

**BOARD OF SELECTMEN
MEETING MINUTES – JUNE 27, 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

*Pledge of Allegiance

APPROVAL OF MINUTES – JUNE 13, 2011 REGULAR MEETING

Selectman Rand moved the Board vote to approve the meeting minutes of the June 13, 2011 regular meeting as submitted, Selectman Pantazis seconded the motion; all members present voted in favor.

7:00 p.m. - PUBLIC HEARING

To consider an application for a new All Alcoholic Beverages General On Premise License as submitted by Gina Marie Eilert d/b/a The Borough for premises located at 261 Main Street.

Ms. Eilert was present and indicated to the Board that she wishes to open a general on premise bar at 261 Main Street. She indicated that the bar would include a pool table, TV for sporting events and a dance floor.

Detective Sergeant Brian Griffin informed the Board that after reviewing the application package and following an interview with Ms. Eilert, he has several concerns. Each of the concerns were discussed as follows:

Inconsistencies Regarding Experience

On the license application, Ms. Eilert indicated that she was the Manager of Record for Jim's Rail Station d/b/a The Club Car located in Worcester, MA from August 2002 to November 2006. During her interview with Detective Sergeant Brian Griffin, Ms. Eilert indicated that she was the Manager of Record for The Club Car for two years (2005 & 2006). In response to the town's telephone inquiry, the City of Worcester Licensing Department indicated that they did not have any record of Gina Eilert being listed as manager for the Club Car as stated on her application.

Ability to Operate business considering full-time Employment Status

Ms. Eilert applied for the license as the sole proprietor and manager of record. By doing so, she is primarily responsible for all day-to-day management and operational needs. Given her current full-time employment status elsewhere, it appears unrealistic that the applicant will have sufficient time to properly manage the business.

Public Need

Ms. Eilert indicated that she will only open on Friday and Saturday nights from 8:00 pm to 2:00 am, which raised the question as to whether or not the license meets public need and whether or not it will be considered a full use of the license.

PUBLIC HEARING CONT...

In response to the concerns raised by Detective Sergeant Griffin, Ms. Eilert informed the Board that at the time that the application was first submitted, she was working from home. She has since been laid off and now has an hour commute each way to her new full-time job. Her plan is to open the business on Friday and Saturday evenings from 8:00 pm to 2:00 am. As the business grows, she will expand the hours to Thursday through Sunday from 6:00 pm to 2:00 am.

Ms. Eilert answered several questions from members of the Board. She confirmed that she was the manager of record at The Club Car for two years, not four as was stated in the application. She is not TIPS certified. Following a brief discussion, members of the Board spoke of her good intentions to start a business in Northborough, but expressed their concern with the inconsistencies on what was written on the license application versus what was said in the interview. Members of the Board also expressed their concern with Ms. Eilert having a full-time job and her inability to manage the business on a full-time basis.

Selectman Rand moved the Board vote to deny the application for a new All Alcoholic Beverages General on Premise License as submitted by Gina Marie Eilert d/b/a The Borough for premises located at 261 Main Street on the grounds that the license requested for the proposed type of business operation is not necessary to serve the public need; that the proposed manner of operation is unrealistic in light of the applicant's other full-time employment obligations; and that the Police Department investigation of the application shows inconsistencies between the information sworn to in the written application and statements of the applicant when interviewed by the Police Department, including statements regarding years of prior experience as a manager of an establishment licensed for sale of alcohol; Selectman Pantazis seconded the motion; all members voted in favor.

7:10 p.m. - JUNE HUBBARD-WARD - FINANCE DIRECTOR

Approval of Advances in Lieu of Borrowing.

Finance Director June Hubbard-Ward was present to request the approval of internal funding in the amount of \$1,400,000 through the "Advances in Lieu of Borrowing" procedure for the following projects previously approved at the 2011 Annual Town Meeting:

- Fire Department Ambulance \$230,000
- Peaslee School Roof \$150,000
- Middle School MSBA Green Repair Program \$780,000
- CPA Green Street Land Acquisition \$240,000

Selectman Hutchins moved the Board vote to approve and execute the Advances in Lieu of Borrowing in the amount of \$1,400,000 as submitted by Finance Director June Hubbard-Ward; Selectman Rutan seconded the motion; all members voted in favor.

7:15 p.m. - ALLISON LANE - RECREATION DIRECTOR
Presentation on the Childhood Obesity Implementation Grant and the implementation of Phase II of "Building a Healthy Northborough".

Recreation Director Allison Lane informed the Board that the Town has received a Childhood Obesity Implementation Grant from MetroWest Community Health Care Foundation in the amount of \$59,077. The purpose of this grant is to implement Phase II of "Building a Healthy Northborough", an initiative that provides a comprehensive community-wide approach to increase opportunities for children and families to be physically active and eat healthy. This initiative is lead by the Town departments of Board of Health, Family & Youth Services, Planning and Recreation. It is also supported by an external consultant.

Recreation Director Allison Lane briefly described the six components of the program. In response to a question by Selectman Hutchins, Ms. Lane indicated that she would ask the Health Agent to provide additional information on the School Health Advisory Sub-Committee and their authority as to what the schools will provide for student lunches.

REPORTS

Aaron Hutchins

- Attended the Senior Center Picnic. Commended the efforts of everyone involved in organizing the event, including the Rotary Club for their efforts in cooking and serving the food.
- Served as a safety guide in the Bicycles Battling Cancer event.
- Noted that the Selectmen's Meetings are recorded and streamed online via the Town website. Thanked those who worked to make the meetings available to the public in this manner.

William Pantazis

- Noted the passing of former Town Clerk and long-time resident Adele Beatty.
- Congratulated the Boston Bruins.
- Wished everyone a happy and safe July 4th weekend.

Leslie Rutan, Clerk

- Announced that the Town will have a new solid waste collection vendor as of July 1st. Asked residents to be cognizant of the new schedule.
- Noted the passing of Adele Beatty.
- Congratulated the Senior Center on the success of their new Brick Walkway.

Dawn Rand, Vice Chairman

- Attended the Senior Center Picnic where approximately 140 people were in attendance. Complimented the Brick Walkway and noted that bricks are still available for purchase.
- Noted the passing of Adele Beatty.

Dawn Rand, Vice Chairman Cont. . .

- Requested an update on the Downtown Construction Project. Mr. Coderre responded that he will ask the Town Engineer to provide a status update for the Board.

Jeff Amberson, Chairman

- Attended the Senior Center Picnic and the dedication of the new Brick walkway. Added that the new Senior Center is a great testament to what a dedicated group of people can accomplish.
- Noted the passing of Adele Beatty.

John Coderre, Town Administrator

- No report.

PUBLIC COMMENTS

None.

DISCUSSION ON PROPOSED DOG PARK AT 195 SOUTHWEST CUTOFF

Mr. Coderre briefly reviewed the events leading up to tonight's follow-up discussion regarding the proposed dog park at 195 Southwest Cutoff.

Friends of Northborough Dog Park member Laura Ziton informed the Board that due to the groups inability to come to a compromise with the neighbors of 195 Southwest Cutoff, the group has decided to stop pursuing a future dog park at this location. She thanked Mr. Coderre and members of the Board for their support. She added that the Friends of Northborough Dog Park wish to remain good neighbors and want to present a dog park that will benefit all people in the Town.

Members of the Board thanked the Friends of Northborough Dog Park for their positive and enthusiastic work, adding that it's been a pleasure to work with them.

In response to a request for clarification from Frances O'Neill, a member of the Village at Smith Pond Condominium Association, the Board confirmed that the Friends of Northborough Dog Park are withdrawing their proposed plans for a dog park at 195 Southwest Cutoff at this time. However, the Town reserves its right to revisit the site in the future.

APPROVAL OF TRANSFERS FOR SNOW & ICE BUDGET

Mr. Coderre informed the Board that extreme conditions experienced this past winter created an overall DPW deficit of \$236,900. The Appropriations Committee unanimously approved a transfer of \$80,000 from the FY2011 Reserve Account to help offset this deficit. Mr. Coderre informed the Board that the Financial Team has prepared a detailed transfer request that will cover the remaining \$156,900 through transfers of unexpended appropriations from other departments.

Members of the Board took this opportunity to commend Mr. Coderre and the Financial Team on their fiscal management.

APPROVAL OF TRANSFERS FOR SNOW & ICE BUDGET CONT. . .

Selectman Pantazis moved the Board vote to authorize a fiscal year-end transfer between appropriations pursuant to Massachusetts General Laws, Chapter 44 Section 33B, amounting to a total of \$156,900 to be transferred to the DPW Snow & Ice appropriation and to be transferred from appropriations for Town Accountant \$972, Town Counsel \$5,000, Personnel Board \$10,000, Highway Administration \$5,000, Highway Construction & Maintenance \$24,000, Cemetery \$5,000, Trees \$1,200, Parks \$5,000, Workers Comp \$5,000, Health Insurance \$89,310 and Building & Liability Insurance \$6,418; Selectman Rutan seconded the motion; all members voted in favor.

REAPPOINTMENT OF DISTRICT DIRECTOR, BURIAL AGENT AND VETERANS AGENT

Selectman Rutan moved the Board vote to reappoint Richard Perron to serve as the Town's Burial Agent and Veterans Agent, as well as the District Director for the Towns of Northborough, Shrewsbury and Grafton for a one-year term; Selectman Rand seconded the motion; all members voted in favor.

OTHER BUSINESS

Larry Gavini of 21 Fernbrook Road was present to complain about an on-going drainage issue on his property. Mr. Coderre informed the Board that this is a time-consuming and very complicated matter that the Town has been trying to work with Mr. Gavini to resolve. He further indicated that because this is not a matter appropriately before the Board, he will personally continue to work with Mr. Gavini to address his concerns.

ADJOURNMENT

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

Meeting adjourned at 8:05 p.m.

Respectfully submitted,

Diane M. Wackell
Executive Assistant to the
Board of Selectmen

Documents used during meeting:

1. June 27, 2011 Meeting Agenda.
2. June 13, 2011 Meeting Minutes.
3. Information packet - All Alcohol General on Premise License Application.
4. Information packet - Advances in Lieu of Borrowing.
5. Information packet - Childhood Obesity Implementation Grant.
6. Information packet - Proposed Dog Park at 195 Southwest Cutoff.
7. Information packet - Transfers for Snow & Ice Budget.
8. Memorandum - Reappointment of District Director, Burial Agent & Veterans Agent.