

**BOARD OF SELECTMEN  
MEETING MINUTES – August 20, 2018**

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

**MEMBERS PRESENT:** Dawn Rand, Chairman  
Jason Perreault, Vice Chairman  
Leslie Rutan, Clerk  
Timothy Kaelin

**MEMBERS ABSENT:** Julianne Hirsh

\*Pledge of Allegiance

**APPROVAL OF MINUTES – JULY 9, 2018 SPECIAL MEETING**

Selectman Rutan moved the Board vote to approve the meeting minutes of the July 9, 2018 special meeting as submitted; Selectman Perreault seconded the motion; all members voted in favor.

**APPROVAL OF MINUTES – JULY 16, 2018 REGULAR MEETING**

Selectman Rutan moved the Board vote to approve the meeting minutes of the July 16, 2018 regular meeting as submitted; Selectman Kaelin seconded the motion; all members voted in favor.

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

To consider Petition No. 23502796 from National Grid to install overhead primary cable on Davis Street in order to supply more consistent power to homes in this neighborhood.

Michael Parent was present on behalf of National Grid. He indicated that this project is the last phase of the work that was done earlier this year to supply more consistent power to all homes in the Indian Meadow Drive neighborhood.

Alice Lotoski at 328 Davis Street requested contact information for a representative at National Grid who can discuss with her the exact location of where the pole will be.

Selectman Kaelin moved the Board vote to approve and execute Petition No. 23502796 as submitted by National Grid to install overhead primary cable on Davis Street; Selectman Rutan seconded the motion; all members voted in favor.

**7:05 p.m. - PUBLIC HEARING**

To consider Petition No. 23870246 from National Grid to install underground primary cable at 55 Bearfoot Road.

Michael Parent was present on behalf of National Grid. He indicated that this project will provide an electrical connection to a new solar project at the National Grid facility at 55 Bearfoot Road.

**PUBLIC HEARING CONT. . .**

Following a discussion amongst members of the Board, Police Lieutenant Joseph Galvin and Town Engineer Fred Litchfield suggested that National Grid consider scheduling this project during off hours or after the current lock-out situation is settled in order to minimize potential conflicts with picketers.

Selectman Rutan moved the Board vote to approve and execute Petition No. 23870246 as submitted by National Grid to install underground primary cable at 55 Bearfoot Road; Selectman Kaelin seconded the motion; all members voted in favor.

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

Cable Television License Renewal with Charter Communications.

Chairman Rand indicated that the Public Hearing for the Cable Television License Renewal with Verizon New England, Inc. will be rescheduled to a later date as the notice on tonight's meeting agenda does not properly identify Verizon New England, Inc. as the cable operator.

**7:20 p.m. - KIMBERLY FOSTER  
ASSISTANT TOWN ADMINISTRATOR**

Green Communities Program Overview & Designation  
Application Update.

Ms. Foster provided an update on the Town's efforts thus far in seeking designation as a Green Community under the Massachusetts Department of Energy Resources' Green Communities Program. The Green Community Designation and Grant Program provides a road map along with financial and technical support to municipalities that 1) pledge to cut municipal energy use by 20 percent over 5 years and 2) meet four other criteria established in the Green Communities Act. The Town intends to apply for this status during the annual fall designation round and, if approved, will receive a grant in the amount of \$145,000.

Central Massachusetts Regional Coordinator Kelly Brown and Dominique DuTremble, Associate Planner with the Central Massachusetts Planning Commission were present to provide a brief overview of the program. To date, the following three criteria are already in place:

- Reduce the life-cycle costs of buildings  
At the 2017 Annual Town Meeting, the Town adopted 780 CMR 115.AA, the MA Board of Building Regulations and Standards *Stretch Energy Code*.
- Provide as-of-right siting for renewable energy/alternate energy facilities  
At the 2017 Annual Town Meeting, the Town approved Article 48, Zoning Bylaw 7-05-020, Classification of Uses 9 (Green Community).
- Provide for expedited permitting  
Northborough has demonstrated that nothing within the Town's rules and regulations precludes issuance of a permitting decision within one year.

**GREEN COMMUNITIES PROGRAM OVERVIEW & DESIGNATION CONT...**

Ms. Brown reviewed the two remaining criteria that require adoption by the Board in order to move forward with the designation application.

- Establish an energy use baseline inventory and develop a plan to reduce this baseline by 20% within 5 years  
Draft plan was provided to Board members for their review. The Board will be asked to adopt the plan at their September 10, 2018 meeting. The plan is subject to ongoing review and will be updated as needed.
- Adhere to a policy of purchasing fuel efficient vehicles  
Draft policy was provided to Board members for their review. The Board will be asked to adopt the policy at their September 20, 2018 meeting.

As a side note, Mr. Coderre discussed with the Board the continuing need to add a facility manager position to the Budget. It will be a point of discussion in the upcoming FY2020 Budget.

Several comments and questions were heard from members of the Board.

**7:35 p.m. - FRED LITCHFIELD, TOWN ENGINEER**

Update on the Stormwater Management Plan and request to designate the DPW Director and Town Engineer as authorized persons to sign stormwater program documentation required under the EPA's Small Municipal Separate Storm Sewer System (MS4) General Permit.

Town Engineer Fred Litchfield reported that he and the DPW Director have been working with the Town's consultant, Tighe and Bond to finalize the Stormwater Management Plan and Notice of Intent, both of which will be posted on the Town website by the end of August. He also noted that the Conservation Commission will hold a public meeting on September 10, 2018 for the purpose of receiving public comment. The Board of Selectmen will be asked to certify the Notice of Intent at their September 24, 2018 meeting prior to it being submitted to the EPA by the filing deadline of October 1, 2018.

Mr. Litchfield requested that the Board designate the DPW Director and himself as authorized persons to sign stormwater program documentation required under the EPA's Small Municipal Separate Storm Sewer System (MS4) General Permit.

Selectman Perreault moved the Board vote to designate the DPW Director and Town Engineer as authorized persons to sign stormwater program documentation required under the EPA's Small Municipal Separate Storm Sewer System (MS4) General Permit; Selectman Rutan seconded the motion; all members voted in favor.

## REPORTS

### Timothy Kaelin

- Noted that he has heard from residents extending their appreciation for the new speed warning signs that are at various locations throughout town. In answer to his question, there are three signs that are relocated every 10 days or so. Specific locations can be requested through the Police Department website or by calling the station.
- Thanked the Fire Chief for his monthly report.

### Leslie Rutan, Clerk

- Noted that the Interview Committee held interviews for openings on the Cultural Council and the Board of Library Trustees. See below for appointments.
- Noted that residents and herself are happy to see that the new fire trucks are being repainted with the traditional color scheme of red and white.
- Thanked the Police and Fire Chiefs for their monthly reports.
- Requested a status update on this year's paving projects. DPW Director Scott Charpentier reported that this year's paving is approximately 80% complete. He expects to finish this year's paving projects shortly.
- Noted that residents are complaining about a shortage of trash bags. Town Engineer Fred Litchfield indicated that due to a change in vendor, the method of delivery has also changed. Although he has seen the temporary shortage of bags improve, Town staff will review options to improve the method of delivering the bags to the stores in a more efficient and consistent manner.
- Requested a status update on the traffic light installation at the north entrance to Northborough Crossing and Hitching Post Lane. Mr. Litchfield reported that most of the work is done and they are waiting on the delivery of the metal poles.

### Jason Perreault, Vice Chair

- Attended the recent meeting of the Master Plan Steering Committee. Provided an update on their efforts thus far. Informational boards will be placed in various public areas throughout town, primarily during Applefest weekend. Residents can also visit the Town website and follow the link to the Master Plan Steering Committee website for more information about the Committee's work in progress.
- On August 1<sup>st</sup>, Town Staff and many residents attended a hearing by the Department of Agricultural Resources (DAR) regarding proposed amendments to their regulations concerning agricultural composting. Thanked Town staff for their efforts in producing a very detailed critique of the amendments as they are being proposed. Thanked all who provided testimony both at the hearing and in writing.
- Announced that the Town is proceeding with legal action and has filed a nuisance complaint against the owner of 429 Whitney Street and has requested an injunction on the activities to halt the nuisance. At the hearing on August 16<sup>th</sup>, the Judge allowed two weeks for both parties to produce further documentation before a judgment is made. He assured the residents that the Town continues to do everything in its power to provide relief to these residents.

Dawn Rand, Chair

- Attended the Superior Court Hearing on August 16<sup>th</sup>. Noted her disappointment that the Judge didn't make a decision that day.
- Noted her disappointment in Governor Baker's decision to veto the Composting Bill without reaching out to the Town first.
- Asked if the Building Inspector could speak to the owner of the gas station next to the future Town Common. From a zoning standpoint, when the new awning was put in place the old signage was supposed to be removed.

John Coderre

- Reiterated that the Town is not the permitting authority for agricultural composting. As Selectman Perreault mentioned under his report, the Town is proceeding with legal action and has filed a nuisance complaint against the owner of 429 Whitney Street and has requested an injunction on the activities to rectify the nuisance. The Town will continue to investigate all options, but he emphasized the root cause of the problem is the State's regulations, which need to be changed. He added that good public policy should not benefit just one side, but should take into consideration all stakeholders.

**APPOINTMENT TO THE BOARD OF LIBRARY TRUSTEES**

Selectman Rutan moved the Board vote to appoint Richard Tucker to the Board of Library Trustees for a partial two-year term; Selectman Perreault seconded the motion; all members voted in favor.

**APPOINTMENT TO THE CULTURAL COUNCIL**

Selectman Rutan moved the Board vote to appoint Loredana Tiron-Pandit to the Cultural Council for a three year term; Selectman Perreault seconded the motion; all members voted in favor.

**PUBLIC COMMENTS**

Residents of the abutting neighborhood to SA Farms were present in the audience. They thanked the Town for everything that they are doing, but expressed their continued frustration with the situation, adding that they are now concerned with the effects that this is having on their health.

School Committee Member Joan Frank expressed her concern that with the start of school, children will be exposed to unhealthy air quality while waiting outside for the bus.

Mr. Coderre thanked everyone for continuing to document their complaints and for attending the court hearings to provide both oral and written testimony. It is helpful for a judge to see the level of interest and to put a face to all of these complaints. He added that all of the concerns expressed this evening are included in the nuisance complaint, which is a public record.

Lastly, a concern was expressed about trucks crossing over a bridge that weigh over the posted 12,000 pound limit. Mr. Coderre reported that this is being addressed.

**PUBLIC COMMENTS CONT. . .**

Rebecca Foley Mihopoulos was present to invite the Board members to an Early Education Meeting to be held at the Library on August 21<sup>st</sup> at 7PM.

**ANNUAL REAPPOINTMENT OF ELECTION OFFICERS**

Selectman Rutan moved the Board vote to appoint those individuals who appear on the 2018/2019 Election Officer List for a term beginning on September 1, 2018 and ending on August 31, 2019 as submitted by Town Clerk Andrew Dowd; Selectman Kaelin seconded the motion; all members voted in favor.

**EXECUTION OF STATE PRIMARY ELECTION WARRANT**

Selectman Perreault moved the Board vote to execute the State Primary Election Warrant for September 4, 2018; Selectman Kaelin seconded the motion; all members voted in favor.

**EXECUTION OF CEMETERY DEEDS 1056, 1057 & 1058**

Selectman Kaelin moved the Board vote to execute Cemetery Deeds 1056, 1057 & 1058 as presented; Selectman Perreault seconded the motion; all members voted in favor.

**OTHER BUSINESS**

None.

**8:10 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 – re: Town vs. Anza)) 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 Rutan seconded the motion, the roll call vote was taken as follows.

Kaelin	“aye”
Rutan	“aye”
Perreault	“aye”
Rand	“aye”

**ADJOURNMENT**

Selectman Rutan moved the Board vote to adjourn; Selectman Kaelin 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. August 20, 2018 Meeting Agenda
2. July 9, 2018 Meeting Minutes
3. July 16, 2018 Meeting Minutes
4. Information packet – Pole Petition No. 23502796
5. Information packet – Pole Petition No. 23870246
6. Information packet – Cable Television License Renewal
7. Information packet – Green Communities Program
8. Information packet – Stormwater Management Plan
9. Information packet – Reappointment of Election Officers
10. State Primary Election Warrant
11. Cemetery Deeds