

**BOARD OF SELECTMEN
MEETING MINUTES - AUGUST 17, 2009**

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

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

*Pledge of Allegiance

7:00 p.m. - **PUBLIC HEARING**
To consider an application to transfer the All Alcoholic Beverage Restaurant License from Amy Kieler d/b/a Guiseppe's Grille to Ti-Amo, Inc. d/b/a Guiseppe's Grille and Tazza D'Oro for premises located at 35 Solomon Pond Road.

Amy Kieler was present to request the Board's approval of her application to transfer the All Alcoholic Beverages Restaurant License from her as an individual to Ti-Amo, Inc. Ms. Kieler informed the Board that the transfer is for administrative purposes only. She will continue as manager and there will be no changes in the operation and management of the restaurant.

Detective Sergeant Brian Griffin informed the Board that he has no concerns with the application as submitted, with the understanding that Ms. Kieler will continue on as manager.

Selectman Rand moved the Board vote to approve the application to transfer the All Alcoholic Beverages Restaurant License from Amy Kieler d/b/a Guiseppe's Grille to Ti-Amo, Inc. d/b/a Guiseppe's Grille and Tazza D'Oro for premises located at 35 Solomon Pond Road; Selectman Amberson seconded the motion; all members voted in favor.

7:05 p.m. - **HEARING**
To consider applications for One-Day Licenses for Wine & Malt Beverages pursuant to M.G.L. Chapter 138, Section 14 as submitted by Saint Bernadette's Church for premises located at 266 Main Street.

Josie Fox and Cheryl Charest were present to request One-Day Special Licenses for the following events:

Friday & Saturday, September 11th & 12th
Annual Fall Festival

Saturday, October 24th
50th Anniversary Dinner Celebration

HEARING CONT. . .

The Fire Chief, Police Chief and Building Inspector have reviewed the applications and recommend that they be approved.

Selectman Rutan moved the Board vote to grant a One-Day License for Wine & Malt Beverages to Saint Bernadette's Church for premises located at 266 Main Street on Friday, September 11, 2009 (5 p.m. to 10 p.m.) and Saturday, September 12, 2009 (10 a.m. to 10 p.m.) and to waive the license fee; Selectman Pantazis seconded the motion; all members voted in favor.

Selectman Rutan moved the Board vote to grant a One-Day License for Wine & Malt Beverages to Saint Bernadette's Church for premises located at 266 Main Street on Saturday, October 24, 2009 (6 p.m. to 11 p.m.) and to waive the license fee; Selectman Amberson seconded the motion; all members voted in favor.

7:08 p.m. - HEARING

To consider an application as submitted by Armeno Coffee Roasters at 75 Otis Street to change the hours on their Wine & Malt Package Store License to include Sunday sales.

Chuck Coffman was present to request a change in the hours for his Wine & Malt Package Store License to include Sunday sales from 12 Noon to 6:00 p.m. Detective Sergeant Brian Griffin informed the Board that he has reviewed the application and recommended its approval.

Selectman Rand moved the Board vote to approve the application submitted by Armeno Coffee Roasters at 75 Otis Street to change the hours on their Wine & Malt Package Store License to include Sunday sales from 12 Noon to 6 p.m.; Selectman Amberson seconded the motion; all members voted in favor.

7:13 p.m. - HEARING

To consider an application for a Class II License as submitted by Paul Marchand – Roadmaster Motors, LLC for premises located at 279-281A & B West Main Street.

Mr. Marchand and Steven Falcone were present to request a Class II License for premises located at 279-281A & B West Main Street. Mr. Marchand informed the Board that tonight's request for the Class II License represents no changes to the previous Class II License issued to Prime Auto Sales at the same location. He added that he has a copy of the existing parking plan last dated November 14, 2005 and is in full agreement to its conditions. He is therefore, requesting permission in accordance with the existing parking plan to display 14 vehicles for sale with an additional 4 spaces to be used for employee/customer parking for a total of 18 vehicles to be parked on the property at any one time.

HEARING CONT. . .

Mr. Coderre further reviewed that because of the size of the lot, the parking plan indicates that the size of the 14 vehicles to be displayed for sale are restricted to the following: (7) compact, (6) standard and (1) truck. Again, Mr. Marchand stated his agreement.

Selectman Amberson moved the Board vote to approve the application for a Class II License as submitted by Paul Marchand – Roadmaster Motors, LLC for premises located at 279-281A & B West Main Street effective September 1, 2009 with the following conditions:

- ❑ the License will allow for a total of 18 vehicles to be stored on the property per the parking plan last dated November 14, 2005.
- ❑ snow removal must be done with equipment on the site and not on Route 20.
- ❑ No vehicle at any time may be parked on the sidewalk or in a way that might interfere with traffic safety.
- ❑ No storage of flammable liquids or gases is allowed without a permit and the approval of the Groundwater Advisory Board, if required.

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

7:18 p.m. - **KARA BUZANOSKI, DPW DIRECTOR**
JUNE HUBBARD-WARD, TREASURER/COLLECTOR
Discussion on disposition of Haitsma Property.

DPW Director Kara Buzanoski reviewed the history of the planning for additional sewer capacity, the subsequent purchase of the Haitsma property for subsurface disposal and the present timeline for additional capacity and the disposal of the remainder piece of the Haitsma property.

Ms. Buzanoski recommended that the remainder piece of the Haitsma property be permanently bonded with non-tax exempt bonds in order to allow the Town the flexibility to sell it when the real estate market improves. Treasurer/Collector June Hubbard-Ward spoke about the financing portion of this request.

Mr. Coderre spoke in favor of permanently bonding the remainder piece of the Haitsma property with non-tax exempt bonds; adding that by doing so it will allow the Town the opportunity to thoroughly review the various options and their economic consequences. Several comments and questions were heard from members of the Board.

Selectman Amberson moved the Board vote to authorize the Town Treasurer to pursue issuance of permanent non-tax exempt bonds for the portion of the Haitsma property no longer needed for sewer utility purposes; Selectman Pantazis seconded the motion; all members voted in favor.

7:30 p.m. - **WIND COMMITTEE**
Status Report.

Town Engineer Fred Litchfield and Wind Committee Co-Chair Joseph McNamara were present to provide an update on the efforts of the Wind Committee. Members of the Wind Committee were also present in the audience.

Following his presentation, Mr. Litchfield requested that the Board authorize the Wind Committee to proceed with applying for a grant with the Massachusetts Technology Collaborative to conduct a Feasibility Study. In order to submit the grant application, the Town will need to enter into a Memorandum of Understanding with the owner of the preferred site for the met tower – Tougas Farm. The Town will also need to select a consultant to work with, requiring the issuance of a Request for Qualifications.

Following Mr. Litchfield's review of the details of how and why Tougas Farm was chosen as the preferred site for the met tower, several comments and questions were heard from members of the Board.

Selectman Rutan moved the Board vote to authorize the Wind Committee to take the steps necessary to apply for a grant from the Massachusetts Technology Collaborative, subject to review and approval by the Town Administrator or his designee; Selectman Rand seconded the motion; all members voted in favor.

7:45 p.m. - **AVALON BAY LOCAL INITIATIVE PROGRAM (LIP)**
APPLICATION
Michael Roberts and David Gillespie.

David Gillespie and Michael Roberts were present on behalf of Avalon Bay, along with Attorneys Steven Schwartz and Marshall Gould. Also present was Town Planner Kathy Joubert.

Mr. Gillespie informed the Board that he was present this evening to present their Local Initiative Program Application as part of the affordable housing requirement for Avalon Northborough – a 382 Apartment Home Community that was originally permitted under Chapter 40B with the subsidizing agency being Mass Housing. Mr. Gillespie informed the Board that given the turbulence in the credit markets, Mass Housing has been unable to issue Avalon Bay a commitment to finance the project. Fortunately, Avalon Bay has the financial strength to finance the project on their own.

Avalon Bay is therefore submitting an application under the LIP Program with the Department of Housing and Community Development (DHCD). Mr. Gillespie assured the Board that this new application will not physically or materially change anything with the project.

AVALON BAY CONT. . .

Ms. Joubert confirmed that this request is simply an administrative formality with the subsidizing agency and that everything else about the project will remain the same.

Mr. Coderre spoke in favor of the LIP Program, adding that there is no downside to the Board supporting this application.

Selectman Pantazis moved the Board vote to support the application of AVB Northborough, Inc., to the Massachusetts Department of Housing and Community Development for DHCD approval of the Avalon Northborough 382-unit rental development under the Local Initiative Program, and to authorize the Chairman to provide a letter to DHCD in support of the LIP application; Selectman Rand seconded the motion; all members voted in favor.

Selectman Pantazis moved the Board vote to authorize the Chairman to sign AVB Northborough, Inc.'s Local Initiative Program application to DHCD; Selectman Amberson seconded the motion; all members voted in favor.

Selectman Pantazis moved the Board vote to authorize the Chairman on behalf of the Town to sign a Local Initiative Program Regulatory Agreement and Declaration of Restrictive Covenants by and among the Commonwealth of Massachusetts, AVB Northborough, Inc., and the Town, substantively as presented at tonight's meeting, provided that changes may be made to the form of the Agreement prior to execution if required by the Department of Housing and Community Development and if approved as to form by Town Counsel; Selectman Rand seconded the motion; all members voted in favor.

REPORTSWilliam Pantazis

- No report.

Jeff Amberson

- Reminded residents that school is about to begin and asked that they pay special attention to students waiting for buses and walking to and from school.

Leslie Rutan, Clerk

- Welcomed Thomas Mead – new principal at the High School and Beth Ludwick – new principal at the Lincoln Street School.
- Noted that the Cemetery Building has received a fresh coat of paint. Thanked the DPW Department.
- Congratulated the Proctor School for the success of their Intergenerational Brunch Program and for being slated to receive special recognition at the Character Education Partnership Forum in Washington DC.
- Noted that the Northborough Moms and Tots Back to School Backpack Drive was a great success.

- Asked about the response to the Open Space Survey? Ms. Joubert stated that 200 responses have been received, which is about what they expected.
- Noted that the corner of Allen and Hudson Streets looks great and provides much better visibility since the brush has been cleared out.

Dawn Rand, Vice Chairman

- Announced that the “Northborough Has Talent” contest will be held on the Sunday night of Applefest. The next audition will be held on August 27th at the high school.

Fran Bakstran, Chairman

- Noted that the petition to designate Route 20 as Governor John Davis is continuing through the State Legislation process. She will update with more information as it becomes available.
- Announced that Pat Griffin has been named Grand Marshall of the Applefest parade.

John Coderre, Town Administrator

- Attended the recent ribbon cutting ceremony for the first phase of the new St. Gobain Research and Development Center. This is the first of four phases involving a \$15M, 60,000 square foot facility on Goddard Road. He added that in terms of economic development, this is the most desirable for Northborough.

PUBLIC COMMENTS

None.

ACCEPTANCE OF DEED OF PUBLIC WAY EASEMENT – GALAHAD ROAD

Town Engineer Fred Litchfield requested that the Board accept the Deeds of Easement for Galahad Road in accordance with Article 29 of the 2009 Annual Town Meeting with the recommendation from Town Counsel that the developer provide a title certification for the road and drainage easements conveyed in said Deeds, to the satisfaction of Town Counsel, on or before August 21, 2009.

Selectman Rand moved the Board vote to accept the Deed of Easement for Galahad Road from Barbara A. Deneault, Trustee of the Northborough Realty Trust under Declaration of Trust dated April 8, 2002, and recorded with the Worcester District Registry of Deeds in Book 26361, Page 296, and accept deeds of easement from such abutting lot owners as are necessary to provide the Town with all necessary interests in the road and the drainage easement, and further provided that the developer provide a title certification for the road and drainage easements conveyed in said Deed(s), to the satisfaction of Town Counsel, on or before August 21, 2009, whereupon the Town Administrator may release said Acceptance for recording; Selectman Amberson seconded the motion; all members voted in favor.

APPOINTMENT OF ELECTION OFFICERS

Selectman Pantazis moved the Board vote to appoint those individuals who appear on the 2009/2010 Election Officer List for a term beginning September 1, 2009 and ending August 31, 2010 as submitted by Town Clerk Andrew Dowd; Selectman Rutan seconded the motion; all members voted in favor.

SET MEETING SCHEDULE FOR SEPTEMBER – DECEMBER

Selectman Amberson moved the Board vote to schedule the Board of Selectmen Meetings for the months of September through December as follows:

September 14 and 28

September 16th (Regional School Committee Meeting)

October 19

November 9 and 23

December 7 and 21

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

APPROVAL/EXECUTION OF CEMETERY DEEDS A815 & A816

Selectman Rutan moved the Board vote to approve and execute Cemetery Deeds A815 & A816; Selectman Rand seconded the motion; all members voted in favor.

ADJOURNMENT

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

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Diane M. Wackell
Executive Assistant to the
Board of Selectmen