

**BOARD OF SELECTMEN  
MEETING MINUTES - MARCH 24, 2008**

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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 – MARCH 10, 2008 REGULAR MEETING**

Selectman Rand moved the Board vote to accept the Minutes of the March 10, 2008 Regular Meeting as submitted; Selectman Rutan seconded the motion; Selectman Bakstran abstained; all other members voted in favor.

**7:00 p.m. - PRESENTATION OF CERTIFICATE OF APPRECIATION TO  
NICHOLAS MICHAELS**

Chairman Pantazis turned over this portion of the meeting to Selectman Jeff Amberson who had initiated this presentation.

Selectman Amberson spoke about the fire that destroyed the Nicholas Michaels Salon in October 2007. Nicholas and Michael held a fundraiser where they were able to raise \$25,000. They turned a tragic event around, and unselfishly, donated the money to the Town - half to the Police Department and half to the Fire Department. Selectman Amberson read the certificate noting the Town's appreciation.

**7:05 p.m. - JOINT PUBLIC HEARING WITH APPROPRIATIONS  
COMMITTEE**

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

Chairman Kelly called the Appropriations Committee meeting to order.

Mr. Brenner summarized the details of the proposed FY 2009 Budget. He indicated that the Board of Selectmen had discussed policies for preparation of the Budget and requested that two Budgets be prepared: the first to maintain existing Municipal programs and services; and the other to remain within Proposition 2-1/2. He was able to make adjustments to the Budget of a half million dollars, thereby remaining within Proposition 2-1/2. The Municipal Budget is to be increased 3.75% to \$15,017,727.

Mr. Brenner indicated this was a public hearing so comments from the public were welcome.

**JOINT HEARING CONT...**

Chairman Kelly commended Mr. Brenner on bringing in a Budget with no override. She anticipated that the outlook looks good in 12 months.

There were no comments from the Selectmen. There were no comments from the public.

Chairman Pantazis closed the public hearing.

Ms. Hight moved the Appropriations Committee adjourn; seconded by Mr. Nieber; all members voted in favor.

Chairman Pantazis acknowledged that there was a lot going on behind the scene with Town Staff, Appropriations Committee, Financial Planning and the Board of Selectmen. A great deal of time and effort is put forth by all to put the Budget together.

Selectmen Amberson reminded the audience of the Annual Town Meeting on April 28<sup>th</sup> where the residents can provide input. Chairman Pantazis agreed noting all meetings are open to the public.

Selectman Rutan remarked that she was glad the Public Comments section was back on the Selectmen's Agenda.

**7:15 p.m. - PUBLIC HEARING**

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

- Fairway Drive
- Mulligan Way
- Winn Terrace
- Woodstone Road
- Fawcett Orchard Road

Town Engineer Fred Litchfield was present, and stated that the Town will withdraw the article on Woodstone Road and Fawcett Orchard Road since there were some financial matters to pursue. The Town will go forward with their acceptance next year.

The other streets in the Brigham Woods subdivision – Fairway Drive and Mulligan Way - were ready to be accepted as everything has been accomplished with the approval of the Planning Board.

Mr. Litchfield explained Winn Terrace was an existing private way when the developer purchased the land at the end of the street to create five lots. There can't be a public way at the end of a private way, so some improvements were made to take the land by eminent domain. This will make the title cleaner, and can then be accepted – all done with the approval of the Planning Board. All articles have been referred to Town Counsel for review.

**PUBLIC HEARING CONT...**

Selectman Bakstran questioned the reasoning behind eminent domain taking. Mr. Litchfield explained this cleans the title of any encumbrances, because without the approval of one landowner, the process would be held up.

Selectman Rand was concerned the Town was attempting to accept a street the residents did not want accepted, and asked for public input at this time.

Residents from Winn Terrace – Mary Ann Breault, Joanne Treistman and Anna Armenti – were in attendance.

Ms. Breault of 14 Winn Terrace indicated the process had been open and all questions were answered. She was treated well by Mr. Moss, the builder. She was, however, against the eminent domain process as it was her land, and she would have given the land freely to the Town if asked. However, she wants to have the street accepted and feels it is the appropriate thing to do.

Ms. Treistman of 4 Winn Terrace felt the Planning Board had gone above and beyond, but at times, she felt Mr. Moss dominated Town employees by wanting to negotiate certain issues with them. She had a problem with the driveway meeting the road, and voiced concern that signage was needed on the street. She, also, was not in favor of eminent domain indicating they should have been asked first.

Ms. Armenti of 11 Winn Terrace summarized the history of the ownership of the street and the destruction of a long-standing house.

Mr. Litchfield clarified even if everyone had been asked, this was the only way to get the clear title. There were actually 7 landowners and a title search on each piece of property could reveal an encumbrance a present owner did not know existed.

The Board sympathized with the lack of understanding on the residents' part, and felt it was important that they were expressing their sentiments. Mr. Litchfield was asked about the timeline. He indicated the street would not be on the agenda for Town Meeting if the Board does not approve it tonight. He acknowledged once it was an accepted street, the Town could provide the signage the residents were requesting, but no Town signage can be installed in a private way.

Mr. Brenner explained the wording of the warrant article is no different than an article on last year's annual town meeting warrant for street acceptance per Town Counsel's recommendation. He indicated the Town Engineer is always willing to meet with the residents.

There was further comment and discussion between the Board and the residents. It was noted that Ms. Treistman was upset that she did not even get an acknowledgement to a letter she had written concerning her driveway. This will be followed up.

**PUBLIC HEARING CONT...**

Ms. Judith Sawdon of 2 Fawcett Orchard Road questioned why her street was not going to be placed on the Annual Town Meeting Warrant for acceptance. She did not understand the financial problem.

Mr. Litchfield explained there was a long history with this road and Town staff has been working with Town Counsel. It came down to a bond not being posted with no funds available to pay for the work to be done. Town Counsel is recommending the street not be on the warrant until all efforts have been expended in recouping the funds.

Mr. Brenner indicated he hoped the streets could be on the Warrant next year.

Chairman Pantazis closed the hearing. Mr. Litchfield clarified some work has been done, but he didn't know how much DPW can do. These streets would be added to the list that the Town maintains, and as such, would be treated as public streets, including the repair of potholes.

Selectman Rand moved that the Board vote to approve the layout and acceptance of: Fairway Drive, Mulligan Way and Winn Terrace; Selectman Amberson seconded the motion; all members voted in favor.

## **REPORTS**

### Dawn Rand

- Had the privilege of meeting with Representative DeLeo in Boylston about the fiscal year outlook for State aid, and thanked Representative Naughton for setting it up. John Coderre was in attendance as well. After which, they toured the A. Duie Pyle facility.
- Mentioned the Senior Center Building Committee was meeting the next day, and that actual bids will be coming in prior to Town Meeting so actual figures will be available.

### Jeff Amberson

- Reminded residents of Annual Town Meeting on April 28<sup>th</sup> at the High School.
- Noted a letter received from Recreation Director Allie Lane requesting the Board mention that they are looking for financial assistance for children who could not afford the summer programs.

### Fran Bakstran, Clerk

- Mentioned that the Library had a fundraiser and raised \$6,000, and Chris Tully matched up to \$500.
- The Historical Commission exercised their first demolition delay at 16 Hudson Street.
- The Cable Advisory Committee is still looking for comments from residents on the service they have received from Charter.
- Historical Society was having a program on Friday.

## **REPORTS CONT...**

- AVCOA services were being terminated in June, and Senior Center Director Kelly Burke and Town Administrator Barry Brenner were working on alternatives. She suggested residents could contact Ms. Burke if they had any questions.
- Hydrants are being flushed in April. Call DPW if there are any questions.
- Clean up day will be April 26<sup>th</sup>.
- Solid Waste Advisory Committee is asking for an extension on the original six-month timeframe they had from the Selectmen. They needed a few more months. The Committee has tabled discussions on transfer stations. Chairman Pantazis stated the Board would be agreeable to a three month extension.

Leslie Rutan, Vice Chairman

- Noted that the Town Planner had sent a report out to various departments highlighting the projects going on in Town, some of which included the Loop, CVS, St. Gobain, and A. Duie Pyle.
- She had glanced at the Historical Commission website and thought it was good and easy to follow.
- Mentioned that the Destination Imagination Teams at the Schools were advancing on.
- Thanked Lt. Lyver for being here this evening, and mentioned that the Police Chief was off to a FBI Executive Training Conference, and then off to a Homeland Security Conference.

Barry M. Brenner, Town Administrator

- No report.

William Pantazis, Chairman

- No report.

**PUBLIC COMMENTS**

No comments.

**NEW BUSINESS**

- Mr. Brenner brought up the renewal of the existing Seasonal All Alcoholic Restaurant License for the Juniper Hill Golf Course outdoor pavilion. He noted the Board usually approves all the licenses in December, but this license is seasonal from April to January.

Selectman Amberson moved the Board vote to approve the application of Juniper Hill Golf Course for the renewal of its Seasonal All Alcoholic Beverages Restaurant License for premises located at 202 Brigham Street (Pavilion); Selectman Rand seconded the motion; all members voted in favor.

- Mr. Brenner brought up a program sponsored by Sheriff Glodis' office which would alert residents of a public emergency notification (Reverse 911). In meeting with the Sheriff's staff, he understood it was available to all Towns in Worcester County at no charge. Funds would be in place for two years, with the understanding that the Town would have to make a decision in July 2010 if they wanted to continue the service.

**NEW BUSINESS CONT...**

He required the Board's authorization to enter into the agreement. Mr. Brenner

clarified this is strictly for an emergency notification to land line phones.

Chief Durgin was present, and added that this was all done through Verizon – the streets, people, numbers – and passed on to the Sheriff's office. The system can also contact specific groups, i.e. dispatchers; or specific areas, i.e. in the area of an oil spill or a patient who is missing with Alzheimer's. The system can also review those that were contacted to see who wasn't reached.

Lt. Lyver was also present and provided the example of a lost child where the system could be utilized.

Selectman Rand moved the Board vote to authorize the Town Administrator to execute the Memorandum of Agreement with the Worcester Regional Alerting System; Selectman Amberson seconded the motion; all members voted in favor. Selectman Rand asked that a thank you letter be sent to Sheriff Glodis. Chairman Pantazis noted the accreditation of the County Jail was achieved in 2-1/2 years instead of 5. Selectman Rutan felt that should be included in the letter as well.

- Mr. Brenner mentioned that a new draft of the Annual Town Meeting had been provided to the Board this evening. He reviewed the minor editing changes that Town Counsel had incorporated.

Selectman Rutan moved the Board vote to approve and execute the Warrant for the April 28, 2008 Annual Town Meeting; Selectman Bakstran seconded the motion; all members voted in favor.

- Mr. Brenner discussed the Election Warrant with the Board. He noted that Question #1 is for an operational override from Proposition 2-1/2 for the K-8 Schools' Budget in the amount of \$316,047– but it was still a work-in-progress by the Superintendent and the School Committee. At the least, it is a placeholder – it could be a lesser dollar amount or passed over at Town Meeting. Question #2 is a debt exclusion from Proposition 2-1/2 for the Senior Center.

Selectman Rutan moved the Board vote to approve and execute the Warrant for the May 12, 2008 Town Election; Selectman Bakstran seconded the motion; all members voted in favor.

- Mr. Brenner brought up the Board's meeting schedule for April and May, and suggested the Board meet on April 14<sup>th</sup>, a brief meeting before the Town Meeting on April 28<sup>th</sup>, and then the next meeting on May 19<sup>th</sup>. Mr. Amberson noted he would be out of town for the meeting on May 19<sup>th</sup>.

Selectman Bakstran moved the Board vote to establish the Board Meeting Schedule for April and May as follows: April 14, 2008 – Regular Meeting; April 28, 2008 –

#### **NEW BUSINESS CONT...**

Special Meeting; and May 19, 2008 – Regular Meeting; Selectman Rand seconded the motion; all members voted in favor.

- Selectman Bakstran moved the Board vote to approve/execute Cemetery Deed A-768; Selectman Rand seconded the motion; all members voted in favor.

**8:45 p.m. - EXECUTIVE SESSION**

Selectman Amberson moved the Board vote to enter into Executive Session pursuant to Massachusetts General Laws, Chapter 39, Subsection 23B, Subsection 3, Personnel Matter and Labor Negotiations; 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.

**9:55 p.m. – RETURN TO OPEN MEETING**

**ADJOURNMENT**

Selectman Amberson 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,

M. J. Fredette  
Executive Assistant to the Board of Selectmen  
and Town Administrator