

TOWN OF HOPKINTON
BOARD OF SELECTMEN
Meeting Date: February 27, 2007
MINUTES

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

Others Present: Robert Falcione, HopNews; Casey Pulnik, HCAM; Raymond J. Gendreau; Atisha Chatterjee; Molly Lukason; Dave Goldman; Jeffrey Furber; Meg Tyler; Andrew Crawley, Julie Crawley, Charlotte Gibbs, Lou Przystas, Malcolm Page, Peter Oram, Lynn Fournier; Claire Wright; Anthony Troiano, Town Manager; Geri Holland

Public Meeting re-opened/Pledge of Allegiance (Room 215)

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

Selectmen's Minutes: 2/6/07

Vote: Mrs. Kramer entertained a motion to approve the February 6, 2007 Selectmen minutes as prepared by Theodore D. Kozak. **So moved Mr. Clark as amended. Second Mr. Holden. Mrs. Pratt abstained from the vote. So voted.**

Comments: Mrs. Pratt (a Fruit Street property abutter and a member of HALT's Board of Directors) stepped off the Board at this time to make a statement about the February 6, 2007 minutes and submitted her comments as noted in the attachment to these minutes. Mr. David Goldman also stated that the February 6, 2007 minutes do not accurately reflect correct minutes. He said that comments about his character and Hopkinton's Area Land Trust Committee were incorrectly reflected; and that such comments should have been said to him directly and noted that he was not present at a meeting. He submitted a letter dated February 10, 2007 that discusses this issue in more detail (see attached letter). Mr. Clark commented that it was unusual that Mr. Goldman was attempting to provide information to correct the minutes for a meeting that he did not observe; Mr. Clark also commented that the Conservation Restriction on Fruit Street should be held by an independent third party and that HALT is not an independent party. He also said that as Mr. Goldman is an abutter of Fruit Street and is an adversary of the approval process of Fruits Street including writing letters to MEPA to appeal the process, HALT should be disqualified and only considered as a CR holder if Mr. Goldman were to resign from a leadership role. Mrs. Kramer agreed that Mr. Clark's comments at the February 6th meeting are questionable, but questions about adding Mr. Goldman's letter to the minutes. She read Mr. Goldman's letter at this time. She gave her personal apology to all that were at that meeting. Mr. Clark responded that he doesn't appreciate tonight's "ambush" and that he stands by his previous comments about HALT. He said that he does not offer an apology and that this whole discussion is "despicable". Mr. Shepard said that having been present at the February 6th meeting, he suggested that we should exercise more care about people who serve on the various Town Boards. He commented that if a person disagrees on an issue, it doesn't make them a "bad" person or that they are "wrong". He said that everyone should be more careful and think about what they say before saying it. Mrs. Pratt also commented about how she was unable to put her comments in the minutes even though she was not on the Board.

Announce 2007 “The Marathon-A Personal Journey” Art Contest

Susie Johnson gave an overview of the 2007 “The Marathon – A Personal Journey” art contest that will showcase the Boston Marathon and is now extended into the Town of Ashland’s schools. Ms. Johnson will attend a future Selectmen’s meeting once the contest has been judged; and the winning students will be invited to the meeting to receive congratulatory proclamations from the Board of Selectmen.

Veteran’s Committee (one vacancy; term to ’07): *Raymond J. Gendreau*

Mr. Gendreau gave a brief overview of his background and stated his interest in wishing to serve on the Veteran’s Committee. The Board welcomed Mr. Gendreau and thanked him for his interest in the Veteran’s Committee.

Vote: Mrs. Kramer entertained a motion to appoint Raymond J. Gendreau to the Veteran’s Celebration Committee for a one year term to 2007. **So moved Mr. Shepard. Second Mr. Clark. Unanimously voted.**

Housing Committee (one vacancy; term to ’07): *Atisha Chatterjee*

Ms. Chatterjee gave an overview of her background and stated her interest in wishing to serve on the Housing Committee. The Board welcomed Ms. Chatterjee; and thanked her for her interest in wanting to serve on this committee. Mrs. Pratt asked Ms. Chatterjee if she is a United States citizen; and Ms. Chatterjee stated that she is not. It was pointed out that a resident can still serve on this Town Committee even if they are not a registered voter or a United States citizen.

Vote: Mrs. Kramer entertained a motion to appoint Ms. Chatterjee to the Housing Committee for a term to 2007. **So moved Mr. Shepard. Second Mr. Holden. The votes are: Mrs. Kramer: yes; Mrs. Pratt: no; Mr. Holden: yes; Mr. Clark: yes; Mr. Shepard: yes. So voted.**

Recycling Overview: *Tom Drechsler Recycling Committee*

Mr. Drechsler gave a summary through a PowerPoint presentation of the Town’s solid waste disposal and recycling data for tonnage for 2006 (see attachment). The Board and Mr. Drechsler talked about the importance of recycling; and he and his committee was commended for their efforts.

Vote: Mrs. Pratt motioned to accept the report as presented and submitted by the Recycling Committee. **Second Mrs. Kramer. Unanimously voted.**

Cemetery Commission’s goals/needs: *Lynn Fournier and Claire Wright, Cemetery Commissioners*

Mrs. Wright gave an update of the Cemetery Commission’s concerns about the availability of cemetery plots which she referred to as “very thin”. She added that they have some recommended new locations. There was a general discussion regarding how much land is needed, and how difficult it is to project future burial plot needs. Mr. Clark asked if there is any assistance from the State or an organization that could provide information. Ms. Fournier replied that there is a State-wide cemetery group and recommended that the Commissioners join it. She also stated that the East Hopkinton Cemetery abuts the land that Boulder Capital is wishing to purchase; and Mr. Clark asked if the Cemetery Commissioners have reached out to them to request a donation from them. Mrs. Wright said that the land is very wet which is the reason why they are meeting tonight to obtain other town entities to help them out. It was decided that Mr. Troiano would meet with Mr. Gaucher, DPW Director, to discuss the issues of costs. Mrs. Kramer again commended them for their productive year.

Draft Trails Policy: Andy Harris, Chairman of the Trails Committee (attachment)

Mr. Harris reviewed the Trails Policy Committees' Draft Trails Policy dated February 2007. He gave a brief history of how the Trails Committee was established. Mr. Harris stated that he had researched other town trails' policy and learned that no other communities have one. He reviewed the Trail Use Guidelines that the State has including the following: 1.) Stay on designated trails; 2.) Observe Posted rules; 3.) Off road vehicles use prohibited; 4.) Be alert for other trail uses such as hikers, bicyclists, and equestrians. He asked the Board to review the draft policy. There was a discussion regarding blanket insurance and funding mechanism; Mr. Harris believes the budget should fall under a department structure such as the Open Space Preservation Committee. Mr. Shepard recommended asking the OSPC look at this issue; it was agreed to also request the Planning Director's opinion. Mr. Clark asked if the Trails Committee considered a bike trail; and Mr. Harris said that the Trails Committee didn't take a position on this. There was more discussion regarding the Town Manager working with the OSPC as the Board of Selectmen appointed the OSPC. Mr. Doherty made a few comments (see attachment). It was agreed that the Town Manager, OSPC and Planning Director meet to discuss this issue further.

Vote: Mr. Shepard motioned to disband the Trails Committee. **So moved Mrs. Kramer. Second Mrs. Pratt.** Mr. Clark asked if all of the Trails Committee agrees to disband; Mr. Harris responded that he believes so. It was agreed to request Mr. Coolidge to also be included in the meeting between the Town Manager, OSPC and Planning Director. **Unanimously voted.**

Mrs. Kramer commented that the Trails Committee accomplished a great start and did what the Board asked them to do.

Lake Maspenock Preservation Association: Meg Tyler, LMPA

Meg Tyler introduced herself on behalf of the Executive Council of the Lake Maspenock Preservation Association; and expressed the LMPA's wish to assist the Selectmen as a group with the Dam issues that the town is presently addressing. She said that the LMPA could provide information that they have gathered concerning other towns that own dams; she added that they look forward to meeting with the Board to discuss these issues further and develop a relationship that will not only benefit the residents of the Lake community, but the whole town as well. After some discussion the Board decided to post a meeting on March 6 at 6 p.m. to further discuss various Dam issue i.e., water rights, insurance etc.

Friends of Whitehall: Jeffrey Furber, President

Mr. Furber introduced the Friends of Whitehall (FOW) as a non-profit group dedicated to the protection and conservation of Lake Whitehall, the State Park and its surrounding aquifer, watershed, brook and natural beauty. Mr. Furber expressed concerns about proposal changes of the use of the town-purchased Whitehall property from passive recreation to active recreation, as it would severely compromise the on and off-site resources, impact the watershed to the town's wells and put the town's aquifer at risk. He added that when the land was purchased at the 2006 Annual Town Meeting it was expressly for conservation and passive recreation using Open Space and Community Preservation funds which requires that a Conservation Restriction (CR) be placed on the property in perpetuity; and that a CR has been prepared and is currently under State review. Mr. Furber said that the FOW request that any such town meeting article that would change the use of the property be rejected. Mr. Furber also invited the public to join them on Clean-Up day scheduled on April 28.

Accept Council on Aging Resignation: Eleanor-Mae Thompson

Vote: Mrs. Kramer entertained a motion to accept with regret a letter of resignation from the Council on Aging from Eleanor-Mae Thompson effective immediately. **So moved Mrs. Pratt. Second Mr. Holden. Unanimously voted.**

Accept Appropriation Committee resignation: Charles O'Leary

Vote: Mrs. Kramer entertained a motion to accept with regret a letter of resignation from the Appropriation Committee from Charles O'Leary effective immediately. **So moved Mrs. Pratt. Second Mr. Shepard. Unanimously voted.**

Accept Hopkinton Historical Preservation Fund Gift Account

Vote: Mrs. Kramer entertained a motion to accept gifts into the Hopkinton Historical Preservation Fund Gift Account from M/M Ronald Yankee for \$100; William Shaw for \$50; an anonymous donor for \$250 and an anonymous donor for \$100. **So moved Mr. Shepard. Second Mr. Clark. Unanimously voted.**

Town Manager's Report

Mr. Troiano read a memo to the Board of Selectmen stating that he has reviewed the legal bills through January and obtained estimates for February. He said that the information that he reviewed reflects a current deficit of approximately \$14,936 as of February 24, 2007. Mr. Troiano stated that the legal bills associated with Weston Nurseries have continued to rise as the town continues to protect their Ch. 61A. Mr. Troiano said that a reserve fund transfer would be necessary to meet the funding requirements for the remainder of the year; he added that it would be difficult to estimate what will be needed in addition to the balance aforementioned. He suggested that the Selectmen request an allocation of \$35,000 from the Appropriation Committee to accommodate legal bills through the next 60 days. He would then re-evaluate the remaining balance remaining and allocate additional funds in May or June from the existing budgets, as allowed by law. He said that he would be explaining to Town Manager's at the Department Head meeting on March 7th on new procedures for legal fund expenditures. He recommended that the Selectmen begin the process of legal counsel review and accept proposals from competing firms in the next 30 days.

Town Counsel Policy

Vote: Mr. Shepard motioned to reiterate the policy that Town Counsel is not contacted unless the request is brought to the Town Manager first. **Second Mr. Clark. Unanimously voted.**

Mr. Troiano handed out a draft FY'08 budget and said that he would have a completed FY'08 budget with a capital plan at the next meeting. He also stated his request to hire a full-time Human Resource Director. Mr. Clark stated that if the Town Manager would like to hire a full-time Human Resource Director that go through the budgeting process.

Selectmen's Annual Town Meeting Articles

It was noted that the Board would complete the list of Selectmen's articles and determine as to whether or not to include them on the Annual Town meeting warrant.

Vote: Mr. Clark motioned to vote the following Selectmen's articles as follows: 1.) Reorganization of the Public Library (to not sponsor this article); 2.) That the Town would exercise its rights as authorized by MA Gen. Law 61A in regards to the Weston Nurseries property (table); 3.) To see if the Town will vote to raise funds for the purpose of purchasing certain parcels of property owned by Weston Nurseries

(table); 4.) To see if the town will adopt Ch. 121 (table); To see if the Town will vote to authorize the Board to take such action to enable the Town to enter into an agreement with Lake Maspenock Inter-local Agreement with Hopkinton, Milford, Upon & Hopedale. (Sponsor this article on the warrant); 5.) To see if the town will vote to authorize the Board of Selectmen to take such action necessary to enable the town to enter into an Inter-local agreement with Hopkinton, Ashland, & Southborough pertaining to Weston Nurseries and East Hopkinton (to not sponsor this article); 6.) To see if the town will vote to Petition the General Court for debt exclusion (30 Years) regarding the Weston Nurseries property purchase (to not sponsor this article); and 9.) Fee betterment for the Dam maintenance (to not sponsor this article).**So moved Mrs. Pratt. Unanimously voted.**

Mrs. Pratt and Mr. Shepard stepped off the board for the following articles due to conflict of interest.

Vote: Mr. Clark motioned to vote the following articles as follows: 1.) To see if the town will vote to fund additional construction for the Fruit Street WWTF. (to not sponsor this article); and 2.) Fruit Street CR meets/bounds (to not sponsor this article). **So moved Mr. Holden. Unanimously voted.**

Mrs. Pratt and Mr. Shepard stepped back on the Board at this time.

Mr. Troiano also asked for a placeholder that would provide benefits for retirees; he added that he would have more information later.

Vote: Mr. Clark motioned to approve the placement of Articles 1-12 for placement on the 2007 Annual Town Meeting warrant. **Second Mr. Shepard. Unanimously voted.**

Meeting Adjourned:

10:30 p.m. Vote: Mrs. Kramer entertained a motion to adjourn the meeting. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Respectfully submitted,
Geri Holland

Date Approved: 4/24/07 (AS AMENDED)