

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF WESTBOROUGH
SPECIAL TOWN MEETING**

Tuesday, September 29, 2020
Westborough High School

Narrative:

All in attendance stood as Mr. Arnold led the meeting in the Pledge of Allegiance.

At 7:19pm on September 29, 2020, Moderator, John Arnold called the Special Town Meeting pursuant to a Warrant by the Board of Selectmen. He thanked all for being at the meeting and he would begin once everyone was seated. Mr. Arnold introduced himself as Moderator and Wendy Mickel as Town Clerk, noting both are needed for a Town Meeting. He noted we have a quorum and a warrant.

Mr. Arnold stated, "There are four requirements we need to hold a Town Meeting; a Moderator, a Town Clerk, a Quorum and a posted warrant and all four requirements have been met." He then declared the meeting in session.

Mr. Arnold noted all departments, boards and committees present. He noted that everyone was given 2 sheets of paper with the official report of the Advisory Finance Committee, a committee of 9 citizen voters who make recommendations to the articles. He thanked everyone that set up for the meeting and made it happen in these unusual circumstances.

Mr. Arnold stated that our bylaws require a Deputy moderator be nominated for each meeting. It is the voters who vote. Mr Arnold then nominated Benjamin Gold as a Deputy Moderator. Mr Gold is set up in the Auditorium. A vote was taken.

Vote: *Unanimous in the gym and auditorium. Mr Gold was then sworn into office and seated in the Auditorium.*

Mr. Arnold noted that he was not aware of any non-voters present or requesting to speak during the meeting. Mr. Gold noted he did not have any non-voters requesting to speak in the auditorium. Mr Arnold stated that Town Meeting serves as Westborough's Legislative body. There is equal discussion in both rooms. He gave a brief overview of the rules of Town Meeting and sanitizing requirements using the microphones and use of masks to meet the COVID safety guidelines.

Mr. Arnold reminded voters that discussions and deliberations are limited to the topic of the motion and warrant article only. He gave a brief overview of parliamentary procedures, noting that it is one person, one vote counted and that he will go over the "vote to count" when or if necessary. He noted that there is no proxy or remote voting at open town meeting, that all voters must be present to vote. If at any time anyone has a question they can raise their slip and call out "Point of Order. He asked all to turn off or mute cell phones. And, urged everyone during an emergency to follow the guidance of the Police & Fire personnel present.

Mr. Arnold stated there are no procedural questions, he will move to article one of the Special Town Meeting.

COMMONWEALTH OF MASSACHUSETTS
Town of Westborough
Special Town Meeting – September 29, 2020

WARRANT

WORCESTER, SS

TO ANY CONSTABLE IN THE TOWN OF WESTBOROUGH, IN THE COUNTY OF
WORCESTER, GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Westborough, qualified to vote in elections and town affairs, to meet at the Westborough High School located on West Main Street on Tuesday, September 29, 2020, at 7:00 P.M. then and there to act on the following articles.

The Town Manager's Statements printed in italics are not part of the formal articles of the warrant. They constitute additional information offered for the benefit of the voters, true and correct as of the time of posting of the warrant, but subject to change as called for. They are not to be construed so as to broaden or limit the scope of the formal articles.

Article 1: Land Acquisition – 31-33 Eli Whitney Street (Board of Selectmen)

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow the sum of Two Million Three Hundred Thousand Dollars (\$2,300,00), and authorize the Treasurer, with the approval of the Board of Selectmen, to borrow all or a portion of said sum under G.L. Chapter 44, Section 7 or any other enabling authority and to issue bonds or notes of the Town therefore, and any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder in accordance with G.L. Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, for the purpose of acquiring the property described herein and costs incidental or related thereto, and to authorize the Board of Selectmen to acquire, by purchase gift, and/or eminent domain, on such terms and conditions as the Board deems in the best interest of the Town and subject to existing agreements, easements and/or restrictions, a parcel of land located at 31-33 Eli Whitney Street, Westborough, containing 66 acres, more or less identified as Assessor's Parcel 9-151-0, and being a portion of the premises described in deeds recorded with the Worcester South District Registry of Deeds in Book 20558, Pages 158 and 162, for conservation, passive recreation, parking, and general municipal purposes and for the purpose of granting a conservation restriction on the portion or portions of said property (containing 61 acres, more or less) that are to be devoted to conservation and passive recreation purposes, and, further, to authorize the Board of Selectmen to execute any and all documents and take all other action necessary or convenient to accomplish the foregoing, including, without limitation, granting said conservation restriction, or take any other action thereon.

Article information – this article seeks to provide authorization for the Board of Selectmen to acquire property located at 31-33 Eli Whitney Street. Approximately 61 acres of the 66-acre property will be acquired for and devoted to conservation and passive recreation purposes permanently; the remaining property, containing approximately 5 acres, will be acquired for general municipal purposes, including trail-head access and parking for the benefit of the conservation property. This article will authorize the Town to appropriate money from existing reserves including Sale of Real Estate, Open Space and Walkup Robinson. The motion for this article requires a 2/3/ majority vote.

AFC recommends the Town vote to approve this Article (6-0-0)

BOS recommends the Town vote to approve this Article (5-0-0)

Motion: Ian Johnson, 9 Bertis Adams Way, Selectman; *I move that the Town vote to*

(a) authorize the Board of Selectmen acquire, by purchase, gift, and/or eminent domain, on such terms and conditions as the Board deems in the best interest of the Town and subject to existing agreements, easements and/or restrictions, the parcels of land located at 31-33 Eli Whitney Street, Westborough, containing a total of 66 acres, more or less, and being a portion of the premises described in a deed recorded with the Worcester South District Registry of Deeds in Book 20558, Pages 158 and 162, for the following purposes:

Parcel A, as shown on a plan entitled “‘Plan of Land’ 31-33 Eli Whitney Street Westborough, MA (Worcester County)”, dated September 21, 2020, on file with the Town Clerk, is to be acquired by the Town for conservation and passive recreation purposes and for the purpose of granting a conservation restriction thereon, under the care, custody, and control of the Conservation Commission pursuant to the provisions of M.G.L. Chapter 40, Section 8C and subject to the provisions of Article 97 of the Massachusetts Constitution, and to authorize the Board of Selectmen and the Conservation Commission to grant a conservation restriction pursuant to the provisions of M.G.L. Chapter 184, Sections 31-33 on said parcel; and

Lot 1, as shown on the foregoing plan, is to be acquired by the Town for conservation, passive recreation, parking, and general municipal purposes under the care, custody, and control of the Board Selectmen;

(b) appropriate the sum of \$2,300,000 for the purpose of acquiring said land and costs incidental or related thereto, and, to meet this appropriation, transfer the sum of \$800,000 from the Sale of Real Estate Account for Parcel A and Lot 1, and transfer the sums of \$750,000 from the Open Space Account and \$750,000 from the Walkup Robinson Account for Parcel A;

(c) authorize the Conservation Commission to apply for, accept and expend any funds that may be provided by the Commonwealth or other public or private sources to defray all or a portion of the costs of said acquisition, including, but not limited to, grants and/or reimbursement from the Commonwealth under the Self-Help Act, G.L. Ch. 132A, Section 11 (now, so-called LAND grants); and

(d) authorize the Board of Selectmen to execute any and all documents and take all other action necessary or convenient to accomplish the foregoing

VOTE: Unanimous vote, 2/3 vote achieved, motion carries

Article 2: Self-Contained Breathing Apparatus Replacement (Fire Department)

To see if the Town will vote to transfer from Free cash the sum of Fifty Eight Thousand Nine Hundred Eighty Three Dollars (\$58,983), or such other amount as Town Meeting may approve, for the purpose of replacing self-contained breathing apparatus equipment, including all costs incidental and related thereto, or take any other action thereon.

***Article Information** – The existing self-contained breathing apparatus (SCBA) units were purchased in 1998 and are 22 years old and 6 editions out of NFPA compliance. The Fire Department received a grant in 2007 to provide some modifications to existing units. The Department has been spending approximately \$10,000 annually to maintain the SCBA units, and the units are showing signs of significant wear and tear. Firefighters depend on well-performing SCBA to provide breathing air in environments that are immediately dangerous to life and safety. The newer units are equipped with technologies that will enable our firefighters to be tracked electronically, provide for higher burn threshold, and allow for enhanced communications. This request was deferred from the June 2020 Annual Town Meeting in anticipation of a grant. A grant in the amount of \$260,000 was awarded for this purchase in August. This request is to fund the balance needed to purchase the equipment. The motion for this article requires a simple majority vote.*

Motion: Shelby Marshall, 7 Charles St., Chair Board of Selectmen, I move that the Town vote to transfer and appropriate the sum of \$58,983 from Free Cash for the purpose of the article as printed in the warrant.

VOTE: Unanimous vote, motion carries

Article 3: Water Facilities Contract Operator Term (DPW)

To see if the Town will vote to authorize the Board of Selectmen to award a contract for an initial term of up to 10 years with an option to extend for two up to five year terms or such other duration as Town Meeting may approve, for the purpose of operating and maintaining services related to its water treatment facilities, or take any other action thereon.

***Article Information** – The current contract to operate the Town’s drinking water facilities expires June 30, 2021 and cannot be extended. A new contract must be awarded. The existing contract has been in place for twenty years and comprised a ten year initial term with two five year extensions. Development*

of a request for proposals (RFP) is ongoing. The contract term is a key component of the RFP. The recommended term for the new contract is the same as the existing contract, ten years, plus option for five, plus option for five. A contract term longer than three years must be approved by a majority town meeting vote.

AFC recommends the Town vote to approve this Article (8-0-0)

BOS recommends the Town vote to approve this Article (5-0-0)

Motion: Christopher Payant, Windsor Ridge Dr., DPW Director, I move that the Town vote to authorize the Board of Selectmen to enter into a contract for 10 years, with two 5-year extensions, for the purpose of the article as printed in the warrant.

VOTE: Unanimous vote, motion carries

Motion; Shelby Marshall, Chair Board of Selectmen: I move that we dissolve the September 29, 2020 Special Town meeting.

VOTE: Unanimous vote, to dissolve the meeting.