

**BOARD OF SELECTMEN  
MEETING MINUTES – September 8, 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

**TRIBUTE AND MOMENT OF SILENCE –  
ARMY SPECIALIST BRIAN ARSENAULT**

Members of the Board, along with State Representatives Harold Naughton and Danielle Gregoire paid tribute to Army Specialist Brian Arsenault who died September 4<sup>th</sup> in Ghazni, Afghanistan of injuries sustained when his unit was engaged by enemy small-arms fire.

Spc. Arsenault, 28, was assigned to the 1<sup>st</sup> Battalion, 504<sup>th</sup> Parachute Infantry Regiment, 1<sup>st</sup> Brigade Combat Team, 82<sup>nd</sup> Airborne Division, Fort Bragg, North Carolina.

\*Moment of Silence  
\*Pledge of Allegiance

**APPROVAL OF MINUTES – AUGUST 11, 2014 REGULAR MEETING**

Selectman Amberson moved the Board vote to approve the meeting minutes of the August 11, 2014 regular meeting as submitted; Selectman Rutan seconded the motion. All members voted in favor.

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

To consider Pole Petition 1A0RH0S from Verizon New England and Massachusetts Electric Company for a new pole location on Leland Drive.

Kelly Ann Congdon was present on behalf of Verizon. The request is to place one new pole on Leland Drive in order to provide improved service to house number 39.

Selectman Amberson moved the Board vote to approve the placement of one new pole on Leland Drive per Verizon Petition Number 1A0RH0S as submitted by Verizon New England, Inc. and Massachusetts Electric Company (National Grid); Selectman Pantazis seconded the motion; all members voted in favor.

**7:05 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 in the amount \$1,700,000 for the initial stage of the construction costs for the Lincoln Street School Addition/Renovation Project. The \$25,530,553 debt authorization was approved at the April 2014 Annual Town Meeting with the Debt Exclusion approved shortly thereafter at the May 2014 Town Election.

Approval/Execution of Advance in Lieu of Borrowing Cont. . .

Ms. Hubbard-Ward noted that the internal funding, together with the \$268,721 in transferred bond proceeds, will allow for the initial funding for the beginning phase of this project.

Selectman Rutan moved the Board vote to approve and execute the Advances in Lieu of Borrowing in the amount of \$1,700,000 as submitted by Finance Director June Hubbard-Ward; Selectman Amberson seconded the motion; all members voted in favor.

**7:10 p.m. - SANTOS ESCOBAR D/B/A ENMA'S GOURMET PIZZA**  
Request for a Common Victualler License for premises located at 14 East Main Street.

Santos Escobar introduced himself as the owner of Enma's Gourmet Pizza located at 14 East Main Street (formerly Anthony's Pizza). Mr. Escobar stated that he does not plan to make any changes to the premises and will serve pizza and other related menu items.

Selectman Perreault moved the Board vote to approve the application for a Common Victualler License as submitted by Santos Escobar d/b/a Enma's Gourmet Pizza for premises located at 14 East Main Street, providing that the licensee receive satisfactory inspections by the Building, Fire and Health Departments; Selectman Rutan seconded the motion; all members voted in favor.

**7:15 p.m. - DAN NASON, DPW DIRECTOR**  
Update on various projects.

Mr. Nason informed the Board that there is a great deal of activity going on at the Highway Garage at 190 Main Street. The site is in the process of undergoing several physical changes. The replacement of the salt storage facility and the fuel island will include the construction of additional storm water measures to ensure the resource areas surrounding the property are properly protected. The Department is working closely with Mass DEP and the Northborough Conservation Commission in order to protect these resources and prevent future soils from migrating into these areas. These design and engineering measures will go a long way in improving the overall appearance and general housekeeping of the site and will ensure compliance with local and state regulations.

Mr. Nason added that a new yard waste disposal/drop off area is currently being constructed as well. The proposed location and layout of the new yard waste disposal area again illustrates the department's dedication and commitment to regulatory compliance, overall safety improvements, and good housekeeping practices.

Mr. Nason also provided a brief update on the following ongoing projects:

- Otis Street Bridge Closure
- Memorial Field Observation Platform Replacement
- Ellsworth McAfee Park Track Replacement
- Howard Street Cemetery Garage and Assabet Park Garage Improvements
- Drainage Projects – Hudson Street and Green Street

**7:30 p.m. - TRADEBE ENVIRONMENTAL SERVICES, LLC**  
Informational presentation on the use, licensing and permitting of flammable storage tanks currently located at 345 West Main Street.

Richard Baker introduced himself as Environmental Manager of Tradebe Environmental Services. He indicated that Tradebe purchased the property at 345 West Main Street in April 2011 from Zecco, Inc. He made a presentation to the Board detailing the history of the company, the services they provide through the Northborough facility and the past and current state of the on-site storage of flammable and combustible liquids.

In summary, the historical licenses do not match the current on-site storage status of the facility located at 345 West Main Street. In an effort to resolve the licensing discrepancies, Mr. Baker proposed the following for the Board's consideration:

- Reactivate the 1985 license for the four (4) aboveground storage tanks (AST's), which total 40,000 gallons of flammable or combustible liquids. Although these AST's are not currently in use, they have passed their required third-party inspections and are considered fit for use.
- Continue with the use of the four (4) AST's.
- Remove the existing two (2) underground storage tanks (UST's).
- Add one (1) additional AST for the storage of diesel fuel.
- Amend the 1985 license to include additional forms of storage in drums and trucks.

Following Mr. Baker's presentation, Mr. Coderre advised the Board that the licensing statute requires that the holder of a flammables storage license file an annual certificate of registration with the Town Clerk. For approximately eight years, no certificate of registration has been filed for the storage tanks located on this property. Fire department storage permits have also not been maintained continually during that period. In light of these circumstances, Tradebe was asked to compile its documentation on the use, licensing and permitting of the flammable storage tanks currently located on the property at 345 West Main for the purposes of making an informational presentation to the Board.

With that being said, Mr. Coderre added that once a license is issued, as long as the owner or operator continues to exercise the license and files an annual certificate of registration with the Town Clerk, the license is perpetually attached to the land described therein and will pass to a new owner if the property is sold. The license is considered valid indefinitely unless revoked. In other words, failure to file the annual registration certificate will not, of itself, void the license.

Mr. Coderre advised the Board to consider whether they wish to proceed with a revocation hearing or to establish conditions for any continued exercise of the license as originally issued.

The Board agreed to ask Town Counsel and the Fire Chief for guidance regarding the appropriate process to follow should Tradebe be allowed to modify the existing licenses to bring them into compliance.

## REPORTS

### Jason Perreault

- No report.

### William Pantazis

- No report.

### Leslie Rutan, Clerk

- Thanked the School District for their recent newsletter.
- Thanked the Fire Chief for his Fire Department Report for the months January through June.
- Requested an update on the proposed pipeline project and what potential impacts it could have on the Town. Mr. Coderre stated that a development review meeting was scheduled for last week, but was cancelled last minute by the pipeline company. The meeting is in the process of being rescheduled.

### Jeff Amberson, Vice Chairman

- Reminded the public to be cautious of students walking to and from school.

### Dawn Rand, Chairman

- No report.

### John Coderre, Town Administrator

- No report.

## PUBLIC COMMENTS

None.

## REACTIVATION OF THE HISTORIC DISTRICT COMMISSION

Marie Nieber, Vice Chair of the Peter Whitney Parsonage Historic District Study Committee, as well as Norm Corbin, Acting Chair of the Historical Commission were present.

Mr. Coderre informed the Board that the Peter Whitney Parsonage Historic District Study Committee has completed all of its assigned tasks to the satisfaction of the Study Committee, the Massachusetts Historic Commission and the Town of Northborough. The Peter Whitney Parsonage Historic District is now officially registered with the State. At this time, it is appropriate for the Board to consider the following:

- 1) To formally dissolve the Peter Whitney Parsonage Historic District Study Committee.
- 2) To reactivate the 7-member Historic District Commission (HDC) for the purpose of enforcing the restrictions for the Peter Whitney Parsonage Historic District, as well all other historic districts in town
- 3) To advertise and interview applicants for the HDC, which will also serve as the Town's Historical Commission.

**REACTIVATION OF THE HISTORIC DISTRICT COMMISSION CONT. . .**

Mr. Coderre reminded the Board that Article 36 (pertaining to the Historical Commission also serving as the Historic District Commission) was passed over at the 2014 Annual Town Meeting. At that time, Town Counsel had advised that a Historic District Commission may be authorized to act as a Historical Commission (under G.L. c.40C § 14), but there is no provision in the law for the converse, i.e., for a Historical Commission to act as a Historic District Commission. Since a Historic District Commission exists in the Town Code but presently does not have any members assigned to it, the Board of Selectmen can reactive the Historic District Commission and appoint its new members.

Selectman Pantazis moved the Board vote to acknowledge that the Peter Whitney Parsonage Historic District Study Committee has completed all of its assigned tasks to the satisfaction of the Study Committee, the Massachusetts Historic Commission and the Town of Northborough and to formally dissolve same effective immediately; Selectman Amberson seconded the motion; all members voted in favor.

Selectman Pantazis moved the Board vote to reactivate the 7-member Historic District Commission (HDC) for the purpose of enforcing the restrictions for the Peter Whitney Parsonage Historic District, as well as all other historic districts in the town, and to advertise and interview applicants for the HDC, which will also serve as the Town's Historical Commission; Selectman Rutan seconded the motion; all members voted in favor.

**EXECUTION OF CEMETERY DEEDS A947 & A948**

Selectman Perreault moved the Board vote to execute Cemetery Deeds A947 & A948; Selectman Pantazis seconded the motion; all members voted in favor.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

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

Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Diane M. Wackell  
Executive Assistant to the  
Board of Selectmen

Documents used during meeting:

1. September 8, 2014 Meeting Agenda.
2. August 11, 2014 Meeting Minutes.
3. Information packet – Public Hearing - Pole Petition #1A0RH0S (Leland Drive).
4. Memo – Advance in Lieu of Borrowing.
5. Information packet – Common Victualler License – Enma’s Gourmet Pizza.
6. Memo – Update of various DPW Projects.
7. Information packet – Tradebe Environmental Services, LLC, 345 West Main Street.
8. Information packet – Reactivation of the Historic District Commission.
9. Cemetery Deeds.