

**BOARD OF SELECTMEN
MEETING MINUTES - MARCH 26, 2007**

7:00 p.m. - Selectmen's Meeting Room, 63 Main Street, Northborough, MA

MEMBERS PRESENT: Dawn Rand, Chairman
William Pantazis, Vice Chairman
Leslie Rutan, Clerk
Jeff Amberson
Fran Bakstran

*Pledge of Allegiance

APPROVAL OF MINUTES – MARCH 12, 2007 REGULAR MEETING

Selectman Amberson moved the Board vote to accept the Minutes of the March 12, 2007 Regular Meeting as submitted; Selectman Rutan seconded the motion; all members voted in favor.

**7:00 p.m. - JOINT PUBLIC HEARING W/ APPROPRIATIONS COMMITTEE
FY 2008 Proposed Budget.**

Present for the Appropriations Committee were Chairman Elaine Kelly and members Richard Nieber and Lynne Winter.

Mr. Brenner summarized the details of the proposed FY 2008 Budget. He stressed the importance of presenting a balanced Budget at the Annual Town Meeting, noting that while the Budgets for the Municipal Government and the assessment for the Northborough/Southborough Regional High School are both at a 4.5% increase, which is consistent with the limits of Proposition 2½, the Budget for the Northborough K-8 Schools is at a 5.6% increase. This increase requires an override to Proposition 2½ in the amount of \$166,347.

Mr. Brenner reviewed the Policy and Process that was established back in 2002 when the Town reached the limits of Proposition 2½. He informed the Board that he had reviewed this Policy and Process with the School Superintendent when she first arrived back in June of 2006.

Mr. Brenner stated that on January 9, 2007, he notified the School Superintendent that all of the Budgets would be able to increase 4.5% and remain within the limits of Proposition 2½. There are two choices when preparing the FY 2008 Budget – that it be within the limits of Proposition 2½ or to have an override to go beyond the limit of Proposition 2½. He indicated that he sincerely hoped that the Policy and Process successfully followed since 2002 be followed at Town Meeting by the School Superintendent and the Northborough School Committee. He hoped that the School Superintendent and the Northborough School Committee would not attempt to access revenues that may or may not materialize, such as additional State Aid, additional growth and property values above what is estimated, or other avenues such as a transfer from Free Cash or to exhaust the modest amount of the unused property tax levy that presently exists. Such efforts would be unfair.

JOINT PUBLIC HEARING CONT . . .

Chairman Rand spoke about her displeasure concerning a recent meeting of the Northborough School Committee which was held in violation of the open meeting law. She stated that it is unfair to the community, to the parents and to the Board of Selectmen that the Northborough School Committee voted to cut their Budget without first providing proper notification and the opportunity for the public to provide input as to what was being cut. She referred to a memorandum from the Northborough School Committee notifying the Town Administrator of their recent vote to reduce the override amount from \$219,434 to \$166,347. In this memorandum, no information was given as to how they chose to reduce this amount. She feels that the School Superintendent and the Chairman of the Northborough School Committee have been very remiss in the way they have treated the Board of Selectmen.

Following some discussion amongst members of the Board, Chairman Rand invited Northborough School Committee member Susan Sartori to comment. Ms. Sartori stated for the record that she was speaking only as one member of the Committee. She acknowledged that members of the School Committee were not able to speak on behalf of the Committee unless done so through the Chairman or the School Superintendent. She informed the Board that she was out of Town and did not receive notification of the first meeting held on Monday, March 19th. She did attend the continued meeting held the following evening. She is expecting that the Committee will have some open dialogue on the need to either have an override or to reduce the Budget an additional \$166,347 at their next meeting. Additional discussion amongst members of the Board ensued.

Appropriations Committee Chairman Elaine Kelly informed the Board that the Appropriations Committee has been meeting weekly and has heard presentations from the various departments. She stated that the Committee will begin deliberations and will present recommendations on the proposed FY 2008 Budget soon. She noted her concern with Free Cash being at its lowest level since recent memory. She also stressed the importance of preserving or even improving our current Bond Rating considering all of the projects that are being considered.

At the request of audience member Millard Berryman, the Board agreed to request a copy of the Minutes of the Meetings held by the Northborough School on Monday and Tuesday, March 19 & 20, 2007.

7:35 p.m. - PUBLIC HEARING

To consider the layout and acceptance of the following public ways:

- Buckhill Road
- Stirrup Brook Lane
- Jenkins Drive

Following Town Engineer Fred Litchfield's brief presentation, Chairman Rand invited comments from the audience.

PUBLIC HEARING CONT . . .

Two residents of Buckhill Road were present to express their concerns with a couple of minor items that they would like to see addressed prior to the street being accepted by the Town. Mr. Litchfield indicated that the Town is now responsible for the upkeep of Buckhill Road and he agreed to meet with the residents to address their concerns.

Selectman Rutan moved the Board vote to approve the layout and acceptance of Buckhill Road, Stirrup Brook Lane and Jenkins Drive as Public Ways; Selectman Amberson seconded the motion; all members voted in favor.

7:45 p.m. - RICK LEIF, CHAIR PLANNING BOARD

Presentation on Planning Board Warrant Article to Amend Zoning Bylaw.

Planning Board Chairman Rick Leif made a presentation on the following warrant article submitted by the Planning Board as recommended by the Zoning Bylaw Subcommittee. The warrant article will amend Chapter 7-12, Section 7-12-010 Schedule of Use Regulations under Industrial District B – Uses Permitted by Right:

- to the item that currently reads “Retail store distributing merchandise to the general public”, add the words [“not to exceed 5,000 square feet of gross floor area per individual retail establishment”] after “general public,” so that the amended item will read “Retail store distributing merchandise to the general public, [not to exceed 5,000 square feet of gross floor area per individual retail establishment”].

Mr. Leif added that the Zoning Bylaw Subcommittee has determined that the other zoning regulations are in need of a more comprehensive approach and will be brought forward at a future Town Meeting.

Following Mr. Leif’s presentation, questions and comments were heard from members of the Board.

REPORTSBarry M. Brenner, Town Administrator

- No report.

Dawn Rand, Chairman

- Announced that the Board recently completed the evaluation of the Town Administrator, in which he received a very favorable review.
- Mentioned that at a December 20th meeting between the Board of Selectmen and the Regional School Committee, the Board of Selectmen was told by the Regional School Committee that they would provide answers to the matter at hand by mid-January. She requested that the Board invite the Regional School Committee to meet again in order to get the answers that the Board is looking for.

Chairman Rand's Report Cont. . .

- Requested that the Board send a letter to the State requesting reimbursement of the interest on the \$10M 10-year bond originally issued for the High School Project.
- Attended the recent retirement party of Assistant Town Clerk Hillary Hamilton. Wished her well.

William Pantazis, Vice Chairman

- Attended the recent retirement party of Assistant Town Clerk Hillary Hamilton.
- Attended the Las Vegas Night sponsored by the Lion's Club at the American Legion.
- Noted the receipt of Federal funding for 2008 traffic signal upgrades from the Central Mass Metropolitan Planning Organization.

Leslie Rutan, Clerk

- Congratulated Hillary Hamilton on her recent retirement.
- Inquired about the Regional Strategy Session held to encourage communities to work in a collaborative manner about issues that they have concerns about. Requested additional information, particularly on the decision to get a voluntary assessment from each of the communities. Mr. Brenner suggested that this item be scheduled on a future agenda for discussion.
- Thanked the DPW Department for their snowplowing efforts in the recent snowstorm. In response to some recent questions from the public, she spoke about the economic savings to the Town by using outside contractors to help with snow removal and sanding.
- Noted that the Community Preservation Committee will meet on March 29th at 7pm.

Jeff Amberson

- Wished Assistant Town Clerk Hillary Hamilton well in her retirement.
- Received a telephone message from Tim Murray's Office inviting Board members to an upcoming Town Meeting. Selectman Bakstran informed the Board that she is planning to attend.
- Announced that the Recreation Department has a new website – northboroughrecreation.com. Also announced upcoming events sponsored by the Recreation Department.
- Noted that the Annual Town Meeting will be held on April 23rd at 7pm at the High School.

Fran Bakstran

- Noted that the Interview Committee met with applicants for the Community Affairs Committee and the Housing Partnership Committee prior to tonight's meeting. See below for appointments.

APPOINTMENT TO THE COMMUNITY AFFAIRS COMMITTEE

Selectman Bakstran moved the Board vote to appoint Kristin Pacheco to the Community Affairs Committee for a three-year term; Selectman Rutan seconded the motion; all members voted in favor.

APPOINTMENT TO THE HOUSING PARTNERSHIP COMMITTEE

Selectman Bakstran moved the Board vote to appoint Robert Kimball to the Housing Partnership Committee for a three-year term; Selectman Rutan seconded the motion; all members voted in favor.

APPROVE/EXECUTE WARRANT FOR ANNUAL TOWN MEETING

Mr. Brenner informed the Board that the Warrant has been finalized and has been reviewed by Town Counsel.

Selectman Bakstran moved the Board vote to approve and execute the Warrant for the April 23, 2007 Annual Town Meeting; Selectman Amberson seconded the motion; all members voted in favor.

APPROVE/EXECUTE WARRANT FOR ANNUAL TOWN ELECTION

Mr. Brenner provided a brief review of the warrant for the Annual Town Election.

Mr. Brenner spoke about the recent *Informational Guideline Release* (IGR) that was received on March 6, 2007 offering a new local option for property tax exemptions for seniors. This IGR was forwarded to the Senior Center Director, the Treasurer/Collector and the Principal Assessor for their review. The Council on Aging, the Elderly & Disabled Taxation Fund Committee and the Board of Assessors were also asked to review this information. A citizen's petition was received today asking that a question be placed on the May Town Election Ballot for the adoption of MGL, Chapter 59, Section 5, Clause 41C½ - as outlined in the recent IGR.

Mr. Brenner informed the Board that if Clause 41C½ is accepted, it will replace the existing property tax exemptions for seniors under Clause 41, 41B and/or 41C currently used by the Town. The Clause 41C½ exemption is 5% of the average assessed value of residential parcels in the city or town. This means the exemption amount will vary from year to year and could be less than the \$500 available under the existing clauses depending on residential values and tax rates.

Mr. Brenner stated that there is a question that this new option would provide less than what is already provided with the existing exemptions and stressed the importance of hearing back from the Senior Center Director, the Treasurer/Collector, the Principal Assessor, the Council on Aging, the Elderly & Disabled Taxation Fund Committee and the Board of Assessors as to whether this new exemption will or will not provide an improvement to what is currently being offered by the Town under Clause 41, 41B and/or 41C.

Mr. Brenner clarified that the citizens petition received today is not in the form and format that compels the question to be placed on the election ballot, it is advisory to the Board of Selectmen, asking that they place the question on the ballot.

ANNUAL TOWN ELECTION WARRANT CONT . . .

Following some discussion amongst members of the Board, the Board agreed to not place the citizen's petition as a question on this year's May Town Election Warrant. It was agreed that the matter should receive the proper review by the various Town staff and boards, committee and commissions. If after a full review, it turns out that this exemption is an improvement to what is already in place under 41, 41B and/or 41C, the question can be placed on the 2008 May Election Ballot.

Selectman Amberson moved the Board vote to approve and execute the Warrant for the May 14, 2007 Annual Town Election; Selectman Bakstran seconded the motion; all members voted in favor.

APRIL/MAY BOARD MEETING SCHEDULE

Selectman Amberson moved the Board vote to establish the Board Meeting Schedule for April and May as follows: Selectman Rutan seconded the motion; all members voted in favor.

April 9, 2007 - Regular Meeting

April 23, 2007 - Special Meeting

May 21, 2007 - Regular Meeting

APPROVAL/EXECUTION OF CEMETERY DEEDS A732 & A733

Selectman Pantazis moved the Board vote to approve and execute Cemetery Deeds A732 & A733; Selectman Rutan seconded the motion; all members voted in favor.

ZONING STUDY SUBCOMMITTEE STATUS REPORT

No report.

8:40 p.m. – EXECUTIVE SESSION

Selectman Bakstran moved the Board vote to enter into Executive Session pursuant to Massachusetts General Laws, Chapter 39, Subsection 23B, Subsection 3, Personnel Matter; Selectman Amberson seconded the motion; the roll call vote was taken as follows:

Bakstran	“aye”	Pantazis	“aye”
Amberson	“aye”	Rand	“aye”
Rutan	“aye”		

Chairman Rand announced that the Board would return from Executive Session only to adjourn.

9:00 p.m. – RETURN TO OPEN MEETING

ADJOURNMENT

Selectman Bakstran moved the Board vote to adjourn; Selectman Pantazis seconded the motion; all members voted in favor.

Meeting adjourned at 9:00 p.m.

Respectfully submitted,

Diane M. Wackell
Executive Assistant to the
Board of Selectmen