

**BOARD OF SELECTMEN
MEETING MINUTES - JUNE 11, 2007**

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

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

*Pledge of Allegiance

APPROVAL OF MINUTES – MAY 21, 2007 REGULAR MEETING

Selectman Rutan moved the Board vote to accept the Minutes of the May 21, 2007 Regular Meeting as submitted; Selectman Bakstran seconded the motion; all members voted in favor.

7:00 p.m. - JUNE HUBBARD-WARD, TREASURER/COLLECTOR

- Approval/Execution of Bond Anticipation Notes.
- Approval/Execution of Advances in Lieu of Borrowing.

Bond Anticipation Notes

Treasurer/Collector June Hubbard-Ward was present to request the Board's approval of Bond Anticipations Notes in the amount of \$3,249,312.00.

The notes include borrowing authorizations for the following projects approved at the April 2005 and April 2006 Annual Town Meetings:

<u>Purpose</u>	<u>Amount</u>
DPW Garage Improvements & Department Equipment	\$ 350,000.00
Police Station Repairs	\$ 50,000.00
Library Construction	\$ 263,600.00
School Equipment and Technology	\$ 680,712.00
School Roof - Peaslee	\$ 330,000.00
Water Main Improvements and Department Equipment	\$ 285,000.00
Sewer Construction - Pinehaven, Shady Lane and Jay Avenue	\$ 1,290,000.00
<hr/> Total	<hr/> \$ 3,249,312.00

Selectman Rand moved the Board vote to approve and execute the issuance of Bond Anticipation Notes in the amount of \$3,249,312 dated June 15, 2007 together with the required supporting documents; Selectman Amberson seconded the motion; all members voted in favor.

Advances in Lieu of Borrowing

Treasurer/Collector June Hubbard-Ward was present to request the Board's approval of "Advances in Lieu of Borrowing" in the amount of \$2,643,798.

The following debt authorizations were approved at the April 2006 and April 2007 Annual Town Meetings:

<u>Purpose</u>	<u>Amount</u>
Town Water Wells	\$ 750,000.00
Architectural Feasibility Study - Fire Station	\$ 75,000.00
Recreation Park Improvements	\$ 50,000.00
Architectural Design - Senior Center	\$ 495,000.00
Water Tank Improvements	\$ 230,000.00
Sewer Construction	\$ 250,000.00
Departmental Equipment – Ambulance	\$ 190,000.00
GIS System - Aerial Photography	\$ 120,000.00
DPW Highway Garage Roof	\$ 200,000.00
Departmental Equipment - DPW Truck	\$ 60,000.00
School Equipment & Repairs	\$ 35,000.00
School Equipment & Repairs	\$ 73,600.00
School Equipment & Repairs	\$ 52,573.00
School Technology Plan	\$ 62,625.00
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Total Advance in Lieu of Borrowing	\$2,643,798.00

Selectman Rand moved the Board vote to approve and execute the documents for the Advances in Lieu of Borrowing; Selectman Amberson seconded the motion; all members voted in favor.

7:15 p.m. - PUBLIC HEARING (Continued from May 21, 2007)

- To consider the application by Lazio Italian Grille & Bar to alter the premises located at 318 Main Street where an All Alcoholic Beverages Restaurant License is in effect – to provide an outdoor patio with seating located at the front of the building.
- To consider the application of Lazio Italian Grille & Bar for an Outside Entertainment License.

Application to Alter Premises

Peter Drake of Lazio Italian Grille & Bar was present along with his Attorney Marshall Gould. Also present was Paul D'Anello with the Capitol Group (owners of the building).

Attorney Gould informed the Board that he has met with the various Town Officials and that he and Mr. Drake are agreeable to the recommendations/conditions set forth by the Fire Chief, Building Inspector and Detective Sergeant William Lyver, with only two exceptions.

PUBLIC HEARING CONT. . .

Following a review of the recommended conditions, Attorney Gould requested that Condition #11 “*A first offense of seating of more than thirty (30) patrons on the patio – or the observed obstruction of the emergency egress aisles on three occasions by any agent of the Town of Northborough shall be cause for the immediate surrender of the patio alcoholic beverages license – without appeal*” be omitted. He suggested that in place of this condition, that if any violation occurs that it be dealt with in the same manner as other establishments when similar violations occur.

In reference to Condition #2, Attorney Gould requested that the word “consumed” be replaced with the word “ordered” so that the condition will read as follows: *Plainly visible signage and table cards stating “All alcoholic beverages ordered on the patio area must be ordered through and delivered by your server”.*

A discussion ensued amongst members of the Board, Attorney Gould and Mr. Drake, providing some clarification on some of the other recommended conditions and a better understanding of what the Town Officials will expect from the applicant, Mr. Drake.

In response to Attorney Gould’s request to omit Condition #11, Chief Durgin informed the Board that this was his recommendation. It was based on his concern that because the patio surrounds the main entrance to the building, it is imperative that the emergency egress aisles be unobstructed at all times. After being assured by Attorney Gould and Mr. Drake that the emergency egress aisles will be unobstructed at all times, Chief Durgin advised the Board that he would be fine with having this condition removed if the Board chooses to do so.

Selectman Amberson moved the Board vote to approve the amended application by Lazio Italian Grille & Bar to alter the premises located at 318 Main Street, Suite 140, where an All Alcoholic Beverages Restaurant License is in effect, to provide an outdoor patio located at the front of the building facing Main Street, of approximately 980 square feet for seating 30 patrons – with the amended conditions (#2 – replace the word “consumed” with “ordered” and omit #11) as set by the Building, Police and Fire Departments, with proposed hours of operation as follows:

Monday – Thursday – 11 a.m. to 11 p.m.
Friday – Saturday – 11 a.m. to 12 Midnight
Sunday – 12 Noon to 10 p.m.

and further that the Board has determined that the outside patio will not be detrimental to the educational and spiritual activities of St. Bernadette’s Church located at 266 Main Street and the Northborough/Southborough Regional High School located at 79 Bartlett Street; Selectman Rand seconded the motion; all members voted in favor.

Application for Outside Entertainment License

Attorney Gould informed the Board that Mr. Drake is requesting permission to provide light background music on the patio at the same level as the music that is played inside through speakers that are mounted on the outside of the building facing Main Street. The

PUBLIC HEARING CONT. . .

speakers are set at a reasonable low volume that can only be heard by those patrons sitting on the outside patio. Pre-recorded music shall be limited to the following artists: Tony Bennett, Frank Sinatra and Dean Martin. There will be no live entertainment.

Selectman Bakstran noted for the record that an abutter was present at the public hearing held on May 21, 2007 to express his concern with the use of the outdoor patio and his being disturbed by loud talking and music. Because this abutter took the time to come forward, she suggested that the outside music be revisited in the event that a particular abutter files a complaint about the noise.

Attorney Gould questioned if the outdoor music can be played at the same time that the indoor music is played. The Board agreed.

Selectman Amberson moved the Board vote to approve the application for outside entertainment, that will include only the playing of light background music through speakers that are mounted on the outside of the building. The speakers are to be set at a reasonable low volume that can only be heard by those patrons sitting on the outside patio and shall be limited to the following hours:

Monday – Thursday – 11 a.m. to 11 p.m.
Friday – Saturday – 11 a.m. to 12 Midnight
Sunday – 12 Noon to 10 p.m.

Selectman Rand seconded the motion; all members voted in favor.

8:00 p.m. - HISTORICAL COMMISSION

Presentation of Commission Mission Statement.

Historical Commission Chairman Donald Haitsma and Member Normand Corbin were present. Following Mr. Corbin's reading of the Mission Statement for the Historical Commission, Selectman Rutan offered a couple of minor amendments.

Mr. Corbin informed the Board that the process to inventory 150 historical properties has begun and is expected to be completed by the end of October. Additional funding is expected in 2008. The goal is to get all of the approximate 300 historical properties over 100 years old documented. He provided the Board with a sample of the property inventory document that is being used.

Mr. Corbin also informed the Board that a website for the Historical Commission is in the process of being established. Selectman Rutan suggested that a notice be placed on cable to let people know about the upcoming website.

Selectman Bakstran moved the Board vote to approve the Mission Statement of the Historical Commission; Selectman Rutan seconded the motion; all members voted in favor.

REPORTS

Dawn Rand

- Thanked the DPW Department, the Cemetery Commission, the American Legion and Dick Perron and all others who coordinated and participated in the Memorial Day Parade.
- Thanked the DPW Department for making the improvements in the center of Town and thanked Mr. Brenner for coordinating this effort.
- Noted the receipt of a letter from the Town of Walpole concerning Chapter 40B. Requested further discussion on this. Mr. Brenner recommended that this be scheduled on the Board's next meeting agenda.
- Questioned when the skate park will be reopened in light of the recent vandalism. Chief Leahy informed her that the graffiti has been removed and the park has been reopened.
- Questioned on behalf of an interested resident whether the cost to remove the graffiti was paid for by the Town or the organization who created the park? Mr. Brenner stated that a fund was set up in addition to the construction of the park for future repairs and/or maintenance of the park.

Jeff Amberson

- Thanked everyone who helped organize and participate in the Memorial Day Parade. Also thanked those who came out to honor our veterans.
- Attended a quarterly meeting at the Birchwood Adult Community where Representative Naughton provided an update as to what is being done at the State level to address the rising taxes and its effect on those with fixed incomes. Thanked Representative Naughton for his attendance at this meeting and thanked the residents of Birchwood for their hospitality in hosting the event.
- Congratulated the graduating seniors at Algonquin.
- Noticed that once again residents are posting yard-sale signs in and around the Ellsworth Memorial. Asked that residents show their respect for this Memorial and not do this.

Fran Bakstran, Clerk

- Congratulated the Friends of the Senior Center who collectively received the Volunteer of the Year Award at the Volunteer Recognition Lunch.
- Congratulated Carol Harrington on her upcoming retirement from the Senior Center. Invited interested citizens to attend a party in her honor at the Senior Center on June 26th.
- Noted that the Zoning Bylaw Sub-Committee continues to meet every two weeks. They are in the process of drafting a comprehensive revision with the hopes that it will be completed in time for next year's Annual Town Meeting. The Planning Board and Zoning Board of Appeals are holding a joint session on June 12th to discuss the revisions to date along with consultant Judy Barrett.
- Attended the Ribbon Cutting Ceremony at Lazio Italian Grille & Bar.
- Noted that the Recreation Department still has openings in their summer programs.
- Requested that the Board receive an update from the Dog Officer on the two most recent public hearings concerning vicious dogs.

Leslie Rutan, Vice Chairman

- Congratulated the Class of 2007 on their recent graduation and wished them luck in their future endeavors.
- Requested clarification on the original construction schedule for the Allen Street Bridge. She referred to recent articles/updates indicating that the project is on-schedule and is expected to be completed in late Fall. She thought that this was supposed to be completed in late Spring. Town Engineer Fred Litchfield confirmed that the project is expected to be completed in late Fall, adding that because the contract was awarded later than anticipated the construction started later than anticipated.
- Commented on the recent graffiti situation at the skate park. It was a sad thing to see considering the hundreds of kids that use this park and for the people who worked so hard to make this park a reality.
- Thanked the Fire Chief for his report for the months of January through April. Called attention to a few of the details mentioned within.

Barry M. Brenner, Town Administrator

- Reminded the Board that they have been invited to attend a Special Joint Meeting with the Regional School Committee and the Southborough Board of Selectmen at which time information will be provided on changes by the Commonwealth regarding the funding for Chapter 70 and the Regional Assessments. This meeting will be held on Thursday, June 14 at 7 pm in the Library at the Regional High School.

DISCUSSION OF AGENDA FORMAT AND PROCESS

Chairman Pantazis discussed the following changes to the Agenda format and process:

Reports

Suggested that reports be kept to a minimum and be limited to information relating to each Board member's liaison assignments.

Requests for Updates and Other Information

Suggested that if a Board Member has a request for an update and/or other information that it be done so under "Other Business". The item will then be scheduled as a future agenda item under new business.

Public Comments

Suggested that a public comments section be added to each agenda - after Reports and before New Business.

Following a brief discussion, the Board agreed with those suggestions brought forward by Chairman Pantazis.

ESTABLISHING SOLID WASTE CITIZENS STUDY GROUP

In response to an earlier request from Selectman Rand, the Board discussed establishing a Solid Waste Citizens Study Group.

Following some initial discussion amongst members of the Board, Chairman Pantazis recognized Arthur Shapiro, who introduced himself as a resident of the Town of Ashland. Mr. Shapiro informed the Board that he was present this evening to suggest an informal sharing of information between the Towns of Ashland and Northborough regarding their Solid Waste programs. The Board thanked Mr. Shapiro for his input and for attending tonight's meeting.

Following a lengthy discussion, Selectman Amberson moved the Board vote to establish a Solid Waste Citizens Study Group to consist of 7 members: 4 citizens at-large, 2 members of the Recycling Committee and 1 member of the Board of Selectmen; Selectman Rand seconded the motion; all members voted in favor.

Mr. Brenner suggested that each member of the Board share their individual thoughts and comments with himself and/or the Town Engineer about what they think the scope, charge and timeframe for the Study Group should be. He asked that comments be received by the Board's next meeting. Mr. Brenner stated that he will then work with the Assistant Town Administrator and the Town Engineer to present a draft of what the scope and charge of the Study Group should be based on the comments received. The Board agreed that the draft will be presented for their consideration at the Board's July 16th Meeting.

BOARD SUMMER MEETING SCHEDULE

Selectman Rutan moved the Board vote to establish the following Summer Meeting Schedule; Selectman Bakstran seconded the motion; all members voted in favor.

July 16, 2007

August 20, 2007

APPROVAL/EXECUTION OF CEMETERY DEEDS A-739 & A-740

Selectman Bakstran moved the Board vote to approve and execute Cemetery Deeds A-739 & A-740; Selectman Amberson seconded the motion; all members voted in favor.

9:05 p.m. – EXECUTIVE SESSION

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

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

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

9:20 p.m. – RETURN TO OPEN MEETING

ADJOURNMENT

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

Meeting adjourned at 9:20 p.m.

Respectfully submitted,

Diane M. Wackell
Executive Assistant to the
Board of Selectmen