

**BOARD OF SELECTMEN  
MEETING MINUTES – March 13, 2017**

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

**MEMBERS PRESENT:** William Pantazis, Chairman  
Dawn Rand, Vice Chairman  
Leslie Rutan  
Jason Perreault

**MEMBERS ABSENT:** Jeff Amberson, Clerk

\*Pledge of Allegiance

**APPROVAL OF MINUTES – FEBRUARY 27, 2017 REGULAR MEETING**

Selectman Rand moved the Board vote to approve the meeting minutes of the February 27, 2017 regular meeting as submitted; Selectman Rutan seconded the motion; all members voted in favor.

**7:00 p.m. - SENATOR JAMES B. ELDRIDGE  
SENATOR HARRIETTE L. CHANDLER  
STATE REPRESENTATIVE DANIELLE W. GREGOIRE  
STATE REPRESENTATIVE HAROLD P. NAUGHTON**  
Discussion of Legislative Priorities.

In preparation for tonight's legislative update, letters were sent to the State Legislators advising them of Northborough's legislative priorities. At the request of the Board, Senator Chandler and Representatives Gregoire and Naughton were present. Senator Eldridge was not able to attend. Also present in the audience were School Superintendent Christine Johnson and School Business Director Cheryl Levesque.

Mr. Coderre reviewed the top two municipal legislative priorities relating to Chapter 90 Roadway Repair Funding and Other Post-Employment Benefits (OPEB) Legislation Reform. School Superintendent Christine Johnson spoke to the top legislative priority relating to the State Special Education Circuit Breaker Program.

Senator Chandler and Representatives Gregoire and Naughton spoke to each of the priorities discussed above. Each offered their support and their commitment to continue to advocate on behalf of the Town and the School District.

Fire Chief Parenti expressed his concerns regarding the potential impact of the proposed legislation to limit municipal ambulance fees to the Medicare/Medicaid rate. As this would be disastrous for the Fire Department's operations, he asked the Delegation to oppose any such legislation.

Lastly, Mr. Coderre recognized residents in the audience that were present in support of Senate Bill No. 407 regarding Agricultural Composting. The legislation filed by Senator Chandler and supported by Representative Naughton, seeks to shift oversight of all

Discussion of Legislative Priorities Cont. . .

Department of Agricultural Resources registered compost operations to the Department of Environmental Protection (DEP) to ensure compliance with DEP Standards.

Mr. Coderre and members of the Board thanked the Legislators for coming in this evening and for always being attentive to the needs of Northborough.

**7:55 p.m. - KATHY JOUBERT, TOWN PLANNER  
JOHN CAMPBELL, COMMUNITY PRESERVATION  
COMMITTEE CHAIR**

Presentation on CPC Town Meeting Warrant Articles.

Town Planner Kathy Joubert and Community Preservation Committee Chair John Campbell were present. Ms. Joubert reviewed six articles, representing \$545,900 in CPA allocations. All have been approved by the Community Preservation Committee for inclusion on this year's Annual Town Meeting Warrant. Four articles relate to the open space category and include work being done by the Conservation Commission on Bartlett Pond; trail work by the Trails Committee; phase II of the Town Common; and the final payment for the debt service on the Green Street parcel. One article in the housing category is for the Northborough Affordable Housing Corporation pertaining to the creation of affordable housing and one article pertains to the annual administration of the Community Preservation Act. A seventh article pertains to the purchase of the White Cliffs, which is on hold pending the outcome of the seller's remediation efforts regarding the removal of an underground storage tank.

- \$30,000 – Conservation Commission for treatment of invasive weeds in Bartlett Pond.
- \$30,000 – Trails Committee for on-going trail maintenance; purchase of signs and kiosks.
- \$100,000 – Northborough Affordable Housing Corporation for the creation of affordable housing.
- \$315,000 – Northborough DPW Department for the creation of a Town Common at 39 and 45 West Main Street and 0 West Main Street. This is Phase II of two phases. (Ms. Joubert noted that the final budget is currently under review given the receipt of a \$215,000 grant).
- \$45,900 – Debt service associated with purchase of Green Street parcel.
- \$25,000 – CPC administrative expenses associated with implementation of the Community Preservation Act.
- White Cliffs debt service payment (to be determined).

Following the presentation, the Board extended their appreciation to Ms. Joubert, Mr. Campbell and the members of the Community Preservation Committee.

**8:10 p.m. - PUBLIC HEARING**

Presentation on newly proposed Stretch Energy Code.

Ms. Joubert introduced Regional Coordinators Kelly Brown and Jim Barry from the Department of Energy Resources. Mr. Barry presented the highlights of the Green Communities Designation and Grant Program, run by the MA Executive Office of Energy and Environmental Affairs.

Ms. Joubert informed the Board that during the past year, Town staff and the Planning Board have met separately with representatives from the MA Department of Energy Resources/Green Communities Division to learn more about the program and explore how Northborough may gain access to state grants by becoming a Green Community. Five criteria must be met and two of the five are being presented as 2017 Town Meeting Warrant Articles. One general article relates to the adoption of the Stretch Energy Code (criterion 5) and one zoning article relates to the revision of the definition for “research and development” by including renewable/alternative energy technologies (criterion 1).

Mr. Coderre assured the Board that the Stretch Energy Code is becoming no longer the stretch but rather the standard. There are no anticipated hurdles to overcome in order to participate in the program. Building Inspector Joe Atchue was present in the audience and indicated that the building code has caught up to the criteria of the Stretch Energy Code from an energy efficiency standpoint. Mr. Coderre added that the adoption of this program immediately gives the Town access to \$145,000 in grant funds to put towards various energy efficiency programs.

Following the presentation, several questions and comments were heard from members of the Board. Ms. Joubert noted that the Planning Board will hold a public hearing on the proposed Stretch Energy Code on March 21st. Area contractors will be invited to attend the hearing for public comment.

Prior to closing the public hearing, Chairman Pantazis requested comments from the audience. There were none. The public hearing was closed at 8:40 p.m.

**8:45 p.m. - KATHY JOUBERT, TOWN PLANNER**

Presentation on Zoning Town Meeting Warrant Articles.

Ms. Joubert reviewed nine articles that are being proposed at this year’s Annual Town Meeting by the Planning Board. Eight of the articles pertain to changes in the Zoning Bylaw and one article pertains to a change in the General Code.

In relation to becoming a Green Community, the adoption of the Stretch Energy Code, as Chapter 2-18 in the General Code, will meet one of the five criteria established by the MA Department of Energy Resources. Another criteria will be met by revising the existing definition of “research and development” as referenced in Section 7-05-020 of the Zoning Bylaw.

Ms. Joubert summarized the zoning articles as follows:

- Amend Section 7-05-030 to prohibit “auto repair shop” in the Business East, Business West and Business South zoning districts and to prohibit “auto body shop” in the BW zoning district.
- Amend Sections 7-05-030 and 7-06-030 by changing the number of multifamily units allowed by a special permit in the Downtown Business and Business West zoning districts from 8 to 6 units and changing the lot size formula.
- Amend Section 7-06-030 J(c) by revising it to now include (d).
- Amend Section 7-10-020 to direct applicants to common driveway regulations found in the Subdivision Rules and Regulations.
- Create Section 7-10-060 for temporary moratorium on recreational marijuana establishments.
- Create Section 7-10-070 for temporary moratorium on duplexes.
- Amend Section 7-03-050 to add the review of duplex applications to the site plan approval process.

During the presentation several questions and comments were heard from members of the Board.

## **REPORTS**

### Jason Perreault

- Thanked the DPW Director for addressing his concern regarding a damaged sign at the intersection of Church Street and Route 20 near the Mobil gas station.
- With the upcoming storm, reminded residents to keep their sidewalks and fire hydrants clear of snow.

### Leslie Rutan

- Thanked the Police Chief and Fire Chief for their monthly reports.
- Announced that the National Council for Home Safety and Security ranked Northborough among the top 50 safest places to live out the 351 communities throughout the Commonwealth. Thanked the police department as this was based on crime statistics.

### Dawn Rand, Vice Chairman

- No report.

### William Pantazis, Chairman

- No report.

John Coderre, Town Administrator

- Announced that a Memorandum of Agreement has been reached with the Northborough Municipal Employees Association (NMEA). The agreement includes 2% wage increases for FY2017, FY2018 and FY2019. He added that the Town previously settled collective bargaining contracts with the Fire Union, Police Patrol Officers Union, Police Sergeants Union and the Dispatchers Union for wage increases of 2% in FY2018 and FY2019. He extended his appreciation to the Unions for conducting themselves professionally and for bargaining in good faith.
- Provided an update on the Insurance Advisory Committee (IAC) and requested that the Board designate him as the appointing authority of the retiree representative to the IAC. See below for further discussion.
- Announced that the Town Hall, Senior Center and Library will be closed tomorrow due to inclement weather.

**INSURANCE ADVISORY COMMITTEE UPDATE**

Mr. Coderre informed the Board that the Insurance Advisory Committee (IAC) has begun to meet. He noted that up until now, the IAC has been an informal group that meets annually to discuss health insurance updates. With Health Insurance budget increases averaging just 2.6% over the past eight years, lengthy discussions were not needed. Because our health insurance renewal rates are coming in significantly higher than anticipated due to increased claims and general market uncertainty, the decision has been made to formally organize the IAC in accordance with MGL, Chapter 32B, Section 3. The purpose of the IAC is to make recommendations to the Administration regarding possible plan design changes.

Mr. Coderre stated that one requirement in formally organizing the IAC is for the Board of Selectmen to designate a retiree representative. He informed the Board that in the interest of time, Town Counsel has suggested that the Board delegate the appointing authority of the retiree representative to himself. He informed the Board that he would like to appoint Louis Anastas, who has unofficially been serving as the Retiree Representative to the IAC for years.

The Board agreed to delegate the appointing authority of the retiree representative to the IAC to Mr. Coderre.

**PUBLIC COMMENTS**

Julianne Hirsch of 19 Smith Road requested clarification of Senate Bill No. 407 (agricultural composting). Specifically, how this will help the neighborhood concerns regarding operations at 0 Green Street? Mr. Coderre stated that currently the Town has no ability to regulate agricultural composting operations, as they are exempt from local land-use zoning and regulations. Taking aside any specific compost operations, the goal of this proposed legislation is to allow local land-use zoning and regulations to apply to agricultural composting as it would to any other use. Senate Bill No. 407 would allow the Town to put restrictions on these types of operations as to hours of operation, truck traffic, setbacks, buffers and other appropriate conditions.

## **DISCUSSION REGARDING TOWN TRASH BAGS**

In response to a request from Selectman Rutan at the Board's February 27, 2017 meeting, Town Engineer Fred Litchfield was present to discuss the quality of the Town trash bags.

Mr. Litchfield provided a brief summary of the Pay-As-You-Throw program and the purchasing of trash bags. He informed the Board that when the program started in January of 2003, the bags were purchased with a twist tie type of closure. A few years later a number of residents voiced concern about the difficulty in closing the bags with the twist tie and an alternative was requested. After some research the Town began purchasing bags from a different vendor with a drawstring type of closure, which has proven to be a suitable solution. He added that over the years, the vendor has made improvements in the quality of the bags in an effort to increase quality control by adding fibers to the resin. For approximately ten years, the Town has been purchasing the trash bags from this vendor with relatively few complaints.

Mr. Litchfield encouraged residents to return bags that are found to be defective in any way to the Engineering Department where they will be replaced with no questions asked. The defective bags can then be returned by the Town to the manufacturer for a credit towards future purchases.

Selectman Rutan thanked Mr. Litchfield for his update.

## **CLOSE TOWN MEETING WARRANT**

Prior to closing the Town Meeting Warrant, Mr. Coderre reminded the Board that although the intent of the articles contained on the warrant cannot be changed, there remains some incomplete information, as well as minor editing to be done by Town Counsel prior to its final posting on April 10<sup>th</sup>.

Selectman Rand moved the Board vote to close the Town Meeting Warrant; Selectman Rutan seconded the motion; all members voted in favor.

## **OTHER BUSINESS**

None.

## **8:30 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 these matters in an open meeting may have a detrimental effect on the position of the Board; Selectman Rand seconded the motion, the roll call vote was taken as follows.

Perreault	“aye”	Rand	“aye”
Rutan	“aye”	Pantazis	“aye”
Amberson	“aye”		

Chairman Pantazis announced that the Board would return from Executive Session only to adjourn.

**ADJOURNMENT**

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

Meeting adjourned at 9:45 p.m.

Respectfully submitted,

Diane M. Wackell  
Executive Assistant to the  
Board of Selectmen

Documents used during meeting:

1. March 13, 2017 Meeting Agenda.
2. February 27, 2107 Meeting Minutes.
3. Information packet – Legislative Priorities.
4. Memo – CPC Town Meeting Warrant Articles.
5. Memo – Zoning Town Meeting Warrant Articles.
6. Information packet – Stretch Energy Code.
7. Memo – Town Trash Bags.
8. Town Meeting Warrant Summary.