

**BOARD OF SELECTMEN
MEETING MINUTES – MAY 23, 2011**

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

MEMBERS PRESENT: Jeff Amberson, Chairman
Dawn Rand, Vice Chairman
Leslie Rutan, Clerk
William Pantazis
Aaron Hutchins – arrived at 7:25 p.m.

*Pledge of Allegiance

APPROVAL OF MINUTES – APRIL 11, 2011 REGULAR MEETING

Selectman Amberson moved the Board vote to approve the meeting minutes of the April 11, 2011 regular meeting as submitted, Selectman Rutan seconded the motion; all members present voted in favor.

APPROVAL OF MINUTES – APRIL 25, 2011 SPECIAL MEETING

Selectman Rutan moved the Board vote to approve the meeting minutes of the April 25, 2011 special meeting as submitted, Selectman Amberson seconded the motion; all members present voted in favor.

7:00 p.m. - **ELECTION OF OFFICERS**

Chairman

Nominations for Chairman were called by Town Clerk Andrew Dowd.

Selectman Rutan moved the Board vote to nominate Selectman Amberson to the position of Chairman; Selectman Pantazis seconded the motion. No other nominations were presented. Mr. Dowd closed the nominations for Chairman. The motion to nominate Selectman Amberson to the position of Chairman passed unanimously.

Vice Chairman

Nominations for Vice Chairman were called by Town Clerk Andrew Dowd.

Selectman Amberson moved the Board vote to nominate Selectman Rand to the position of Vice Chairman; Selectman Rutan seconded the motion. No other nominations were presented. Mr. Dowd closed the nominations for Vice Chairman. The motion to nominate Selectman Rand to the position of Vice Chairman passed unanimously.

Clerk

Nominations for Clerk were called by Town Clerk Andrew Dowd.

Selectman Pantazis moved the Board vote to nominate Selectman Rutan to the position of Clerk; Selectman Rand seconded the motion. No other nominations were presented. Mr. Dowd closed the nominations for Clerk. The motion to nominate Selectman Rutan to the position of Clerk passed unanimously.

7:03 p.m. - **AMERICAN CANCER SOCIETY**
Approval of a cycling event "Bicycles Battling Cancer" to take place on June 12, 2011.

Patty McKone of the American Cancer Society was present to request the Board's approval of a bicycling event that is scheduled to run through Northborough on Sunday, June 12th. The event will run from Worcester to Boston. Proceeds will benefit the American Cancer Society. Chief Leahy indicated that a traffic plan has been agreed upon between the applicant and the Police Department.

Selectman Rand moved the Board vote to approve a request by the American Cancer Society that the Bicycles Battling Cancer Race run through the Town of Northborough on June 12, 2011 with the condition that the applicant shall be responsible for the strict adherence to the agreed-upon plan with the Northborough Police Department, as well as any and all related expenses; Selectman Pantazis seconded the motion; all members voted in favor.

7:05 p.m. - **ANDREW DOWD, TOWN CLERK**
Acceptance of 2011 Re-Precincting Plan.

Town Clerk Andrew Dowd informed the Board that the 2011 Re-Precincting Plan was necessary due to the updated data from the 2010 Federal Census. Mr. Dowd indicated that the new plan did not bring about any changes to the precinct boundaries.

Selectman Rand moved the Board vote to accept the 2011 Re-Precincting Plan, map, legal description and block listings for the Town of Northborough as presented by the Town Clerk; Selectman Rutan seconded the motion; all members voted in favor.

7:07 p.m. - **KARA BUZANOSKI - DPW DIRECTOR**
Green Street MOU and Easement.

DPW Director Kara Buzanoski informed the Board of a long-standing issue of excess drainage of water flowing from properties in Northborough, into Green Street at the Town line and down Green Street into Boylston. She advised the Board that property owners Lawrence and Sandra Campo at 526 Green Street in Boylston have agreed to allow the Town to construct an outlet drain along their property line that will discharge the water to the rear of their property.

Selectman Pantazis moved the Board vote to approve the Easement Deed and Memorandum of Understanding between the Town of Northborough and Lawrence and Sandra Campo of 526 Green Street, Boylston, MA as presented by the DPW Director; Selectman Rand seconded the motion; all members voted in favor.

7:10 p.m. - **PUBLIC HEARING**

To consider an application for a new Wine, Malt, Cordials & Liqueurs Restaurant License as submitted by Mama's Pizzeria & More, Inc. for premises located at 10 Blake Street.

Jennifer Adams and Paul Dellas of Mama's Pizzeria & More, Inc. were present to request a new Wine, Malt, Cordials & Liqueurs License for premises located at 10 Blake Street.

The application and supporting documents have been reviewed by Detective Sergeant Brian Griffin. He indicated that Ms. Adams is of suitable character and that she is TIPS certified.

Selectman Rutan moved the Board vote to approve the application for a new Wine, Malt, Cordials & Liqueurs Restaurant License as submitted by Jennifer Adams of Mama's Pizzeria & More, Inc. for premises located at 10 Blake Street; and further that the Board has determined that the Wine, Malt, Cordials & Liqueurs Restaurant License will not be detrimental to the educational and spiritual activities of the Trinity Church of Northborough located at 23 Main Street; Selectman Rand seconded the motion; all members voted in favor.

7:20 p.m. - **PUBLIC INPUT SESSION**

Proposed Dog Park at 195 Southwest Cutoff (aka Mustang Stables).

Town Administrator John Coderre provided some background information leading up to tonight's input session. He advised the audience that this is not a legal hearing, but rather an opportunity to hear additional input regarding the proposed dog park at 195 Southwest Cutoff.

Mr. Coderre informed the audience that in November 2010, after a two-year process, approval was granted by the Board of Selectmen to locate a dog park at 195 Southwest Cutoff (a/k/a Mustang Stables). This approval was granted after the Board believed that abutters had been notified by the Friends of Northborough Dog Park, the group that was proposing the project. He reiterated that the goal and intent of the Board was that the abutters be notified and given the opportunity to provide input.

By receipt of a letter on March 11, 2011 from the Village at Smith Pond Condominium Association, the Town was informed that the abutters to the proposed dog park had not been notified as previously thought. This was the Town's first indication that the abutters had not been notified, and that they wished to express their concerns and objection to the proposed dog park.

Prior to tonight's meeting, the following letters and documents were given to and reviewed by the Board of Selectmen. At the beginning of the input session, copies were also distributed to Anthony Ziton of the Friends of Northborough Dog Park and Frances O'Neill of the Village at Smith Pond Condominium Association.

PUBLIC INPUT SESSION CONT...

1. Village at Smith Pond Condominium Association letter to the Town – March 11, 2011 expressing concern and objection to plans for a dog park.
2. Town Administrator's response to Village at Smith Pond Condominium Association – March 15, 2011 advising their concerns have been forwarded to the Friends of Northborough Dog Park. A copy of the dog park proposal was included with the letter.
3. Friends of Northborough Dog Park response to Village at Smith Pond Condominium Association – March 29, 2011 providing an opportunity to meet and discuss the issues with them.
4. Friends of Northborough Dog Park formal invitation to Village at Smith Pond Condominium Association to meet – April 11, 2011.
5. Village at Smith Pond Condominium Association letter to the Friends of Northborough Dog Park attaching a petition of condo owners opposed to the dog park – April 19, 2011.
6. Minutes of Friends of Northborough Dog Park meeting held on April 19, 2011.
7. Village at Smith Pond Condominium Association letter to the Friends of Northborough Dog Park thanking them for the meeting but requesting plans for the dog park be terminated – April 20, 2011.
8. Village at Smith Pond Condominium Association letter to the Board of Selectmen requesting they revoke their decision for the location of the dog park – April 21, 2011.
9. Village at Smith Pond Condominium Association letter to the Friends of Northborough Dog Park reiterating their strong opposition to the park – May 1, 2011.
10. Other letters received in opposition to the proposed Dog Park:
 - 10a. Ann Levenson of 5 Hitching Post Lane – April 26, 2011.
 - 10b. Nancy and Peter Joyal of 17 Hitching Post Lane – May 2, 2011.
 - 10c. James Kupfert of 6 Hitching Post Lane – May 3, 2011.
 - 10d. Karen Mowry of 20 Hitching Post Lane – May 5, 2011.
 - 10e. Pushkar Vishal of 16 Hitching Post Lane – May 8, 2011.
 - 10f. Jeanine Davis of 22 Hitching Post Lane – May 9, 2011.
 - 10g. Punitha Natarajan and AnanthKumar Balasubramanian of 9 Hitching Post Lane – May 9, 2011.
 - 10h. Michael Franklin of 8 Hitching Post Lane – May 10, 2011.
 - 10i. Margaret Marden, 13 Hitching Post Lane – May 11, 2011.

PUBLIC INPUT SESSION CONT. . .

Selectman Hutchins arrived at 7:25 p.m.

Frances O'Neill, Vice Chair of the Board of Trustees for the Village at Smith Pond Condominium Association, spoke on behalf of the Association. She indicated that an attorney has been hired in order to get the Town's attention. She also submitted to the Board a petition signed by a majority of the 24 property owners objecting to the dog park being located at 195 Southwest Cutoff.

Ms. O'Neill informed the Board that their primary objection to the dog park is based on safety, environmental and aesthetic reasons. The park will be located extremely close to the units, of which many have small children. The neighborhood is concerned about added traffic in their neighborhood with the proposed entrance being very close to their street. They are also concerned with the potential of additional erosion that the construction of a fence might cause, as well as the effect that dog waste left on the ground could have on their well water.

Ms. O'Neill ended her presentation by agreeing that the Friends of Northborough Dog Park have a good mission. The neighborhood is asking that they find a location where abutters are not opposed to it. Lastly, she suggested that dog owners consider using the property at Tufts University where registered dogs are allowed to be off-leash.

Following several questions and comments from members of the Board, the discussion was then opened up to the audience, where many residents of the Village at Smith Pond voiced their objection to a dog park being located in their neighborhood.

In response to several audience members expressing concern with what the rules and regulations would be and how they would be enforced without constant monitoring, Mr. Ziton said that the Friends would be willing to draft a stricter set of rules.

Ms. O'Neill indicated that after a recent meeting with the Friends of Northborough Dog Park, it is clear that the two groups cannot reach any compromise or common ground.

Anthony Ziton informed the Board that all options have been exhausted at this point. He added that although he would like to continue to move forward with this project, he will respect the Board's final decision.

Chairman Amberson informed the audience members that the Board will not be making a decision tonight and that the matter will be discussed again by the Board at a future meeting. Once the meeting is scheduled, the Trustees will receive a copy of the meeting notice.

8:05 p.m. - **KATHY JOUBERT, TOWN PLANNER**

Execution of Purchase & Sales Agreement for the Schunder property

Town Planner Kathy Joubert informed the Board that although the Purchase & Sales Agreement for the Schunder Property is ready for execution by the Board, the Phase I environmental clean-up report has not yet been received.

In the absence of this report, Mr. Coderre recommended that the Board execute the Purchase & Sales Agreement this evening, with the condition that a clean 21E hazardous materials assessment report be received.

Selectman Pantazis moved the Board vote to execute the Purchase & Sales Agreement for the Schunder Property in accordance with the approval of Article 40 at the 2011 Annual Town Meeting, subject to a clean 21E hazardous materials assessment report; Selectman Rutan seconded the motion; all members voted in favor.

495/MetroWest Development Compact

Ms. Joubert provided an update on the 495/MetroWest Development Compact. The Compact is comprised of 37 municipalities working with the Executive Office of Housing & Economic Development, the Central Massachusetts Regional Planning Commission (CMRPC), the Metropolitan Area Planning Commission, the 495/MetroWest Partnership, the MetroWest Regional Collaborative and MA Audobon Society to prepare a land use and development plan for the 495/MetroWest region.

Individual Town Planners have been meeting with CMRPC to discuss priority development areas, transportation and infrastructure investments and priority preservation areas.

Ms. Joubert informed the Board that a public forum will be held on June 15th at the Westborough High School from 7:00 p.m. to 9:00 p.m. for local officials and residents to discuss the Development Compact and to become involved with the planning of land use regulations and infrastructure investment for this region for the next twenty years.

Proposed Re-Use Plan being developed for the Westborough State Hospital property

Ms. Joubert reminded the Board that Selectman Rand, former Selectman Fran Bakstran and herself were appointed last year to the Westborough State Hospital Reuse Commission. The purpose of the Reuse Commission is to look at the Westborough State Hospital property and identify multiple redevelopment scenarios for future consideration that will balance the goals of the residents of Northborough and Westborough.

The Reuse Commission has met several times to create the Reuse Concepts. The final report has been posted on the Town website and part one of a public hearing was held on March 29, 2011. The second part of the public hearing will be held on June 16th at 7:00 p.m. at the Westborough High School.

Proposed Re-Use Plan being developed for the Westborough State Hospital property
Ms. Joubert reviewed in detail each of the Reuse Concepts, which were given to the Board for their review prior to tonight's meeting.

Mr. Coderre asked that members of the Board provide their input as to what they would like to see happen at this site.

As one of the Board's designees to the Commission, Selectman Rand expressed her frustration with the process thus far, stating that the Town hasn't really had an opportunity to provide any input up to this point. In response to Selectman Rand's concern with the future impact to the Town if housing is developed at this site, the Board agreed to send a letter expressing the Town's concerns with the intent of mailing it to the Commission prior to the scheduled public hearing on June 16th.

At the request of Fran Bakstran, the Board agreed that she will continue to serve on the Commission as the Board's designee.

REPORTS

Aaron Hutchins

- Extended his appreciation to everyone who supported him and to those who have extended well wishes.
- Applauded the Town Administrator and Town Staff for their ability and willingness to reach out and work with residents.

William Pantazis

- Congratulated Selectmen Hutchins and Rand on their recent election to the Board.
- Expressed his disappointment with the lack of voters at the recent Town Election.
- Announced that the Memorial Day Parade will be held on Monday, May 30th.
- Requested that ZBA Alternate Member Craig Gugger be appointed as a regular voting member to the Zoning Board of Appeals for a three year term. See below for appointment.
- Announced that the Scholarship Committee awarded scholarships to Riley Duggan, Haven Jones and Frankie Mueller. He added that due to a scheduling conflict with a previously scheduled Awards ceremony at the High School this evening, the students were not able to publicly accept the scholarships at tonight's meeting.

Leslie Rutan, Clerk

- Congratulated Selectmen Hutchins and Rand on their recent election to the Board.
- Announced that Police Officer Trefry was given a special award by MADD at a recent recognition breakfast.
- Recognized ten Northborough residents who ran in this year's Boston Marathon.
- Thanked Mr. Coderre for his help in seeing to it that the scaffolding was removed from the front of the Old Town Hall.
- Thanked Mr. Coderre, his staff and other Boards, Committees and Commissions for their efforts with the Annual Town Meeting.

Leslie Rutan, Clerk

- Requested a status update on the construction of the buildings located across from Dunkin Donuts.
- Requested a status update on the request for a truck exclusion on Ridge Road. Mr. Coderre responded that the State was potentially willing to approve an evening truck exclusion. Town staff is in the process of compiling additional information that will include some adjacent streets. The application will then be resubmitted. He advised the Board that he will ask the Town Engineer for a more detailed update.
- Thanked the Fire and Police Departments for their efforts in creating a drunk driving accident reenactment for the High School Junior Class.

Dawn Rand, Vice Chairman

- Welcomed Selectman Hutchins to the Board.
- Thanked all who came out to vote.
- Announced that applications are being accepted in the Superintendent's Office for an opening on the Regional School Committee.

Jeff Amberson, Chairman

- Thanked everyone who was involved in the Louise Houle Community Clean-up Day.
- Thanked the DPW Department for sponsoring their annual Big Truck Day. Thanked all other departments who participated.
- Thanked the Northborough Garden Club for sponsoring their Annual Plant Sale.
- Welcomed Selectman Hutchins to the Board.
- Requested that Board members review the current list of Liaisons and get back to him with any specific requests prior to the Board's next meeting.

John Coderre, Town Administrator

- Announced that letters of interest are being accepted in the Superintendent's Office through June 6th for an opening on the Northborough K-8 School Committee.
- Noted that a Joint Meeting is scheduled on June 13th with the Board of Selectmen and the Northborough School Committee to interview applicants and make an appointment to fill the vacancy on the Northborough K-8 School Committee.
- Distributed to the Board a draft letter that will be mailed to all households, along with the annual solid waste calendars. The letter will advise residents of a new optional feature that will allow single stream recycling at no additional cost.
- Announced that as part of the new budget process, the Annual Town Report has been completely reformatted and rewritten. Thanked Diane Wackell for her efforts in spearheading the project.

APPOINTMENT OF CRAIG GUGGER TO THE ZONING BOARD OF APPEALS

Selectman Pantazis moved the Board vote to appoint ZBA Alternate Member Craig Gugger to become a regular voting member of the Zoning Board of Appeals for a three-year term; Selectmen Rand seconded the motion; all members voted in favor.

PUBLIC COMMENTS

None.

EXECUTION OF CEMETERY DEEDS A865 THROUGH A868

Selectman Hutchins moved the Board vote to execute Cemetery Deeds A865 through A868; Selectman Rand seconded the motion; all members voted in favor.

OTHER BUSINESS

None.

9:00 p.m. – EXECUTIVE SESSION

Selectman Rutan moved the Board vote to enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Subsection 3 (collective bargaining and litigation) 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 Rand seconded the motion; the roll call vote was taken as follows:

Rand	"aye"	Hutchins	"aye"
Rutan	"aye"	Amberson	"aye"
Pantazis	"aye"		

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

ADJOURNMENT

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

Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Diane M. Wackell
Executive Assistant to the
Board of Selectmen

Documents used during meeting:

1. May 23, 2011 Meeting Agenda.
2. April 11, 2011 Meeting Minutes.
3. April 25, 2011 Meeting Minutes.
4. Information packet - "Bicycles Battling Cancer".
5. Information packet - Re-Precincting Plan.
6. Information packet - Green Street MOU and Easement.
7. Information packet - Wine, Malt, Cordials & Liqueurs License.
8. Information packet - Proposed Dog Park at 195 Southwest Cutoff.
9. Citizen's Petition submitted to Board during meeting - Re: Proposed Dog Park.
10. Information packet - Purchase & Sales Agreement - Schunder Property.
11. Information packet - 495/MetroWest Development Compact.
12. Information packet - Proposed Re-Use Plan for Westborough State Hospital Property.
13. Cemetery Deeds A865-A868.