

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

Board of Selectmen members present: Muriel E. Kramer, Chairman; Mary A. Pratt, Vice-Chairman; Leonard Holden; Michael W. Shepard; Ronald M. Clark and Len Holden

Others Present: Robert Falcione, HopNews; Dave McLaughlin, MetroWest News; Geoffrey MacDonald; Dr. John Phelan; Rebecca Robak; Matthew Zettek; Heidi Kriger; Ellen J. Wright; Simone Margolis; Christopher Parella, Right of Way Manager from Verizon; David McGillivray and Barbara Sicuso, Boston Athletic Association; Dorothy Ferriter; Anthony J. Troiano, Town Manager; Geri Holland

Open public meeting/Stand for Pledge of Allegiance (Room 215)

Mrs. Kramer, Chairman, opened the public meeting and invited everyone to stand for the Pledge of Allegiance.

Selectmen's Minutes: 2/13; 2/13 (ES); 2/26; 2/28; 2/28 (ES); 3/6 (A.M.); 3/6 (p.m.); 3/6 (ES) (A.M.); 3/13 (Appointing Appropriation Committee); 3/20 (ES)

February 13, 2007:

Vote: Mrs. Kramer entertained a motion to approve the February 13, 2007 Selectmen's minutes. **So moved Mr. Shepard. Second Mr. Holden. Unanimously voted.**

February 13, 2007 (ES):

Vote: Mrs. Kramer entertained a motion to approve the February 13, 2007 (ES) Selectmen's minutes. **So moved Mrs. Pratt. Second Mr. Shepard. Unanimously voted.**

February 26, 2007:

Vote: Mrs. Kramer entertained a motion to approve the February 26, 2007 Selectmen's minutes. **So moved Mrs. Pratt. Second Mr. Shepard. Unanimously voted.**

February 28, 2007:

Vote: Mrs. Kramer entertained a motion to approve the February 28, 2007 Selectmen's minutes. **So moved Mrs. Pratt. Second Mr. Shepard. Unanimously voted.**

February 28, 2007(ES):

Vote: Mrs. Kramer entertained a motion to approve the February 28, 2007 (ES) Selectmen's minutes. **So moved Mrs. Pratt. Second Mr. Shepard. Unanimously voted.**

March 6, 2007 (A.M.):

Vote: Mrs. Kramer entertained a motion to approve the March 6, 2007 (AM) Selectmen's minutes. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

March 6, 2007 (P.M.):

Vote: Mrs. Kramer entertained a motion to approve the March 6, 2007 (AM) Selectmen's minutes. **So moved Mr. Shepard. Second Mrs. Pratt. Unanimously voted.**

March 6, 2007 (ES):

Vote: Mrs. Kramer entertained a motion to approve the March 6, 2007 (ES) Selectmen's minutes. **So moved Mrs. Pratt. Second Mr. Holden. Unanimously voted.**

March 13, 2007 (Appointing Appropriation Committee):

Vote: Mrs. Kramer entertained a motion to approve the March 13, 2007 (Appointing Appropriation Committee) minutes. **So moved Mr. Shepard. Second Mr. Clark. Unanimously voted.**

March 20, 2007 (ES):

Vote: Mrs. Kramer entertained a motion to approve the March 20, 2007 (ES) Selectmen's minutes. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**

Council on Aging Invited (one vacancy): 1.) Ellen J. Wright; 2.) Simone Margolis

Mrs. Kramer interviewed candidates Ellen Wright and Simone Margolis to give overview of their backgrounds and why they would like to serve on the Council on Aging.

Mrs. Kramer interrupted the meeting to state that the Board needs to open the Public Hearing from Verizon New England and Boston Edison Company and then re-open the meeting once the Council on Aging interviews are completed.

Public Hearing: Petition for Joint Pole Location on Oakhurst Road

7:15 p.m. Mrs. Kramer read the public hearing notice from Verizon New England, Inc. and Boston Edison Company for joint or identical locations for the erection or construction of poles to be owned and used in common by them and such other fixtures as may be necessary to sustain or protect the wires of line upon, along and across Oakhurst Road on the northeasterly sideline, approximately 126 feet southwest of the existing pole # 16A, to place a new pole #18. Mrs. Kramer read the list of abutters, and noted that there were no abutters present.

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

Vote: Mrs. Kramer entertained a motion to continue the public hearing until after the Council on Aging Interviews are completed. **So moved Mr. Clark. Second. Mr. Holden. Unanimously voted.**

The Board continued the Council on Aging Interviews at this time.

Vote: Mrs. Kramer entertained a motion to nominate both candidates, Ellen J. Wright and Simone Margolis, for the vacancy on the Council on Aging. **So moved Mrs. Pratt. Second Mr. Holden. Unanimously voted.**

The Board agreed to vote by ballot. Mrs. Holland read the ballots as follows: Mrs. Kramer: Ellen J. Wright; Mrs. Pratt: Ellen J. Wright; Mr. Holden: Ellen Wright; Mr. Shepard: Ellen Wright; Mr. Clark: Simone Margolis. The vote is 4-1; Ellen Wright is appointed for a one year term to June 30, 2007.

Public Hearing: Petition for Joint Pole Location on Oakhurst Road

Vote: Mrs. Kramer entertained a motion to re-open the public hearing. **So moved Mrs. Pratt. Second Mr. Clark. Unanimously voted.**

Mr. Parella, Manager Right of Way from Verizon reviewed the petition request. There was a general discussion about the petition. Mrs. Kramer read a memo from Mr. Gaucher, DPW Director, stating that the Department of Public Works has reviewed the above referenced petition to install new Pole 18 on Oakhurst Road; and recommends approval of this petition by the Board of Selectmen with the following conditions:

1. The pole is set so as to clear the adjacent tree.
2. A Permit to Excavate in the Right of Way is applied for with the DPW.
3. A Dig-Safe is applied for.

4. Required Bond and Certificate of Insurance are placed on file with the DPW.
5. Compliance with the DPW Road Opening Permit Policy.

Vote: Mrs. Kramer entertained a motion to close the public hearing. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**

Vote: Mrs. Kramer entertained a motion to approve the request to install the new Pole #18 Oakhurst Road; from Verizon New England, Inc. and Boston Edison Company as submitted with the recommendations from the DPW Director as follows: 1. The pole be set so as to clear the adjacent tree; 2.) A Permit to Excavate in the Right of Way be applied for with the DPW; 3.) A Dig-Safe be applied for; 4.) Required Bond and Certificate of Insurance be placed on file with the DPW; and 5.) They are in compliance with the DPW Road Opening Permit Policy. **So moved Mr. Clark. Second Mrs. Pratt. Unanimously voted.**

Ballot Questions on the Annual Town Meeting Warrant

Mr. Troiano said that Attorney DeAngelis, Town Counsel, explained to him that according to State law the Board would need to have a 2/3 vote by the Board of Selectmen in order to place the ballot questions on the Annual Town Meeting warrant. Mrs. Kramer recommended discussing this at the end of the meeting so the meeting could keep on schedule.

Capital Expenditures and Operating Budget Discussion (see attachment)

Mr. Troiano proposed an alternative funding process that would make available \$493,000 for this FY'08's budget which was added from the enterprise funds shared costs; and presented a chart of the current method versus the new method. Town Accountant, Heidi Kriger, explained the additional funds, and added that this would help the Town's financial situation for two years only; and the Town would need to consider other options in the next two years. Mr. Troiano pointed out that this move would help solve the rising health insurance costs and legal bills; and that this is a mechanism to move into the Town's budget to help both the School Department and the Town's general government budget. The Board reviewed the proposal and discussed this option in detail. Both Dr. Phelan, School Superintendent, and Rebecca Robak, Chairman of the School Committee, stated that the School Committee supports this option; and that this solution would help them through a very difficult year. Mr. Shepard said that this option would give the town two years to solve the budget problem. Mrs. Kramer commented how about how much hard work and thought has gone on to help the Town through this budget crisis. She also mentioned that a water/sewer rate hearing would be scheduled in a timely fashion.

Vote: Mrs. Pratt motioned to accept the proposal of accepting the \$493,472 from the Enterprise funds that would give the FY'08 budget a total of \$905,943. **Second Mr. Clark. Unanimously voted.**

2007 Boston Marathon Parade Permit: Boston Athletic Association (BAA) and Marathon Committee

Mrs. Kramer welcomed David McGillivray, Boston Athletic Association's Race Director of the Boston Marathon, and Dorothy Ferriter, Chairman of Hopkinton's Marathon Committee. Mr. McGillivray gave an overview of the Marathon Day's events scheduled on Monday, April 16th including the move of the start time of the race up from the traditional noontime start to a 10 a.m. start. Ms. Ferriter referred to a visual chart that showed the various routes and the Athletic Village. Mrs. Kramer read a letter from Chief Irvin that requests the Board of Selectmen to prohibit parking motor vehicles on all public ways in the Town from 5 a.m. until noon on the race day unless the vehicles have a permit issued by the Hopkinton Police Department. Chief Irvin also requested the Board to allow the Police Department to have parking restrictions posted as may be needed to facilitate setting up for the race from 7 a.m. on the Friday before the race through 5 a.m. on the morning of the race; and the plan is to close the roads in Hopkinton at 7:30 a.m. and that some roadway of Main Street will be closed at 7 a.m. the Board thanked Mr. McGillivray and Ms. Ferriter for their overviews.

Vote: Mrs. Kramer entertained a motion to approve the Boston Athletic Association's parade permit for Monday, April 16th with the understanding that the BAA has worked out and agreed upon with the appropriate public safety officials and representative from the Town. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.**

Ballot Questions on the Annual Town Meeting Warrant

Mr. Troiano reiterated that Attorney DeAngelis, Town Counsel, explained to him that according to State law the Board would need to have a 2/3 vote by the Board of Selectmen in order to place the ballot questions on the Annual Town Meeting warrant. Mrs. Pratt pointed out that she and Mr. Shepard would need to step off the Board for the Fruit Street ballot questions.

Vote: Mr. Clark motioned to place all of the Ballot questions on the Annual Town Meeting ballot to support the Town Charter with the exception of the Fruit Street ballot questions. **Second Mr. Holden.** Discussion: Mr. Shepard commented that the voters need to know where each board member stands on each issue and recommended preparing a flyer with this information. **Unanimously voted.**

Mr. Shepard and Mrs. Pratt stepped off the Board for the Fruit Street ballot questions.

Vote: Mr. Clark motioned to place the Fruit Street ballot questions on the Annual Town Meeting Warrant. **Second Mr. Holden. Unanimously voted.**

Town Manager's Report

Mr. Troiano presented an update of the Annual Town Meeting Warrant and read a memo from Town Counsel, Richard DeAngelis, of an article which is required if the Town votes to abandon a portion of the sewer easement as described in Article 20. Attorney DeAngelis said in his memo that a separate vote is required to authorize the Board of Selectmen to release, convey and transfer the right of the Town in the portion of the sewer easement.

Vote: Mr. Clark motioned to place the article as prepared by Attorney DeAngelis to authorize the Board of Selectmen to release, convey and transfer the right of the Town in the portion of the sewer easement. **Second Mr. Shepard. Unanimously voted.**

Mr. Troiano stated that he received a letter from Attorney DeAngelis, Town Counsel, that the Lake Maspenock Dam Title certification has been received.

Mr. Troiano said that he received notification that the DPW Bargaining Unit HIPEA accepted the DPW but not the dispatchers in the Police Department; he added that this is being worked through collective bargaining.

Mr. Troiano said that Attorney DeAngelis will attend the next Selectmen's meeting to review the Town's legal issues including the issue of the process to be followed with respect to the transfer of the care, custody, management and control of Town owned land and the change of a specific municipal purpose under which the Town owned land is held. Mr. Clark recommends that the Open Space Preservation Commission, Parks & Recreation Commission and the Conservation Commission work together to establish an agreement. It was agreed to send a notice to those Commissions to invite them to the next meeting to listen to Attorney DeAngelis' presentation.

Mr. Troiano also said that a decision would need to be made for a Special Town Meeting date that pertains to the sale of the Weston Nurseries property.

Mr. Clark asked if a member of a Commission who has the status of an Ex Officio member is entitled to vote; and Mr. Troiano said that he would present that question to Attorney DeAngelis.

Selectmen's Liaison Reports

Mr. Holden gave an update of the Hopkinton Library's activities including the recent event sponsored by the Library that featured David McGillivray, Boston Athletic Association. Mr. Holden said that April 16 is National Library week and overdue books would be overlooked if brought to the library during that week.

Mrs. Pratt said that the Land Use Study Committee is working on the sale of the Weston Nurseries property and will vote on the TPL's proposal. Mr. Clark responded that Boulder Capital should be allowed to make a proposal. The Board agreed to post a meeting for this Saturday's E. Hopkinton's Master Plan forum should the Board members attend.

Readout Mail

1. Mrs. Kramer referred to a memo regarding information about area codes that should be disregarded as recommended by AT&T as follows: 809; 284; and 876 as these area codes are a scam and a user could be charged more than \$24 and up to \$100 per minutes.
 2. Mrs. Kramer read a letter from the Metropolitan Area Planning Council (MAPC) that informs the Town that Governor Romney signed into law on November 27, 2006 to amend present legislation that the municipal appointing authority may designate an alternate representative to serve conterminously with the representative appointed under MGL Ch. 40B, Sec. 24; this would be for a three-year term. The Board determined to not take any action at this time regarding this issue.
 3. Mrs. Kramer read a letter of the Town's 2007 E-Government Award Certificate for the Town's webpage that provides access to important information about local government.
 4. Mrs. Kramer read a notice regarding the Boston Marathon Pops Concert on Saturday, April 7 at 7:30 p.m. at the High School Auditorium.
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Permit Request: Hopkinton Little League (Opening Day Parade, Sunday, 4/2 at 1:30 p.m.)

Vote: Mrs. Kramer entertained a motion to approve the request from the Hopkinton Little League for a road permit for the opening day parade scheduled on Sunday, April 2, 2007 at 1:30 p.m. based on the approval from the Police Chief. **So moved Mr. Holden. Second Mrs. Pratt. Unanimously voted.**

Board of Registrars appointment: Judi Alessio

Vote: Mrs. Kramer entertained a motion to appoint Judi Alessio to the Board of Registrars effective April 1, 2007 for a one year term to April 1, 2008. **So moved Mr. Clark. Second Mr. Shepard. Unanimously voted.**

Public Meeting Adjourned:

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

Respectfully submitted,

Geri Holland
Date Approved: 4/10/07