

**BOARD OF SELECTMEN
MEETING MINUTES – DECEMBER 20, 2010**

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

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

*Pledge of Allegiance

APPROVAL OF MINUTES – DECEMBER 6, 2010 REGULAR MEETING

Selectman Amberson moved the Board vote to approve the meeting minutes of the December 6, 2010 regular meeting as submitted, Selectman Rutan seconded the motion; all members voted in favor.

7:00 p.m. - KLRR FOODS, INC. D/B/A CELTIC TAVERN

1. Consideration of Application for a Change of Manager.
2. Reconsideration of License Transfer from KLRR Foods, Inc. to CJ Restaurant Enterprises, LLC.

Change of Manager

Attorneys Donna Truex and John Sousa were present along with the proposed manager Spiro Koullisis. Attorney Truex introduced Mr. Koullisis and requested that the manager be changed from Kenneth Koury to Mr. Koullisis. Detective Sergeant Brian Griffin was present and indicated that he did not find anything of concern which would prevent Mr. Koullisis from being a suitable manager at the Celtic Tavern. In answer to a question by Selectman Bakstran, it was confirmed that Niche Hospitality is no longer involved with the business.

Selectman Rutan moved the Board vote to approve the application to change the manager of record for the All Alcoholic Beverages Restaurant License of KLRR Foods, Inc. for premises located at 45 Belmont Street from Kenneth Koury to Spiro Koullisis; Selectman Bakstran seconded the motion; all members voted in favor.

Reconsideration of License Transfer

Attorneys Donna Truex and John Sousa were present. Also present was applicant Christopher Muello and the proposed new manager Spiro Koullisis.

Chairman Rand provided a brief summary of the events leading up to the Board's decision to reconsider the license transfer from KLRR Foods, Inc. to CJ Restaurant Enterprises, LLC. She then summarized the conditions agreed upon by both the Board and the applicant Christopher Muello in the event that the license transfer is approved this evening.

Reconsideration of License Transfer Cont. . .

No comments were made by members of the Board or the audience.

Selectman Rutan moved the Board vote to approve the application to transfer the All Alcoholic Beverages Restaurant License from KLRR Foods, Inc. to CJ Restaurant Enterprises, LLC for premises located at 45 Belmont Street, with the following conditions:

1. Unless otherwise approved by the Board, Mr. Muello, who is the sole member of CJ Restaurants Enterprises, LLC shall not serve as the statutorily required manager of the licensed premises.
2. Unless otherwise approved by the Board, Mr. Muello shall not engage in the preparation or service of food, alcohol or other beverages at the licensed premises.

Selectman Amberson seconded the motion; vote: 4-0-1 (Selectman Pantazis abstained).

7:05 p.m. - HEARING

To consider an application for a Class II License as submitted by Ammar Alzاهر d/b/a Eddy's Auto for premises located at 279 West Main Street.

Ammar Alzاهر was present to request a Class II License for premises located at 279 West Main Street. He acknowledged that he has been advised of the conditions that will be placed on the license and is agreeable to them.

The application has been reviewed by the Police Chief, Fire Chief and Building Inspector. All recommend approval.

Selectman Amberson moved the Board vote to approve the application by Ammar Alzاهر d/b/a Eddy's Auto for a Class II License for premises located at 279 West Main Street with the following conditions:

- License will allow for a total of 7 vehicles per the parking plan submitted with the application dated December 6, 2010 (4 vehicles for display with an additional three spaces for employee/customer parking).
- 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 shall be allowed without a permit and the approval of the Groundwater Advisory Board, if required.

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

**7:10 p.m. - PUBLIC HEARING WITH BOARD OF ASSESSORS
Continued from December 6, 2010 Meeting**

For the purpose of discussing the valuation of each class of property; the minimum residential factor and the allocation of the tax burden among the four classes of real property: residential; open space, commercial and industrial, and of personal property.

Principal Assessor Diane O'Connor informed the Board that the values and new growth presented at the original public hearing on December 6, 2010 have been certificated by the State Department of Revenue.

Selectman Bakstran moved the Board vote to close the Public Hearing with the Board of Assessors for the purpose of discussing the valuation of each class of property; the minimum residential factor and the allocation of the tax burden among the four classes of real property: residential; open space, commercial and industrial, and of personal property; and to confirm the following motions made at the December 6, 2010 Board Meeting, which were contingent on the State's Preliminary Certification of Values, which has now been received:

- ❑ to maintain a uniform tax rate for all classes of property at a factor of one.
- ❑ to oppose the implementation of a residential exemption.
- ❑ to oppose the implementation of a small commercial exemption.

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

REPORTS

John Coderre, Town Administrator

- Invited members of the public to submit photos that capture the beauty of our community as part of a photo contest for the 2010 Annual Report Cover.

Dawn Rand, Chairman

- Noted the resignation of Nancy Kellner from the Board of Library Trustees. Asked that a letter of appreciation be sent on behalf of the Board.

Jeff Amberson, Vice Chairman

- Thanked all who contributed to the Toys for Tots fundraiser.
- Congratulated Police Chief Leahy on being recently installed as President of the Mass Chiefs of Police Association.
- Thanked the Community Affairs Committee for coordinating the annual Holiday Trolley and Christmas Tree Lighting event, which was very well attended.
- Announced that the annual Winter Ball will be held at the White Cliffs on January 29th. Tickets will be available for purchase at Lowe's and the Town Clerk's Office.

Leslie Rutan, Clerk

- Congratulated the Fire Chief and his department for the receipt of \$24,000 through the Assistance to Firefighters Grant. These funds will provide radio receiving equipment and new technology known as PAK trackers.
- Attended the Holiday concert held at the high school, where Dennis Wrenn was remembered.
- Welcomed Christopher Cherry who was recently hired as a new full-time dispatcher in the Police Department.
- In response to her request for information on the possibility of a future shuttle service to be provided by the CMRPC, Mr. Coderre suggested that a representative from the CMRPC be invited to a future meeting to speak to the Board once the concept is more fully developed.

William Pantazis

- In response to his request for an update on the downtown traffic project, Town Engineer Fred Litchfield informed the Board that the project is on track and is ready to be put out to bid in the early Spring. Construction should begin sometime before the end of the year.
- Attended the Christmas Tree Lighting ceremony and thanked the Community Affairs Committee for sponsoring the event.
- Wished everyone a happy and safe Holiday season.

Fran Bakstran

- Thanked the Color Guard from the American Legion for attending the Tree Lighting ceremony.
- Noted that the Interview Committee met with applicants prior to tonight's meeting for various boards, committees and commissions. See below for appointments.
- Noted that the Wind Committee has established a group called the Friends of the Renewable Energy. It is a non-profit group that will raise funds for future use in educating people on the benefits of renewable energy.
- Reminded residents that the Winter Parking Ban is now in effect.

APPOINTMENT TO THE COUNCIL ON AGING

Selectman Bakstran moved the Board vote to appoint Robert Giles to the Council on Aging for a three-year term; Selectman Amberson seconded the motion; all members voted in favor.

APPOINTMENT TO THE WIND COMMITTEE

Selectman Bakstran moved the Board vote to appoint Philip Johnson to the Wind Committee for a one-year term; Selectman Amberson seconded the motion; all members voted in favor.

APPOINTMENT TO THE COMMUNITY AFFAIRS COMMITTEE

Selectman Bakstran moved the Board vote to appoint Jessica Nault to the Community Affairs Committee for a two-year term; Selectman Amberson seconded the motion; all members voted in favor.

APPOINTMENT TO THE COMMUNITY AFFAIRS COMMITTEE

Selectman Bakstran moved the Board vote to appoint Erika Robinson to the Community Affairs Committee for a two-year term; Selectman Amberson seconded the motion; all members voted in favor.

PUBLIC COMMENTS

None.

DISCUSSION ON SOLID WASTE CONTRACT OPTIONS

Mr. Coderre provided a brief summary of the events leading up to tonight's continued discussion on the options for the Solid Waste Program. He added that tonight's presentation is for informational purposes only and that no vote will be taken.

Mr. Coderre recommended that the Board hold a public input session as part of the January 10th Board meeting where a discussion regarding the program, as well as any potential subsidy, can take place among members of the Board and the public. The Board will be expected to make their decision at the January 24th Board meeting in order to bring the Fiscal Year 2012 Budget forward.

Town Engineer Fred Litchfield reviewed the pros and cons of the following options:

1. The current Pay-As-You-Throw Bag Program with a General Fund subsidy.
2. The current Pay-As-You-Throw Bag Program without a General Fund subsidy.
3. New Toter (container) Based Program with a General Fund subsidy.
4. New Toter (container) Based Program without a General Fund subsidy.

Mr. Litchfield brought in and discussed the various containers that would be used under the Toter Based Program.

Following some discussion on each of the options, members of the Board agreed that philosophically they are not opposed to a General Fund subsidy and agreed by consensus that Option #2 as listed above is not viable based on the Solid Waste Study Committee's work last year.

Mr. Coderre informed the Board that the financial information on each option (based on the figures provided by the low bidder) will be provided at the January 10th Board meeting. Selectmen Bakstran and Amberson asked Mr. Coderre to also include financial information on what each option would mean for a low, medium and high volume user.

Chairman Rand announced that the Board will hold a public input session as part of the January 10th Regular Board meeting. She also asked that the containers be brought to the meeting for public viewing.

APPROVAL OF COMMON VICTUALLER LICENSE - BISTRO AT 119

Selectman Pantazis moved the Board vote to grant a Common Victualler License to the Senior Center for the Bistro at 119 and to waive the fee; Selectman Bakstran seconded the motion; all members voted in favor.

RENEWAL OF SELECTMEN'S LICENSES FOR THE CALENDAR YEAR 2011

Selectman Pantazis moved the Board vote to approve the renewal of the annual licenses by the Board of Selectmen for the calendar year 2011 as indicated on the "2011 License Renewals List", providing that all licensees are in compliance with both Municipal and State codes and regulations by December 31, 2010; Selectman Amberson seconded the motion; all members voted in favor.

EXECUTION OF CEMETERY DEEDS A849 & A850

Selectman Pantazis moved the Board vote to execute Cemetery Deeds A849 & A850; Selectman Rutan seconded the motion; all members voted in favor.

OTHER BUSINESS

None.

8:15 p.m. – EXECUTIVE SESSION

Selectman Bakstran moved the Board vote to enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Subsection 3 (collective bargaining) due to the Chair's determination that a discussion regarding these matters in an open meeting may have a detrimental effect on the position of the Board; Selectman seconded Pantazis the motion; the roll call vote was taken as follows:

Bakstran	"aye"	Amberson	"aye"
Pantazis	"aye"	Rand	"aye"
Rutan	"aye"		

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

ADJOURNMENT

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

Meeting adjourned at 8:45 p.m.

Respectfully submitted,

Diane M. Wackell
Executive Assistant to the
Board of Selectmen

Documents used during meeting:

1. December 20 Meeting Agenda.
2. December 6, 2010 Meeting Minutes.
3. Information packet - KLRR Foods, Inc. Change of Manager.
4. Information packet - .KLRR Foods, Inc. License Transfer.
5. Information packet - Ammar Alzaher Class II License.
6. Information packet - Continued Hearing with Board of Assessors.
7. Information packet - Solid Waste Contract Options.
8. Cover Memo - Common Victualler License - Bistro at 119.
9. Information Packet - 2011 License Renewals.
10. Cemetery Deeds A849 & A850.