

**BOARD OF SELECTMEN  
MEETING MINUTES – October 17, 2011**

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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 – SEPTEMBER 12, 2011 REGULAR MEETING**

Selectman Rand moved the Board vote to approve the meeting minutes of the September 12, 2011 regular meeting as submitted, Selectman Pantazis seconded the motion; all members voted in favor.

**7:05 p.m. - ALLISON LANE, RECREATION DIRECTOR**

Authorization of Gift Account for Holiday Yard Sale Program.

Recreation Director Allie Lane informed the Board that she would like to run a program in which people would donate toys, books, games and sporting equipment to the Recreation Department. The Recreation Department would then sponsor a Holiday yard sale and sell these items to the public at a very low cost. Donations will be accepted in the Recreation Department from 8am-4pm Monday through Friday. The yard sale is tentatively scheduled for Saturday, December 3<sup>rd</sup> in the Town Hall Gym.

Selectman Hutchins moved the Board vote to accept toy donations received by the Recreation Department pursuant to Massachusetts General Laws, Chapter 44, Section 53 A1/2 for the purpose of selling during their Holiday yard sale and any/all proceeds to be retained for the use of the Recreation Department; Selectman Rutan seconded the motion; all members voted in favor.

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

To consider an application for a One-Day Special License for the sale of 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.

Melissa Kane was present from St. Bernadette's to request a One-Day Special Liquor License for a wine and beer tasting event to be held in the Charbonneau Activity Center on Saturday, October 22<sup>nd</sup> from 7pm-10pm.

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

Selectman Rutan moved the Board vote to approve the application for a One-Day Special Liquor License as submitted by St. Bernadette's Church for premises located at 266 Main Street for a wine tasting event on Saturday, October 22, 2011 from 7pm to 10pm; Selectman Rand seconded the motion; all members voted in favor.

**7:15 p.m. - HEARING**

To consider an application for a Change of Manager as submitted by Indoor Sports Management, Inc. d/b/a Replays at Teamworks for the Wine & Malt Beverages Restaurant License located at 185 Otis Street.

Kevin O'Connell, the current Manager of Record for Replays at Teamworks, was present to introduce Jeffrey Loven as the proposed new manager. Mr. Loven has been with Teamworks since 2001.

Mr. O'Connell briefly discussed a recent incident involving a customer who was arrested with an OUI charge after leaving Replays. Detective Sergeant Brian Griffin informed the Board that Mr. Loven was on duty the night of this incident and took the proper steps in trying to prevent the customer from leaving, including calling the police when the customer refused a cab. He added that he conducted a background check on Mr. Loven and found him to be of suitable character to be the Manager of Record for the Wine & Malt Beverages Restaurant License. Mr. Loven is TIPS certified.

Selectman Rand moved the Board vote to approve the application as submitted by Indoor Sports Management, Inc. d/b/a Replays at Teamworks to change the manager from Kevin O'Connell to Jeffrey Loven for their Wine & Malt Beverages Restaurant License for premises located at 185 Otis Street; Selectman Rutan seconded the motion; all members voted in favor.

**7:20 p.m. - HEARING**

To consider an application for a Change of Manager as submitted by Sea Dog Steak and Ale for the All Alcoholic Beverages Restaurant License located at 318 Main Street.

Michael Botelho, the proposed Manager of Record for Sea Dog Steak & Ale introduced himself as the new manager. He indicated to the Board that the former Manager of Record is no longer with the company. Mr. Botelho reviewed his extensive experience in the food and liquor industry, including managing the Cheesecake Factory in Natick.

Detective Sergeant Brian Griffin informed the Board that he conducted a background check on Mr. Botelho and found him to be of suitable character to be the Manager of Record for the All Alcoholic Beverages Restaurant License. Mr. Botelho is TIPS certified.

Selectman Rutan moved the Board vote to approve the application as submitted by Sea Dog Steak and Ale to change the manager from Peter Ferrari to Michael Botelho for their All Alcoholic Beverages Restaurant License for premises located at 318 Main Street; Selectman Rand seconded the motion; all members voted in favor.

**7:25 p.m. - PUBLIC HEARING****Set Fees for Plowing/Sanding Private Ways.**

Mr. Coderre proposed to the Board that the base charge for plowing and sanding/salting of private ways and unaccepted streets which are 100% complete be increased approximately 3.0% from last year to cover the increased costs of labor, equipment maintenance, sand, salt and other materials, and diesel and gasoline fuel.

Residents of the private ways that received plowing and sanding/salting services during the last Winter Season were notified of tonight's public hearing to increase the fees. None were present.

Selectman Hutchins moved the Board vote to set the fees for plowing and sanding/salting of private ways for the 2011/2012 winter season as follows:

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|---|--|
| Streets less than 3,000 feet            | \$165.00 per storm for plowing<br>\$165.00 per storm for sanding/salting |
| Streets 3,000 feet in length or greater | \$330.00 per storm for plowing<br>\$330.00 per storm for sanding/salting |

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

**REPORTS**Aaron Hutchins

- Attended a recent Eagle Scout Court of Honor and recognized the achievements of Eagle Scouts Brandon Warren, Thomas Hamilton, Sean McAuliffe and Alexander Church.
- Attended the Applefest Celebration. Commended everyone for their efforts in the event.

William Pantazis

- Noted that Claudia McGuire has retired as Northborough's Dog Officer after 35 years of service. Extended his appreciation to her.
- Attended a tour of Wegmans and the grand opening on Sunday. He is very impressed and happy that they located here in Northborough.

Leslie Rutan, Clerk

- Wasn't able to attend this year's Applefest Celebration, but heard many wonderful things about it.
- Welcomed Wegmans to our community.
- Attended the Bi-Annual LEPC Meeting.
- Attended a recent meeting of the Cemetery Commission. Noted that the Commission discussed complaints about speeding in the Cemetery.
- Noted that construction has begun on the FedEx Distribution Facility on Bartlett Street. Stressed how important it is that all trucks use appropriate roads when entering and leaving the facility.

Leslie Rutan, Clerk Cont. . .

- Attended the 2<sup>nd</sup> Annual Northborough Stands Against Bullying 5K Road Race.
- Noted that local Boy and Girl Scouts will be conducting their annual Scouting for Foods Campaign on Saturday, November 5<sup>th</sup>, at which time they will go door to door collecting bags of food for the Food Pantry.
- Noted that the Helping Hands Association and Northborough Moms & Tots will hold their 3<sup>rd</sup> Annual Winter Coat Drive. Winter coats can be dropped off at the Library and Town Hall until November 17<sup>th</sup>.

Dawn Rand, Vice Chairman

- Enjoyed the Applefest Celebration. Thanked the Rotary Club, especially Michelle Gillespie for coordinating the event and Patty Murphy for coordinating the Talent Competition.
- Congratulated Martha Michalewich on being named this year's Grand Marshall of the Applefest parade.
- Dined at Romaine's to benefit the Friends of the Senior Center.
- Announced that the Friends of the Recreation Department is sponsoring a Hot, Hot, Hot Dance and Auction on Saturday, November 19<sup>th</sup> at Indian Meadows. Proceeds will benefit the Recreation Camp Scholarship Fund.

Jeff Amberson, Chairman

- Thanked everyone who was involved in Applefest, including the Rotary Club and those Town Departments who helped out.
- Dined at Romaine's to benefit the Friends of the Senior Center.
- Visited Wegmans on its Grand Opening Day. Also attended the Grand Openings of Famous Footwear and BJ's. Complimented all of the shops located at the Northborough Crossing.
- Informed Mr. Coderre that he received an email from a resident on Bartlett Street who expressed his concern with speeding traffic and the anticipated increase in truck traffic once the FedEx Distribution Facility is up and running.
- Noted that the Annual Household Hazardous Waste Day is scheduled for Saturday, October 29<sup>th</sup>. Residents can visit the Town website for more information.

John Coderre, Town Administrator

- Announced that according to representatives from Wegmans, their opening on Sunday exceeded all records for previous openings to date. Approximately 25,000 people visited the store on its first day.

**PUBLIC COMMENTS**

None.

**DISCUSSION OF PRELIMINARY FREE CASH PLAN**

Mr. Coderre presented his preliminary FY2013 Free Cash Plan for consideration and use during the upcoming budget process. The FY2011 year-end Free Cash was certified at slightly over \$1,865,000. At this level the Town will be able to contribute an appropriation of \$150,000 to the Reserve Account, \$500,000 to the FY2013 Operating Budget, and \$715,000 towards upcoming capital needs. The remaining \$500,000 would be left in Free Cash, which would be available for use in FY2014.

**DISCUSSION OF PRELIMINARY FREE CASH PLAN CONT. . .**

Mr. Coderre reiterated that the Free Cash Policy represents a conservative spending approach that serves as a planning guide by identifying appropriate uses of Free Cash. The final use of Free Cash is reviewed by the Appropriations and Financial Planning Committees and is subject to Town Meeting approval and appropriation.

**DISCLOSURE FROM ZBA MEMBER RICHARD KANE**

Mr. Coderre informed the Board that as a resident of Coolidge Circle, ZBA Member Richard Kane, has signed a Disclosure of Appearance of Conflict of Interest in order to dispel any appearance of potential conflict of interest regarding S.A. Farms at 429 Whitney Street. Since Mr. Kane does not have a financial interest in this matter, the Board does not need to vote or take any additional action regarding this disclosure.

**OTHER BUSINESS**

Selectman Rand requested a status update on the construction of cell towers at the police station.

**APPROVAL/EXECUTION OF CEMETERY DEEDS A879 THROUGH A883**

Selectman Pantazis moved the Board vote to approve and execute Cemetery Deeds A879 through A883; Selectman Rand seconded the motion; all members voted in favor.

**8:05 p.m. – EXECUTIVE SESSION**

Selectman Rand moved the Board vote to enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Subsection 3 (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 Pantazis 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 Rutan moved the Board vote to adjourn; Selectman Pantazis seconded the motion; all members voted in favor.

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Diane M. Wackell  
Executive Assistant to the  
Board of Selectmen

Documents used during meeting:

1. October 17, 2011 Meeting Agenda.
2. September 12, 2011 Meeting Minutes.
3. Information packet – Holiday Yard Sale Program.
4. Information packet – St. Bernadette’s One-Day Special License.
5. Information packet – Change of Manager at Replays.
6. Information packet – Change of Manager at Sea Dog Steak & Ale.
7. Information packet – Fees for Plowing/Sanding Private Ways.
8. Information packet – Preliminary Free Cash Plan.
9. Information packet – Disclosure from ZBA Member Richard Kane.
10. Cemetery Deeds A879 through A883.