

**BOARD OF SELECTMEN
MEETING MINUTES – JANUARY 24, 2011**

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 – JANUARY 10, 2011 REGULAR MEETING

Selectman Amberson moved the Board vote to approve the meeting minutes of the January 10, 2011 regular meeting as submitted, Selectman Bakstran seconded the motion; all members voted in favor.

7:00 p.m. - PUBLIC HEARING

Proposed amendment to Section 13.4 of the Charter License to revise the current annual payment schedule with accompanying formula to a flat 3% of Gross Revenues.

Cable Access Director Kathy Dalgliesh was present. She requested the Board's approval of a proposed amendment to the Charter Communications Cable Television License that will simplify the calculation for the annual Operational Grant that the Town of Northborough receives from Charter Communications for public, educational and government channel related expenses. She added that both the Cable Television Advisory Committee and Town Counsel have reviewed and recommend this amendment.

Selectman Amberson moved the Board vote to authorize the Town Administrator to sign the Amendment to the Charter Communications Cable Television License as presented by the Cable Access Director; Selectman Bakstran seconded the motion; all members voted in favor.

7:03 p.m. CHARLES GOBRON, SCHOOL SUPERINTENDENT

Statement of Interest for Lincoln Street School.

School Superintendent Charles Gobron was present. Superintendent Gobron explained that the original Statement of Interest (SOI) for the Lincoln Street School was submitted to the Massachusetts School Building Authority (MSBA) in June of 2006. The SOI was revised in June of 2007 to reflect the rapid deterioration of the Lincoln Street School roof. The roof repair project was accepted by MSBA and the project is now complete.

In November of 2009, the SOI had been amended to reflect the elimination of Priority 1 (renovation of a building that is structurally unsound) due to the roof replacement in 2008.

CHARLES GOBRON, SCHOOL SUPERINTENDENT CONT. . .

Mr. Gobron informed the Board that in order for the SOI to remain under consideration by MSBA, it is necessary to refresh the plan again. The Northborough School Committee has formally re-voted the refreshed SOI and it is being requested that the Board of Selectmen do the same. Superintendent Gobron assured the Board that the execution of this refreshed SOI does not commit the Board of Selectmen to any particular project or any amount of funding.

Selectman Amberson moved the Board vote to authorize the School Superintendent to submit to the Massachusetts School Building Authority the refreshed Statement of Interest dated January 24, 2011 for the Lincoln Street School as detailed in the Official Vote document submitted by the School Superintendent; Selectman Rutan seconded the motion; all members voted in favor.

7:05 p.m. - DAVID DURGIN, FIRE CHIEF

Re-Adoption of Chapter 48, Section 59A - "*Aid to Other Municipalities; Authorization; Fire Departments Defined; Payment of Damages*".

Mr. Coderre requested that this item be postponed to the Board's next regularly scheduled meeting, due to the receipt of some additional information received at the recent Massachusetts Municipal Association's Annual Meeting.

REPORTSFran Bakstran

- Noted that the Interview Committee met with applicants for the Elderly & Disabled Taxation Fund Committee and the Youth Commission. See below for appointments.
- Announced that she does not plan to seek a third term on the Board and encouraged interested citizens to contact her if they are interested in running.

William Pantazis

- Publicly acknowledged the efforts of the DPW Department in doing a great job with the snowplowing during the recent storms.
- Requested that residents help with keeping the sidewalks and fire hydrants clear of snow.

Leslie Rutan, Clerk

- Urged residents to use extra caution when driving considering the number of high snow banks at this time. Thanked the DPW Department for their efforts and asked residents to be patient.

Jeff Amberson, Vice Chairman

- Reminded residents that tickets for the Winter Ball are still on sale. The Winter Ball will be held on January 28th.

Dawn Rand, Chairman

- Thanked the Police and Fire Departments for their professionalism during a recent family emergency.

John Coderre, Town Administrator

- Attended the recent Annual Meeting of the Massachusetts Municipal Association. Noted that this will be another difficult year to budget. Local aid is expected to have at least a 7% reduction. The State is projected to have a \$1.5 to \$2 Billion shortfall.
- Noted that the Snow & Ice Budget had a beginning balance of \$179,000. As of the last storm, the balance is at \$9,000. Informed the Board that they will be asked at their next meeting to authorize to deficit spend the Snow and Ice Budget. The goal is to deficit spend and to then review where we stand at the end of the year to see if we can cover this over-run within the Fiscal Year 2011 Budget, if possible.

APPOINTMENT TO THE EDTFC

Selectman Bakstran moved the Board vote to appoint Jennifer Critchlow to the Elderly & Disabled Taxation Fund Committee for a partial three-year term; Selectman Amberson seconded the motion; all members voted in favor.

APPOINTMENT TO THE YOUTH COMMISSION

Selectman Bakstran moved the Board vote to appoint Christopher Benestad to the Youth Commission for a partial two-year term; Selectman Amberson seconded the motion; all members voted in favor.

PUBLIC COMMENTS

John Fouracre of 99 Pleasant Street provided comments regarding the Solid Waste Program.

EXECUTION OF HISTORIC PRESERVATION RESTRICTION FOR 103 BARTLETT STREET

Town Planner Kathy Joubert informed the Board that the property owners of 103 Bartlett Street are placing an historic preservation restriction on their property prior to selling the home. Their actions to preserve and maintain the property and its architectural historic and cultural features will be a benefit to the Town.

Ms. Joubert added that although MGL, Chapter 148, Section 32, requires that the Board of Selectmen approve historic preservation restrictions, it imposes no enforcement obligation on the Town or on its Historical Commission.

Selectman Amberson moved the Board vote to approve and execute the Historic Preservation Restriction for 103 Bartlett Street as presented by Town Planner Kathy Joubert; Selectman Bakstran seconded the motion; all members voted in favor.

EXECUTION OF RELEASE DEED TO DISCONTINUE A PORTION OF MILL STREET AS A PUBLIC WAY

Mr. Coderre reminded the Board that at the request of James and Joan Laurence, a warrant was placed on the 2010 Annual Town Meeting Warrant to discontinue as a public way a portion of Mill Street running from Whitney Street across Cold Harbor Brook to the most northerly point of Mill Street as shown on the official Town Map. The Town voted in the affirmative. Town Counsel has prepared a Release Deed that requires signatures of both the Laurences and the Board of Selectmen.

Selectman Rutan moved the Board vote to execute the Release Deed between the Town of Northborough and James and Joan Laurence as prepared by Town Counsel to discontinue a portion of Mill Street pursuant to the vote under Article 40 of the April 27, 2010 Annual Town Meeting with the condition that the final recording of the Deed be subject to receipt of appropriate reimbursement for Town Counsel fees; Selectman Pantazis seconded the motion; all members voted in favor.

VOTE ON SOLID WASTE CONTRACT PROGRAM

Chairman Rand began the discussion by informing the Board that that all of the communications sent to her from residents were in favor of continuing with the current Pay-As-You-Throw (PAYT) program.

Selectman Amberson stated that he was initially leaning towards the container-based program. He has since changed his mind after a majority of the residents that he has heard from have indicated that they would prefer to stay with the current PAYT program.

Selectman Rutan stated that following the January 10th Selectmen's Meeting, she received many emails, to either the Board as a group or to her individually. Following a review of each of the comments she received, she stated that eighty-five percent of the comments she received were in support of continuing with the current PAYT program.

Selectman Pantazis stated that after being approached by many residents, it is clear to him that a majority of the residents are happy with the current PAYT program.

Selectman Bakstran stated that she worked as a member of the Solid Waste Advisory Committee (SWAC). She noted that the Committee's original charge was to provide program options that would not be subsidized with the general fund tax base. For this reason, the container-based program was explored as a program that could financially support itself. She added that since the discussion changed and leaned towards a program that could be subsidized with the general fund tax base, it is apparent by the research efforts of SWAC that the PAYT program remains the best alternative.

VOTE ON SOLID WASTE CONTRACT PROGRAM CONT. . .

Selectman Bakstran publicly thanked each of the members of the Solid Waste Advisory Committee and noted that all of their research only validates that the current PAYT program is the best decision for the Town.

Selectman Pantazis moved the Board vote to continue the existing Pay-As-You-Throw Solid Waste Bag Program, which includes a general fund subsidy; Selectman Rutan seconded the motion; all members voted in favor.

CONSIDERATION OF A REQUEST FOR A TRUCK EXCLUSION ON MAPLE STREET, RIDGE ROAD AND COLLINS ROAD

Mr. Coderre provided a summary of the events leading up to tonight's request for a Truck Exclusion on Maple Street, Ridge Road and Collins Road. He reviewed what Town staff had done to date to address resident concerns in this area of Town. He also reviewed some basic information regarding the standard requirements and process for creating a Truck Exclusion.

Mr. Coderre informed the Board that given the low traffic count, lack of documented accidents and the public relations campaign employed, the matter of a Truck Exclusion was not pursued. However, residents continue to express concern about large trucks in the area, especially at the intersection of Ridge Road and Collins Road. Based on these ongoing concerns, the Town Engineer is currently reviewing the intersection to determine if there may be a safety concern at this location that the State Officials at Mass Highway may take into consideration when reviewing the warrants for a Truck Exclusion.

Prior to the beginning of any discussion, Mr. Coderre fully disclosed that he lives on Ridge Road and understands the amount of truck traffic that travels that roadway. He stressed to the Board the importance of being consistent and objective when considering tonight's request for a Truck Exclusion. This is highly important based on the number of requests received for Truck Exclusions throughout the Town. With that being said, Mr. Coderre added that the residents have done a really good job in pointing out some unique issues with the geometry of Ridge Road, specifically where it intersects with Collins Road that may pose some potential safety concerns.

Lisa Maselli of 13 Maple Street provided a slide presentation. Following the presentation and several questions and comments from members of the Board and the audience, the Board agreed to move forward with the request.

Selectman Bakstran moved the Board vote to request that Town staff complete the engineering study and compile the data necessary to forward to the Massachusetts Department of Transportation for consideration of a truck exclusion on Maple Street, Ridge Road and Collins Road; Selectman Amberson seconded the motion; all members voted in favor.

DISCUSSION OF DRAFT LEGISLATIVE PRIORITIES

Mr. Coderre presented the Board with the draft legislative priorities letter for their review. He informed the Board that this was a collaborative effort involving department heads, as well as the various boards, committees and commissions. All were asked to provide their input on what they thought should be the Town's legislative priorities. The goal of preparing this letter, is to provide the Town's State Legislative Delegation with clear direction regarding its priorities prior to their attendance at a future meeting with the Board of Selectmen.

Mr. Coderre stated that the letter includes the Town's position on various State mandates and/or regulations that we would like to see changed in order to provide additional relief to the Town. These include amendments that would save the Town money, facilitate raising additional revenues such as updated fees, and provide additional flexibility for the Town to manage its own affairs.

Mr. Coderre reviewed the top three legislative priorities as listed below:

1. Greater Control over Health Insurance Plan Design.
2. Restore Special Election Circuit-Breaker Funding.
3. Reauthorization of Chapter 90 Funds.

In addition to the above-listed priorities, a number of secondary priorities were included as well.

Following the presentation, each of the Board members expressed their frustration with the lack of follow-up made by the State Legislative Delegation on previous priority letters.

By consensus, the Board authorized the Chair and the Town Administrator to finalize the draft Legislative Priorities letter and to invite our State Legislative Delegation to an upcoming Selectmen's Meeting.

OTHER BUSINESS

None.

8:45 p.m. – EXECUTIVE SESSION

Selectman Pantazis moved the Board vote to enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Subsection 1 (Personnel Matter) 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 Rutan seconded 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 Amberson moved the Board vote to adjourn; Selectman Bakstran seconded the motion; all members voted in favor.

Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Diane M. Wackell
Executive Assistant to the
Board of Selectmen

Documents used during meeting:

1. January 24, 2011 Meeting Agenda.
2. January 10, 2011 Meeting Minutes.
3. Information packet - Proposed Amendment to Charter License.
4. Information packet - SOI for Lincoln Street School.
5. Information packet - Re-adoption of Chapter 48, Section 59A (passed over).
6. Information packet - Historical Preservation Restriction - 103 Bartlett Street
7. Information packet - Release Deed to discontinue a portion of Mill Street.
8. Information packet and DVD for Slide Presentation - Truck Exclusion.
9. Draft Legislative Priorities Letter.