

**BOARD OF SELECTMEN  
MEETING MINUTES – January 27, 2014**

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

**MEMBERS PRESENT:** Leslie Rutan, Chairman  
Dawn Rand, Vice Chairman  
Jeff Amberson, Clerk  
Aaron Hutchins  
William Pantazis

\*Pledge of Allegiance

**APPROVAL OF MINUTES – DECEMBER 10, 2013 SPECIAL JOINT MEETING**

Selectman Amberson moved the Board vote to approve the meeting minutes of the December 10, 2013 special joint meeting as submitted; Selectman Rand seconded the motion. Vote 4-0-1 (Selectman Hutchins was absent and therefore abstained).

**APPROVAL OF MINUTES – JANUARY 13, 2014 REGULAR MEETING**

Selectman Rand moved the Board vote to approve the meeting minutes of the January 13, 2014 regular meeting as submitted; Selectman Amberson seconded the motion. Vote 4-0-1 (Selectman Hutchins was absent and therefore abstained).

**7:00 p.m. - PUBLIC HEARING**

To consider an application to transfer the All Alcoholic Beverages Restaurant License from CJ Restaurant Enterprises, LLC d/b/a Celtic Tavern to Los Cuates, Inc. d/b/a Casa Vallarta for premises located at 45 Belmont Street – Route 9.

Attorney Scott Nathan was present along with proposed manager Yadira Gutierrez. Other members of Los Cuates, Inc. were in the audience. Attorney Nathan informed the Board that Casa Vallarta will be a family style, Mexican-themed restaurant. Five individuals, who all have extensive backgrounds in the food and beverage industry have partnership in this business. Ms. Gutierrez plans to work at the Northborough location over 35 hours per week. She has over 11 years of experience in the food and beverage industry and is TIPS certified.

The anticipated opening for the restaurant is mid-March. Hours will be Monday – Thursday 11am-10pm; Friday and Saturday 11am-11pm and Sunday 11am-10pm.

Detective Sergeant Griffin indicated that he has no concerns to report as to the suitability of any of the individuals of Los Cuates, Inc., including the proposed manager.

Selectman Pantazis moved the Board vote to transfer the All Alcoholic Beverages Restaurant License from CJ Restaurant Enterprises, LLC to Los Cuates, Inc. d/b/a Casa Vallarta for premises located at 45 Belmont Street (Route 9) and to also grant to Los Cuates, Inc. a Common Victualler and Entertainment License with the condition that the licensee receive satisfactory inspections from the Building, Fire and Health Departments; Selectman Rand seconded the motion; all members voted in favor.

**7:05 p.m. - PETER APPEGARTH –  
EMERGENCY COMMUNICATIONS NETWORK**  
Presentation on the CodeRED Emergency Notification System.

Peter Applegarth from Emergency Communications Network was present to introduce CodeRED, a system that will provide Northborough officials the ability to quickly deliver emergency messages to targeted areas and/or the entire population of Northborough, including businesses. The CodeRED system will replace the discontinued County Reverse 9-1-1 system with a more technologically-advanced system that includes 24/7/365 professional support.

Following a demonstration of the CodeRED services, a discussion ensued about whether to use the system strictly for emergency situations or to open it up for use in providing non-emergency town-wide information as well. Mr. Coderre indicated that for now, it will be used strictly for emergency situations, adding that he would be happy to look at its use for providing non-emergency town-wide information at some point in the future.

Mr. Coderre informed the public that the service is up and running and urged residents and businesses to log onto the Town's website for more information and to register for the service.

**7:45 p.m. - JOHN CODERRE, TOWN ADMINISTRATOR**  
Presentation of the Town's Fourth Consecutive Government Finance Officers Association Distinguished Budget Award for FY2014.

Mr. Coderre invited Finance Director June Hubbard-Ward, Town Accountant Jason Little and Assistant Town Administrator Kim Hood to join him in announcing that the Town recently received its fourth consecutive Distinguished Budget Presentation Award for its Fiscal Year 2014 Budget from the Government Finance Officers Association of the United States and Canada (GFOA). The award represents a significant achievement by the Town. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting.

Members of the Board congratulated Mr. Coderre and his staff on this very significant achievement.

## **REPORTS**

### Aaron Hutchins

- Attended a recent Housing Authority meeting. Noted that a number of young residents have been working with the Housing Authority to help clear snow from the vehicles of residents who reside in the Housing Authority's complex. The Housing Authority is seeking additional help from any youths in town who may be interested in helping out.

Aaron Hutchins Report Cont. . .

- Inquired as to when he can expect to hear an update on the concerns he expressed about the downtown traffic signalization? DPW Director Dan Nason indicated that his concerns have been forwarded to the Town Engineer who is working with Mass DOT to provide an update to the Board at an upcoming meeting.
- Announced his decision to not seek re-election when his term expires in May, 2014.

William Pantazis

- Noted that the Interview Committee met to discuss the applications received for the Local Historic District Study Committee. See below for appointments.

Jeff Amberson, Clerk

- Announced that the 10<sup>th</sup> Annual Chocolate Spectacular will be hosted by the Friends of the Senior Center. The event will take place on February 8<sup>th</sup> from 3-5pm at Whitney Place.

Dawn Rand, Vice Chairman

- Requested permanent roadway signage advising traffic that 4H kids routinely travel on horseback between 331 to 375 Davis Street.

Leslie Rutan, Chair.

- Noted the recent resignation of Mary Crowley from the Board of Library Trustees after 34 years. Requested that a letter of appreciation be sent on behalf of the Board.
- Requested an update on an earlier concern expressed about truck traffic on Bartlett and East Main Streets. Mr. Coderre stated that he thought the matter was closed. He will look into it and report back.
- Requested an update on the R&T Furniture Building at 40 West Main Street. Mr. Coderre indicated that during the Town's foreclosure process, the owners notified the Town of their desire to redeem the property. The owners have been notified that they need to secure the property and guarantee that the building is structurally sound.

John Coderre, Town Administrator

- No report.

**LOCAL HISTORIC DISTRICT STUDY COMMITTEE APPOINTMENTS**

At the December 16, 2013 meeting, the Board voted to establish a Local Historic District Study Committee to consist of a maximum of seven members represented as follows: two representatives from the Historical Commission, one representative each from the Planning Board, Design Review Committee, Historical Society, Board of Realtors and American Institute of Architects, or any other combination of citizens as determined by the Board of Selectmen. The Historical Society, Board of Realtors and American Institute of Architects did not present any nominees.

**LOCAL HISTORIC DISTRICT STUDY COMMITTEE APPOINTMENTS**

Selectman Pantazis moved the Board vote to appoint the following individuals to the Local Historic District Study Committee effective immediately:

Brian Smith – Historical Commission  
Amy Jo White – Historical Commission  
Tom Reardon – Design Review Committee and Architect  
George Pember – Planning Board  
Marie Nieber – Property Owner  
Roger Leland – Citizen at Large

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

**PUBLIC COMMENTS**

None.

**REQUEST TO DEFICIT SPEND THE SNOW & ICE ACCOUNT**

DPW Director Dan Nason informed the Board that the FY2014 Snow & Ice Account has been fully expended. He is here this evening to request the Board's approval to deficit spend the FY2014 Snow & Ice Account as needed.

Mr. Coderre assured the Board that all attempts will be made to cover the projected shortfalls within the overall FY2014 budget. In accordance with MGL, Chapter 44, Section 31D, the Appropriations Committee, as well as the Board of Selectmen, must be notified and approve any required deficit spending.

Selectman Pantazis moved the Board vote to allow expenditures in excess of available appropriations for snow and ice removal and any other related expenses pursuant to Massachusetts General Laws, Chapter 44, Section 31D; Selectman Amberson seconded the motion; all members voted in favor.

Mr. Nason publicly thanked the DPW employees, as well as the members of the Police Department who responded to the water service break on Solomon Pond Road this past weekend.

**FINAL RATIFICATION OF CHARTER RENEWAL LICENSE**

At the Selectmen's Meeting on December 16, 2013, the Board voted to approve the amendment to the Town of Northborough Cable Television Renewal License with Charter Communications and opened it up for public comment through January 22<sup>nd</sup>. Comments were received from the Cable Committee relative to some grammatical issues.

The purpose of the amendment is to extend the original renewal license from five years to ten years in order to have more equivalent terms with Verizon and to facilitate future license renewals by having the contracts come up for renewal during the same year.

The key changes to the amendment include an additional capital grant of \$85,000 and an increase to the operational funding from 3% to 4% of Charter's gross annual revenues.

Also, the ability to broadcast live from the Library, Senior Center and the Algonquin High School field press box will be added.

Selectman Hutchins moved the Board vote, acting in their statutory capacity as Cable Television License Issuing Authority, to approve and execute the proposed Charter Communications Cable Television Renewal License Amendment #2, as further titled Amended Cable Television Renewal License, amending the Charter Renewal License effective October 17, 2008, and with the amended Renewal License effective February 17, 2014, all pursuant to the amendment regulations of the Massachusetts Department of Telecommunications and Cable; Selectman Pantazis seconded the motion; all members voted in favor.

#### **UPDATE ON FY2015 STATE AID**

Mr. Coderre informed the Board that according to the most recent information, it looks as if Local Aid to Northborough will be level funded in FY2015. Despite State revenue increases of 5%, we are only seeing a 1% increase – approximately \$56,215.

Mr. Coderre stated that he will not have any information on State Assessments until detailed Cherry Sheets are distributed. He reminded the Board that it is the net effect of the Local Aid and State Assessments that determines if Northborough is better off compared to the previous fiscal year. He will continue to update the Board as new information becomes available.

#### **EXECUTION OF CEMETERY DEED A933**

Selectman Rand moved the Board vote to execute Cemetery Deed A933; Selectman Amberson seconded the motion; all members voted in favor.

#### **OTHER BUSINESS –WEGMANS SUPPORT OF SPECIAL LEGISLATION**

Mr. Coderre informed the Board that Bill Congdon of Wegmans is requesting the Board's support for House Docket 3420, an act relative to liquor licenses, which was filed by Representative Harold P. Naughton on behalf of Wegmans. He explained that MGL c138 does not allow a Town to issue a package store license pursuant to Section 15 and a pouring license pursuant to Section 12 on the same premises to be held by the same owner. The proposed legislation would allow such an approach through local option approval.

During October of 2012, representatives of Wegmans approached the Town with a request to become a BYOB establishment with regard to the café portion of the store. After much discussion, the Town urged Wegmans to seek a legislative amendment to MGL c138 that would allow municipalities the ability to issue a package store license, as well as a restaurant pouring license, in the same establishment.

Mr. Coderre indicated that he is in favor of the proposed legislation because such an approach is in the public's best interest. It makes far better public policy to regulate the consumption of alcoholic beverages in a controlled, designated area, rather than simply allow BYOB. Wegmans has clearly articulated how a pouring license fits into their store's unique business model and the Town is generally supportive of their approach, if it could be accomplished under MGL, c138, Section 12.

Selectman Amberson moved the Board vote to authorize the Chair to send a letter in support of House Docket 3420, an act relative to liquor licenses on behalf of Wegmans at 9102-9104 Shops Way; Selectman Pantazis seconded the motion; all members voted in favor.

### **ADJOURNMENT**

Selectman Rand moved the Board vote to adjourn; Selectman Hutchins 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. January 27, 2014 Meeting Agenda.
2. December 10, 2013 Meeting Minutes.
3. January 13, 2014 Meeting Minutes.
4. Information packet – Public Hearing Re: License Transfer.
5. Information packet – CodeRED Presentation.
6. Information packet – GFOA Presentation.
7. Memorandum on Snow and Ice Budget.
8. Information packet – Charter Renewal License.
9. Information packet – FY2015 State Aid.
10. Cemetery Deed A933.
11. Information packet – Wegmans Request for Support of Special Legislation.