

**BOARD OF SELECTMEN
MEETING MINUTES - OCTOBER 22, 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 – SEPTEMBER 19, 2007 SPECIAL MEETING

Selectman Rutan moved the Board vote to accept the Minutes of the September 19, 2007 Special Meeting as submitted; Selectman Bakstran seconded the motion; all members voted in favor.

APPROVAL OF MINUTES – SEPTEMBER 24, 2007 REGULAR MEETING

Selectman Rutan moved the Board vote to accept the Minutes of the September 24, 2007 Regular Meeting as submitted; Selectman Bakstran seconded the motion; all members voted in favor.

APPROVAL OF MINUTES – SEPTEMBER 26, 2007 SPECIAL MEETING

Selectman Rand moved the Board vote to accept the Minutes of the September 26, 2007 Special Meeting as submitted; Selectman Bakstran seconded the motion. Vote: 4-0-1 (Selectman Rutan abstained).

7:00 p.m. - POLICE OFFICER APPOINTMENT CEREMONY

Police Chief Leahy introduced Officer Nathan Fiske. Officer Fiske was not able to be present at the time of his original appointment back in January due to his attendance at the Training Academy Class. Officer Fiske, a Northborough resident, was joined by family and friends.

Chief Leahy informed the Board that Officer Fiske graduated from the part-time Police Officer's Academy at Boylston in 2004 and was previously employed by the Berlin Police Department. He has a confirmed seat in the full-time Police Officer's Academy Class at Boylston beginning on January 29, 2008.

Chief Leahy announced the upcoming retirement of Lieutenant Edward Shead after 39 years of service.

7:10 p.m. - JUNE HUBBARD-WARD, TREASURER
Approval/Execution of Sale of Bond Anticipation Notes.

Treasurer/Collector June Hubbard-Ward requested the Board's approval of \$1,768,000 in Bond Anticipation Notes. She informed the Board that the BAN represents the surplus portion of the \$2.5 million Haitsma Land acquired for the use of the Sewer Department.

Selectman Rand moved the Board vote to approve and execute the issuance of Bond Anticipation Notes in the amount of \$1,768,000 dated October 26, 2007, together with the required supporting documents; Selectman Amberson seconded the motion; all members voted in favor.

7:15 p.m. - JUNE HUBBARD-WARD, TREASURER
Presentation on Regional School District FY 2008 Operating Budget Assessment.

Treasurer/Collector June Hubbard-Ward informed the Board that the FY 2008 Assessment from the Northborough-Southborough Regional School District was prepared using the FY 2007 amount of State Aid for both Chapter 70 Funds and for Regional School Transportation.

Ms. Hubbard-Ward asked the Board to consider making a request to the Regional School District that they issue a revised assessment since the FY 2008 Cherry Sheet provides them with a significant increase in both of these categories of State Aid. If the assessment is revised, Northborough's obligation could be reduced by \$313,142 and Southborough's could be reduced by \$55,631.

Ms. Hubbard-Ward answered several questions from members of the Board. The Board agreed to send a letter to the Regional School District requesting that they issue a revised assessment.

7:30 p.m. - PUBLIC HEARING
Set Fees for Plowing/Sanding Private Ways.

DPW Director Kara Buzanoski proposed that the base charge for plowing and sanding/salting of private ways and unaccepted streets which are 100% complete be increased approximately 3.5% from last year to cover the increased costs of labor, equipment maintenance, sand, salt and other materials, and diesel and gasoline fuel.

Ms. Buzanoski also informed the Board that with the Winter of 2007/2008 the Public Works Department is now requiring all private ways seeking snow plowing services to also receive sanding/salting services from a safety standpoint.

At the request of Selectman Rutan, Ms. Buzanoski discussed in further detail the cost of plowing and sanding/salting of private ways.

Fees for Plowing/Sanding Private Ways Cont. . .

Residents at 395 and 435 Howard Street spoke against the requirement that all private ways receive sanding/salting services. Ms. Buzanoski explained why this is necessary and why it is so important for the safety of the employees who are performing the services.

Selectman Amberson moved the Board vote to set fees for the 2007-2008 Winter Season for services to private ways and unaccepted streets which are 100% complete at the following rates:

Streets less than 3,000 feet in length - \$145 per storm for snow plowing
- \$145 per storm for sanding and salting

Streets 3,000 feet or greater in length - \$290 per storm for snow plowing
- \$290 per storm for sanding and salting

and further, that all private ways seeking snow plowing services are required to also receive sanding/salting services from a safety standpoint; Selectman Bakstran seconded the motion; all members voted in favor.

7:45 p.m. - PUBLIC HEARING
Set Fees for Liquor Licenses.

Mr. Brenner stated that it is an appropriate time for the Board of Selectmen to review their license fees to ensure that they are competitive, reflective of covering the cost of services and that they provide necessary revenue. The last time fees for liquor licenses were adjusted was back in 2002. All other fees are set by State Statute and are not able to be adjusted at this time.

Mr. Brenner noted that the proposed increase in liquor license fees seeks to reflect the time commitment involved in inspections by the Police, Fire and Building Departments related to issuance of the licenses, as well as the administrative time in processing license applications, processing changes in managers, scheduling of hearings, etc. Also of note is the time commitment by the Police Department for enforcement of Liquor Regulations.

The Board heard comments from two licensees in the audience, one speaking against the increase, the other requesting special consideration in light of him having three liquor licenses.

Following some discussion amongst members of the Board, Selectman Amberson requested that before the Board is asked again to consider an increase in license fees, that a fee comparison with similar communities be conducted first.

Selectman Amberson moved the Board vote to increase the liquor license fees as follows effective November 1, 2007; Selectman Bakstran seconded the motion; all members voted in favor.

RECOMMENDED FEE SCHEDULE FOR LIQUOR LICENSES

Northborough Code 9-44-030

Effective November 1, 2007

<u>TYPE OF LICENSE</u>	<u>M.G.L.</u>	<u>FEE Effective 11-01-02</u>	<u>FEE Effective 11-01-07</u>
Restaurant – All Alcoholic	C138,s12	\$ 2000	\$ 2250
Restaurant – Beer & Wine	C138,s12	\$ 1500	\$ 1750
Package Store – All Alcoholic	C138,s15	\$ 2000	\$ 2250
Package Store – Beer & Wine	C138,s15	\$ 1500	\$ 1750
*Filing Fee		\$ 100	\$ 150

**8:00 p.m. - LOOP RETAIL DEVELOPMENT/AVALON BAY
RESIDENTIAL DEVELOPMENT**

Review Mitigation for Police and Fire Personnel.

Mr. Brenner reviewed the details of the Memorandum of Understanding between the Town and AvalonBay Communities, Inc. and Brendon Properties Two, LLC for mitigation funds pertaining to the development of 350 apartments and approximately 550,000 square feet of retail space on Route 20.

In summary, the sum of \$2,100,000 will be provided to the Town in the following allocations and schedule: 1/3 of the total upon application of the first building permit; 1/3 of the total upon issuance of the Certificate of Occupancy for 50% of the project, and 1/3 of the total upon issuance of the final Certificate of Occupancy.

Mr. Brenner also reviewed the direct impact costs to the Police, Fire and School Departments. He noted that once the mitigation funds have been used to satisfy development impacts, property taxes from the Avalon Bay and Brendon Properties Retail Development will be used to finance these recurring costs.

In answer to a question from Selectman Rutan, Chief Leahy reviewed the impact that this development will have on his department and his timeframe for addressing same.

Following some discussion, the Board agreed to be mindful that the needs might not happen at the same time that the funds are available. The Board also agreed that this project should be re-visited on a continuous basis.

Selectman Amberson requested that the developer be invited to a future meeting to provide an update on the construction process.

REPORTS

Dawn Rand

- Attended the Northborough High School Alumni Reunion ceremonies. Noted that the Alumni Association is looking for new members.
- Attended the groundbreaking ceremony for the Library project.
- Noted that the next meeting of the Senior Center Building Committee will be on October 23rd at 11am. Reminded residents that all of these meetings are open to the public.
- Noted that the Chamber of Commerce will be meeting with Town Officials at the Town Hall on October 23rd at 8am to discuss economic development.

Jeff Amberson

- Attended the benefit for James Millar. Thanked everyone who attended.
- Attended the Open House at the Fire Department. Thanked Chief Durgin and his department for their efforts in coordinating this event.
- Participated in the Annual Community Reading Day.
- Attended the groundbreaking ceremony for the Library project.
- Attended the first meeting of the School Reimbursement Committee. See below under "any other business" for update.

Fran Bakstran, Clerk

- Attended the Open House at the Fire Department. Thanked Papa Gino's for donating pizzas for the event.
- Noted that the Solid Waste Advisory Committee has met three times and is making great headway. The next meeting will be held on November 1st at 7pm at the Town Hall.
- Noted that the Historical Commission is working on putting together facts and figures on signage for the Meeting House Commons Historic District. Requested that they be scheduled to attend a future Selectmen's Meeting to determine whether or not the Board is expected to provide any input.
- Noted that the Interview Committee interviewed an applicant for the Cable Television Advisory Committee. See next page for appointment.

Leslie Rutan, Vice Chairman

- Noted the receipt of a written request by a resident with approximately 80 supporting signatures requesting that the Town determine locations throughout Town for the installation of benches. She noted that the DPW Department and the Senior Center are working together to identify appropriate locations.
- Requested a status update on the construction project on Whitney Street. DPW Director Kara Buzanoski provided an update.
- Attended the groundbreaking ceremony for the Library project. Thanked those people who were involved in the fund raising efforts.
- Thanked the Fire Chief and his department for their response to a recent fire at the White Cliff's during a wedding reception and for their efforts in saving the event.
- Requested that the Fire Chief thank the members of the Explorer Post 25 for their attendance at the Fire Department's Open House and for everything else that they do.

Leslie Rutan, Vice Chairman

- Noted that according to a recent article in the Boston Globe, the Metropolitan Planning Council along with the Central Massachusetts Planning Commission will conduct a \$50,000 study on Northborough's portion of Route 9 from Route 128 to the Shrewsbury/Worcester Line. Requested that the Board's CMRPC Representative Bob DeMattia be invited to a future Selectmen's Meeting to provide an update.
- Noted the resignation of Cathy Peterson from the Council on Aging.

Barry M. Brenner, Town Administrator

- No report.

William Pantazis, Chairman

- No report.

APPOINTMENT TO THE CABLE TELEVISION ADVISORY COMMITTEE

Selectman Bakstran moved the Board vote to appoint Niel Middleton to the Cable Television Advisory Committee for a partial three-year term; Selectman Rand seconded the motion; all members voted in favor.

PUBLIC COMMENTSWhitney Street

Kevin Mallot at 265 Whitney Street was present to complain about the Whitney Street project. While he was happy to hear the update from the DPW Director this evening, he requested that the Town pull the Bond and finish the project themselves.

Michael Sholock at 336 Whitney Street agreed, adding that the road is deplorable. He has heard that the company performing the work is in the process of being sued and he is concerned that they won't return next year.

DPW Director Kara Buzanoski informed the Board that the overlay will be spread over the patched road next week. In answer to a question from Selectman Amberson, Ms. Buzanoski stated that the Bond should cover the scenario of the Town having to complete the project if it came to that.

Stop & Shop

Ralph Stevens at 64 Main Street noted his continued opposition to Stop & Shop. He urged the Board to authorize an appeal on the Land Court's decision.

HOLIDAY SCHEDULE – AMENDMENT TO TOWN CODE SECTION 9-52-010

Assistant Town Administrator John Coderre requested that the Board consider amending Town Code Section 9-52-010 (Holiday Schedule).

Mr. Coderre explained the confusion and logistical problems for Town employees with the current "Holiday Schedule". On behalf of the employees, he requested that the Board of Selectmen revise their Policy so that all holidays are observed as they fall on the accepted holiday schedule, with the exception of Thanksgiving.

HOLIDAY SCHEDULE AMENDMENT CONT...

Selectman Rutan moved the Board vote to amend Town Code Section 9-52-010 relative to the Holiday Schedule as presented in the October 19, 2007 Memorandum from the Assistant Town Administrator; Selectman Bakstran seconded the motion; all members voted in favor.

BOARD MEETING SCHEDULE

Mr. Brenner suggested that the Board of Selectmen schedule a Special Board Meeting in Executive Session for Town Counsel to brief the Board of Selectmen, Planning Board and Zoning Board on the Court Decision regarding the Appeal of Stop & Shop, as well as to discuss the feasibility of whether an Appeal of the Court decision should be considered.

Selectman Rand moved the Board vote to schedule a Special Board Meeting for Monday, October 29, 2007 and cancel the November 5, 2007 Board Meeting; Selectman Amberson seconded the motion; all members voted in favor.

APPROVAL/EXECUTION OF CEMETERY DEEDS A751 AND A752

Selectman Bakstran moved the Board vote to approve and execute Cemetery Deeds A751 and A752; Selectman Rutan seconded the motion; all members voted in favor.

ANY OTHER BUSINESS TO COME BEFORE THE BOARDBuying and/or Selling of Town Property

In response to a resident's request to purchase Town-owned property, Selectman Bakstran questioned under whose authority can Town-owned property be bought or sold and what would the process be? She requested that this be scheduled for discussion as a future agenda item.

Update on Meeting of School Reimbursement Committee

Selectman Amberson provided an update on the first meeting of the School Reimbursement Committee. An excellent accounting history of this issue was presented by the Treasurer/Collector indicating that this has been an on-going problem since September of 2002.

Selectman Amberson informed the Board that it was agreed by all present at the meeting that the decision on the reimbursement should be made by the Regional School Committee. The Committee members also agreed to go back to their respective communities to see how each community wishes to move forward with this issue. He requested that Mr. Brenner ask the opinion of Town Counsel as to the best way to approach the Regional School Committee asking that they make a decision.

Selectman Amberson suggested that if the Board is in agreement with the recommendation of Town Counsel as to how to approach the Regional School Committee, he would bring their recommendation back to the next meeting of the School Reimbursement Committee for their consideration.

ADJOURNMENT

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

Meeting adjourned at 9:55 p.m.

Respectfully submitted,

Diane M. Wackell
Executive Assistant to the
Board of Selectmen