

**BOARD OF SELECTMEN  
MEETING MINUTES – December 17, 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  
Julianne Hirsh

\*Pledge of Allegiance

**APPROVAL OF MINUTES – NOVEMBER 19, 2018 REGULAR MEETING**

Selectman Rutan moved the Board vote to approve the meeting minutes of the November 19, 2018 regular meeting as submitted; Selectman Perreault seconded the motion; all members voted in favor.

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

To consider an application from Yoong Tong Family Restaurant to change the manager of their All Alcoholic Beverages Restaurant License for premises located at 278 Main Street.

Kanita Sahasakmontri, owner of Yoong Tong Family Restaurant was present to request that the manager of record for the All Alcoholic Beverages Restaurant License for premises located at 278 Main Street be changed from Jimmy Lee to herself. Kanita has been the owner of Yoong Tong since the restaurant first opened in August of 2000. She is TIPS certified.

Sergeant Detective Brian Griffin conducted a background check on Ms. Sahasakmontri and has no concerns to report.

Selectman Hirsh moved the Board vote to approve the application as submitted by Yoong Tong Family Restaurant to change the manager of their All Alcoholic Beverages Restaurant License at 278 Main Street to Kanita Sahasakmontri; Selectman Rutan seconded the motion; all members voted in favor.

**7:05 p.m. - SCOTT CHARPENTIER – DPW DIRECTOR & WESTON & SAMPSON ENGINEERS**  
Presentation of Town Common Design.

DPW Director Scott Charpentier and Michael Easler from Weston & Sampson Engineers were present. Mr. Charpentier indicated that tonight's update is for informational purposes only to provide a status update on the Town Common design.

Mr. Charpentier reviewed the process to date. Three public meetings were held in September and November, as well as a public meeting that was specific to the War Memorial aspect of the design. The design is approximately 75% complete. The next step is to develop the construction documents. The goal is to bid the project out in January or February, then hire a contractor in March so that groundbreaking can begin in the Spring.

**PRESENTATION ON TOWN COMMON DESIGN CONT. . .**

Following Mr. Charpentier's update, Mr. Easler displayed the proposed design and reviewed its specifics. Several questions and comments were heard from members of the Board. The general consensus was that the project is on track and has the broad support of the public.

**7:15 p.m. - FRAN BAKSTRAN AND RICK LEIF –  
MASTER PLAN STEERING COMMITTEE**  
Master Plan Update.

Master Plan Steering Committee Chair Fran Bakstran and Vice Chair Rick Leif presented an update of the Master Plan process, including an overview of the Master Plan Steering Committee (MPSC), a review of the vision statement and goals, highlights of the project and where the project stands today. The presentation also included a summary of public involvement to date and potential outcomes at the conclusion of the process.

Following a review of the detailed goals that have been identified, Mr. Leif indicated that the MPSC will prioritize the goals and begin working with groups to develop recommendations and action steps in order for the goals to be realized.

Ms. Bakstran indicated that the MPSC will hold another public meeting on January 3, 2019, with a possible second meeting in late January. An additional public forum will be held in February or March, followed by another public survey. These meetings will help solidify the goals, recommendations and action steps.

Following several questions and comments from members of the Board, Mr. Leif indicated that the completed Master Plan will eventually be in the hands of the Board of Selectmen, Town staff and the various boards and committees to determine how the goals and objectives are best implemented.

**7:30 p.m. - KATHY JOUBERT – TOWN PLANNER**  
Approval/Execution of Conservation Restriction for  
301 Bartlett Street.

Town Planner Kathy Joubert explained to the Board that in 2008 the Massachusetts Division of Fisheries & Wildlife (DFW), under the Massachusetts Endangered Species Act (MESA), issued a Conservation and Management Permit (CMP) allowing the construction of a 220,100 square foot warehouse building to be located at 301 Bartlett Street. The CMP was issued due to the disturbance of priority habitat area for the State-listed Blue-Spotted Salamander. This will permanently protect 23.2 acres of land, through the establishment of a Conservation Restriction (CR), which restricts any future alteration of the land.

The Board approved this exact CR in 2008. Although the State is requiring that a new, updated CR be approved and signed prior to recording, the CR area and restrictions have not changed. The Conservation Commission approved and signed the CR at their December 10, 2018 meeting.

**APPROVAL/EXECUTION OF CONSERVATION CONSTRICTION CONT. . .**

Selectman Kaelin moved the Board vote to approve and execute the Conservation Restriction for 301 Bartlett Street as submitted by Town Planner Kathy Joubert and reviewed by Town Counsel; Selectman Rutan seconded the motion; all members voted in favor.

**7:35 p.m. - APPLEFEST FOLLOW-UP DISCUSSION**

To discuss the event schedule expectations for future planning of the annual Applefest celebration.

Chairman Rand noted that on May 14, 2018, the Board met with members of the Applefest Committee and the Rotary Club to discuss the scheduling of events. The Board heard comments for and against moving the parade from Saturday to Sunday. At that time, the Board voted to allow the parade to be held on Sunday with the condition that the matter be placed on a subsequent agenda for review and discussion prior to scheduling any events for the 2019 calendar year.

Chairman Rand began the discussion by acknowledging that members of the Applefest Committee were in the audience. Members of the Rotary Club were not present and instead submitted a letter requesting that the Street Fair continue to be held on Blake Street on the Saturday of Applefest weekend regardless of when the parade is held.

Chairman Rand stated that she supports moving the parade back to Saturday. She expressed her continued concern with having the parade on Sunday as it relates to the commitment of Town Resources, specifically the DPW, Police and Fire Departments. She also believes that there would be a better turnout for the parade if all of the events were held on one day.

Selectman Perreault thanked the Applefest Committee and all of the volunteers for their work in planning and organizing the event. Based on his observation, attendance at the parade appeared to decrease with the parade being held on Sunday versus Saturday.

Selectman Rutan stated that although Applefest participation was down it could be viewed as a period of transition. After reading many comments from residents it seems that with so many activities taking place throughout the event, it makes sense to have the parade on Sunday.

Selectman Kaelin stated that he too has had many conversations with residents who support the parade being held on Sunday. He added that as long as there continues to be a good turnout, he will support having the parade on Sunday. However, if participation remains low the decision should be revisited given the level of resources and demands placed on Town Departments.

Selectman Hirsh agreed with Selectmen Rutan and Kaelin, adding that as the event expands with more activities being added, scheduling the parade on Sunday will allow for the various groups to be accommodated. She has also heard that the local businesses prefer that the parade be held on Sunday.

**APPLEFEST FOLLOW UP DISCUSSION CONT. . .**

Mr. Coderre stated that the goal this evening is to ensure that all stakeholders have the opportunity to express their opinion and that the discussion and the decision is transparent. He reiterated that Town staff is committed to offering their resources regardless of what day the parade is held. He added that it's important to make the decision as early in the process as possible, so that Town staff can plan accordingly.

Applefest Committee Chair Michelle Gillespie, along with other members of the Committee addressed the Board. Ms. Gillespie distributed information to the Board members, including letters from businesses asking that the parade remain on Sunday. Also included was a petition in favor of keeping the parade on Sunday, as well as letters from the Girl Scouts, Knights of Columbus and the Town Common Committee, all in support of the parade being held on Sunday. Ms. Gillespie stated that despite the hot and humid weather, she felt this year's Applefest was a success.

Further discussion ensued amongst members of the Board. Additional comments were also heard from the audience.

Selectman Rutan moved the Board vote to hold the parade on Sunday of the Annual Applefest weekend; Selectman Perreault seconded the motion. Vote 4-1-0 (Chairman Rand opposed).

**REPORTS**Julianne Hirsch

- Provided an update on the efforts of the Cultural Council.
- Provided an update on the efforts of the Historic District Commission specifically the setting and repairs to the stones at the Howard Street Cemetery.
- Attended a recent meeting of the Housing Authority. Anyone interested in serving on the Housing Authority can contact the Director Lynne Moreno.
- Attended the unveiling of a plaque honoring Specialist Brian Arsenault.
- Attended the tree lighting ceremony in honor of Private First Class Neil Ellsworth and Private First Class David MacAfee. Extended her appreciation to all who have and continue to serve our Country, as well as their families for their sacrifice.
- Wished everyone a happy Holiday season and a happy new year.

Timothy Kaelin

- Thanked all of the committees and volunteers who planned and coordinated the many Holiday events.
- Thanked Mr. Coderre for his presentation of the Town's updated Financial Trend Monitoring System Report at the December 13<sup>th</sup> Joint Meeting. Thanked the Financial Team for their efforts as well.
- Thanked the Police and Fire Chiefs for their monthly reports.
- Wished everyone a happy Holiday and safe new year.

Leslie Rutan, Clerk

- Thanked the Police and Fire Chiefs for their reports.

- Noted that the annual tree lighting ceremony was a great event. Thanked the Community Affairs Committee for their efforts.
- Attended the unveiling of a plaque honoring Specialist Brian Arsenault.
- Attended the recent meeting of the Local Emergency Planning Committee. Thanked Chief Parenti and especially Haz Mat Assistant Michael Borowiec for their efforts.

#### Jason Perreault, Vice Chair

- Noted the passing of Warren LaBaire. Noted his many years of service to our community.
- Wished everyone a happy Holiday.

#### Dawn Rand, Chair

- Extended her sympathy to the family of Warren LaBaire.
- Attended the annual tree lighting ceremony. Requested that additional lighting be provided in the back area during next year's event.
- Thanked everyone who planned and coordinated the annual Holiday Trolley event.
- Suggested that the Board consider closing Town Offices, DPW and Senior Center on Monday, December 24<sup>th</sup> at 12Noon. Selectman Perreault moved the Board vote to close the Town Offices, DPW and Senior Center on Monday, December 24, 2018 at 12Noon to provide staff additional time with their families this holiday season; staff who are normally scheduled to work this day shall receive their regular rate of pay; in the event that essential staff are called in to work, they shall receive their normal rate of compensation; Selectman Rutan seconded the motion; all members voted in favor.

#### John Coderre

- Announced that at the Award Ceremony of the Massachusetts Municipal Association's 2019 Annual Meeting and Trade Show, the MMA will present the Town of Northborough with a First Place Award Certificate in Category 1 (population 12,500 and up) of the MMA's Annual Town Report Contest.

### **PUBLIC COMMENTS**

Mitch Cohen of 12 Whitney Street read in its entirety a letter to the Board expressing the concerns of 123 signatories regarding what they feel is the Town's inconsistent following of the Open Meeting Law and Public Records Law. Also included in the letter were recommendations for improvement.

Lisa Maselli of 13 Maple Street requested an update on the efforts of the White Cliffs Committee. Mr. Coderre responded that the White Cliffs Committee will meet on December 21<sup>st</sup> to review the architect's contract and the budget for the project moving forward.

### **RENEWAL OF SELECTMEN'S LICENSES FOR THE 2019 CALENDAR YEAR**

Mr. Coderre indicated that all licensees who hold a liquor license and/or a common victualler license have been inspected by the Fire and Building Departments. All licensees who hold a Class I or II license have been inspected by the Police Department. All are in compliance, or expect to be in compliance by December 31<sup>st</sup> with both Municipal and State codes and regulations.

Selectman Perreault moved the Board vote to approve the renewal of the annual licenses for the calendar year 2019 as indicated on the “2019 License Renewals List”; Selectman Kaelin seconded the motion; all members voted in favor.

### **EXECUTION OF CEMETERY DEED 1068**

Selectman Hirsh moved the Board vote to execute Cemetery Deed 1068 as presented; Selectman Kaelin seconded the motion; all members voted in favor.

### **OTHER BUSINESS**

None.

### **8:20 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 (Collective Bargaining re: Police Officer Level 3 Grievance) 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.

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

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

### **9:10 p.m. – RETURN TO OPEN MEETING**

### **ADJOURNMENT**

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

Meeting adjourned at 9:10 p.m.

Respectfully submitted,

Diane M. Wackell  
Executive Assistant to the  
Board of Selectmen

### Documents used during meeting:

1. December 17, 2018 Meeting Agenda
2. November 19, 2018 Meeting Minutes
3. Information packet – Change of Manager Hearing
4. Town Common Design Maps
5. Information packet – Master Plan Update

6. Information packet – Conservation Restriction
7. Information packet – Applefest Discussion
8. Letter presented by Mitch Cohen – 12 Whitney Street.
9. Information packet – License Renewals
10. Cemetery Deed