

**TOWN OF HOPKINTON**  
**BOARD OF SELECTMEN**  
**Meeting Date: June 20, 2006**  
**MINUTES**

**Members Present:** Muriel E. Kramer, Chairman (entered the meeting at 7:40 p.m.); Mary C. Pratt, Vice-Chairman; Leonard A. Holden, Ronald M. Clark; Michael W. Shepard

**Others Present:** HCAM: Michael Torosian; HopNews: Robert Falcione, and Kevin Kohrt; Appropriation Committee: Stuart Cowart, Chairman, and Ronald Eldridge; Board of Assessors: Dr. John Duffy, Chairman; Board of Health: Nancy Peters; Community Preservation Committee: John Coolidge, Chairman, and Jeff Doherty; Chairman; DPW: John T. Gaucher, Director; Gail Clifford; Jeff Furber; Carol DeVeuve; Margaret Mighton; Nancy and Jim Weckback; Selectmen's Office Theodore D. Kozak, Executive Secretary, and Geri Holland, Executive Assistant.

---

**Open Public Session**

**7:00 p.m.** Mrs. Pratt opened the public session and invited everyone to stand for the Pledge of Allegiance. Mrs. Pratt said that Mrs. Kramer asked her if she could open the meeting and she would be joining the meeting shortly after the meeting began.

---

**Water/Sewer Rates**

Mr. Kozak presented the challenges for the Town's water and sewer rates and reviewed the town's need to generate additional revenue and borrow from the general fund for the sewer project until Phases I, II and III deficits are paid. He said that unpaid sewer accounts show a deficit of \$150,000 for FY'06 and that for FY'07, the town would "break even" by using \$150,000 retained earnings, but would still need to borrow \$200,000 from the general fund. He said that in FY'8 the town would have paid the last of the deficit of Phases I, II, and III, but there would be no retained earnings with a new debt for Phase VI, meaning that the projected deficit would increase to \$300,000 and would still need to borrow \$200,000 from the general fund for an approximate total of \$690,000. He added that there would still be a need to pay back the general fund in FY'09. Mr. Kozak pointed out that the current rate would improve, but not eliminate the deficit until FY'14 and FY'15. With these findings, Mr. Kozak said that, in order to prepare options to consider, the town is currently analyzing collection for fees and updating the Sewer Rate Study. Mr. Kozak stated that solutions include funding the deficit of \$150,000 for FY'06, to not incur additional borrowing from the general fund; secondly, to agree on a solution to pay back the general fund; and lastly, to create retained earnings. Mr. Kozak said that an option is to increase rates to meet the \$300,000 deficit. He illustrated that what the increase would mean for the average residential household which presently pays \$370 per year as follows: \$100,000, a 16-20% increase) would increase the average household bill \$53 per year; \$200,000, a 33-40% increase, would increase the average household bill \$104 per year; and \$300,000, a 49-60% increase, would increase the average household bill \$156 per year. Mr. Kozak pointed out that it is believed that this shortfall of \$300,000 could be that Phase I, II, and III were not priced correctly; with only \$4,000 betterments and that expected grants were not received.

Mr. Eldridge, on behalf of the Appropriation Committee, said that the general fund needs to receive back its borrowing and it's like a business that needs to fund itself; stop borrowing from the town; and pay back funds that have been borrowed. He said that additional revenue has to be found so that funds will be available when needed. Mr. Eldridge commented that in regards to the Town's finances, the Appropriation Committee is getting back on track and wants to know what money will be available, what is needed and for the Board of Selectmen to determine a fair solution for all concerned. There was a

discussion regarding the possibility of a split rate for the various sewer phases. Mr. Kozak said that the law doesn't allow split rates and that the town can only use one rate for all users. Mr. Shepard asked for a copy of what the Town's sewer rates have been for the last ten years, as well as what neighboring town rates are. He asked for this info before the Water & Sewer Public Hearing scheduled at next week's June 27<sup>th</sup> meeting. Mrs. Pratt asked Mr. Kozak to request Town Counsel to look into a split rate system.

Mr. Kozak then said that the water rate revenue is very close to projections to cover the operation on an annual basis. He said that the FY'06 deficit is at \$20,000 with \$35,000 deficit in FY'07. He also said that there is a need to consider reserve funds for future repairs and replacements.

Mr. Clark recommended the possibility of selling the Lumber Street property that falls under the jurisdiction of the Water Department to help fund the water enterprise fund.

---

**Town Counsel Discussion:**

Mrs. Kramer gave a synopsis of a workshop that was held on June 5<sup>th</sup> with the City Solicitor's Town Counsel Association to explore methods of procuring new town counsel. She said that the different options that the Board could consider is to retain a full-time town counsel as the Town has been doing, to obtain a part-time "in-house" town counsel, to obtain a full-time "in-house" town counsel, to hire a municipal law firm, or to appoint an interim town counsel Mrs. Kramer mentioned that the office had received several inquiry letters about the town counsel's position. Mrs. Kramer recommends an interim town counsel and to consider a part-time "in-house" town counsel with the same hourly salary that the town has been paying. Mr. Shepard recommended exploring all options and to send out an RFP. He suggested looking at what other similar towns to Hopkinton and what their town counsel policies are. He recognized that Town Counsel Attorney Faiman's partner, Richard DeAngelis, is interested in the position, and that hiring him would be a "seamless" move, but would like to propose appointing Mr. DeAngelis for six (6) months, put out a RFP and allow the new Town Manager handle the appointment looking at a one (1) year term. He also said that the Board should ask other Town boards for their input. He reiterated hiring Mr. DeAngelis for a short-term.

Mrs. Kramer noted that the Selectmen's Office did ask for input from other town departments and invited them to the June 5<sup>th</sup> workshop.

Mr. Holden agreed with Mr. Shepard's recommendation and pointed out that Mr. DeAngelis' hourly rate is more than Attorney Faiman's, but hiring a municipal law firm would be more costly to the town. Mrs. Kramer commented that looking at the cost factor is a good point.

Mrs. Pratt commented that she agrees with appointing Mr. DeAngelis as interim Town Counsel, but is not interested in an "in-house" town counselor. Mr. Clark noted that Mr. DeAngelis has been working in the same office as Town Counsel and that they could confer with one another. He also pointed out that his hourly wage is \$115 per hour and \$90 an hour for an associate, which he noted is a good deal. Mr. Clark recommended Mr. DeAngelis for a full year appointment and in nine (9) months send out an RFP, if not satisfied with Mr. DeAngelis. He said that the opportunity to acquire Mr. DeAngelis would be seamless. Mr. Clark noted that the majority of law cases are with the Planning Board and Board of Appeals which Mr. DeAngelis has experience with. Mrs. Kramer said that she met with Mr. DeAngelis and noted that he does not have a lot of municipal law experience, so she recommended hiring him for a short term.

**Vote:** Mr. Clark motioned to hire Mr. DeAngelis for one (1) year and to give him a performance review after nine months. **Second Mr. Shepard. Discussion:** Mr. Shepard said that he has a problem with this process and questioned why the Board didn't take action when Mr. Faiman submitted his letter of resignation in February (2006), as the Board has not one to compare Mr. DeAngelis with. He believes that Board should do a search and to do it quickly. Mrs. Kramer agreed but stated that nonetheless this is

where the Board is today. She said that the Board could craft an RFP. Mrs. Pratt agreed with Mr. Shepard's statement, but also brought up the issue of the town getting ready for town meeting when Mr. Faiman submitted his resignation letter. She also questioned if Mr. DeAngelis would accept the position for a 6-9 month period. Mr. Shepard said during Mr. DeAngelis' one year tenure, the Board could look at options and would support Mr. Clark's motion to hire Mr. DeAngelis only if the Board would look at their options during his one year tenure. Mr. Clark said that he understands Mr. Shepard's frustration, and pointed out that the Board did ask town boards for their input. Mr. Clark supported his motion and said that this is the right thing to do for Mr. DeAngelis. Mr. Shepard agreed that one year is an appropriate time rather than six months if the Board decides to hire Mr. DeAngelis. The votes are: **Mr. Clark: yes; Mr. Holden: yes; Shepard: yes; Mrs. Kramer: no; Mrs. Pratt: no. So voted.**

---

### **Bird property located in Holliston**

Mrs. Pratt said that over the last couple of years, there has been a development and location of underground municipal sewage disposal in the Marshall Street landfill areas as well as the Bird site located on Prentiss Street, both of which are in close proximity to the Town of Hopkinton. She said that the Board of Selectmen in previous years has sent letters to the Holliston Wastewater Committee stating their concerns about the potential for contamination spreading through the use of groundwater disposal on Marshall Street. Mrs. Pratt said that the State and Holliston have spent considerable funds to clean the site, but that it is still contaminated, and that every board in Holliston including their Board of Selectmen, Conservation Commission, Board of Health, and Water Department have spoken against the development of this site because of the proximity of the discharge to the Town's well. Mrs. Pratt said that presently there is a 200 condominium unit 40B project before the Holliston Board of Appeals, and that the conditions for cleanup and wastewater flow have not yet been determined. She has attended the last two recent meetings as she is concerned about the possibility of pollution to the wells on South Mill Street and Ravenwood in Hopkinton. Mrs. Pratt said that the next Holliston's Board of Appeals meeting is June 26 and if the ZBA decides to issue the permit, Hopkinton might lose the chance to protect the rights and wells of their residents near this site. Mrs. Pratt also requests the Board to request Holliston to perform a traffic study at the Rte. 85/Chestnut intersection and to ask for a new traffic light as mitigation for the traffic flows from Rte. 495. Mrs. Pratt stressed her concerns and requests the Board to send a letter to Holliston's ZBA to request monitoring of wells in Hopkinton, determine the flow of the effluent from their wastewater treatment facility so that it is not towards Hopkinton, the developer bear the cost of bringing water to the residents of Hopkinton near the site, should the water become contaminated, the Town of Hopkinton's Board of Selectmen be notified of all monitoring reports and future meetings, and a traffic study with a subsequent traffic light at Rte. 85/Chestnut Street be installed.

Discussion: Mr. Clark stated that these issues are the Planning Board's business and asked if there has been any input from the Planning Board and Board of Health. Mrs. Pratt responded that she did bring this issue to the Conservation Commission and Board of Health.

Mr. Clark said that he would support the bringing the traffic concern to the Planning Board, and ask the Board of Health to lead the charge with respect to the Hopkinton resident's well supply.

Mrs. Kramer agreed and would ask to include the Conservation Commission, Board of Health and Planning Board in this issue, and has no problem with sending a letter to Holliston's Board of Appeals.

Mr. Shepard pointed out that this issue does not end with the Monday, June 26 meeting that Mrs. Pratt referenced, and agrees with Mr. Clark about including the Planning Board and Board of Health and request them to craft a letter before addressing Holliston's Board of Appeals.

Mrs. Kramer supported this recommendation.

Mrs. Pratt stressed her concerns about a 40B development on contaminated soil.

Mr. Clark believes this issue is for the Department of Environmental Protection (DEP) to address.

Mrs. Kramer responded to Mr. Clark's point by recommending that the Board of Health write a letter to the DEP.

Mr. Clark stated his concern about any misinformation about this issue, and believes the goals should be to ensure that Hopkinton's residents in this area have good water, and that the effluent does not harm Hopkinton.

**Vote:** Mrs. Kramer entertained a motion to send a letter to the Town of Holliston's Board of Appeals to support the Town of Hopkinton's requests to support the request of those concerned residents to provide monitoring wells of the Hopkinton residents in the Marshall Street area, to place a condition on the developer to bear the cost to provide municipal water to homeowners in Hopkinton should any of the private wells in the area be contaminated due to pollutants, to address traffic concerns and request the developer to fund a traffic study, and, if necessary, to install a traffic light at the Rte. 85/Chestnut Street intersection, and to notify the Hopkinton Board of Selectmen of all monitoring reports and future meetings that address this issue; and that a copy of the letter be copied to Hopkinton's Planning Board, Board of Appeals, Board of Health and for them to take any action necessary to protect the Town of Hopkinton's interest, and that they copy the Board of Selectmen with any correspondence that they send to the Town of Holliston. **Second Mrs. Pratt.** Mr. Clark and Mr. Shepard recommended including a copy of the previous letter to the Town of Holliston. **So moved Mrs. Shepard. Unanimously voted.**

**Vote:** Mrs. Kramer entertained a motion to request the Board of Health to address the effluent concern with the Department of Environmental Department. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**

---

#### **Wastewater Treatment Plant Facility Letter**

Mrs. Kramer reviewed a letter from David Goldman questioning if the Board of Selectmen followed proper procedure for procuring services with Earth Tech to perform the design work for the Fruit Street Wastewater Treatment Facility, without going to bid. Mrs. Kramer noted that Town Counsel, Attorney Faiman, reviewed this request and forwarded a document from the Inspector General's Office of the legal requirements, and recommended practices for designing and constructing public facilities which describes, under the Designer's Selection Process, contracts for the design of buildings pertaining to a sewer, water or highway system are exempt from the Designer Selection Law. Mrs. Kramer said that Attorney Faiman concluded that the interpretation of the Inspector General's Office clearly indicates design work is exempt, and that the Board of Selectmen has the authority to award a contract to Earth Tech for the design work. Mrs. Kramer asked Mr. Kozak to schedule a procurement workshop to discuss a unified approach that town boards could follow, and to invite all town boards to attend the workshop. Mr. Clark pointed out that the Board of Selectmen already authorized the DPW Director, Mr. Gaucher, at their May 9, 2006 meeting to grant Earth Tech a contract to perform the design work for the Fruit Street Wastewater Treatment Facility. He agreed that holding a procurement workshop and inviting all town boards and committees is a good idea.

---

#### **Whitehall Land Purchase**

John Coolidge, Chairman of the Community Preservation Committee (CPC) and Open Space Preservation Committee (OSPC), and Jeff Doherty, member of the (OSPC), both gave an overview and

update of the 20 acre Whitehall property that the Town approved to purchase under the CPA funding. Mr. Coolidge talked about the cost to the town being \$2.75M and where the funds would be paid from i.e., CPC. Mr. Clark questioned why the Purchase and Sales agreement had a sale price of \$3M but was presented at the Town meeting at \$2.75M. Mr. Doherty said that this information would have been confusing to Town Meeting voters. Mr. Coolidge added that the Purchase & Sales Agreement (P&S) was modified by \$250,000 at the request of the seller and his attorney for tax purposes which would enable the seller to use part of the sale as a gift which makes the final cost \$2.75M. Mr. Doherty said that with the seller providing a gift to the Town, this would help the town to secure a state grant. Mr. Clark asked why this was not made available to the Board of Selectmen before the town meeting. Mr. Coolidge responded that the discussions were still under executive session, and noted that Town Counsel had a copy of the P&S. Mr. Coolidge also noted that they have a letter of commitment. Mr. Clark stated concerns about the CPC's procurement process and believes that the P&S should have been made available before the town meeting for the Board of Selectmen and Finance Board's to review. He also stated that no one individual should serve on both the Open Space Preservation Committee and Community Preservation Committee. Mrs. Kramer pointed out that this is a conversation for another night. Mr. Shepard thanked Mr. Coolidge and Mr. Doherty for doing a good job for the town in regards to this issue. Mrs. Pratt stated that this is a good service to the town.

---

### **Selectmen's Goals**

Mrs. Kramer began the discussion regarding the Board of Selectmen's FY'07 goals and stated that she would like to work together to capture input from the Board members to present at the Quarterly meeting scheduled on July 15. She opened the discussion up for the Board members input.

Mr. Clark questioned what the purpose of the goals is and suggested that the Board put together some broad goals to encourage all town committees and boards to follow. He pointed out his specific suggestions for goals as follows: 1.) Take actions to support an increase in the commercial real estate tax base in areas currently zoned for commercial activities such as issue construction contract in FY'07 for the Fruit Street Wastewater Treatment Facility; Encourage E.L. Harvey to complete the approval process with the Conservation Commission and to expand their recycling operation into Hopkinton in FY'07; and review potential for expanded downtown parking; 2.) Take action to refinance the Stabilization Fund. Target 1% for FY'07 expense savings, and review the fee schedules for adequacy; Board of Selectmen would review fees for reporting departments; Determine disposition of Water Department land in the Lumber Street area; 3.) Support the development and implementation of Reward & Recognition and Pay for Performance programs for all town employees; Encourage new Town Manager to implement more differential performance appraisals; 4.) Improve cooperation and communication within and between town boards; BoS to conduct a 4-hour internal workshop; 5.) Effectively implement the provisions of the Charter on a timely basis; Work with Screening Committee to hire new Town Manager on a timely basis; Support and empower the Town Manager to fully perform the position's responsibilities; 6.) Have the entire BoS support the Town Meeting vote on the Fruit Street WWTF design & construction in FY'07 even if they cannot vote on it at BoS meetings due to conflict of interest laws.

Mr. Clark recommended putting off this discussion at next week's Quarterly meeting, establish broad based goals and get everyone to work together.

Mr. Holden agreed adding that this action would allow each board to tailor their goals towards the Selectmen's needs.

Mr. Shepard said that goals need to be achievable, measurable and sustainable, and that it would be better if the Selectmen had two or three goals rather than seven etc. He believes that the Boards should sit down together to discuss this.

Mrs. Kramer read the goals that she prepared and recommended working on them to present a final draft for the Quarterly meeting as follows: 1.) Improve cooperation and communication within and between town boards; ideas include a Board of Selectmen conducting a four hour internal workshop and monthly roundtable of department and committee chairs to develop/maintain effective working relationships, improve processes, build teamwork, and work on common goals and initiatives; guest speaker and workshops; regular working sessions from 4-5:30 p.m. before televised meetings convening at 7 p.m.; inform, educate and communicate to general public the role of town government and their boards and committees; 2.) Support for economic development and retention for industrial areas and downtown with use of programs such as Tax Increment Financing (TIF) and others as practical; address traffic impacts and increased parking needs to improve development options downtown and in all target areas; 3.) Support Personnel Committee's initiative, including Reward and Recognition and pay for performance plans, including differential performance appraisals; 4.) Support DPW initiatives highway, water, sewer, solid waste, stormwater, both budgeting and funding of projects; prepare for transition of DPW to elected board; address completely the environmental conditions, air, water, and storm runoff. 5.) Assist in implementation of Charter Commission actions, including hiring of Town Manager and instituting a budget process; 6.) Pursue more initiatives for tax relief for seniors and disabled; 7.) Encourage an economic plan to maintain municipal service within current revenue constraints; Ideas include a study and secure financial stability in operational, maintenance, town and school budgets; Five year plan to address forecasted imbalances between budget request and revenues; Take action to refinance the Stabilization Fund, target 1% FY'07 expense savings and review fee schedules for adequacy; Major initiative to support include Master Plan of East Hopkinton; New Elementary school at Fruit Street; Wastewater Treatment Plant at Fruit Street; Charter Commission Directives; Upcoming Library Expansion; and Upcoming Senior Center Opening and additional services.

Mr. Clark opposed goal #1(d) stating that holding public meetings at 4:30 p.m. would disenfranchise the public and that he would not be able to attend these meetings as he is a work. Mrs. Pratt added a possibility of holding work session every other week in Room 211. Other comments from Mr. Clark include: goal #2: This could be a specific goal about the construction contract for the Fruit Street property; goal #3: Mr. Clark agreed with this goal; goal #4: Mr. Clark said is a subheading for a bigger goal; goal #5: Mr. Clark said this should be "done" by the Board of Selectmen and not "assist" in the implementation of the Charter Commission; goals #6: Mr. Clark said that Mrs. Kramer was assigned that goal in May 2005, but have not received back any information; goal #7: Mr. Clark said that the Board "has" to do this. Mr. Clark reiterated that the Board needs to have broad goals and need to obtain support from the town departments.

Mrs. Kramer asked Mr. Shepard if he would be willing to meet to finalize the Board's goals. Mr. Shepard accepted.

Mr. Kozak asked Mrs. Kramer if she would like the departments to bring in their goals at the Quarterly meeting. Mrs. Kramer responded yes.

**Vote:** Mr. Clark entertained a motion that the Board of Selectmen would present its goals to town departments and ask them to have their goals reflect the Board's goals. **So moved Mr. Holden.** **Discussion:** Mrs. Kramer would like to present the final goals at the Quarterly meeting. **The votes follow: Mrs. Kramer: no; Mrs. Pratt: no; Mr. Holden: yes; Mr. Clark: yes; Mr. Shepard: no. So voted. (The vote reflects an amendment approved by the BoS at its July 25, 2006 meeting.)**

**Vote:** Mr. Clark entertained a motion to delay the June 27<sup>th</sup> Quarterly meeting and reschedule the Quarterly meeting to the second meeting in July. **Second Mr. Holden.** **Discussion:** Mrs. Kramer opposed the postponement of the Quarterly meeting and would like to keep to the original date on June 27<sup>th</sup>. She

also pointed out that many residents vacation during the month of July. **The votes follow: Mrs. Kramer: no; Mrs. Pratt: no; Mr. Holden: yes; Mr. Clark: yes; Mr. Shepard: no. The motion fails.**

---

### **Selectmen's Liaison Assignments**

Mrs. Kramer reviewed the Selectmen's Liaison Assignments for FY'07, and Board members agreed to their liaison assignments to Town Departments and Committees. The liaison assignment representative is meant to allow each committee access to the Board through their designated representative. Mrs. Kramer: Accounting Office, Appropriation Committee, Board of Assessors, Town Treasurer Collector's Office, School Committee, Public Library, Economic Commission & Development, Land Use Study Committee; Mrs. Pratt: Fire Department, Police Department, Regional Vocational Schools, DPW, Hopkinton Cultural Council, Marathon Committee, Open Space Preservation Commission, Community Preservation Committee, Lake Maspenock Dam Preservation Committee; Mr. Holden: Historical Commission, Historic District Commission, Marathon Fund Committee, Parks & Recreation Commission; Trails Committee; Mr. Clark: Capital Improvement Committee, Personnel Committee, Planning Board, Recycling Committee, Housing Committee; Town Manager Screening Committee; Mr. Shepard: Board of Appeals, Conservation Commission, Animal Control Officer, Inspectional Services, Board of Health, Facilities Board, Council on Aging, Veteran's Services; Mr. Kozak: Cable Committee, Town Clerk's Office.

---

### **Facilities Board representative**

Mrs. Kramer said the Facilities Board vacancy is reserved for a member of the Capital Improvement Committee (CIC) which CIC member, Ken Allor, has been serving as their representative. Mrs. Kramer said that she was recently contacted by Charles O'Leary, Chairman of the Facilities Board, and who informed her that Mr. Allor is moving out of town in about six (6) months, but still wishes to serve on the Facilities Board until that time. Mrs. Kramer added that since Mr. Allor did not seek his re-appointment to the Capital Improvement Committee, this would mean that he would not be able to serve on the Facilities Board. Mrs. Kramer said that Mr. O'Leary respectfully requests the Board to consider Ken Allor's re-appointment on the Facilities Board until his relocation in about six months. Mrs. Kramer said that the Capital Improvement Committee Chairman, Mr. Duffy, has no other CIC representative who wishes to serve on the Facilities Board at this time; and therefore, requests the Board of Selectmen to consider changing the Facilities Board's CIC member to an at-large member so that Mr. Allor could continue serving on the Facilities Board. Mrs. Kramer supports this concept as Mr. Allor is willing to continue serving on the CIC, and his expertise would continue to be value to the Facilities Board. The Board members agreed with Mrs. Kramer's recommendation

**Vote:** Mrs. Kramer entertained a motion to change the Capital Improvement Committee's representative position on the Facilities Board to an at-large member. **So moved Mr. Shepard. Second Mrs. Pratt. Unanimously voted.**

**Vote:** Mrs. Kramer entertained a motion to appoint Ken Allor to the Facilities Board for a three-year term. **So moved Mr. Shepard. Second Mr. Clark. Unanimously voted.**

---

### **Town Manager Job Description Process**

Mrs. Kramer said that the Personnel Committee (PC) and Mr. Clark, the Board's liaison to the PC, provided a Town Manager Job Description (TMJD) for the Board's input. Mr. Clark noted that the Ms. Downing, Human Resource Director, based the TMJD from other Town's descriptions, and that the Board would need to "fine tune" it. The Board discussed the educational qualifications stating a Masters Degree, but Mr. Clark noted that the wording is "should" versus "shall" not limiting a qualified candidate. Mrs. Kramer asked Mr. Kozak if he was comfortable with the TMJD, and he responded yes. Mrs. Kramer

brought up the language in the Town Charter that states the Town Manager cannot hold any other town position.

**Vote:** Mr. Clark motioned to approve the Town Manage Job Description as submitted with the addition of the language from the Town Charter, Article 4, Sec. 4-1(b), that the Town Manager will not hold any other public office, effective or appointed. **So moved Mr. Holden. Second Mr. Shepard. Unanimously voted.**

---

#### **Town Bylaw Review Committee Announcement**

Mrs. Kramer announced vacancies on the Town Bylaw Review Committee which was established when the Town Charter was adopted at the 2006 Town election. She read the following notice: *Not later than ninety (90) days following the election at which this Charter is adopted, the Board of Selectmen shall appoint a committee to begin a review of the Town bylaws for the purpose of preparing such revisions and amendments as may be needed or necessary to bring them into conformity with the provisions of this Charter and to fully implement the provisions of this Charter. The committee shall consist of seven (7) persons of which, if possible, at least two (2) persons shall have been members of the Hopkinton Charter Commission. The committee shall submit a report, with recommendations, to the Annual Town Meeting in the year following the year in which this charter is adopted. Town counsel shall review the report prior to Town Meeting.* Mrs. Kramer encouraged interested persons to submit a letter of interest to the Selectmen's Office by 4:00 p.m. on July 19, 2006.

---

#### **Council on Aging Budget Transfer**

Mrs. Kramer read a letter from Cindy Chesmore, Council on Aging, requesting a transfer of up to \$955.85 from their payroll line to their expense line. Mrs. Kramer noted that the Appropriation Committee approved this request at its June 14, 2006 meeting.

**Vote:** Mrs. Kramer entertained a motion to approve the Council on Aging's request to transfer up to \$955.85 from their payroll line to their expense line. **So moved Mr. Holden. Second Mrs. Pratt. Unanimously voted.**

---

#### **Executive Office of Environmental Affairs Technical Assistance Grant: East Hopkinton Master Plan**

Mrs. Pratt referred to a letter from Elaine Lazarus, Planning Director, of an application to the MA Executive Office of Environmental Affairs for a Technical Assistance Grant in the amount of \$20,000, to provide funding for the East Hopkinton Master Plan. Ms. Lazarus explained in her letter that the grant program would give funding towards the portion of the project that is involved in creating a zoning strategy for the implementation and preparation of draft zoning bylaws; and that the Community Preservation Act (CPA) funds voted at the May 2, 2006 Special Town Meeting voted \$200,000 towards the project with \$10,000 from the Planning Board's FY'06 budgets, and \$5,000 from the FY'06 Selectmen's budget. Ms. Lazarus further wrote that if the \$20,000 grant is awarded, they would replace \$15,000 in the CPA funds and \$5,000 in the Planning Board's budget making the funding \$185,000 in CPA funds, \$20,000 grant funding, \$5,000 Planning Board and \$5,000 Selectmen budget. Ms. Lazarus' letter requests on behalf of the Planning Board that the Board of Selectmen vote to support and submit the grant request, and to commit \$5,000 from its FY'06 budget. Mr. Clark commented that he supports the CPA funding of \$200,000 and the Planning Board's \$20,000, but does not support allotting \$5,000 from the Selectmen's budget. There was a discussion regarding if there was enough funds in the Selectmen's professional services FY'06 budget and being able to return the funds to that line; and, if not, additional funds could be taken from FY'07 budget.

Mr. Kozak said that the Board might have to split the funds and by using \$2,500 each from FY'06 and FY'07, as well, and put back \$2,500 from FY'06 into the general fund and \$2,500 into the FY'07 professional services budget.

**Vote:** Mr. Clark motion to support the Technical Assistant Grant in the amount of \$20,000; and for the Board of Selectmen to commit up to \$5,000 from FY'06; and, if needed, to use FY'07 funds and to replace the funds either to the Selectmen's professional services line or the general fund. **Second Mrs. Pratt. Unanimously voted.**

---

**Marathon Committee Expenses for the 2006 Boston Marathon**

Mrs. Kramer reviewed the Marathon Committee's expenses for the 2006 Boston Marathon including postage: \$80.21, supplies: \$146.44, telephone: \$263.54, VIP badges: \$105.50, parking: \$120, mileage: \$205.59; and toll: \$22.70; Korean Church supplies: \$173.75 for a total of \$1,211.13.

**Vote:** Mrs. Kramer entertained a motion to approve for payment expenses incurred from the 2006 Boston Marathon submitted by the Marathon Committee, including postage: \$80.21, supplies: \$146.44, telephone: \$263.54, VIP badges: \$105.50, parking: \$120, mileage: \$205.59, and toll: \$22.70; Korean Church supplies: \$173.75 for a total of \$1,211.13. **So moved Mr. Holden. Second Mr. Shepard. Unanimously voted.**

---

**Disclosure Discussion:**

Mr. Shepard said that he sent a letter to the State Ethics Commission asking for their opinion on the matter of his voting or participating in matters regarding the Town's Fruit Street property while serving on the Board of Selectmen, as his daughter's property is located on Fruit Street in close proximity to the Town's Fruit Street property. Mr. Shepard disclosed that the State Ethics Commission advised him that since his daughter is sufficiently close to the property, he should avoid participating in any Fruit Street discussion held by the Board of Selectmen, as her property values could be affected by his votes; and advised him to step down from the Board of Selectmen when any matters relating to the development of the Fruit Street property comes before them. Mr. Shepard made available a copy of the State Ethics Commission letter to the member of the Board and to the Town Clerk's Office.

---

**Meeting Adjourned:**

**10:10 p.m.** Mrs. Kramer entertained a motion to adjourn the public meeting. **So moved Mr. Holden. Second Mrs. Pratt. Unanimously voted.**

Respectfully submitted,

Geri Holland,  
Executive Assistant

Date approved: 7/25/06, as amended on page 6 under first vote.