

**Town of Hopkinton
Board of Selectmen
Minutes
March 20, 2007**

Members Present: Muriel Kramer, Chairman; Mary Pratt, Vice-Chairman; Leonard Holden; Michael Shepard

Others Present: Robert Falcione, HopNews; Dave McLaughlin, MetroWest News; Brian Eberlin, Malcolm Page, Dave Gibbs, Lou Przystas; Dave Cormier, Mike Reilly, Peter Oram; Julie Crawley; Matt Zettek; Judy Murphy; Jeff Farber; Mary Lou Haroian; Ronald Eldridge; Police Chief Irvin; Joseph Markey; John T. Gaucher; Bernadette Markey; Brian Herr; John Phelan; Rebecca Robak; Stuart Cowart; Ann Click; Anthony J. Troiano, Town Manager; Geri Holland, Executive Assistant

7:00 p.m. Mrs. Kramer opened the meeting and referred to a list of actions from the March 6, 2007 meeting between the Board of Selectmen and the Lake Maspenock Dam Preservation Committee. She suggested that they review the list and present an update of the actions taken.

Mr. Troiano said that he spoke to Mr. Papuga, the Milford Water Company, who stated that when they purchased the dam, they had the water rights. He also spoke to Attorney DeAngelis, Town Counsel, who has not established the title of the dam; but, that Attorney DeAngelis is drafting an opinion regarding this issue. Mr. Troiano said that he spoke to PARE Engineering and they should be ready by the end of next week with an emergency management plan; and Mr. Papuga, Milford Water Company, will send information that the company uses for insurance. Insurance proposals would be sought. There was a discussion between the Board of Selectmen and members of the Lake Maspenock Preservation Association (LMPA) about water rights, insurance issues, safety and repair issues, LMPA regarding the maps. Julie Crawley, member of the LMPA stated that she learned of three towns with dams with similar issues i.e., Chelmsford who pays \$1,100 for insurance for three dams. Mr. Shepard said that Representative Paul Loscocco thought that a \$100,000 grant from the State might be a possibility. He also believes that it might be advantageous if the State would take the dam over; he added that he is not convinced that the Town should be in the dam business. One of the LMPA asked why the Town has not moved forward since last May; and Mr. Shepard responded that the BoS still needs more answers. The Board hopes to address this issue at its next meeting.

7:40 p.m. Members of the LMPA left the meeting at this time.

7:40 p.m. Mr. Clark entered the meeting at this time. Mrs. Kramer began the discussion regarding the Board of Selectmen voting its position on all capital items that have been submitted for the Annual Town Meeting. It was reiterated that the Board's position is "no override" and that the financial responsibility would be shared proportionately between the Town and the School Department. The Board of Selectmen voted on each money article as follows:

Department of Public Works Articles

1. To see if the town will vote to appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the Maintenance of the Lake Maspenock Dam. Said sum to be spent under the direction of the Director of the Public Works. **(\$90,000)**

Vote: Mr. Shepard motioned to not support this article. **Second Mrs. Pratt. The votes follow: Mr. Clark: yes to support; Mr. Holden: yes to support; Mrs. Kramer: not support; Mrs. Pratt: not support; Mr. Shepard: not support. The vote is three to not support and two to support.**

2. To see if the Town will vote to appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the Drainage Improvements to Fruit Street in the vicinity of Fruit Street Well No. 1. Said sum to be spent under the direction of the Director of the Department of Public Works. **(\$135,000)**

Vote: Mrs. Pratt motioned to support this article. **Second Mr. Clark. Unanimously voted.**

3. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of the installation, maintenance, repair, upgrade and/or replacement of a drain and all related appurtenances which services the Hayden Rowe Street area of the Town and is located in the vicinity of 283 Hayden Rowe Street; and further to authorize the Board of Selectmen to negotiate for and to acquire such land or interest in land by gift, purchase, eminent domain or otherwise as may be necessary or appropriate for the acquisition of easement to enable the Town to conduct the work referred to herein and for the repair, maintenance and replacement of the drain in the future, the said premises to be obtained being more particularly bounded etc. Said sum to be spent under the direction of the Director of the Department of Public Works. **(\$25,000 estimate)**

Vote: Mr. Clark motioned to support this article. **Second Mr. Holden. The votes follow: Mrs. Kramer: yes; Mrs. Pratt: yes; Mr. Holden: yes; Mr. Clark: yes; Mr. Shepard: no. The motion carries.**

4. To see if the Town will vote to appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purchase of a 6-wheel dump truck with plow and necessary equipment and accessories for the Highway Division of the Department of Public Works. This vote shall also authorize the disposal of one 1999 Int'l dump truck, presently being used by the Department of Public Works, by trade in or otherwise. Said sum to be spent under the direction of the Director of the Department of Public Works. **(\$180,000) (All 5-yes)**

5. To see if the Town will vote to appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purchase of a 6-wheel truck with plow and sander body as well as necessary equipment and accessories for the Highway Division of the Department of Public Works. This vote shall also authorize the disposal of one 1985 Mack truck with plow and sander body, presently being used by the Department of Public Works, by trade in or otherwise. Said sum to be spent under the direction of the Director of the Department of Public Works. **(\$150,000)**

Vote: Mr. Clark motioned to endorse DPW truck (article for \$150,000). **Second Mr. Holden. The votes follow: Mrs. Kramer: no; Mrs. Pratt: yes; Mr. Holden: yes; Mr. Clark: yes; Mr. Shepard: no. Vote carries 3-2**

6. To see if the Town will raise and appropriate a sum for the purchase of capital equipment for the sewer Department to include a service truck, said item to be with all related equipment and accessories and to provide for the disposition as appropriate of any equipment presently being used by the sewer Department by trade-in or otherwise. Said sum to be offset by a sum to be spent under the direction of the Director of the Department of Public Works. **(\$45,000)**

Vote: Mr. Clark motioned to endorse this article. **Second Mr. Holden. The votes follow: Mrs. Kramer: no; Mrs. Pratt: no; Mr. Shepard: no; Mr. Holden: yes; Mr. Clark: yes. The vote does not carry.**

7. To see if the Town will raise and appropriate the sum Funds under the SRF funding program. Said sum to be spent under the direction of the Director of the Department of Public Works. **(\$3,649,226)**

Mr. Shepard and Mrs. Pratt stepped off the Board due to conflict of interest.

Vote: Mr. Clark motioned to support this article and that the exact funding to be determined later once we receive the actually bids plus the standard contingency amount. **Second Mr. Holden.**
The votes follow: Mr. Clark: yes; Mr. Holden: yes; Mrs. Kramer: no. The vote carries.

8. To see if the town will vote to appropriate, transfer from available funds, or otherwise provide a sum or sums of money for Sidewalk Improvements to East Main Street in the vicinity of Ray Street and Prestwick Drive. Said sum to be spent under the direction of the Public Works Director. **(\$90,000)**

Vote: Mr. Clark motioned to endorse this article. **Second Mr. Shepard. The votes follow: Mrs. Kramer: no; Mrs. Pratt: no; Mr. Holden: yes; Mr. Clark: yes; Mr. Shepard: yes. The vote carries.**

9. To see if the Town will vote to raise and appropriation funds to obtain plans, designs, cost estimates and bid documents for the construction of drainage improvements to the Mt. Auburn Cemetery. Said sum to be spent under the direction of the Director of the Public Works and the Cemetery Commissioners. **(\$25,000) (Capital Exclusion)**

Vote: Mr. Clark motioned to endorse this article. **Second Mr. Holden. Unanimously voted.**

PARKS & RECREATION ARTICLES

1. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the construction and development of athletic fields, including related parking areas, buildings and all necessary or appropriate infrastructure on a portion of the property containing approximately 257 acres on Fruit Street which was acquired by the Town pursuant to the vote under Article 2 of the Special Town Meeting of October 21, 2002, including, without limitation, all materials, labor and equipment necessary or appropriate to accomplish the above purpose; said sum to be used in conjunction with any federal and state grants, aid or loans which may be available for such purpose; and further to authorize the Parks and Recreation Commission to take all action necessary or appropriate to carry out the above purposes, including, the authority to discuss, apply for, accept and expend any and all state and federal grants, aid or loans and to execute any and all documents necessary or appropriate therefore. Said sum to be spent under the direction of the Parks and Recreation Commission **(\$3.5M)**

Mr. Shepard and Mrs. Pratt stepped off the Board due to conflict of interest.

Vote: Mr. Clark motioned to support this article as a separate debt exclusion article. **Second Mr. Holden. The votes follow: Mrs. Kramer: no; Mr. Clark: yes; Mr. Holden: yes. The vote carries.**

2. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to obtain plans, designs, cost estimates, and bid documents as well as provide for the acquisition of all materials, equipment and services necessary or appropriate for illumination of one (1) little league baseball field at EMC Park. Said sum to be spent in conjunction with any federal and state grants, aid or loans which may be available for such purposes; and further to authorize the Parks and Recreation Commission to apply for, accept and expend any and all federal and state grants, aid or loans which may be available for such purposes; and to authorize the Parks and Recreation Commission to take all other action and to execute any and all documents necessary or appropriate to carry out the purposes of the article. Said sum to be spent under the direction of the Parks and Recreation Commission. **(\$115,000)**

Vote: Mr. Shepard motioned to not endorse this article. **Second Mrs. Pratt. The votes follow: Mrs. Kramer: abstained; Mrs. Pratt: yes; Mr. Clark: no; Mr. Holden: no; Mr. Shepard: yes. The votes follow: two agree to endorse; two agree to not endorse; one abstained.**

3. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to obtain plans, designs, cost estimates, and bid documents as well as provide for the acquisition of all materials, equipment and services necessary or appropriate for repair, maintenance, renovation and improvement of the Gazebo on the Town Common. Said sum to be spent in conjunction with any federal and state grants, aid or loans which may be available for such purposes; and further to authorize the Parks and Recreation Commission to apply for, accept and expend any and all federal and state grants, aid or loans which may be available for such purposes; and to authorize the Parks and Recreation Commission to take all other action and to execute any and all documents necessary or appropriate to carry out the purposes of the article. Said sum to be spent under the direction of the Parks and Recreation Commission. **(\$60,000)**

Vote: Mrs. Pratt motioned to endorse this article. **Second Mr. Shepard. Unanimously voted.**

FIRE CHIEF'S ARTICLES:

1. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purchase of a new ambulance, including all related accessories and equipment, for the Fire Department. 1994 ambulance to be disposed of by trade-in or otherwise. Said sum to be spent under the direction of the Fire Chief. **(\$180,000)**

Vote: Mrs. Clark motioned to endorse this article. **Second Mr. Shepard. Unanimously voted.**

2. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purchase of a new Rescue Truck, including all related accessories and equipment, for the Fire Department. Present Rescue Truck to be disposed of by trade-in or otherwise. Said sum to be spent under the direction of the Fire Chief. **(\$680,000)**

Vote: Mr. Clark motioned to endorse this article. **Second Mr. Holden. The votes follow: Mrs. Kramer: no; Mrs. Pratt: no; Mr. Holden: yes; Mr. Clark: yes; Mr. Shepard: no. The vote does not carry.**

SCHOOL COMMITTEE'S ARTICLES:

1. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to obtain plans, designs, cost estimates, and bid documents, as well as to provide for the acquisition of all materials, equipment, and services necessary or appropriate for the repair, maintenance, renovation and improvement of the boiler and heating system at the Center Elementary School; said sum to be used in conjunction with any federal and state grants, aid or loans which may be available for such purposes; and further to authorize the School Committee to apply for, accept, and expend any and all federal and state grants, aid or loans which may be available for such purposes; and to authorize the School Committee to take all other action and to execute any and all documents necessary or appropriate to carry out the purposes of this article. Said sum to be spent under the direction of the School Committee. **Estimated Cost: \$243,000**

Vote: Mrs. Pratt motioned to endorse this article. **Second Mr. Holden. Unanimously voted.**

2. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to obtain plans, designs, cost estimates, and bid documents, as well as to provide for the acquisition of all materials, equipment, and services necessary or appropriate for the repair, maintenance, renovation and improvement of the Middle School exterior walls and roof; said sum to be used in conjunction with any federal and state grants, aid or loans which may be available for such purposes; and further to authorize the School Committee to apply for, accept, and expend any and all federal and state grants, aid or loans which may be available for such purposes; and to authorize the School Committee to take all

other action and to execute any and all documents necessary or appropriate to carry out the purposes of this article. Said sum to be spent under the direction of the School Committee.

Estimated Cost: \$2,950,000

Vote: Mrs. Pratt motioned to endorse this article. **Second Mr. Clark. Unanimously voted.**

3. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to obtain plans, designs, cost estimates, and bid documents, as well as to provide for the acquisition of all materials, equipment, and services necessary or appropriate for the repair, maintenance, renovation and improvement of school buildings and grounds to comply with the Americans with Disabilities Act of 1990; said sum to be used in conjunction with any federal and state grants, aid or loans which may be available for such purposes; and further to authorize the School Committee to apply for, accept, and expend any and all federal and state grants, aid or loans which may be available for such purposes; and to authorize the School Committee to take all other action and to execute any and all documents necessary or appropriate to carry out the purposes of this article. Said sum to be spent under the direction of the School Committee. (Estimated Cost: The School Department is to get findings from the Office of Civil Rights and have informed them that they have put us at the top of their priority list.)

As the cost of this article is undetermined, the Board tabled this article.

4. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to obtain plans, designs, cost estimates, and bid documents, as well as to provide for the acquisition of all materials, equipment, and services necessary or appropriate for the repair, maintenance, renovation and improvement of the athletic field, bleachers, concession stand, and grounds at Hopkinton High School; said sum to be used in conjunction with any private funding, federal and state grants, aid or loans which may be available for such purposes; and further to authorize the School Committee to apply for, accept, and expend any and all private grants, federal and state grants, aid or loans which may be available for such purposes; and to authorize the School Committee to take all other action and to execute any and all documents necessary or appropriate to carry out the purposes of this article. Said sum to be spent under the direction of the School Committee. (Estimated Cost: **\$450,000**)
Vote: Mr. Clark motioned to endorse this article. **Second Mr. Holden. The votes follow: Mrs. Kramer yes; Mrs. Pratt: yes; Mr. Holden: yes; Mr. Clark: yes; Mr. Shepard: no. The vote carries.**

COMMUNITY PRESERVATION COMMISSION ARTICLES:

1. To see if the Town will vote to accept the report and recommendation of the Community Preservation Committee on the Fiscal Year 2008 Community Preservation Budget and to appropriate or reserve from Community Preservation Fund Annual Revenues or available funds a sum or sums of money for the administrative expenses of the Community Preservation Committee, and all other necessary and proper expenses of the Committee for the ensuing year. Said sum to be spent under the direction of the Community Preservation Committee. (**\$30,000**)
Vote: Mr. Clark motioned to endorse this article. **Second Mr. Holden. Unanimously voted.**
2. To see if the Town will vote to accept the report and recommendation of the Community Preservation Committee on the Fiscal Year 2008 Community Preservation Budget and to appropriate from Community Preservation Fund Annual Revenues or available funds a sum or sums of money for the restoration and preservation of town records for the Town Clerk. Said sum to be spent under the direction of the Community Preservation Committee and the Town Clerk. (**\$2,500**)

Vote: Mr. Clark motioned to endorse this article. **Second Mr. Holden. Unanimously voted.**

3. To see if the Town will vote to accept the report and recommendation of the Community Preservation Committee on the Fiscal Year 2008 Community Preservation Budget and to appropriate from Community Preservation Fund Annual Revenues or available funds a sum or sums of money for the second phase of the CCA barn. **(\$100,000)**

Vote: Mr. Shepard motioned to endorse this article. **Second Mrs. Pratt. Unanimously voted.**

4. To see if the Town will vote to accept the report and recommendation of the Community Preservation Committee on the Fiscal Year 2008 Community Preservation Budget and to appropriate from Community Preservation Fund Annual Revenues or available funds a sum or sums of money for the Historical Society preservation for the restoration of the windows. **(\$35,000)**

Vote: Mr. Shepard motioned to endorse this article. **Second Mr. Holden. Unanimously voted.**

5. To see if the Town will vote to accept the report and recommendation of the Community Preservation Committee on the Fiscal Year 2008 Community Preservation Budget and to appropriate from Community Preservation Fund Annual Revenues or available funds a sum or sums of money to fund the preservation of the Maspenock Dam **(\$10,000)**

Vote: Mrs. Pratt motioned to endorse this article. **Second Mr. Shepard. Unanimously voted.**

6. To see if the Town will vote to accept the report and recommendation of the Community Preservation Committee on the Fiscal Year 2008 Community Preservation Budget and to appropriate from Community Preservation Fund Annual Revenues or available funds a sum or sums of money for the Parks & Recreation Fruit Street fields. **(\$250,000)**

Vote: Mr. Clark motioned to endorse this article. **Second Mr. Holden. Unanimously voted.**

7. To see if the Town will vote to accept the report and recommendation of the Community Preservation Committee on the Fiscal Year 2008 Community Preservation Budget and to appropriate from Community Preservation Fund Annual Revenues or available funds a sum or sums of money for the Parks & Recreation Sandy Beach benches. **(\$5,000)**

Vote: Mr. Pratt motioned to endorse this article. **Second Mr. Clark. Unanimously voted.**

The following is a summary of the evening's votes:

Debt Exclusion Articles:

1. Rescue truck (\$680,000): Fire Chief (**Article 38**) (2) yes **RC & LH**; (3) no
2. Middle School's renovations (\$2,950,000): School Committee (**Article 42**) (5) yes
3. Fruit Street Fields (\$3.5M): P&R (**Article 33**) (1) no **(MK)**; (2) yes **(Mary and Mike off the Board)**
4. High School bleachers (\$450,000): School Committee (**Article 44**) (4) yes; (1) no **(MS)**
5. Center School Boiler (\$243,000): School Committee (**Article 41**) (5) yes

TABLED:

6. School Buildings and grounds to comply with the Americans with Disabilities Act of 1990 (**Article 43**)

Capital Exclusions Articles:

1. Dam (\$90,000): DPW (**Article 13**) (2) yes **(RC & LH)**; 3 (no)
2. Drainage (\$25,000): DPW (**Article 15**) (5) yes
3. Truck (\$180,000): DPW (**Article 16**) (5) yes
4. Truck (\$150,000): DPW (**Article 17**) (3) yes; 2 (no) **(MK & MS)**
5. Sidewalk (\$90,000) : DPW (**Article 23**) (2) no **(MK & MP)**; (3) (yes)

6. Cemetery (\$25,000): DPW (**Article 24**) (5) yes
7. EMC Park (\$115,000): P&R (**Article 34**) (2) yes (**RC&LH**); (2) no (**MP&MS**); (1) abstained (**MK**)
8. Gazebo (\$60,000): P&R (**Article 35**) (5) yes

Betterment Phase VI Users: SRF Funding Program (\$3,649,226): DPW (**Article 19**) (2) yes (1) no (**MK**) (**MP & MS off the board**)

Ambulance Gift Account:

1. Ambulance (\$180,000) Fire Chief (**Article 37**) (5) yes

Sewer Enterprise Retained Earnings Fund:

1. Drainage Improvement to Fruit Street (\$135,000): DPW (**Article 14**) (5) yes
2. Truck (\$45,000): DPW (**Article 18**) (2) yes (**RC&LH**) (3) no

Vote: Mr. Clark motioned to place **two separate Capital Exclusion articles**, one that would include all of the DPW articles; and the other would include all of the Parks & Recreation articles. **Second Mr. Holden. The votes follow: Mr. Clark: yes; Mr. Holden: yes; Mrs. Kramer: no; Mr. Shepard: no; Mrs. Pratt: no. The vote does not carry.**

Vote: Mrs. Kramer entertained a motion to list all of the **Capital Exclusion articles separately. So moved Mrs. Pratt. Second Mr. Shepard. The votes follow: Mrs. Kramer: yes; Mrs. Pratt: yes; Mr. Shepard: yes; Mr. Clark: no; Mr. Holden: no. The vote carries.**

Mr. Troiano will invite Town Counsel to the next Selectmen's meeting to review several issues. He also mentioned that the legal account is almost depleted, but that he will receive about \$15,000 from Town departments' budgets.

Vote: Mr. Holden motioned to request, on behalf of the Hopkinton Athletic Association to hang a banner across the Town Hall to welcome all marathon runners. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**

10:55 p.m. Vote: Mrs. Kramer entertained a motion to adjourn the meeting. **So moved Mr. Holden. Second Mrs. Pratt. Unanimously voted.**

Respectfully submitted,

Geri Holland

Date approved: 4/10/07