

**Public Hearing Minutes  
Town of Marlborough  
Board of Selectmen  
Marlborough Town Hall  
May 18, 2010  
6:30 p.m.**

**BOS Members Present:** Bill Black, Joseph A. La Bella and Riva R. Clark  
**Present:** Dennis Hawrylko, Commission on Aging Chair; Richard Shea, Board of Finance; Russ Johnston, Nature Trails and Sidewalks Chair; Louise Concodello, Nature Trails and Sidewalks Commission

B. Black called the public hearing on the **WPCA Ordinance** to order at 6:30 p.m.

B. Black noted that the WPCA Chair is in support of this revised ordinance. This revised ordinance reduces the number of members to five. One of these regular members must reside in the sewer service district.

B. Black also pointed out that any appointed member who fails to attend three consecutive meetings or who fails to attend fifty percent of all meetings during any calendar year shall be deemed to have resigned. The BOS will not be policing attendance. The WPCA will be responsible for making a determination and acting.

There were no comments from the public. The public hearing was closed at 6:40 p.m.

B. Black called the public hearing on the **Illicit Discharge Management Ordinance** to order at 6:45 p.m.

B. Black explained that this ordinance is intended to control non-storm water discharges into the storm drainage system catch basins (e.g., paint). This new ordinance is modeled after the DEP ordinance and has been reviewed by town counsel.

The BOS agreed to wording changes within the first paragraph of Section 4-Responsibility for Administration. The "Director of Public Works" shall be changed to "Town of Marlborough" and "Director Board of Selectmen of the Authorized Enforcement Agency" shall be changed to "Board of Selectmen."

There were no comments from the public. The public hearing was closed at 6:50 p.m.

B. Black called the public hearing on the **Commission on Aging Ordinance** to order at 7:00 p.m.

B. Black noted that the original ordinance had very restrictive membership qualifications. The revised ordinance expands the membership qualifications and reduces the number of members from six to five.

B. Black then noted that this ordinance also had attendance requirements if a member wishes to remain on the Commission.

Dennis Hawrylko, Commission on Aging Chair, spoke. He explained that this Commission currently has six members, not five. He is concerned that this revised ordinance forces someone to decide which member needs to leave to get down to five. This Commission has not had any problem with attendance so he would like to keep the number of regular members at six. He agrees with having three alternates.

R. Clark suggested that everyone consider raising the number of regular members when you consider that the membership requirements are now not as restrictive.

The public hearing was closed at 7:35 p.m.

B. Black called the public hearing on establishing a ***Nature Trails and Sidewalks Commission Ordinance*** to order at 7:40 p.m.

B. Black explained that this Ordinance would make this Commission permanent. It had been temporary.

R. Johnston, Nature Trails and Sidewalks Commission Chair, spoke. He noted that this Ordinance has only five regular members and two alternate members. They currently have seven regular members and two people have expressed an interest in serving. He suggested having a transition period so people were not forced to resign.

R. Johnston also expressed concern over having wording in this ordinance that would enable the BOS to remove a member for good cause. He did not see this wording in any of the other ordinances. He also had issues with members being dismissed for non-attendance period. He suggested having an appeals process so people had a chance to explain their particular situation. He provided the BOS with a written copy of his Commission's comments.

B. Black explained that the section about being dismissed for non-attendance is in all the ordinances. It would be up to each Commission to enforce it. By design the decision process lies with the BOS so each Commission can continue to work together.

The public hearing closed at 7:57 p.m.

B. Black called the public hearing on establishing a ***Nature Trails Rules and Regulations Ordinance*** to order at 8:00 p.m.

Board of Selectmen- Public Hearing

May 18, 2010

Page 3 of 3

B. Black noted that the citation issues have been left to the police and constables.

R. Johnston commented that the Nature Trails and Sidewalks Commission is concerned with allowing horses on the existing trails because they feel that the trails are not wide enough or long enough to accommodate horses. Future trails would be designed to accommodate horses. He wondered if the Town could exclude horses in the regulations or in some way specify that they would be welcome on future trails?

B. Black will get a legal opinion.

The public hearing closed at 8:10 p.m.

Respectfully submitted,

Linda Bulkovitch

Board Clerk