

**BOARD OF SELECTMEN  
MEETING MINUTES – August 11, 2014**

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  
William Pantazis  
Jason Perreault

\*Pledge of Allegiance

**APPROVAL OF MINUTES – JULY 14, 2014 REGULAR MEETING**

Selectman Amberson moved the Board vote to approve the meeting minutes of the July 14, 2014 regular meeting as submitted; Selectman Rutan seconded the motion. Vote 4-0-1 (Chairman Rand was not present at the July 14, 2014 and therefore abstained).

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

To consider an application to transfer control of the Cable Television License of Charter Communications, Inc. to Comcast Corporation.

Cable Access Director Kathy Dalgliesh was present along with Cable Television Advisory Committee Chair Richard Swee. Also present on behalf of Comcast was Frank Foss, Senior Manager of Government and Regulatory Affairs.

Ms. Dalgliesh made a brief presentation to the Board on the procedural part of the application to transfer control of the Cable Television License of Charter Communications, Inc. to Comcast Corporation. Mr. Foss provided an overview of the company.

For the record, Mr. Coderre indicated that pursuant to state regulations, the Board can consider the proposed change of control based only on Comcast's management experience, technical expertise, financial capability and their legal ability to operate the cable system pursuant to the existing license with Charter Communications, Inc. The Board cannot propose amendments to or renegotiate the terms of the existing license, which Comcast is obliged to honor in its entirety.

Several questions and comments were heard from members of the Board. Following one question from the audience, Chairman Rand closed the public hearing.

Selectman Amberson moved the Board vote to approve the transfer of control of the Cable Television License from Charter Communications, Inc. to Comcast Corporation pursuant to the FCC Form 394 – "*Application for Franchise Authority Consent to Assignment or Transfer of Control of Cable Television Franchise*") dated June 17, 2014; Selectman Rutan seconded the motion; all members voted in favor.

**7:15 p.m. - JUNE HUBBARD-WARD, FINANCE DIRECTOR**

Approval/Execution of Advance in Lieu of Borrowing.

Ms. Hubbard-Ward requested the Board's approval for internal funding for the following three projects that were approved at the April 2014 Annual Town Meeting:

<b>Article #</b>	<b>Purpose</b>	<b>Amount Authorized</b>
30	Hudson Street Pump Station Improvements	\$ 150,000
31	DPW Water Meter Replacement & Billing	1,500,000
32	DPW Water Edmunds Hill Tank Rehabilitation	<u>325,000</u>
		\$1,975,000

Selectman Amberson moved the Board vote to approve and execute the Advances in Lieu of Borrowing in the amount of \$1,975,000 as submitted by Finance Director June Hubbard-Ward; Selectman Pantazis seconded the motion; all members voted in favor.

**7:10 p.m. - KATHY JOUBERT, TOWN PLANNER**

Update on 39 West Main Street.

Town Planner Kathy Joubert informed the Board that the parcel located at 39 West Main Street was recently acquired by the Town through foreclosure due to unpaid real estate taxes. The parcel is a .28 acre site with 69.71 feet of frontage, conforms to the Zoning Bylaw for lot area and frontage and is located in the Downtown Business District.

Mr. Coderre added that Town staff has spent a considerable amount of time researching the various options on how best to use or dispose of this parcel. Stressing the benefits of an open, public and transparent process for making a recommendation to the Board regarding how best to use or dispose of the parcel, he proposed the formation of an Ad Hoc Study Committee who would be tasked with exploring the following options:

- Should the town auction off this parcel as it presently exists?
- Should the town get authorization from Town Meeting to develop and issue restrictions as allowed under the law?
- Should the town hold on to the property for some period of time and see how the area develops in the near future before selling the parcel?

Following a brief discussion amongst members of the Board on how best to move forward, Mr. Coderre stated that he doesn't expect for this be an overly complicated process, adding that the Committee would be tasked with reporting their findings to the Board by December 2014.

Selectman Rutan moved the Board vote to create an Ad Hoc Study Committee for the purpose of examining options on how best to use or dispose of the Town owned property located at 39 West Main Street. The Committee will be tasked with reporting their findings to the Board by December, 2014 and will consist of the following seven (7) representatives:

**39 WEST MAIN STREET UPDATE CONT. . .**

- 1 Board of Selectmen member to chair the group
- 1 Planning Board member
- 1 Design Review Committee member
- 1 Open Space Committee member
- 1 Historical Commission member
- 2 Citizen members

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

**7:15 p.m. - FRED LITCHFIELD, TOWN ENGINEER**Adoption of a 2.5 Ton Heavy Commercial Vehicle Exclusion on Maple Street from Main Street to Ridge Road.

Mr. Litchfield informed the Board that traffic data for the residential streets around Collins Road as obtained by the Central Massachusetts Regional Planning Commission as part of their annual traffic counting plans within the Town of Northborough indicated that there is an increase in truck traffic on the portion of Maple Street from Main Street to Ridge Road. The Massachusetts Department of Transportation (Mass DOT) has approved the Town's formal application for a 24 hour heavy commercial vehicle exclusion. Following the Board's action tonight, Mass DOT will issue the appropriate permit and the signs indicating the Truck Exclusion will then be installed by the Public Works Department.

Selectman Rutan moved the Board vote to adopt a 2.5 Ton Heavy Commercial Vehicle Exclusion on Maple Street from Main Street to Ridge Road and to amend Town Code, Section 9-108, adopted March 3, 1970, and subsequent amendments thereto as referenced in the packet; Selectman Pantazis seconded the motion; all members voted in favor.

Approval/Execution of Public Way Easement Deeds for Weber Lane, Cyrus Way and a portion of Johnson Avenue

Mr. Litchfield requested the Board's approval and acceptance of the deeds for Cyrus Way, Weber Lane and a portion of Johnson Avenue in accordance with Article 44 of the 2014 Annual Town Meeting. He indicated that all streets are complete.

Selectman Pantazis moved the Board vote to approve and accept the Deeds for permanent easement interests in certain roads, known as Cyrus Way, Weber Lane and the extension of Johnson Avenue and to authorize the Town Engineer and Town Counsel to record the Deeds with the Worcester Registry of Deeds within thirty (30) days of this date; Selectman Amberson seconded the motion; all members voted in favor.

Approval/Execution of Sidewalk Easement for Whitney Street

Mr. Litchfield requested the Board's approval and acceptance of the Easement Deed for the Whitney Street sidewalk in accordance with Article 45 of the 2014 Annual Town Meeting.

Selectman Pantazis moved the Board vote to approve and accept the Easement Deed for permanent easement interests for Whitney Street for the purposes of maintaining, constructing, repairing or replacing a sidewalk on a portion of Whitney Street conditional upon (1) production of a title certificate, which confirms the title reference, and which title certificate is satisfactory to Town Counsel; (2) a deed executed by the developer; and (3) a mylar suitable for recording the Easement Deed on or before August 18, 2014; Selectman Amberson seconded the motion; all members voted in favor.

Approval/Execution of Roadway Widening for Otis Street

Mr. Litchfield requested the Board's approval and acceptance of the deed for the Otis Street widening in accordance with Article 46 of the Annual Town Meeting.

Selectman Perreault moved the Board vote to approve and accept the Deed for permanent easement interests for a portion of Otis Street for the purpose of widening the public way conditional upon (1) developer's counsel certifying title to Parcels A, B and C, and which certification confirms that the remainder of Otis Street is held in fee by the Town, such certification being satisfactory to Town Counsel; (2) execution of the deed by the developer; and (3) production of a final mylar suitable for recording on or before August 18, 2014; Selectman Amberson seconded the motion; all members voted in favor.

**REPORTS**Jason Perreault

- No report.

William Pantazis

- Noted that the Interview Committee met with an applicant for the Cable Television Advisory Committee. See below for appointment.

Leslie Rutan, Clerk

- Questioned if Town staff will be involved in Westborough's newly formed Study Committee regarding the future use of the Westborough State Hospital property. Mr. Coderre replied that the Town of Westborough is acquiring the property and it is up to them to use it as they wish. He added that a very small parcel remains in the area around Chauncy Hall. He can look into whether or not this is something that the town can pursue; and if so, schedule future discussions to see if there is interest in acquiring it. He added that he would be happy to reach out to the Town of Westborough and ask that we be kept apprised if there appears to be any implications or impacts to the Town of Northborough regarding any future use options for the property.

Jeff Amberson, Vice Chairman

- With school starting in just a couple of weeks, asked drivers to slow down and take notice of students walking to and from school.

Dawn Rand, Chairman

- No report.

John Coderre, Town Administrator

- No report.

**APPOINTMENT TO THE CABLE TELEVISION ADVISORY COMMITTEE**

Selectman Pantazis moved the Board vote to appoint Gregory DePaoli to the Cable Television Advisory Committee for a partial three-year term; Selectman Rutan seconded the motion; all members voted in favor.

**PUBLIC COMMENTS**

None.

**STATUS REPORT ON FY15 STATE AID**

Mr. Coderre informed the Board that the final FY2015 State Aid figures represent a difference of \$47,744 net positive to the Town, which will result in lowering the property tax rate from what was estimated at Town Meeting by approximately 2 cents per \$1,000 valuation. The \$47,744 reflects the net effect of increased revenues and decreased assessments.

**ANNUAL REAPPOINTMENT OF ELECTION OFFICERS**

Selectman Amberson moved the Board vote to appoint those individuals who appear on the 2014/2015 Election Officer List for a term beginning on September 1, 2014 and ending on August 31, 2015 as submitted by Town Clerk Andrew Dowd; Selectman Rutan seconded the motion; all members voted in favor.

**EXECUTION OF SEPT 9, 2014 STATE PRIMARY ELECTION WARRANT**

Selectman Amberson moved the Board vote to execute the State Primary Election Warrant for September 9, 2014 as submitted by Town Clerk Andrew Dowd; Selectman Rutan seconded the motion; all members voted in favor.

**EXECUTION OF CEMETERY DEEDS A943, A944, A945 & A946**

Selectman Perreault moved the Board vote to execute Cemetery Deeds A943, A944, A945 & A946; Selectman Pantazis seconded the motion; all members voted in favor.

**OTHER BUSINESS**

None.

**7:55 p.m. - EXECUTIVE SESSION**

Selectman Perreault 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 this matter 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:

Perreault	“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 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. August 11, 2014 Meeting Agenda.
2. July 14, 2014 Meeting Minutes.
3. Information packet – Cable Transfer Hearing.
4. Memo – Advance in Lieu of Borrowing.
5. Information packet – 39 West Main Street.
6. Information packet – Heavy Commercial Vehicle Exclusion.
7. Information packet – 2014 Annual Town Meeting Follow-up Items.
8. Memo – FY15 State Aid.
9. Information packet – Annual Reappointment of Election Officers.
10. State Primary Election Warrant.
11. Cemetery Deeds.