

**TOWN OF HOPKINTON**  
**BOARD OF SELECTMEN**  
**Meeting Date: September 12, 2006**  
**MINUTES**

**Members Present:** Muriel E. Kramer, Chairman; Mary C. Pratt, Vice-Chairman; Leonard A. Holden, Ronald M. Clark; Michael W. Shepard

**Others Present:** HCAM; Robert Falcione, HopNews; Michele Murdock, Hopkinton Independent; Appropriation Committee: Stuart Cowart, Chairman; Attorney William August; Cable Committee: Raymond Fair, Chairman; Richard Odell; Susie Johnson; Open Space Preservation Committee: John Coolidge, Chairman, and Jeffrey Doherty; Elaine Lazarus, Planning Director; Board of Health: Nancy Peters, Chairman; Robert Snyder; Craig Nation; Christopher Nation; Gail Clifford; Mark Furber; Carol DeVeuve; Randy Kramer; Selectmen's Office Theodore D. Kozak, Executive Secretary, Geri Holland, Executive Assistant.

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**Open Public Session/Move into Executive Session (Room 211)**

**6:00 p.m.** Mrs. Kramer opened the public meeting and entertained a motion to move into executive session for the purpose to discuss the release of executive session minutes; and to discuss a public safety issue. **So moved Mr. Clark. Second Mrs. Pratt. The roll call votes are: Mrs. Kramer: yes; Mrs. Pratt: yes; Mr. Holden: yes; Mr. Clark: yes; Mr. Shepard: yes. Unanimously voted.**

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**Re-open Public Session (Room 211)**

**7:00 p.m.** Mrs. Kramer re-opened the public session, and asked everyone to stand for the Pledge of Allegiance. Mrs. Kramer commented about the success of the recent Town employee's picnic that was held at the New England Laborer's Training Camp; and thanked the Human Resource Department and those employees who planned the event. Mrs. Kramer also commented about the ecumenical service that was held on the Town Common to remember the fifth anniversary of the 9/11/06 events.

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**Selectmen's Minutes: August 8, 2006 (ES); August 30, 2006**

**Vote:** Mrs. Kramer entertained a motion to approve the August 8, 2006 (Executive Session) Selectmen minutes. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**

**Vote:** Mrs. Kramer entertained a motion to approve the August 30, 2006 Selectmen minutes. **So moved Mr. Shepard. Second Mr. Clark. Unanimously voted.**

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**Senior Center Update/Schedule: Cindy Chesmore, Director**

Mrs. Chesmore gave an update of the opening ceremonies of the new Senior Center scheduled at 10 a.m. on September 28. She also said that there is a reception planned on Wednesday, September 27 from 5:00 p.m. to 7:00 p.m. to thank all those companies that made considerable donations to the Senior Center. Mrs. Chesmore invited members of the Board to a cookout that is planned on Friday, September 29; and that more details will be sent to them. She added that the Senior Center would be operational by October 2<sup>nd</sup>. Mrs. Chesmore wished to publicly thank all those volunteers who have assisted with the Senior Center's move into the new Center; and to thank Brian Main, Facilities Director, for all of his assistance with the planning of the new Center.

Mrs. Chesmore requested a one-day wine and beer license for donor's reception at the new Senior Center on Wednesday, September 27 from 5:00 p.m. to 7:00 p.m. Mrs. Kramer stated that the Town has a no

alcohol policy on Town property. Mr. Kozak said that he spoke to the Town's insurance carrier and that they would insure this event. Mr. Shepard commented that he appreciates the intent of this request, but that he cannot support this license. He further commented that this is Town property, and pointed out the repercussions to the Town and how it might negatively affect the Town's children, should there be an alcoholic related accident. He said that he will vote no to this request. Mr. Kozak commented that he is concerned about liability issues even if the insurance carrier provides coverage. Mr. Holden stated that he believes that allowing liquor on Town property would send the wrong message to the Town youth. Mr. Clark also commented that he believes that granting a liquor license on Town property would set a bad precedent. Mrs. Chesmore thanked the Board for its consideration. The request was withdrawn.

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**The First Congregational Church - 40 Days of Community Project: Michael Laurence, Senior Pastor**

Mrs. Kramer invited Michael Laurence, Senior Pastor of The First Congregational Church (FCCH) in Hopkinton, to present FCCH's 40 Day of Community Project which begins this month. Rev. Laurence said that FCCH met with several town officials to ask what needs do they believe the community has and how FCCH could offer a helping hand. He said that the Police Chief and Fire Chief responded by recommending that the FCCH assist them by connecting with all households in town to pass along important, life-saving safety information including smoke and carbon monoxide detectors, and visibility of house numbers for faster emergency response times. Rev. Laurence said that this part of the project is called "Checking in With Hopkinton" and is scheduled on October 14, 15 21 and 22. He also talked about FCCH's invitation to town residents to Make a Difference Day scheduled the end of October where they will work with the HFD and HPD to offer a variety of safety-related demonstrations. He also spoke about other projects that include assisting the Senior Center and an appreciation dinner for the Police and Fire Departments. Rev. Laurence offered to come back to the Selectmen's meeting in November to give an update of the project. Members of the Board expressed their appreciation and gratitude to Rev. Laurence and thanked him for his presentation.

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**Medical Reserve Corps: Liisa Jackson, Fire Chief Daugherty, Police Chief Irvin**

Mrs. Kramer invited Liisa Jackson, Coordinator for the local Medical Reserve Corps (MRC), a national network of volunteers dedicated to ensuring hometown security, Police Chief Irvin and Fire Chief Gary Daugherty, to give an overview of the Medical Reserve Corps. Ms. Jackson talked about the components of the MRC on the local level which would comprise of local volunteers who want to donate their time and expertise to promote healthy living throughout the year and to prepare for and respond to emergencies. Ms. Jackson said that she met with both the Police Chief and Fire Chief who both support the program. She added that Chief Daugherty has offered to hold training classes such as CPR etc. Ms. Jackson said that MRC volunteers would supplement existing local emergency and public health resources and include medical, public health professions, physicians, nurses, etc., along with other community members such as office workers, interpreters, clergy etc. She also talked about how MRC would benefit the town. Ms. Jackson said that the program is recruiting 65 town volunteers, and encouraged residents to sign up for this project. The Board thanked them for attending this meeting.

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**Soap Box Derby Event: Bob Barnes**

Mrs. Kramer asked Mr. Barnes, Soap Box Derby coordinator, to present his request to hold a soap box derby in Hopkinton. Mr. Barnes apologized for not requesting the Board of Selectmen's permission for a parade permit before this time, as he did not understand the permitting process; although, he stated that he had contacted the Police Chief to review the event's plans. Mr. Barnes said that the Northampton Soap Box Derby plans to hold its race in Hopkinton on Church Street on Saturday, September 30 with registration beginning at 7:00 a.m. and the start of the race at 9:00 a.m. He said that the race will continue until 4:00 p.m. that day. Mr. Barnes said that there are about 50 families in the race with 10 local contestants. He added that he selected September 30<sup>th</sup> as it is the date of the PolyArts event which is held on the Town Common. Mr. Barnes explained the logistics of the event in managing the streets by lining

the street with traffic cones. He said that he contacted the residents on Church Street, and that some have offered to help with the event. Mr. Barnes said that he has contacted the funeral home and church that are located on Church Street to discuss the issue of should there be a funeral; and if so, the derby would move its location to EMC at 52 South Street which is the location of the derby's second day of the race. He also said that the church has granted permission for the use of the church's parking lot during the September 30<sup>th</sup> race parking and storage of port-a-potty units. Mr. Clark recommended for Mr. Barnes to contact the owner of a business on Church Street to ask if he would be willing to allow usage of the parking lot. Mr. Kozak noted that a copy of the Certificate of Insurance naming the Town as an additional insured with a minimum of at least \$1M needs to be sent to the Selectmen's Office before the event. Mr. Barnes said that a copy of the Certificate would be sent before the event.

**Vote:** Mr. Shepard motioned to grant a parade permit to hold the Northampton Soap Box Derby event as presented by Mr. Bob Barnes, coordinator, for the derby's event scheduled on Saturday, September 30 from 7:00 a.m. to 4:00 p.m., contingent upon the Certificate of Insurance and per the recommendations of the Police Chief. **Second Mr. Clark. Unanimously voted.**

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**Town Tree Warden – Paul Gleason: John T. Gaucher, DPW Director**

Mr. Gaucher introduced the Town's Tree Warden, Paul Gleason, who began his tenure with the Town on August 1<sup>st</sup>. Mr. Gleason, a Southborough resident, gave a brief review of his background and talked about his years of experience working as a certified arborist. Mr. Clark suggested that before determining removal of trees on scenic roads, to schedule a hearing through the Planning Board. Mr. Gaucher commented that the Tree Warden has jurisdiction over scenic roads but would contact the Planning Board whenever he believes it's necessary. Mr. Clark realized that there is a difference between the taking of a tree if it's diseased, which a public hearing would be scheduled, versus an emergency situation such as lightening strikes whereas the Tree Warden would use his own judgment to make a determination as to whether or not to take the tree down or not. The Board welcomed Mr. Gleason and thanked him and Mr. Gaucher for attending this meeting.

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**Chapter 90 allocations: John T. Gaucher, DPW Director**

Mr. Gaucher said that the Commonwealth of Massachusetts released an additional \$163,308 to the Town of Hopkinton's specific Chapter 90 Supplemental apportionment which would be used towards road improvements.

**Vote:** Mrs. Kramer entertained a motion to approve for signature by the Chairman the Commonwealth of Massachusetts' contract for the additional Chapter 90 funding for \$163,308. **So moved Mr. Shepard. Second Mr. Clark. Unanimously voted.**

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**Water and Sewer Infrastructure Project: Rosemary Blacquier, Richard Jubinville, Earth Tech consultants**

Mrs. Kramer welcomed Earth Tech consultants, Rosemary Blacquier and Richard Jubinville, who prepared a PowerPoint Presentation of the Water and Wastewater Town projects. The water projects that Ms. Blacquier and Mr. Jubinville talked about include the following: Mayhew Street: a new eight inch water main to the new Senior Center; construction began and was completed in June '06; Spring and W. Main Streets: Phases I and II began this week; Fruit Street well H-2 -#6: The final design was completed in October '05; The Water Management Act Permit was approved July 6, 2006; The Department of Environmental Protection (DEP) New Source Permit for the groundwater monitoring plan and bid contract, and the Notice of Intent from the Conservation Commission, Natural Heritage and DEP are forthcoming. The wastewater projects that were presented include the following: Sewer System Evaluation Survey: Phase I report completed June '06; Phase II Study – Project Evaluation Form filed August 31, 2006 for the FY 2007 SRF funds i.e., a town-wide comprehensive survey, flow metering specific areas upstream of the pump stations, and additional field work i.e., closed circuit TV, flow

isolation, smoke testing and manhole inspections; Implementation of a Rehabilitation Program; Fruit Street Wastewater Treatment Facility: Notice of Project Change was approved on August 9, 2006; Final Plans and Specifications due to DEP on October 15, 2006 for SRF funds; and the design and coordination of activities; final design and specifications, groundwater discharge site layout, groundwater monitoring plan, and permit filings. Mrs. Blacquier talked about the coordination efforts on the State and local level. Mrs. Blacquier said that Earth Tech would like to attend the Board of Selectmen's meeting on a more regular basis to keep the Town informed about these projects.

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### **Readout Mail**

#### **Hopkinton Community Endowment Event:**

Mr. Shepard read an announcement about the Hopkinton Community Endowment 4<sup>th</sup> annual Telethon schedule on Sunday, October 15 from 5:00 p.m. to 8:00 p.m.

#### **National Public Land Day:**

Mrs. Kramer read a letter from the Friends of Upton State Forest that announces National Public Land Day, scheduled on September 23 from 9:00 a.m. to noon with a rain date of September 24.

#### **The National Treasury Employees Union:**

Mrs. Kramer referred to a letter received from the National Treasury Employees Union that announces the IRS's decision to close the Submission Procession Operation located in Andover, MA; and asks for letters to be sent to the Commissioner of the IRS to stop this move.

#### **City of Charlemagne's Centennial Anniversary:**

Mrs. Kramer referred to a letter from the Mayor of the City of Charlemagne in Canada that thanks the Town of Hopkinton for sending a congratulatory letter on its Centennial Anniversary.

#### **495/Metrowest Alliance for RTA Service:**

Mrs. Kramer referred to a letter from the 495/Metrowest Alliance for RTA Services that announces its future outreach briefings for municipal officials to provide an overview on reforms with the transit services.

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### **Old Business/New Business/Liaison Reports**

**Veteran's Celebration Committee Update:** Mr. Shepard gave his liaison report for the Veteran's Celebration Committee (VCC) and informed the Board that the VCC plans to request the Board's approval to increase its membership to nine members.

**Whitehall Property Purchase Discussion:** In regards to the Lake Whitehall property purchase by the Town, Mr. Clark noted that a second appraisal from Mulhern Appraisers was recently received at the same amount as the first appraisal. He questioned when the Open Space Preservation Committee (OSPC) voted to send a letter to Mulhern Appraisers with the five criteria as presented by Town Counsel at the last Selectmen's meeting dated August 29. Mr. Kozak believed that this was voted the evening before this day. Mrs. Pratt responded that the OSPC held a meeting on Friday, September 1 at 2:00 p.m. Mr. Clark questioned the timing of the September 1<sup>st</sup> meeting being scheduled on a holiday weekend. Mr. Clark asked what the 2<sup>nd</sup> appraisal cost; Mr. Kozak responded \$850. Mr. Clark asked for a copy of the engagement letter; and pointed out that at the August 29<sup>th</sup> Selectmen's meeting, Mr. Coolidge said that the Community Preservation Committee (CPC) would vote on which appraisal to use. Clark stated his concern about the process of the town purchasing property; and believes that the process in negotiating the Whitehall property was not followed under MA General Law, Ch. 30B, and said that there were no minutes that this property was voted as a "unique" parcel. He pointed out a letter from Town Council, dated July 24, 2006, that included an attachment of a document signed by Mr. Coolidge, Mr. Doherty, and Mrs. Peters, that states this is a "unique" parcel, but the document was not dated. He stated that there is a good possibility that the town did not follow Ch. 30B and suggested turning the documents over to Ms.

Angela Atchue, Assistant General Counsel from the Office of the Inspector General's Office, to render an opinion. He said that if she finds that the Town did not follow the correct process, then she could inform the town as to what needs to be done; and he added that the town might need to start the process over. He pointed out that if the town didn't follow the process, it would jeopardize the self-help grant and fund could be withheld from the town.

Mrs. Kramer said that she is satisfied with the process and pointed out the various persons who looked at the paperwork such as Attorney Faiman, Attorney Dennis, and Attorney DeAngelis.

Mrs. Pratt recommended requesting the Town's previous Town Counsel, Attorney Faiman, to come in and explain the process to the Board.

Mrs. Kramer stated her reluctance to paying more funds for this project.

Mr. Clark pointed out that Attorney Dennis and Bond Counsel stated their "willingness" to accept the appraisal, but that what is lawful and what is not lawful is acceptable, but not "willing". He asked what that downside would be to ask Attorney Atchue to review the documents.

Mrs. Kramer responded that there is no downside.

Mr. Clark reiterated requesting Attorney Atchue to look at the documents; and offered to contact her.

Mrs. Kramer was agreeable with this, but would not agree paying her to review the documents.

Mr. Clark stressed in keeping the integrity of the Selectmen intact and to follow through with what was talked about at the last Selectmen's meeting on August 29.

Mrs. Pratt brought up the issue of the 2006 Town Meeting vote that approved purchasing the Whitehall property for up to \$2.75M and the misunderstandings by the general public believing that they would be voting some of the articles by ballot.

Mr. Clark commented that the trust in the CPC land purchase process needs to be restored; and believes that a policy needs to be established for the next town meeting.

Mrs. Kramer recommended scheduling this discussion at a Selectmen's meeting either in October or November.

Mr. Shepard recommended scheduling this in October. He added that both the OSPC and CPC know that the town needs a policy and recommended sending them a letter to provide the Board of Selectmen with the information to establish a policy.

Mr. Clark responded that the Board of Selectmen would decide the policy.

E.L. Harvey Discussion: Mr. Clark brought up the issue of E.L. Harvey building a structure in Westboro and recommended inviting them to a Selectmen's meeting to ask if they have plans to build in Hopkinton. He suggested this as E.L. Harvey would be the second largest taxpayer in Hopkinton. Mr. Shepard said that this is a private business and that it is not the Board's business; **he added that if the town provides them a tax break, then he was agreeable to inviting them to a meeting.**

Town's Website Postings: Mr. Clark asked if the town had a policy in what was allowed on the town's website, as he believes that some of the postings are inappropriate. Mrs. Kramer said that she is not sure if any postings should be censored. Mrs. Kramer said that she would have a conversation with Mr. Clark after the meeting if he would like to further discuss what posting he is referring to.

Fiscal Year '08 Budget Timeline: Mrs. Kramer said that she is looking forward to working with the various town departments with the FY'08 budget.

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**One-Day All Liquor License: Southborough Rod & Gun Club, Sun. 9/17/06; 60<sup>th</sup> Anniversary event**

Mrs. Kramer read a request from the Southborough Rod & Gun Club for a one-day all alcoholic license on Sunday, September 17, 2006 from noon to 6:00 p.m. for their 60<sup>th</sup> Anniversary event. Mrs. Kramer noted that the Police Chief has no problem with the issuance of this license.

**Vote:** Mrs. Kramer entertained a motion to approve the Southborough Rod & Gun Club for a one-day all alcoholic liquor license on Sunday, September 17, 2006 from Noon to 6:00 p.m. for their 60<sup>th</sup> Anniversary event. **So moved Mrs. Pratt. Second Mr. Shepard. Unanimously voted.**

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**Land Use Study Committee appointment (Life of Project): Rebecca Robak**

Mrs. Kramer noted that the vacancy on the Land Use Study Committee has been posted for over two weeks in the Town Hall and Town's website; and that Rebecca Robak is the sole applicant for the at large position.

**Vote:** Mrs. Kramer entertained a motion to appoint Rebecca Robak to the Land Use Study Committee for the at large position with a term for the Life of the Project. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**

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**Announce Town Committee vacancies**

Mrs. Kramer announced the following openings on various town committees: Appropriation Committee (1); Bylaw Review Committee (2); Capital Improvement Committee (1); Housing Committee (1); Marathon Committee (1); Personnel Committee (1); and Recycling Committee (1). Mrs. Kramer noted that the vacancies would be posted in the Town Hall, and invited all interested persons to contact the Selectmen's Office for more information about these openings.

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**Proclamation for Rev. James Degnan**

Mrs. Kramer presented a proclamation recognizing Rev. James Degnan, Pastor of St. John the Evangelist Church in Hopkinton for the last 27 years before his recent retirement. The proclamation would be presented to him at an Appreciation Dinner that St. John's parish community has planned on Sunday, September 17.

**Vote:** Mrs. Kramer entertained a motion to approve for signature a proclamation recognizing Rev. James Degnan who recently retired as pastor of St. John the Evangelist Church for the last 27 years. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

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**Meeting Adjourned:**

**9:40 p.m.** Mrs. Kramer entertained a motion to adjourn the public meeting. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**

Respectfully submitted,

Geri Holland,  
Executive Assistant

Date approved: 9/26/06 as amended on page 4 to change under the Whitehall property purchase discussion: Mr. Coolidge said that the Community Preservation Committee (CPC) would vote on whether or not to release the engagement letter. To Mr. Coolidge said that the Community Preservation Committee (CPC) would vote on which appraisal to use.