

TOWN OF HOPKINTON
BOARD OF SELECTMEN
Meeting Date: December 19, 2006
MINUTES

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

Others Present: Casey Pulnik, HCAM; Robert Falcione, HopNews; John Hilliard, MetroWest News; Tony Troiano prospective Town Manager; Dan Peterson; Michael Shanahan; Michael DellaMonaca; Attorney Douglas Resnick; Board of Health: Nancy Peters, Chairman; Youth Commission: Michelle Paine, Chairman, and Brian Eberlin; Ken Johnson; Bob Shammas; Taru Kinnunen; HALT: David Goldman; Edward Sennott, Jr.; Daniel Bates; Donald Creswell, Auxiliary Police Chief; Connect City: Dan Petersen; Selectmen's Office: Theodore D. Kozak, Executive Secretary, and Geri Holland, Executive Assistant.

Public Meeting opened:

7:00 p.m. Mrs. Kramer opened the public meeting and invited everyone to stand for the Pledge of Allegiance.

Selectmen Minutes: 10/13; 10/16; 10/23; 11/1; 12/5; 12/5 (ES); 12/11

1. **October 13, 2006**
Vote: Mrs. Kramer entertained a motion to approve the October 13, 2006 Selectmen's minutes. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**
 2. **October 16, 2006**
Vote: Mrs. Kramer entertained a motion to approve the October 16, 2006 Selectmen's minutes. **So moved Mr. Holden. Second Mr. Shepard. Unanimously voted.**
 3. **October 23, 2006**
Vote: Mrs. Kramer entertained a motion to approve the October 23, 2006 Selectmen's minutes. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**
 4. **November 1, 2006:**
Vote: Mrs. Kramer entertained a motion to approve the November 1, 2006 Selectmen's minutes as amended. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**
 5. **December 5, 2006:**
Vote: Mrs. Kramer entertained a motion to approve the December 5, 2006 Selectmen's minutes. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**
 6. **December 5, 2006 (Executive Session):**
Vote: Mrs. Kramer entertained a motion to approve the December 5, 2006 Executive Session Selectmen's minutes. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**
 7. **December 11, 2006:**
Vote: Mrs. Kramer entertained a motion to approve the December 11, 2006 Selectmen's minutes as amended. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**
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Public Hearing: Irvine Brothers Realty (85 Hayden Rowe) (2) 500 gallon aboveground flammable storage license for diesel fuel at 85 Hayden Rowe

Mrs. Kramer read the Notice of Hearing on the application of Irvine Brothers Realty, 85 Hayden Rowe Street for a license for flammable storage at 85 Hayden Rowe Street, for two (2) 500 gallon tanks aboveground storage for diesel fuel.

Vote: Mrs. Kramer entertained a motion to open the public hearing. **So moved Mr. Shepard. Mr. Holden. Unanimously voted.**

Mrs. Kramer commented that the Building Department submitted a letter stating that it would deny the application due to outstanding zoning violations. Mr. Kozak said that once the issues have been addressed, Irvine Brothers Realty will come back with its requests. Mrs. Kramer noted that Irvine Brothers Realty submitted a letter withdrawing the application for the above ground diesel storable tank permits

Vote: Mrs. Kramer entertained a motion to continue the public hearing until a time that Irvine Brothers Realty has submitted a letter stating that the issues have been addressed. **So moved Mr. Shepard. Second Mr. Holden. Unanimously voted.**

Connect CTY (Reverse 911): Dan Petersen

Mr. Dan Petersen from Connect CTY gave a presentation through a PowerPoint about the service that Connect-CTY allows civic leaders to send personalized voice messages to thousands of people in minutes in the event of local emergencies such as a water main break or power outages. Mr. Petersen described the services Connect-CTY presently offers to approximately 57 other communities. It was noted that the Town has scheduled to begin this program in 2007.

Auxiliary Police Department Interviews: 1.) Edward Sennott, Jr.; 2.) Daniel W. Bates (14 members with a maximum of 19 members)

The Board invited Edward Sennott, Jr. and Daniel Bates to give an overview of their backgrounds and state why they would like to serve as an Auxiliary Police Officer. Mr. Don Creswell, Auxiliary Police Chief recommended both candidates.

Vote: Mrs. Kramer entertained a motion to appoint Edward Sennott, Jr., and Daniel Bates as Auxiliary Police Officer for a one year term to 2007. **So moved Mr. Shepard. Second Mr. Clark. Unanimously voted.**

Auxiliary Police Chief Creswell noted that presently there are three vacancies. Mrs. Kramer invited interested persons to contact the Police Department.

Erickson Property Discussion: Doug Resnick

Attorney Resnick who represents Erickson Retirement Communities in connection with their procurement of domestic water to serve their proposed community located on Lumber Street. He stated that his clients met the DPW Advisory Committee on December 12, 2006 to present their needs for water, and the DPW Committee believes that the Town is able to serve Erickson's water requirements subject to being able to raise the water withdrawal limit and to obtain the Department of Environmental Protection (DEP) and Water Resources Commission's approval. Attorney Resnick said that his client understands the DPW's requirements, but that they also need to pursue other options in the event that the Town is unable to supply their needs. Attorney Resnick said that the DPW recommends that the Board of Selectmen issue a letter authorizing Erickson to explore other sources of water with the Milford Water Company on the condition that the Water Manager attend any and all meetings relating to this issue; and that Erickson prioritize its efforts by applying for and utilizing Town water. He added that if Erickson is unable to use town water that they might work with the Milford Water Company as an alternative.

Mr. Clark said that the DPW Advisory Committee's minutes state that they have no problem with authorizing Erickson and the Milford Water Company to work together towards developing new water supplies for Hopkinton; but he stated his concern that the Board of Selectmen's authorization might be misconstrued as the Board of Selectmen approving Erickson's project. He noted that there are no plans in front of any of the Town reviewing Boards. It was noted that Erickson must explore other sources and first apply to DEP for more withdrawal.

There was more discussion regarding Mr. Clark's concerns. Attorney Resnick said that Erickson would explore creating infrastructure and provide a secure safety valve of water source and identify what the possibilities are.

Mrs. Kramer asked if there is a way to support Erickson that everyone would be comfortable with. Mrs. Pratt recommended a private well. Attorney Resnick reiterated that this could positively affect the whole town. Mr. Shepard stated that he is encouraged that a developer is doing something positive for the town. Mrs. Kramer recommended that the Board of Selectmen send a letter.

Vote: Mr. Clark motioned that the Board of Selectmen authorize Erickson to explore other sources of water for Hopkinton with the Milford Water Company, on the condition that the Hopkinton Water Manager attend any and all meetings. In addition, Earth Tech will be present at these meetings, at Erickson's expense. This action does not indicate approval by the Board of Selectmen of the development or guarantee any future water connections. **Second Mr. Shepard. Unanimously voted.**

Youth Commission Discussion regarding various issues: Michelle Paine

Ms. Paine gave an update of the Youth Commission's various programs and areas of focus' one being a youth center. Mr. Eberlin, Chairman of the sub-committee for a Youth Center, presented the idea of allowing the Youth Commission to use the Town Hall's lower level as a Youth Center. Both Ms. Paine and Mr. Eberlin presented various reasons for this being a good location such as being in the center of town, the use of a kitchen etc. The Board discussed various issues regarding the usage of the Town Hall's lower level such as security, and the possibilities of other Town locations such as the new Senior Center. The Board supported the Youth Commission's initiative and would request the Town's Facilities Manager, Brian Main, to research this matter. The Board also requested the Youth Commissioners to submit a proposal of its plans for a Youth Center.

Youth Commission Interviews: three (3) year terms to 2009): Ken Johnson; Bob Shammass; Taru Kinnunen

Mrs. Kramer invited candidates Ken Johnson, Bob Shammass and Taru Kinnunen to give overviews of their backgrounds and state why they would like to serve on the Youth Commission. The Board agreed that all three candidates would be an asset to the Commission.

Vote: Mrs. Kramer entertained a motion to appoint Ken Johnson, Bob Shammass, and Taru Kinnunen to the Youth Commission for a three year term to 2009. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Conservation Restriction: Attorney Michael DellaMonaca

The Board invited Attorney DellaMonaca to give a proposal regarding a conservation restriction to be granted by the Hopkinton Area Land Trust to govern approximately 54 acres of undeveloped property presently owned by the Rocky Woods Homeowner's Association.

9:00 p.m. Mrs. Holland left the meeting at this time; and Mr. Kozak continued to record the minutes.

Attorney DellaMonaca explained to the Board he was there to represent the Rocky Woods' Homeowner's Association and had prepared the Conservation Restriction with assistance of HALT.

Mr. Kozak noted that the Conservation Commission said it does not require their signoff on this document, but they did support going forward with the Conservation Restriction.

David Goldman said they had been working on this project for a year to a year and half, that the property has a unique feature called a gorge and should be preserved.

Mr. Clark asked if the public was allowed to use the property, he said he did not see that language in the Conservation Restriction.

Attorney DellaMonaca said that the document would allow HALT to decide whether to allow the public to use the land.

Mr. Goldman said that he believes the Planning Board decision allowed use by the public and that would not change.

Mr. Clark said that he would prefer having language in the Conservation Restriction to assure that the public can use it.

Mr. Michael Shananhan, a representative of the Homeowner's Association said that paragraph F of the last page allows any previously approved conditions for public use to continue.

Mr. Shepard asked if property taxes were paid on the property. The response was "yes". Mr. Shepard said that although the tax bill might be small, by allowing the Conservation Restriction, the town would lose the tax income and the other tax payers should be allowed to have access to this property. He suggested further research should be done on the previous agreement with the Planning Board to determine what language is in the agreement. Mr. Clark agreed that should be clarified. He also suggested that the Conservation Restriction should allow HALT to build new trails if needed by the public. Mr. Clark noted that the Conservation Restriction would prohibit fishing and hunting and the Board of Selectmen have a policy to only approve Conservation Restrictions that allow hunting in order to keep the deer population in check. He said this policy was recommended by a State biologist who came before the Board a few years ago.

It was decided that the attorney and representative from HALT will return to the Board at the next meeting to discuss this issue further.

Special Town Meeting Update

Mrs. Kramer gave an overview of the Articles. She explained the Board had meet with the Appropriation Committee and that funding had been found for Article one and was approved by them. Mrs. Kramer gave an overview of the remaining Articles that will be on the warrant. Mr. Clark suggested the office e-mail Department Heads and Committee Chairs to remind them they are required to attend the Town Meeting. Mr. Shepard suggested that if a Committee Head cannot attend that they ask another member of the committee to attend.

Readout Mail

Mrs. Kramer reviewed a letter from the Historical Society recommending membership to the committee. Mrs. Kramer noted a recent MetroWest Symphony program which played at the high school. Mrs. Kramer also noted the Chamber of Commerce Dinner which honored three community individuals. Mrs. Kramer spoke of the Senior Center Fund Raiser which will take place on January 31, 2007. Finally, she discussed the press release regarding Hearthstone's subdivision which the Town has been awarded a \$740,000 decision which would include attorneys' fees.

Mr. Holden noted the article in the newspaper that said the town's internet web site received a high rating for its content.

Request to permanently Extend Liquor License hours on Sundays (from Noon to 6:00 p.m. to Noon-9:00 p.m. Applicants include: 1.) Star Package Store and 2.) Hopkinton Wine & Spirits

Vote: Mrs. Kramer entertained a motion to approve Hopkinton Wine & Spirit's request to permanently extend its liquor license hours on Sundays to 9:00 p.m. and Hopkinton Star Package Store's request to permanently

extend their liquor license hours on Sundays to 11:00 p.m. **So moved Mr. Holden. Second Mrs. Pratt. Unanimously voted.**

Board of Selectmen's 2007 Meetings' Schedule

Vote: Mrs. Kramer entertained a motion to accept Mr. Clark's recommendations for the 2007 Selectmen's meetings as follows: January 9 and 23; February 13 and 27; March 13 and 27; April 10 and 24; May 1 and 7; and the Annual Town Meeting scheduled through May 7-10. **So moved Mr. Shepard. Second Mrs. Pratt. Unanimously voted.**

Accept Ambulance Gifts

Vote: Mrs. Kramer entertained a motion to accept gifts into the Ambulance Gift Account in memory of Louise Mongait from Charlotte Colella for \$50.00; James and Carol Ellsworth for \$25.00; Friends at Shrewsbury High School's Math Department for \$60.00; Paul M. Phipps Insurance for \$100.00; and the Friends at the Hopkinton DPW for \$110.00. **So moved Mrs. Pratt. Second Mr. Holden. Unanimously voted.**

Accept Council on Aging Resignation: Helen F. Deiana

Vote: Mrs. Kramer entertained a motion to accept with regret Helen F. Deiana's resignation from the Council on Aging. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.**

2007 License Renewals (see attachment):

Vote: Mrs. Kramer entertained a motion to approve the licenses for calendar year 2007 as submitted (see attachment). **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.**

Meeting Adjourned:

9:45 p.m. Vote: Mrs. Kramer 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: 1/9/07