

**TOWN OF HOPKINTON
BOARD OF SELECTMEN
Meeting Date: May 15, 2007
MINUTES**

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

Others Present: Town Counsel, Richard DeAngelis; Bond Counsel, Attorney Dennis; Finley Perry; Dave McLaughlin, MetroWest News; Dr. John Duffy; Anthony J. Troiano, Town Manager; and Geri Holland, Executive Assistant

Public Meeting Opened (Room 211)

6:00 p.m. Mrs. Kramer, Chairman, opened the public meeting. Dr. Duffy spoke about the question of what it would mean should the town receive roll back taxes from the sale of the Weston Nurseries property. He said that there are some basic questions that would need to be answered that Town Counsel could assist with. Attorney Dennis gave a briefing regarding this issue and the options should TPL-Taurus purchase the property and what it would mean to the town. There was clarification about the fact that there would be no roll back taxes if TPL-Taurus purchases the property; and if this should go forward the Town's purchase portion is \$6.7M and TPL would pay the rest of the 30M. Attorney Dennis stated that TPL lawyers are preparing the information. Attorney DeAngelis said that it would need to be known what part of the land is under Ch. 61A in order to record it at the Registry of Deeds. There was a question about whether or not if the town is qualified to hold stock. Attorney DeAngelis said that Bond Counsel is studying this issue. It was noted that there would be a discussion during the televised portion of this meeting regarding any conflict of interest in the matter of Mr. Blackett from TPL being involved in this purchase. The Board moved this meeting to Room 216 to continue the meeting.

Others Present:

HCAM: Casey Pulnik; HopNews: Robert Falcione; Mike Mansir, DPW Highway Manager; Fire Chief Gary Daugherty; Police Chief Thomas Irvin; Sergeant Richard Flannery; Detective John Porter; Officer Gregg DeBoer; Officer Timothy Brennan; Sergeant Joseph Bennett; Dorothy Ferriter, Marathon Committee; Al Rogers, Parks & Recreation Commission; Ann Click, Town Clerk; Senator Karen Spilka; Paul Matthews, Arc of Innovation Org; Lynn Tokarczyk, President of the Business Development Strategies, Inc.; Theodore Welte, MetroWest Chamber of Commerce; Anthony Rotunno, Sr., Lonza of Hopkinton;

Public Meeting Re-opened (Selectmen's Hearing Room)

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

Chairman's Comments

Mrs. Kramer, Chairwoman, commented that this evening's meeting is Mr. Clark's and Mr. Holden's last meeting as members of the Board of Selectmen as they chose not to run for re-election; and wished to thank them both for their years of service as members of the Board of Selectmen. She recalled the various committees and events that both Mr. Clark and Mr. Holden performed on.

Selectmen's Minutes: 4/10; 4/10 (Appropriation Appointing Committee)

Vote: Mrs. Kramer entertained a motion to accept the April 10, 2007 minutes. **So moved Mr. Clark. Second Mr. Holden. Unanimously voted.**

Vote: Mrs. Kramer entertained a motion to accept the April 10 Appropriation Appointing Committee minutes. **So moved Mrs. Pratt. Second. Mr. Shepard. Unanimously voted.**

Announcement from the Veteran's Celebration Committee regarding Memorial Day Ceremonies

Mrs. Kramer read a letter from the Veteran's Celebration Committee extending an invitation to the Board to join them for the Memorial Day Ceremonies to be held on Monday, May 28, 2007 beginning at Evergreen Cemetery in Woodville at 9:45 a.m. and concluding at the town Common at Noon.

Town Election Announcement: Ann Click, Town Clerk

Mrs. Click, Town Clerk, talked about a new accessible voting machine available at all elections and beginning this year all Special Elections will have the added cost for the chip for this machine. The State has stated that it will pay for the chip for all State and Town elections, but not pay for special elections. She also explained how the machine will be available to voters at the May 21st election.

Polar Bear Day Project: Hopkins Elementary School

Hopkins School teachers, Ms. Nil Schnairsohn Classroom 211, and Ms. Susan Green Classroom 212, presented their students who participated on a service learning project in which they earned funding to help scientists working on solutions for global warming by donating the funds to a zoo to adopt a polar bear. The teachers requested that the Town of Hopkinton create a Polar Bear Day where Hopkinton residents could do polar bear related activities to help raise funds. Mrs. Kramer read the Proclamations that were prepared for both classrooms including all of the students and teachers names within the proclamation. The Board thanked the students and encouraged them in their project.

Vote: Mrs. Kramer entertained a motion to present a Proclamation to Classrooms 211 and 212 for their efforts in the service project to adopt polar bears and provide awareness of the situations with Polar Bears and Global Warming and for raising funds to adopt 66 polar bears through the World Wildlife Fund and to proclaim May 19, 2007 as Polar Bear Day. **So moved Mr. Shepard. Second Mrs. Pratt. Unanimously voted.**

2007 Boston Marathon: Dorothy Ferriter; Mike Mansir.; Police Chief Irvin, Fire Chief Daugherty; Al Rogers

Mrs. Kramer reported how the 2007 Boston Marathon was a successful event due to the efforts of the Police Chief, Fire Chief, Al Rogers, Chairman of Parks & Recreation Commission, Mike Mansir, Highway Manager, and Dorothy Ferriter, Chairman of the Marathon Committee. Comments were made about how even though it was a difficult morning due to the heavy rainfall and cold temperatures, everyone worked together to make the event a success. Mrs. Kramer, on behalf of the Board, thanked everyone for their efforts especially under difficult weather conditions.

Police Week Proclamation

Mrs. Kramer read a Proclamation recognizing May 15 as Peace Officers' Memorial Day and in the week in which May 15 fall as National Police week. Chief Irvin gave a brief background overview stating that May 15th is to honor those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty. Mrs. Kramer presented a framed proclamation to the Police Chief.

Vote: Mrs. Kramer entertained a motion to proclaim May 15 as Peace Officers' Memorial Day. **So moved Mr. Shepard. Second Mr. Holden. Unanimously voted.**

Hopkinton Police Department Promotions

Police Chief Irvin expressed his gratitude to the Board of Selectmen for supporting the creation of the Hopkinton Police Department's first Lieutenant's position. The Chief said that the screening committee recommends for promotion to the rank of Lieutenant, Sergeant Richard Flannery and Sergeant Joseph Bennett, and that although both Sergeants possess the necessary experience and knowledge to perform the duties of a police Lieutenant, he recommends Sergeant Richard A. Flannery for the promotion to the rank of Lieutenant. Chief Irvin added that should the Board support his recommendation, Sergeant's Flannery's promotion would become effective as soon as an employment agreement is finalized.

Vote: Mr. Clark motioned to support the Police Chief's recommendation to promote Sergeant Richard A. Flannery to the promotion of Lieutenant. **Second Mr. Shepard. Unanimously voted.**

Police Chief Irvin presented Lieutenant Flannery with the Lieutenant Police badge; and Lieutenant Flannery's wife, while Lieutenant Flannery held his son, pinned the badge on his uniform. Members of the Board of Selectmen and audience applauded Lieutenant Flannery to congratulate him on his promotion.

Chief Irvin said that with the creation of the new Lieutenant's position, it created an opening in the rank of Sergeant. The Chief stated that the screening committee recommended Detective John Porter, Officer Gregg DeBoer, and Officer Timothy Brennan for promotion to the rank of Sergeant. He commented that although all of these Officers possess the necessary experience and knowledge to perform the duties of a Police Sergeant, he recommends Detective John Porter for the promotion to the rank of Sergeant. Chief Irvin said that should the Board support his recommendation, Detective Porter's promotion would become effective May 21, 2007.

Vote: Mrs. Kramer entertained a motion to support the Police Chief's recommendation to promote Detective John Porter for the promotion to the rank of Sergeant effective May 21, 2007. So moved Mr. Clark. Second Mr. Holden. Unanimously voted.

Police Chief Irvin presented Sergeant Porter with the Sergeant's Police badge; and Sergeant Porter's son along with this wife and daughter pinned the badge on his uniform. Members of the Board of Selectmen and audience applauded Lieutenant Porter to congratulate him on his promotion.

Let it be noted that many Police Officers from the Hopkinton Police Department attended the meeting to witness the promotions and congratulate both Lieutenant Flannery and Sergeant Porter.

Lonza Hopkinton Inc. (TIF)

Mr. Troiano gave the Board a memo that he prepared regarding the Lonza Tax Incentive Financing Agreement and said that the Town of Hopkinton was approached by Lonza Hopkinton Inc., located at 97 South Street, with a Tax Incentive Financing Proposal on March 30, 2007. He said that a timeline was established with Lonza to bring the proposal through the review process in order to have it submitted as an article on the June 18, 2007 Special Town Meeting should the proposal be negotiated and finalized. Mr. Troiano said that the TIF Committee reviewed the initial proposal and after several meetings, a proposal was agreed upon. He said that the proposal would be for eight years with exemption terms. Mr. Troiano said that in order to facilitate the process of preparing the documents necessary for execution after the town meeting, including applications for Project Certification, EOA, TIF Plan and the TIF Agreement, the Selectmen would need to vote approve to make 97-99 South Street as an Economic Opportunity Area; and secondly, to recommend to Town Meeting the TIF Plan including without limitation the TIF Zone and TIF Agreement.

Ms. Lynn Tokarczyk from Business Development Strategies and Anthony Rotunno from Lonza Hopkinton Inc. presented a PowerPoint of Lonza's business and recommended to the Board to support an Agreement between the Town of Hopkinton and Lonza Hopkinton Inc. at the Special Town meeting for the Tax Increment Financing program. It was noted that if Town Meeting accepts Lonza Hopkinton Inc. TIF Agreement, Lonza will expand its facilities in Hopkinton.

Vote: Mr. Shepard motioned to make 97-99 South Street as an Economic Opportunity Area; and secondly, to recommend to Town Meeting the TIF Plan including without limitation the TIF Zone and TIF Agreement. **Second Mr. Clark. Unanimously voted.**

RTA Presentation: Senator Karen Spilka

Mr. Paul Matthews, Executive Director of the 495/MetroWest Corridor Partnership, addressed the Board about the town's options to secure transit services, MetroWest Regional Transit Authority (RTA), a public bus service, which is made up of a number of regional organizations that will be participating. Senator Karen Spilka was also present to speak on behalf of the Board's joining the RTA and encouraged them to do so. Mr. Matthews gave a PowerPoint presentation that addressed the background of the RTA. Mrs. Pratt stated concerns about the operational costs and future funding for this program. Mr. Shepard believes that there is no downside to joining. Mr. Welte, MetroWest Chamber of Commerce, joined the meeting at this time.

Vote: Mr. Clark motioned to join the MetroWest Regional Transit Authority (RTA). **Second Mr. Shepard. The votes follow: Mrs. Kramer: yes; Mrs. Pratt: no; Mr. Holden: yes; Mr. Clark: yes; Mr. Shepard: yes. So voted.** Mr. Matthews said that he would email a sample letter to the Town Manager's Office that could be used to draft a letter to send to the State informing them of the Town joining the RTA.

Ch. 61A Public and Special Town Meeting (June 11) discussion

Mrs. Kramer talked about the ballot questions for the Special Town Meeting and the timeline that the town needs to adhere to for the Ch. 61A timeframe in regards to the Weston Nurseries property sale. It was agreed to post a June 12 meeting should the June 11 STM need to be re-convened; and the Board of Selectmen will hold a public hearing on June 14, 2007 after the June 11 Special Town Meeting and formally vote to exercise, transfer or waive Hopkinton's Ch. 61A right of 1st refusal on the Weston Nurseries property. The Board also agreed to post a meeting on June 19 should the public hearing need to be re-convened.

Vote: Mr. Shepard motioned to hold the Ch. 61A public hearing on June 14, and should the public hearing need to be re-convened to also continue the public hearing on June 19. **Second Mr. Clark. Unanimously voted.**

The Board discussed the possibility of hiring a stenographer; and Ms. Peters, Board of Health, commented that during the E.L. Harvey hearings, the cost to hire a stenographer was \$2,500. Mr. Troiano said that he would investigate the cost of hiring a stenographer.

Town Manager's Report

Mr. Troiano said that he reviewed the performance and qualifications of the Treasurer/Collector and is pleased to announce that Maureen L. Dwinell has been appointed by him as Treasurer/Collector for another three-year term effective May 22, 2007.

Mr. Troiano said that he would begin a Finance Director open search and that a new Director should be hired by July 1, 2007 according to the Town Charter.

Mr. Troiano said that the Board would review the Management Letter from the Town's auditors at the next meeting.

Mr. Troiano plans to meet with the Personnel Committee the next evening to review the five Human Resource candidates' applications; and that those candidates would be invited to interview for the HR position next week.

Mr. Troiano said that the contract negotiations with the Town's unions are ongoing; and that the Fire Chief plans to submit a letter recommending a candidate for the new Lieutenant's position for the next meeting.

Mr. Troiano reviewed the list of articles for the June 11, 2007 Special Town Meeting. One of the articles would be to address the ADA Compliance issue. He said that he obtained an estimated tabulation by the Facilities Department relative to the ADA improvements to the Hopkinton Town Hall, Public Library, Center School, Elmwood School and Hopkins School. He said that these improvements represent the first phase of becoming ADA compliant. Mr. Troiano added that an architectural firm, Cubellis, Inc. has been contracted to review the Town's accessibility deficiencies and will provide a written report outlining what will be necessary in order to be in compliance with the ADA, Guidelines for Buildings and Facilities, and the MA Architectural Access Board (MAAB).

Mr. Troiano said that he is investigating the ex officio status, the Trails Policy, the Town's legal bills, Verizon Cable license.

Special Town Meeting Articles

Mr. Clark requested that the Board vote the order of the Special Town Meeting articles. Mrs. Kramer recommended for the Board to discuss this at the next meeting.

Vote: Mr. Clark motioned for the Board to review the order of the Special Town Meeting articles. **Second Mr. Holden. The votes follow: Mrs. Kramer: no; Mrs. Pratt: yes; Mr. Holden: yes; Mr. Clark: yes; Mr. Shepard: yes. So voted.**

After a discussion, the Board agreed to the following order of the articles on the June 11, 2007 Special Town Meeting warrant:

ARTICLE 1: Sylvan Way Street Acceptance. **Sponsor: Petition**

ARTICLE 2: TIF (Lonza). **Sponsor: BOS**

ARTICLE 3: LUSC Reports. **Sponsor: LUSC**

ARTICLE 4: Purchase of stock option by the Town. **Sponsor: BOS**

ARTICLE 5: Town's Purchase of entire parcel of Weston Nurseries property. **Sponsor: BOS**

ARTICLE 6: TPL Partnership with Taurus. **Sponsor: BOS**

ARTICLE 7: Weston Nurseries financing (30 years) Language TBD. **Sponsor: BOS**

ARTICLE 8: ADA Article. **Sponsor: BOS/SC**

ARTICLE 9: To see if the Town will vote to transfer the amount of \$10,000 from Perpetual Care to Highway Road Maintenance to cover needed road repairs and hydro-seeding at Mt. Auburn Cemetery. **Sponsor: Department of Public Works/Cemetery Commission**

ARTICLE 10: To see if the Town will vote to raise and appropriate the sum of \$ 300,000 from the water enterprise fund for the purpose of reconstructing and or resurfacing Spring and West Main Streets due to the upgrade of water mains, services, fire hydrants and other appurtenances in those streets. **Sponsor: Department of Public Works**

ARTICLE 11: To see if the Town will vote to rescind the sewer easement on Claflin Avenue and revert ownership to the owner. **Sponsor: Department of Public Works.**

ARTICLE 12: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money (\$24,500) 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 and described as follows: **Sponsor: Department of Public Works**

ARTICLE 13: To see if the Town will vote to transfer the amount of \$ 16,000 from Perpetual Care to Highway Expenses to cover Highway Division expenses to maintain the cemeteries. **Sponsor: Department of Public Works/Cemetery Commission**

Readout Mail

1. Mrs. Kramer read a letter from Ruth Gorman, President to the Hopkinton Garden Club, thanking the Board of Selectmen for attending their recent ceremony and declaring an official Arbor Day in Hopkinton.
 2. Mrs. Kramer read an announcement from the Upton State Forest in partnership with the Department of Conservation and Recreation and Upton Historical Society inviting the Board to a CCC Day at Upton State Forest on May 26 beginning at 1 p.m.
 3. Mrs. Kramer reviewed a letter from the Devereau MS Therapeutic Foster Care non-profit organization encouraging members of the community to become foster parents; the letter offered information should anyone be interested in this endeavor.
 4. Mrs. Kramer read a letter from Police Chief Irvin thanking Mr. Troiano, Town Manager, for giving his time and effort into the Sergeant and Lieutenant interviews.
 5. Mrs. Kramer referred to a flyer from the DPW announcing Household Hazardous Waste Collection day on June 9 from 9 a.m. to 1 p.m. at the Highway Garage. The flyer listed those items that can be collected.
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Metropolitan Area Planning Council (MAPC) Elections to the MPO: Vote for one Town (Framingham); and one City (1.) Everett; (2.) Somerville

Mrs. Kramer recommended as the Board of Selectmen's liaison to the MPO to vote for the Town of Framingham and the City of Everett.

Vote: Mrs. Kramer entertained a motion to vote for the Town of Framingham and the City of Everett to the Metropolitan Area Planning Council Elections to the MPO; and to designate Mrs. Pratt to vote in lieu of the Chairman, Mrs. Kramer, as the MAPC's election. **So moved Mr. Shepard. Second Mr. Clark. Unanimously voted.**

Veteran's Celebration Committee and Downtown Revitalization Committee: Dale Danahy

Mrs. Kramer read a letter from Dale Danahy's resignations from the Veteran's Celebration Committee and the Downtown Revitalization Committee effective immediately. Mrs. Danahy noted that her resignations are due to a family illness which keeps her from serving on these committees.

Vote: Mrs. Kramer entertained a motion to accept with regret Dale Danahy's resignations from the Veteran's Celebration Committee and Downtown Revitalization Committee. **So moved Mr. Shepard. Second Mrs. Pratt. Unanimously voted.**

Accept gift from New England Laborers' Training

Mrs. Kramer read a letter to Mr. Robert Bushway, Principal Assessor, from James Merloni, Jr. Administrator from New England Laborers' Training Trust Fund of a donation of \$15,000 submitted to the Town of Hopkinton in lieu of taxes as a gift to the Town.

Vote: Mrs. Kramer entertained a motion to accept the donation of \$15,000 from New England Laborers' Training Trust Fund. **So moved Mr. Shepard. Second Mr. Holden. Unanimously voted.**

Meeting Adjourned:

10:00 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: 6/26/07