Daugherty; Facilities Director, Brian Main; Municipal Inspections Director, Michael Shepard; Public Health Administrator, Tom Ryder; Health Inspector, Melissa Savidonis; John Coolidge (OSC; CPC; Planning Board; FSDC); School Committee Chairman, David Stoldt; Board of Assessors Chairman, John Palmer; Recycling Committee Chairman, Tom Drechsler; Town Clerk, Ann Click; Public Library Director, Rownak Hussain; Town Accountant, Heidi Kriger; DPW Director, John T. Gaucher; Brian Herr; Liisa Jackson; Dave Adelman; Carol DeVeuve; Mark Furber; Gail Clifford; Joseph Markey; Tom Pratt; Eva Beede; Christine Dietz; John Mitchell (Town of Westborough); Student Government Program: Maggie Gordon, Shannon Finney, Rachel Haroian, Courtney Day, Elizabeth Haroian, Rachel Haroian, Taylor Farley, Andrew Knox; Selectmen's Office Theodore D. Kozak, Executive Secretary, and Geri Holland, Executive Assistant.

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**Quarterly Meeting Opened/Pledge of Allegiance (Selectmen's Hearing Room)**

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

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**Land Use Study Committee Presentation: *Finley Perry, Chairman (see attachment)***

Finley Perry, Chairman of the Land Use Study Committee, gave a presentation of the Committee including the goals and accomplishments since the establishment of the Committee in February 2005. He said that the Committee's objective was to be "in front" of the Weston Nurseries land sale and be prepared to respond to the Town if and when a private sale agreement is reached. He said that Weston Nurseries has a purchase and sales on the 61A property, the Town has 120 days to respond as to if whether or not they are interested in purchasing the property. Mr. Perry's presentation included the Committee's progress of evaluating uses of the land in which the Town might want to see such land be put to use. Mr. Perry reviewed the primary goals of the Committee stating that any development would be an improvement to the quality of life in Hopkinton and secondly, it would be revenue positive. The LUSC's PowerPoint also addressed financial models such as a assisted living facility, professional offices with upper-story apartments, single-family homes, and open space. Mr. Perry reviewed issues, key questions, and options (see attachment). There was a discussion between Mr. Perry and the audience regarding the issue of how development of the land would impact traffic and water supply in Hopkinton, and surrounding communities as well. An Ashland resident spoke about her concerns about how it might affect the Town of Ashland's reservoir should Weston Nurseries' land be developed. Mr. Perry said that Weston Nurseries is in Chapter 11 bankruptcy and pointed out that it is unclear how this might interfere with the State regulations regarding Chapter 61A. Mr. Perry also stated that the LUSC issued a Request for Interest (RFI) that has attracted many quality proposals from developers. The Board of Selectmen thanked Mr. Perry and members of the LUSC for their presentation.

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**Public Safety Presentation: *Fire Chief Gary Daugherty and Police Chief Thomas Irvin (see attachment)***

Fire Chief Daugherty gave a PowerPoint Presentation of Hopkinton's Emergency Management Program and explained that the program looks for ways to mitigate the effects of a hazard, to prepare measures to be taken which would preserve life and minimize damage, to respond during emergencies and provide assistance, and establish a recovery system to return the community to its normal state. Chief Daugherty reviewed the

various Town Department's including the Police, Fire, DPW, Town Administration, Clerk's Office, Inspectional Services, Assessors Office, Accounting and Treasurers' Offices, School Department, Board of Health, Planning and Conservation Departments.

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**Mercury Recovery Project Presentation: *Melissa Savilonis, Board of Health (see attachment)***

Melissa Savilonis, Health Inspector, gave a Mercury Recovery Project presentation that the Board of Health is working to develop in reducing the amount of mercury in the waste system, and to help residents to dispose of items that contain mercury so that these hazardous items are not released into the natural environment. Ms. Savilonis said that there will be a central location for pick up and drop off of hazardous items such as florescent lamps. She commented that the Board of Health's goal is to educate the public about waste disposal.

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**Overviews of Town Department Heads**

Mr. Sonnett invited the Town Department Heads to give an update of their departments. Those that gave updates included the following: Tom Ryder, Public Health Administrator of the Board of Health; Rownak Hussain, Director of the Public Library; Brian Main, Facilities Director; Jeff Furber, Trails Committee; Ann Click, Town Clerk; Gail Clifford, Chairman of the Woodville Historic District Commission; John Palmer, Chairman of the Board of Assessors; Tom Drechsler, Chairman of the Recycling Committee; John Coolidge, member of the Planning Board and Chairman of the Open Space Preservation Committee and Community Preservation Committee; Brian Morrison, Master Plan Committee; Heidi Kriger, Town Accountant; Fire Chief Gary Daugherty; and Police Chief Thomas Irvin.

Mr. Holden gave an overview of the Hopkinton Athletic Association's activities, including a fundraiser for a handicapped accessible van for the Hoyt family, the father and son team who run the Boston Marathon and other events throughout the year.

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**9:45 p.m. RECESS**

**10:00 p.m. PUBLIC MEETING RE-OPENED**

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**Wetlands Protection Act Account: *Brian Morrison, Chairman – Conservation Commission***

Mr. Morrison presented the projected expenditures chart (see attachments) for the Wetlands Protection Act Account which reflected both the first and second quarters of fiscal year 2006. He pointed out that as the first quarter was approved too late to submit any bills within the first quarter timeframe, the chart reflects both the first and second quarters. He also presented the projected expenditures for the third quarter. The Board reviewed the information that supported the expenditures with Mr. Morrison and agreed to approve the request.

**Vote:** Mr. Sonnett entertained a motion to approve the expenditures from the Wetlands Protection Act account to culminate first and second quarter expenditures for \$7,555 and the third quarter's estimated amount for \$4,600. **So moved Mr. Clark. Second Mrs. Kramer. Unanimously voted.**

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**Town Department's Special Projects Policy**

Mr. Sonnett began a discussion regarding the issue of requesting various Town departments to perform projects which might require a lot of time beyond their scope of work, as their job is not designed to handle many types of requests. Mr. Sonnett recommended establishing a policy that special requests to Town departments would be submitted to Mr. Kozak as he is in a position to control the request by being able to firstly, have knowledge about an issue and secondly, being able to address and analyze any problems. Mrs. Kramer recommended keeping a log of special projects and requests. Mr. Clark said that it makes sense to establish a policy and contacting Mr. Kozak who would contact the Chairman if needed. Mr. Kozak

commented that it makes it easier on him to know what is being requested of Department Heads. He added that it keeps a good rapport between the Selectmen and Departments. Mr. Clark commented that Mr. Kozak might already have the answer to a request. Mrs. Pratt raised the issue of the Use of Legal Assistance Policy and questioned the wording "deem necessary". Mrs. Pratt said that this policy needs to be amended, and believes that any use of Town Counsel by Mr. Kozak should be brought before the Board for a vote. Mr. Sonnett stated that Mr. Kozak is in compliance with the policy.

**Vote:** Mr. Sonnett entertained a motion for Mr. Kozak to write a policy that would require Town Departments to submit special project requests to Mr. Kozak. **So moved Mr. Clark. Second Mr. Holden.**

**Discussion:** Mrs. Pratt recommended going through the Chairman of the Board rather than Mr. Kozak. Mrs. Kramer commented that she has no objection to a policy that increases communication and recommended developing a process to keep a log of all communication so that the Board has knowledge of what requests have been made. Mr. Sonnett has no problem with keeping a log and requests Mr. Kozak to consider this when writing the policy. **The votes follow: Mr. Sonnett: yes; Mr. Holden: yes; Mr. Clark: yes; Mrs. Pratt: abstained; Mrs. Kramer: yes. So voted.**

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**Massachusetts Municipal Association Business Meeting Designee (1/14/06)**

Mr. Sonnett referred to a letter from the Massachusetts Municipal Association (MMA) of the Annual Business Meeting scheduled on January 14, 2006 that requests a designee from the Town in the event that the Chairman is unable to attend the meeting. Mrs. Pratt said that she had been appointed as last year's designee and requested to be appointed this year. She pointed out that usually the designees are Selectmen. Mr. Sonnett recommended Mr. Kozak as the designee as he attends the meetings and is the Town's Executive Secretary. There were no other comments.

**Vote:** Mr. Sonnett entertained a motion to appoint Theodore Kozak as the Town's designee at the MMA's Annual Business meeting scheduled on January 14, 2006. **So moved Mr. Clark. Second Mrs. Kramer. The votes follow: Mr. Sonnett: yes; Mr. Holden: yes; Mr. Clark: yes; Mrs. Pratt: no; Mrs. Kramer: yes. So voted.**

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**Youth Commission Resignation: Kim Collins**

Mr. Sonnett read a memo from Kim Collins of her resignation from the Youth Commission as she no longer has the time to serve.

**Vote:** Mr. Sonnett entertained a motion to accept with regret Kim Collins' resignation from the Youth Commission. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.**

The Board requested that the Selectmen's Office sends a thank you letter to Ms. Collins for serving on the Youth Commission.

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**Selectmen's Meeting Schedule**

Mr. Sonnett said that with various holidays and school vacations, he recommends the following Selectmen's meetings schedule commencing in January: January 10 and 31, February 14 and 28, March 14 and 28, April 11 and 25, May 1-4 (Annual Town Meeting), May 9 and 16. Mr. Sonnett said that the Board could then follow the regular schedule of the first and third Tuesdays of the month beginning in June 2006. The Board members agreed to the schedule as presented.

**Vote:** Mr. Sonnett entertained a motion to approve the meeting schedule as follows: January 10 and 31, February 14 and 28, March 14 and 28, April 11 and 25, May 1-4 (Annual Town Meeting), May 9 and 16. **So moved Mrs. Kramer. Second Mr. Holden. Unanimously voted.**

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**2006 Licenses**

Mr. Sonnett presented the following annual licenses for the Board's approval for calendar year 2006.

**Vote:** Mr. Sonnett entertained a motion to approve the following licenses for calendar year 2006:

1. Bill's Pizza & Restaurant: Common Victualer Wines & Malt Beverage License; Entertainment License: one (1) Television
2. O'Toole's North Pond House: Common Victualer All Alcoholic Beverage License: Entertainment: ten (10) televisions; one (1) coin operated game machine
3. Hopkinton Gourmet: Common Victualer License
4. Jelly Donuts: Common Victualer License

**So moved Mrs. Kramer. Second Mr. Holden. Unanimously voted.**

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**MTBE Litigation**

Mr. Sonnett discussed the request from Attorney Richard Sandman who has offered the Town's participation in a class action lawsuit against parties responsible for the contamination of soil and groundwater by methyl tertiary butyl ether (MTBE). Mr. Kozak said that Town Counsel informed him that, as this is a time sensitive issue, the Board could sign the letter, if they wish, and withdraw their participation at a later date. Mr. Kozak also said that Town Counsel did not make a recommendation to the Board as to whether or not to participate in the lawsuit. The Board discussed the issue and determined to not support this issue.

**Vote:** Mr. Sonnett entertained a motion to not support the Town's participation in the class action lawsuit against parties responsible for the contamination of soil and groundwater by MTBE. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

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**Public Meeting Adjourned:**

**10:55 p.m. Vote: Mr. Sonnett** entertained a motion to adjourn the public meeting. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.**

Respectfully submitted,

Geri Holland  
Executive Assistant  
Date Approved: 1/31/06