

WESTBOROUGH BOARD OF SELECTMEN
MEETING AGENDA
Tuesday, October 8, 2013
Forbes Municipal Building, Room #23, 45 West Main Street
6:00 p.m.
(Times are approximate)

RECEIVED
OCT 9 2013
TOWN OF WESTBOROUGH

1. **6:00 p.m.** **Pledge of Allegiance**

 300th Anniversary Committee (9 Members)
 Charter Review Committee (3 Members)
 Conservation Commission (1 Non-Voting Associate)
 Historical Commission (1 Member, 2 Non-Voting Associates)
 Housing Partnership Committee (1 Member)
 Open Space Preservation Committee (2 Members)
 Recreation Commission (1 Non-Voting Associate)

 Open Forum
2. **6:05 p.m.** **Public Hearing for a New Liquor License for The Grille at**
 Westborough Country Club, 121 West Main Street / Mike Hightower
3. **6:15 p.m.** **Request to Approve a Class II License for Westboro Auto Exchange,**
 3 Union Street / Mark Alden
4. **6:25 p.m.** **Article 10 – Building & Grounds Reduction in Work Force / Gail**
 Silva
5. **6:30 p.m.** **Pedestrian Safety Pilot Flag Program / Selectman Dodd**
6. **6:35 p.m.** **Board of Selectmen Meeting Time Change / Selectman Johnson**
7. **6:40 p.m.** **Town Meeting Warrant / Town Manager**
 - Derek Saari – Article #14
 - Jim Robbins/Lester Hensley – Zoning Articles #22-27
8. **7:15 p.m.** **Town Charter Review Committee Interview and Appointments**
9. **Town Counsel Report**
10. **Town Manager Report**

 Issues and Correspondence of the Selectmen

 Adjournment

 Executive Session

AGENDA ITEM: The Grille at Westborough Country Club Liquor License

SUMMARY

Attached please find the New License Application for an All Alcohol license for the new Grille at the Westborough Country Club. The application is complete and all documents have been attached including the Alcohol Serv Safe information.

TOWN MANAGER'S RECOMMENDATION

That the Board vote to approve the New License Application for The Grille at Westborough Country Club.

TOWN COUNSEL'S COMMENTS *(AS APPROPRIATE)*

n/a

RECOMMENDATION TO APPROVE

Move to approve the New Wine and Malt License for The Grille at Westborough Country Club at 121 West Main Street and naming Michael Hightower as the Manager of Record, as per their application and further finding that there is no detriment to the issuance of this license for a premises located within 500 feet of a church since there has been an existing restaurant and license at this location for a substantial period.

RECOMMENDATION TO DENY

N/A – Lack of a motion/second or majority in favor is all that is needed.



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

☐ For Reconsideration

FORM 43
MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

ABCC License Number

WESTBOROUGH
City/Town

10/8/13
Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|--|---|---|
| <input checked="" type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> New Stockholder | <input type="checkbox"/> Other <input type="text"/> |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Wine & Malt to All Alcohol | |

Name of Licensee EIN of Licensee

D/B/A Manager

ADDRESS: CITY/TOWN: STATE: ZIP CODE:

Annual or Seasonal Category: (All Alcohol- Wine & Malt Wine, Malt & Cordials) Type: (Restaurant, Club, Package Store, General On Premises, Etc.)

Complete Description of Licensed Premises:

Application Filed: Advertiser: Abutters Notified: Yes ☒ No ☐
Date & Time Date & Attach Publication

Licensee Contact Person for Transaction Phone:

ADDRESS: CITY/TOWN: STATE: ZIP CODE:

Remarks:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

ABCC Remarks:



TOWN OF WESTBOROUGH MASSACHUSETTS

BIRTHPLACE OF ELI WHITNEY

BOARD OF SELECTMEN

TOWN HALL
34 WEST MAIN STREET
WESTBOROUGH, MA 01581-1998
TEL: (508) 366-3032 FAX: (508) 366-3099

FINDING OF NO DETRIMENT

Following a hearing on the application for a liquor license for the establishment indicated below, said establishment being located within 500 hundred feet of a school, church or hospital, this Board, acting as local licensing authority under the provisions of M.G.L. c. 138, has made a finding that the premises are not detrimental to the educational and spiritual activities of said school or church.

Liquor License Applicant: Golf Course Management, Inc. d/b/a
The Grille at Westborough Country Club
121 West Main St.
Westborough, MA 01581

By the Board of Selectmen for the
Town of Westborough

Date

APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town

Westborough

1. LICENSEE INFORMATION:

A. Legal Name/Entity of Applicant:(Corporation, LLC or Individual) Golf Course Management, Inc.

B. Business Name (if different) : The Grille at Westborough Country Club C. Manager of Record: Michael Hightower

D. ABCC License Number (for existing licenses only) :

E. Address of Licensed Premises: 121 West Main Street City/Town: Westborough State: MA Zip: 01581

F. Business Phone: (508) 963-3557

G. Cell Phone: (508) 963-3557

H. Email: mhightower47@gmail.com

I. Website:

J. Mailing address (If different from E.): PO Box 562

City/Town: Westborough

State: MA

Zip: 01581

2. TRANSACTION:

- ☒ New License ☐ New Officer/Director ☐ Transfer of Stock ☐ Issuance of Stock ☐ Pledge of Stock
☐ Transfer of License ☐ New Stockholder ☐ Management/Operating Agreement ☐ Pledge of License

The following transactions must be processed as new licenses:

- ☒ Seasonal to Annual ☐ (6) Day to (7)-Day License ☐ Wine & Malt to All Alcohol

IMPORTANT ATTACHMENTS (1): The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

3. TYPE OF LICENSE:

- ☒ \$12 Restaurant ☐ \$12 Hotel ☐ \$12 Club ☐ \$12 Veterans Club
☐ \$12 General On-Premises ☐ \$12 Tavern (No Sundays) ☐ \$15 Package Store

4. LICENSE CATEGORY:

- ☒ All Alcoholic Beverages ☐ Wine & Malt Beverages Only ☐ Wine or Malt Only
☐ Wine & Malt Beverages with Cordials/Liqueurs Permit

5. LICENSE CLASS:

- ☒ Annual ☐ Seasonal

6. CONTACT PERSON CONCERNING THIS APPLICATION (ATTORNEY IF APPLICABLE)

NAME: Michael Hightower

ADDRESS: 74 Glen Street

CITY/TOWN: Westborough STATE: MA ZIP CODE: 01581

CONTACT PHONE NUMBER: (508) 963-3557 FAX NUMBER:

EMAIL: mhightower47@gmail.com

7. DESCRIPTION OF PREMISES:

Please provide a complete description of the premises to be licensed. Please note that this must be identical to the description on the Form 43.

Total Square Footage: Number of Entrances: Number of Exits:

Occupancy Number: Seating Capacity:

IMPORTANT ATTACHMENTS (2): The applicant must attach a floor plan with dimensions and square footage for each floor & room.

8. OCCUPANCY OF PREMISES:

By what right does the applicant have possession and/or legal occupancy of the premises? Final Lease

IMPORTANT ATTACHMENTS (3): The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises.

Other:

Landlord is a(n): Please Select Other: Municipality

Name: Town of Westborough Phone: (508) 366-3030

Address: 34 West Main Street City/Town: Westborough State: MA Zip: 01581

Initial Lease Term: Beginning Date 09/16/2013 Ending Date 03/01/2024

Renewal Term: Options/Extensions at: Years Each

Rent: Per Year Rent: \$120.00 Per Month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales? Yes ☐ No ☒

IMPORTANT ATTACHMENTS (4):

1. If yes, the Landlord is deemed a person or entity with a financial or beneficial interest in this license. Each individual with an ownership interest with the Landlord must be disclosed in §10 and must submit a completed Personal Information Form attached to this application.
2. Entity formation documents for the Landlord entity must accompany the application to confirm the individuals disclosed.
3. If the principals of the applicant corporation or LLC have created a separate corporation or LLC to hold the real estate, the applicant must still provide a lease between the two entities.

9. LICENSE STRUCTURE:

The Applicant is a(n):

Corporation

Other :

If the applicant is a Corporation or LLC, complete the following:

Date of Incorporation/Organization:

01/02/2002

State of Incorporation/Organization: Massachusetts

Is the Corporation publicly traded? Yes ☐ No ☒**10. INTERESTS IN THIS LICENSE:**

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license (e.g. landlord with a percentage rent based on alcohol sales).

IMPORTANT ATTACHMENTS (5):A. All individuals or entities listed below are required to complete a Personal Information Form.B. All shareholders, LLC members or other individuals with any ownership in this license must complete a CORI Release Form.

Name	All Titles and Positions	Specific # of Stock or % Owned	Other Beneficial Interest
Michael Hightower	President, Treasurer, Secretary	100%	

*If additional space is needed, please use last page.

11. EXISTING INTEREST IN OTHER LICENSES:

Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☐ No ☒ If yes, list said interest below:

Name	License Type	Licensee Name & Address
	Please Select	
	Please Select	
	Please Select	
	Please Select	
	Please Select	
	Please Select	
	Please Select	

*If additional space is needed, please use last page.

12. PREVIOUSLY HELD INTERESTS IN OTHER LICENSES:

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☐ No ☒ If yes, list said interest below:

Name	Licensee Name & Address	Date	Reason Terminated
			Please Select
			Please Select
			Please Select

13. DISCLOSURE OF LICENSE DISCIPLINARY ACTION:

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes ☐ No ☒ If yes, list said interest below:

Date	License	Reason of Suspension, Revocation or Cancellation

14. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR A (§15) PACKAGE STORE LICENSE ONLY :**A.) For Individual(s):**

1. Are you a U.S. Citizen?

Yes ☐ No ☐

2. Are you a Massachusetts Residents?

Yes ☐ No ☐

B.) For Corporation(s) and LLC(s) :

1. Are all Directors/LLC Managers U.S. Citizens?

Yes ☐ No ☐

2. Are a majority of Directors/LLC Managers Massachusetts Residents?

Yes ☐ No ☐

3. Is the License Manager or Principal Representative a U.S. Citizen?

C.) Shareholder(s), Member(s), Director(s) and Officer(s):

1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old?

Yes ☐ No ☐

15. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR (§12) RESTAURANT, HOTEL, CLUB, GENERAL ON PREMISE, TAVERN, VETERANS CLUB LICENSE ONLY:**A.) For Individual(s):**

1. Are you a U.S. Citizen?

Yes ☒ No ☐

B.) For Corporation(s) and LLC(s) :

Are a majority of Directors/LLC Managers **NOT** U.S. Citizen(s)?

Yes ☐ No ☒

2. Is the License Manager or Principal Representative a U.S. Citizen?

Yes ☒ No ☐

C.) Shareholder(s), Member(s), Director(s) and Officer(s):

1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old?

Yes ☒ No ☐

16. COSTS ASSOCIATED WITH LICENSE TRANSACTION:

A. Purchase Price for Real Property:	\$0.00
B. Purchase Price for Business Assets:	\$0.00
C. Costs of Renovations/Construction:	\$0.00
D. Initial Start-Up Costs:	\$5,000.00
E. Purchase Price for Inventory:	\$15,000.00
F. Other: (Specify)	
G: TOTAL COST	\$20,000.00
H. TOTAL CASH	\$20,000.00
I. TOTAL AMOUNT FINANCED	\$0.00

IMPORTANT ATTACHMENTS (6): Submit any and all records, documents and affidavits including loan agreements that explain the source(s) of money for this transaction. Sources of cash must include a minimum of three (3) months of bank statements.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

17. PROVIDE A DETAILED EXPLANATION OF THE FORM(S) AND SOURCE(S) OF FUNDING FOR THE COSTS IDENTIFIED ABOVE (INCLUDE LOANS, MORTGAGES, LINES OF CREDIT, NOTES, PERSONAL FUNDS, GIFTS):

Checking account

*If additional space is needed, please use last page.

18. LIST EACH LENDER AND LOAN AMOUNT(S) FROM WHICH "TOTAL AMOUNT FINANCED" NOTED IN SUB-SECTIONS 16(I) WILL DERIVE:

A.		
Name	Dollar Amount	Type of Financing

*If additional space is needed, please use last page.

B. Does any individual or entity listed in §19 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes ☐ No ☒

If yes, please describe:

19. PLEDGE: (i.e. COLLATERAL FOR A LOAN)

A.) Is the applicant seeking approval to pledge the license?

☐ Yes ☒ No

If yes, to whom:

2. Amount of Loan:

3. Interest Rate:

4. Length of Note:

5. Terms of Loan :

B.) If a corporation, is the applicant seeking approval to pledge any of the corporate stock?

☐ Yes ☐ No

1. If yes, to whom:

2. Number of Shares:

C.) Is the applicant pledging the inventory?

☐ Yes ☐ No

If yes, to whom:

IMPORTANT ATTACHMENTS (7): If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.

20. CONSTRUCTION OF PREMISES:

Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises: ☐ Yes ☒ No

21. ANTICIPATED OPENING DATE: Oct 15, 2013

IF ALL OF THE INFORMATION AND
ATTACHMENTS ARE NOT COMPLETE
THE APPLICATION WILL BE
RETURNED

APPLICANT'S STATEMENT

I, Michael Hightower the ☐ sole proprietor; ☐ partner; ☒ corporate principal; ☐ LLC/LLP member

of Golf Course Management, Inc., hereby submit this application for New License (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature:



Date:

09/16/2013

Title:

President, Golf Course Management, Inc.



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee B. Business Name (dba)
C. Address D. ABCC License Number (If existing licensee)
E. City/Town State Zip Code
F. Phone Number of Premise G. EIN of License

2. PERSONAL INFORMATION:

A. Individual Name B. Home Phone Number
C. Address
D. City/Town State Zip Code
E. Social Security Number F. Date of Birth
G. Place of Employment

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime?

Yes ☐ No ☒

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

I own 100% of Golf Course Management, Inc.

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.
*If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature

Date

Title

(If Corporation/LLC Representative)



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

MANAGER APPLICATION

All proposed managers are required to complete a Personal Information Form,
and attach a copy of the corporate vote authorizing this action and appointing a manager.

1. LICENSEE INFORMATION:

Legal Name of Licensee:	Golf Course Management, Inc.	Business Name (dba):	The Grille at Westborough Country Club
Address:	74 Glen Street		
City/Town:	Westborough	State:	MA Zip Code: 01581
ABCC License Number: (If existing licensee)		Phone Number of Premise:	(508) 963-3557

2. MANAGER INFORMATION:

A. Name:	Michael Hightower	B. Cell Phone Number:	(508) 963-3557
C. List the number of hours per week you will spend on the licensed premises:	50		

3. CITIZENSHIP INFORMATION:

A. Are you a U.S. Citizen:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	B. Date of Naturalization:		C. Court of Naturalization:	
----------------------------	---	----------------------------	--	-----------------------------	--

(Submit proof of citizenship and/or naturalization such as US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers)

4. BACKGROUND INFORMATION:

A. Do you now, or have you ever, held any direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages? Yes ☐ No ☒

If yes, please describe:

B. Have you ever been the Manager of Record of a license to sell alcoholic beverages that has been suspended, revoked or cancelled? Yes ☐ No ☒

If yes, please describe:

C. Have you ever been the Manager of Record of a license that was issued by this Commission? Yes ☐ No ☒

If yes, please describe:

D. Please list your employment for the past ten years (Dates, Position, Employer, Address and Telephone):

01/02/2002-present President, Golf Course Management, Inc. 74 Glen Street, Westborough, MA, 01581. 5089633557

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature

Date 09/16/2013



TELEPHONE: (508) 366-3032
FAX: (508) 366-3099

Alcohol Awareness Server Training Affidavit

*** NOTE: Copies of all original certificates MUST accompany this form. ***

Company / Organization

8-28-13
Date

10/27/2008

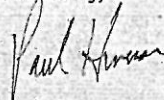
Thank you for participating in the ServSafe Alcohol program. Responsible alcohol service begins with the choices you make, and ServSafe Alcohol training will help you make the right decision when the moment arises.

By completing the ServSafe Alcohol program, you show your dedication to safe and responsible alcohol service. The ServSafe Alcohol program and the National Restaurant Association are dedicated to helping you continue to raise the bar on alcohol safety.

To learn more about our full suite of responsible alcohol service training products, contact your State Restaurant Association, your distributor or visit us at ServSafe.com.

We value your dedication to responsible alcohol service and applaud you for making the commitment to keep your operation, your customers and your community safe.

Sincerely,



Paul Hineman

Executive Vice President, National Restaurant Association

In Alaska you must laminate your card for it to be valid.



ID NO. 9170067

CARD NO. 10306443

ServSafe Alcohol® CERTIFICATE

MICHAEL HIGHTOWER

Card expires three years from the date of the examination. Local laws apply.

DATE OF EXAMINATION

8/21/2013

Student Name	MICHAEL HIGHTOWER
Class Number	1286099
Exam Date	8/21/2013
Expiration Date	8/21/2016

Overall Point Score	35
Overall % Score	87
Passing % Score	75
Status	PASSED

NOTE: You can access your score and certification information anytime at ServSafe.com with the class number provided on this form.

Please make a copy of your ServSafe Alcohol Certificate blue card for your records. Replacement copies can be obtained for a fee by completing the Certificate and Score Release Request Form available at ServSafe.com.

If you have any questions regarding your certification please contact the National Restaurant Association Service Center at _____ or _____



TOWN OF WESTBOROUGH MASSACHUSETTS

TOWN HALL - 34 WEST MAIN STREET
WESTBOROUGH, MA 01581-1998
TEL: (508) 366-3030 FAX: (508) 366-3099

TO: ALL ABUTTERS OF PROPERTY LOCATED AT:

121 West Main St., Westborough, MA 01581

ABUTTERS NOTICE Town of Westborough

A hearing will be held before the Board of Selectmen for the Town of Westborough on October 8, 2013 at 6:05 p.m. to consider a request by Golf Course Management, Inc. d/b/a The Grille at Westborough Country Club for an All Alcohol Restaurant Liquor License at the above-named address. The hearing will take place in the Selectmen's Office located in Town Hall, 34 W. Main Street, Westborough, MA 01581.



TOWN OF WESTBOROUGH MASSACHUSETTS

BIRTHPLACE OF ELI WHITNEY

BOARD OF SELECTMEN

TOWN HALL
34 WEST MAIN STREET
WESTBOROUGH, MA 01581-1998
TEL: (508) 366-3032 FAX: (508) 366-3099

NOTICE

Application for License:

Pursuant to M.G.L. c. 138, §15A, please be advised that an establishment located within 500 feet of your school has applied for a liquor license. You are hereby advised that, should you wish to object to the issuance of this license, you must do so in writing to the licensing authority – the Westborough Board of Selectmen. Any such written objection must be received by this office no later than five (5) days prior to the hearing date indicated on the attached abutters' notice.

within 500'

Loc: 124 WEST MAIN ST Parcel ID #: 20-653-0

LUC: 019

FIRST METHODIST CHURCH + School

120 WEST MAIN ST

WESTBOROUGH MA 01581

Loc: 18 FISHER ST Parcel ID #: 20-63-0

LUC: 934

Armstrong School

TOWN OF WESTBOROUGH

SCHOOL DEPT

PO BOX 1152

WESTBOROUGH MA 01581

Loc: 20 FISHER ST Parcel ID #: 20-63A-0

LUC: 934

Gibbons Middle School

TOWN OF WESTBOROUGH

SCHOOL DEPT

PO BOX 1152

WESTBOROUGH MA 01581

**SEL/THE GRILLE
LEGAL NOTICE
Town of Westborough**

The Board of Selectmen for the Town of Westborough will hold a hearing on October 8, 2013 at 6:05 p.m. to consider a request by Golf Course Management, Inc. dba The Grille at Westborough Country Club for an All Alcohol Restaurant Liquor License at 121 West Main St. The hearing will take place in the Selectmen's Office located in Town Hall, 34 W. Main Street, Westborough, MA 01581.

Board of Selectmen

AD#13006802
Westborough News 9/27/13

AGENDA ITEM: Westborough Auto Exchange Class II Use Car License

SUMMARY

Attached please find application for a Class II Used Car License to be located at 3 Union Street for the sale of up to 6 used cars. The Police and Fire Chiefs and Town Counsel have reviewed this application and indicated they have no concerns.

TOWN MANAGER'S RECOMMENDATION

That the Board vote to approve the Application for Westborough Auto Exchange at 3 Union Street

TOWN COUNSEL'S COMMENTS *(AS APPROPRIATE)*

n/a

RECOMMENDATION TO APPROVE

Move to approve the Application for Westborough Auto Exchange at 3 Union Street to be licensed for the sale of up to 6 used vehicles at 3 Union Street.

RECOMMENDATION TO DENY

N/A – Lack of a motion/second or majority in favor is all that is needed.

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF WESTBOROUGH

RECEIVED

SEP 10 2013

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE OR ASSEMBLE
SECOND HAND MOTOR VEHICLES OR PARTS THEREOF

TOWN OF WESTBOROUGH
SELECTMEN'S OFFICE

EVERY QUESTION MUST BE ANSWERED WITH FULL INFORMATION. FALSE STATEMENTS MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE IF ISSUED. PLEASE PRINT.

Note: If the applicant has not held a license in the year prior to this application, he must file a duplicate of this application with the registrar (See MGL 140 § 59).

Pursuant to MGL Ch. 140 § 58(c), any person registering a **Class II** new or renewal license shall obtain a **bond**, or equivalent proof of financial responsibility, and continue in effect to the Town of Westborough in the amount of **\$25,000**. This bond must be executed by a surety company authorized by the Insurance Department to conduct business in Massachusetts and be accompanied by a corresponding Power of Attorney. In lieu of a bond, the dealer may deposit collateral in the form of a certificate of deposit or irrevocable letter of credit with a face value equal to the \$25,000, in any authorized state depository designated by the commissioner.

Applying for (check one): CLASS I License _____ CLASS II License ☒

Business Name and Location:

Name MARK J. ALON DBA WESTBORO AUTO ETC.

Address 3 UNION ST WESTBORO MA 01581

Social Security #: [REDACTED] FID/EIN #: [REDACTED]

General Manager Name MARK J. ALON

Business Type (i.e. Individual/Partnership/Association/Corporation - select and complete one):

INDIVIDUAL (check) ☒

Owner name and residential address MARK J. ALON

903 PLEASANT ST FRAM MA 01701

PARTNERSHIP (check) _____

Partner names and residential addresses _____

ASSOCIATION (check) _____ -OR- CORPORATION (check) _____

Please provide names and residential addresses of the principal officers.

President _____

Secretary _____

Treasurer _____

Business Description and History:

Please give a complete description of all the premises to be used for the purpose of carrying on the business. (Note: This application is to be accompanied by copies of a detailed site plan to include designated fire lanes, egress, etc. as well as all painted lines accurately reflecting all individual parking spaces and labeled "new", "used", "display" & "storage" vehicles, as well as "employee" and "customer" parking.)

6 CAR OUTSIDE DISPLAY CLASS II LICENSE

OUTSIDE LOT

CONFIGURATION: # Customer Parking Spaces 5 # Employee Parking Spaces 2

Display Vehicles 6 # Storage Vehicles _____ Total # New Vehicles _____

Does this business engage **principally** in buying, selling or exchanging motor vehicles? ✓ Yes/No _____
(check one)

If yes, is its principal business the sale of **new** motor vehicles? (check one) _____ Yes/No L

If yes, is this dealership a recognized agent of a motor vehicle manufacturer? _____ Yes/No L
(check one)

If yes, state name/address of manufacturer: _____

Does this dealership have signed contract pursuant to MGL 140 §58(b)? (check one) _____ Yes/No _____

Or, is its principal business the buying and selling of **second hand** motor vehicles? X Yes/No _____
(check one)

If yes, does this dealership have on-site repair facilities sufficient to ensure satisfaction of its warranty repair obligations imposed by MGL 90 §7N¼ (see attachment)? (check one) X Yes/No _____

If no, dealer MUST have a written agreement with an off-site repair facility sufficient to ensure satisfaction of its warranty repair obligations imposed by MGL 90 §7N¼. Please state the name and address of said repair facility (and attach a copy of the signed agreement in writing):

Or, is its principal business that of a **motor vehicle junk dealer**? (check one) _____ Yes/No X

Have you ever applied for a license to deal in **second hand** motor vehicles or parts thereof? X Yes/No _____
(check one)

If yes, in what city/town & state? Westboro MA

Were you issued a license? (check one) X Yes/No _____ If yes, for what year? _____

Has any license to deal in motor vehicles or parts thereof issued to you by the Commonwealth of Massachusetts or any other state ever been suspended or revoked? (check one) _____ Yes/No X

If yes, Please name the state and explain: _____

Contact Person Information:

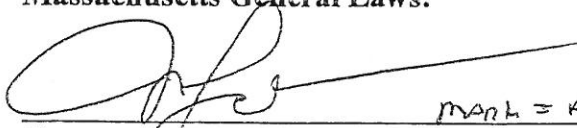
Name: Mark J Alon Title: Owner

Mailing Address (if different from above): Home 903 Pleasant St Fram MA 01701

Office 22 East Main St Westboro MA 01581

Telephone: 508 561 6885 Fax: 508 366 9140

I submit this on behalf of the applicant dealer in accordance with all provisions of Chapter 140 of the Massachusetts General Laws:

 Mark J Alon Date: 9/4/13
Signature by applicant (must be a duly authorized representative of the applicant dealer)

903 Pleasant St Fram MA 01701
Address of above signatory

Class II Dealership Repair Facility Affidavit

Please check one:

X

I certify by my signature below that I have sufficient on-site repair facilities to ensure satisfaction of my warranty repair obligations imposed by MGL 90 §7N¼ (see attachment).

In the absence of an on-site repair facility, I certify by my signature below that I have a written agreement with an off-site repair facility sufficient to ensure satisfaction of my warranty repair obligations imposed by MGL 90 §7N¼ (see attachment). The name and address of that repair facility is listed below **and I have attached a copy of my signed agreement with them in writing.**

PLEASE PRINT OFF-SITE FACILITY INFORMATION:

Repair Facility Name: _____

Repair Facility Address: _____

Repair Facility Contact
Name & Telephone: _____

By: [Signature]

Signature of Dealership Owner/Corporate Officer

MARK J ALON Owner
Print Name and Title of Dealership Owner/Corporate Officer

Westboro Auto Etc H.
Dealership Name (or, Corporate Name, d/b/a)

3 Union St Westboro MA
Westborough Location (Street Address)

[Redacted]
EIN Number

~ OR ~

[Redacted]
Social Security Number

508561 6885
Contact Telephone Number

9/4/13
Date



TOWN OF WESTBOROUGH MASSACHUSETTS

34 WEST MAIN STREET
WESTBOROUGH, MA 01581-1998

TELEPHONE: (508) 366-3032
FAX: (508) 366-3099

On-Site Automobile Affidavit

I hereby certify that I have conducted an accurate on-site outdoor inventory count of
unregistered vehicles on my lot with the following results:

Location 1: 3 Union St

Auto Count:

*6 unregistered
5 customer
2 employee*

Location 2 (if applicable):

Auto Count:

Comments:

WestBoro Auto E+LH

Business Name (Please Print)

3 Union St WestBoro MA 01581

Business Location

Mark J. Alden

General Manager Name (Please Print)

508 5616885

Telephone Contact Number

[Signature]

General Manager Signature

9/4/13

Date

TAX CERTIFICATION STATEMENT

Pursuant to M.G.L., Chapter 62C, Sec. 49 A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

9/21/13
Date

[REDACTED] Or, [REDACTED]
FID Number (or EIN), Social Security Number (use ONLY if no FID)

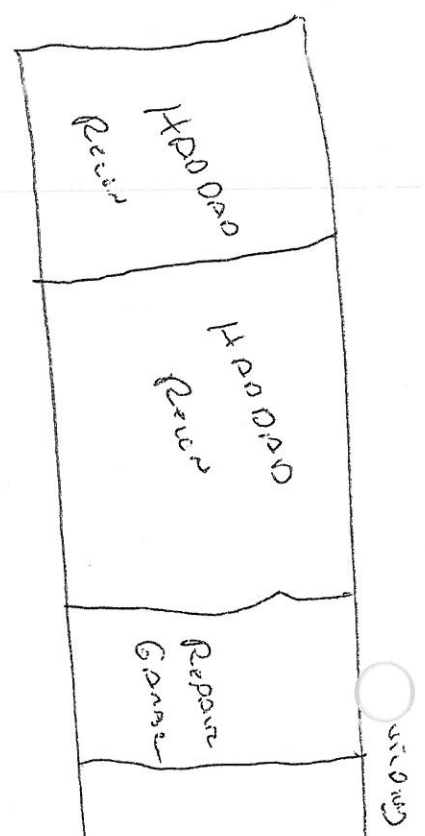
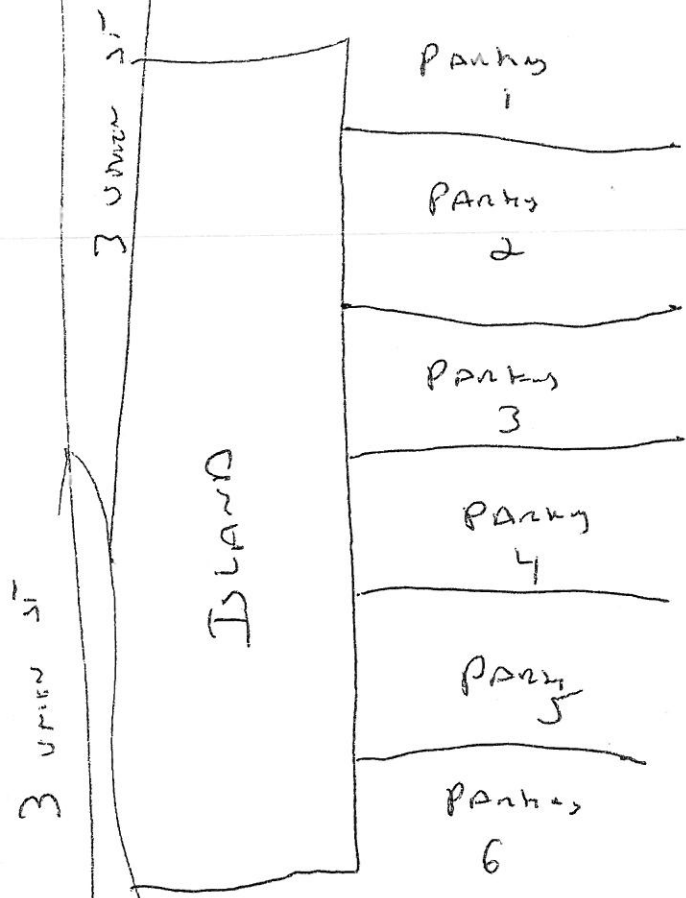
[REDACTED] Or, WESTBROOK AUTO EXCH
Corporate Name, Company Name

By: [Signature]
Signature of Corporate Officer/Company Official/Business Owner

[REDACTED]
Print Name of Corporate Officer/Company Official/Business Owner

[REDACTED]
Title of Company Official/Company Official/Business Owner

503 561 6885
Contact Telephone Number



Sale	Sale	Sale	Sale	Sale	Sale	Sale Office
6	5	4	3	2	1	

Request For Comments

To: Nick Perron, Fire Chief

From: Karen Bain-Morgado, Selectmen's Office

BOS Hearing Scheduled: 10/8/13

Please Return By: 9/23/13

Please provide any commentary you have regarding the following applicant/matter scheduled to appear at a hearing before the Board of Selectmen on the above date. Contact me if you have questions or for more information. Thank you.

Subject of Hearing: Class II Dealer License

Applicant/Contact Person: Mark J. Alden d/b/a Westboro Auto Exchange

Location: 3 Union St.

Event Date(s), if applicable: nap

Comments (or, "None"): moving location from 22 Ea. Main St.

No Issue

Signature: _____

W. N. Perron

Request For Comments

To: Al Gordon, Chief of Police

From: Karen Bain-Morgado, Selectmen's Office

BOS Hearing Scheduled: 10/8/13

Please Return By: 9/23/13

Please provide any commentary you have regarding the following applicant/matter scheduled to appear at a hearing before the Board of Selectmen on the above date. Contact me if you have questions or for more information. Thank you.

Subject of Hearing: Class II Dealer License

Applicant/Contact Person: Mark J. Alden d/b/a Westboro Auto Exchange

Location: 3 Union St.

Event Date(s), if applicable: nap

Comments (or, "None"): moving location from 22 Ea. Main St.

No problem with this request.

Signature: _____

Alan R. Gordon

Request For Comments

To: Greg Franks, Town Counsel

From: Karen Bain-Morgado, Selectmen's Office

BOS Hearing Scheduled: 10/8/13

Please Return By: 9/23/13

Please provide any commentary you have regarding the following applicant/matter scheduled to appear at a hearing before the Board of Selectmen on the above date. Contact me if you have questions or for more information. Thank you.

Subject of Hearing: Class II Dealer License

Applicant/Contact Person: Mark J. Alden d/b/a Westboro Auto Exchange

Location: 3 Union St.

Event Date(s), if applicable: nap

Comments (or, "None"): moving location from 22 Ea. Main St.

No concerns. This is not the licensee who was suspended a couple of years ago, nor would said suspension raise any legal issues relevant to his change of location.

Signature: _____

Mary Jane

AGENDA ITEM: Charter Review Committee

SUMMARY

As the Board will recall the Board set up the Charter Review Committee to consist of 7 members which included designees from the School Committee, Planning Board, Advisory Finance Committee and Board of Selectmen as well as 3 residents. The following designees have been appointed by the aforementioned Committees/Boards:

School Committee: Steve Doret
Planning Board: Brian Bush
AFC: John Arnold

There has been one applicant, Robert Deysher for one of the resident seats. The Board discussed appointing a designee, but has not done so yet.

TOWN MANAGER'S RECOMMENDATION

That the Board vote to appoint a designee from the Selectmen and interview Mr. Deysher and perhaps make an appointment which would establish 5 of the 7 members which would perhaps generate some additional interest from residents to volunteer for the Committee.

TOWN COUNSEL'S COMMENTS *(AS APPROPRIATE)*

n/a

RECOMMENDATION TO APPROVE

Move to appoint _____ as the designee from the Board of Selectmen to serve on the Charter Review Committee.

(Should the Board wish after the interview):

Move to appoint Robert Deysher as a resident member of the Charter Review Committee.

RECOMMENDATION TO DENY

N/A – Lack of a motion/second or majority in favor is all that is needed.

RECEIVED

16 August 2013

AUG 21 2013

TOWN OF WESTBOROUGH
SELECTMEN'S OFFICE

Mr. Jim Malloy
Town Manager
Town Hall
34 West Main Street
Westborough, Mass 01581


Mr. Malloy,

I would like to express my interest in serving on the recently approved Ad Hoc Charter Review Committee. While I have not served on any town committee, I have lived in town with my family since 1977. During that time I was dedicated to my professional career (resume attached) as well as my family.

While my resume points to numerous technical and business accomplishments, many were the result of either facilitation of organizational change or managerial efforts on my part. I believe I do know how to identify gaps in existing organizational and business systems, propose changes that meet future needs, and implement timely changes that meet those needs. I also recognize in these change processes the need to help individuals make transitions. I have had to clearly articulate "Why" change is necessary and "How" those changes will improve the organization moving forward. Today I'm doing part time consulting bringing those skills to local companies whose scale is much smaller than the multi-nationals I have worked for in the past.

I also recognize that working in the business world can be different than the public arena. This recognition comes from the fact that I have served in leadership roles and as committee chairs at my local church, St. Stephens Episcopal Church. I am well aware that approaches and styles that are successful in one situation are not in another. However the skills that I believe I do have, have served me well in both.

Thank you for your consideration,



Robert P. Deysher
bob.deysher@gmail.com
21 Lackey Street
Westborough, Ma 01581
508-366-7092

Sr. Quality and Reliability Technology Introduction Manager (Corporate Quality) (2002- 2003)

Responsible for quality and reliability activities and systems required to transfer and improve INTEL semiconductor processes from development into manufacturing.

Fab Quality & Reliability Manager (1998- 2002)

Responsible for managing all quality and reliability activities for INTEL/Hudson as well as Digital Legacy processes concurrently. Staff of 10 quality system engineers, reliability engineers, and statisticians

DIGITAL EQUIPMENT CORPORATION - HUDSON, MA

1977- 1998

Group Quality Manager (1992 - 1998)

Responsible for process technology assurance, failure analysis lab, process reliability lab, statistical consulting and program management activities. Managed a staff of 30 engineers/managers and 17 technicians.

Senior Quality Engineering Manager (1988 - 1992)

Managed 3 senior program managers and 2 program assistants. Defined and implemented Product/Process Review methodology for all Digital Equipment Semiconductor processes (Alpha Processors)

Senior Manufacturing Engineering Manager- Manufacturing packaging engineering (1986-1988)

- Sites in US, Europe, Far East - Organization of 45

Engineering Manager - Start up and engineering management of chip assembly operation (1984-1986)

Staffed and managed team of 15 engineers and technicians

Industrial Engineering Manager - Supported 3 semiconductor fabs & 1 assembly site (1982-1984)

Managed Team of 10 engineers

Project Manager - Designed and built state of the art semiconductor fab - 50K SF (1979-1982)

Senior Engineer - Fab Start Up - Multi Fab & Assembly (1978-1979)

Senior Engineer - Process Engineering - CVD, Diffusion (1977-1978)

WESTERN ELECTRIC COMPANY, Allentown, Pa.

1970-1977

Process Engineer - Crystal Growing (CZ/FZ), Epitaxial Deposition, Chemical Vapor Deposition (CVD), Diffusion, Ion Implant, Defect Gettering Technology Development

Education/Professional Affiliations

LEHIGH UNIVERSITY, BETHLEHEM, PA

BS/MS Metallurgy and Material Science 1970/1976 Tau Beta Pi /Treasurer

President - Sigma Nu Fraternity

Jim Malloy

From: Lester Hensley [leshens@aol.com]
Sent: Wednesday, September 25, 2013 5:31 PM
To: Jim Malloy
Cc: Jim Robbins; Ian Johnson; George, Dianne, Kate Barrette; Brian Bush
Subject: Re: Charter Review Committee

Jim:

At their September 24th, 2013 meeting the Westborough Planning Board unanimously endorsed Brian Bush as their representative to the Charter Review Committee.

Best,

~Lester Hensley

On Sep 5, 2013, at 2:48 PM, "Jim Malloy" <jmalloy@town.westborough.ma.us> wrote:

Thanks.

Jim Malloy, Town Manager
Town of Westborough
34 W. Main Street
Westborough, MA 01581
Phone (508) 366-3030
Fax (508) 366-3099

Please note the Secretary of State's office has determined that most e-mails to and from municipal offices and officials are public records.

Please consider the environment before printing this email

From: Lester Hensley [<mailto:LHensley@EMSEAL.COM>]
Sent: Thursday, September 05, 2013 2:44 PM
To: 'Ilyse'; Jim Malloy
Cc: Ed Behn
Subject: RE: Charter Review Committee

Thanks Jim. We will do the same on the Planning Board.

~Lester.

Lester Hensley, CEO & President
EMSEAL JOINT SYSTEMS LTD
25 Bridle Lane, Westborough, MA 01581
PH: 508-836-0280 FX: 508-836-0281
Toll Free: 800-526-8365
www.emseal.com

From: Ilyse [<mailto:ilyselevinekanji@gmail.com>]
Sent: Thursday, September 05, 2013 2:37 PM
To: Jim Malloy

Cc: Lester Hensley; Ed Behn
Subject: Re: Charter Review Committee

Thanks, Jim. We will discuss this and tell you who our designated representative is before October 1st. Do you have any idea about what the time commitment will be?

Ilyse

Sent from my iPhone

On Sep 5, 2013, at 1:45 PM, Jim Malloy <jmalloy@town.westborough.ma.us> wrote:

Dear Lester, Ilyse and Ed – As you may be aware, the Board of Selectmen have established a Charter Review Committee consisting of one representative of the Board of Selectmen, one rep from the Planning Board, one from the School Committee and one from the Advisory Finance Committee as well as three town residents not involved in Town government.

After meeting with representatives from other communities with different forms of government and a representative from the State that is responsible for reviewing all town charters (she provided the best analysis of items we should be addressing and examples from other towns), the Board set the following vision statement for the Committee:

"To improve the Town's organizational structure by providing improved accountability and appropriate day to day management authority through the Town Manager, while allowing Boards and Committees to focus on policy setting, statutory, planning and regulatory responsibilities, all within the current form of government."

The Board will be looking to fill the Committee at their meeting on October 1, 2013. If it's possible for your Board/Committees to designate a representative to the Charter Review Committee by October 1st that would be great. Should you have any questions please let me know.

Thanks.

Jim

Jim Malloy, Town Manager
Town of Westborough
34 W. Main Street
Westborough, MA 01581
Phone (508) 366-3030
Fax (508) 366-3099

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Please consider the environment before printing this email

Jim Malloy

From: Ilyse gmail [ilyselevinekanji@gmail.com]
Sent: Thursday, September 26, 2013 7:53 AM
To: Jim Malloy
Cc: Lester Hensley; Ed Behn
Subject: Re: Charter Review Committee

Hi Jim --

I wanted to let you know that last night the School Committee designated Steve Doret as our representative to the Charter Review Committee.

See you at the BOS meeting on Tuesday night.

Thanks, Ilyse

On Sep 5, 2013, at 1:45 PM, Jim Malloy <jmalloy@town.westborough.ma.us> wrote:

> Dear Lester, Ilyse and Ed - As you may be aware, the Board of Selectmen have established a Charter Review Committee consisting of one representative of the Board of Selectmen, one rep from the Planning Board, one from the School Committee and one from the Advisory Finance Committee as well as three town residents not involved in Town government.

>

> After meeting with representatives from other communities with different forms of government and a representative from the State that is responsible for reviewing all town charters (she provided the best analysis of items we should be addressing and examples from other towns), the Board set the following vision statement for the Committee:

>

> "To improve the Town's organizational structure by providing improved accountability and appropriate day to day management authority through the Town Manager, while allowing Boards and Committees to focus on policy setting, statutory, planning and regulatory responsibilities, all within the current form of government."

>

> The Board will be looking to fill the Committee at their meeting on October 1, 2013. If it's possible for your Board/Committees to designate a representative to the Charter Review Committee by October 1st that would be great. Should you have any questions please let me know.

>

> Thanks.

>

> Jim

>

> Jim Malloy, Town Manager

> Town of Westborough

> 34 W. Main Street

> Westborough, MA 01581

> Phone (508) 366-3030

> Fax (508) 366-3099

>

> Please note the Secretary of State's office has determined that most e-mails to and from municipal offices and officials are public records.

>

.Jim Malloy

From: Ed Behn [ed@edbehn.com]
Sent: Tuesday, September 10, 2013 3:16 PM
To: Jim Malloy
Cc: 'Lester Hensley'; 'ilyse levine kanji 2'; John Arnold
Subject: RE: Charter Review Committee

Jim,

John Arnold has graciously volunteered to be the AFC representative to the Charter Review Committee.

Ed

From: Jim Malloy [mailto:jmalloy@town.westborough.ma.us]
Sent: Thursday, September 05, 2013 1:45 PM
To: Lester Hensley; ilyse levine kanji 2; Ed Behn
Subject: Charter Review Committee

Dear Lester, Ilyse and Ed – As you may be aware, the Board of Selectmen have established a Charter Review Committee consisting of one representative of the Board of Selectmen, one rep from the Planning Board, one from the School Committee and one from the Advisory Finance Committee as well as three town residents not involved in Town government.

After meeting with representatives from other communities with different forms of government and a representative from the State that is responsible for reviewing all town charters (she provided the best analysis of items we should be addressing and examples from other towns), the Board set the following vision statement for the Committee:

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The Board will be looking to fill the Committee at their meeting on October 1, 2013. If it's possible for your Board/Committees to designate a representative to the Charter Review Committee by October 1st that would be great. Should you have any questions please let me know.

Thanks.

Jim

Jim Malloy, Town Manager
Town of Westborough
34 W. Main Street
Westborough, MA 01581
Phone (508) 366-3030
Fax (508) 366-3099

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Please consider the environment before printing this email

ARTICLE 10: Adjust General, Water and Sewer Fund FY2014 Budgets (Personnel Board/Selectmen/Town Manager, Treasurer/Collector)

To see if the Town will vote to amend the following budgets at the following amounts for the purpose of funding the FY2014 budget:

Selectmen/Town Manager	Salaries/Wages	\$ 309,861	\$ 320,457	\$ 10,596
Selectmen/Town Manager	Expenses	\$ 43,100	\$ 46,650	\$ 3,550
Treasurer/Collector	Expenses	\$ 40,535	\$ 48,535	\$ 8,000
Personnel Board	Expenses	\$ 18,535	\$ 21,035	\$ 2,500
Public Works	Salaries/Wages	\$ 1,549,209	\$ 1,551,567	\$ 2,358
Buildings and Grounds	Salaries/Wages	\$ 156,521	\$ 128,521	\$ (28,000)
Buildings and Grounds	Expenses	\$ 204,130	\$ 214,130	\$ 10,000
Board of Health	Salaries/Wages	\$ 280,498	\$ 291,022	\$ 10,524
Debt Service	Expenses	\$ 10,190,888	\$ 9,920,888	\$ (270,000)
Total Amendment:		\$ 12,793,277	\$ 12,542,805	\$ (250,472)

<u>Water Enterprise Fund</u>				
		Current	Proposed	Increase/
<u>Department</u>	<u>Account</u>	<u>Appropriation</u>	<u>Appropriation</u>	<u>Decrease</u>
Water	Salaries/Wages	\$ 551,772	\$ 554,060	\$ 2,288
Water	Debt Expense	\$ 1,841,347	\$ 1,954,347	\$ 113,000
Total Amendment:		\$ 2,393,119	\$ 2,508,407	\$ 115,288

<u>Sewer Enterprise Fund</u>				
		Current	Proposed	Increase/
<u>Department</u>	<u>Account</u>	<u>Appropriation</u>	<u>Appropriation</u>	<u>Decrease</u>
Sewer	Salaries/Wages	\$ 701,410	\$ 703,698	\$ 2,288
Sewer	Debt Expense	\$ 769,208	\$ 762,708	\$ (6,500)
Total Amendment:		\$ 1,470,618	\$ 1,466,406	\$ (4,212)

Or take any other action thereon.

Town Manager's Statement – The Town has several items to address as far as the FY14 budget. The net effect of these amendments is to reduce the General Fund budget by \$250,472; increase the Water Fund budget by \$115,288; and decrease the Sewer Fund budget by \$4,212. The following are the specific explanations of the amendments:

- The Selectmen/Town Manager Salaries/Wages Account is to address two issues. The first is a situation where the Assistant Town Manager was hired at the lowest rate possible and that at this point, the pay is substantially less than other area towns which average approximately \$83,000 per year. After three years, the Assistant Town Manager is paid \$68,224 and will receive a step increase to \$71,500 in December. This article seeks to increase the Assistant Town Manager's salary by \$10,000 per year bringing it to \$81,500 when the step increase is made so that it is more competitive with area towns. The second is in the Selectmen/Town Manager's Salaries/Wages account, this addresses the current Administrative Assistant (AA), when hired was also working as the AA to the Country Club Committee. We tried an experiment to reduce costs by having a shared position where 35 hours per week was charged to the Selectmen/Town Manager and 5 hours per week was charged to the Country Club. In the past year, we realized that there was more than 5 hours per week of work undertaken for the Country Club and this created a workload problem for our office and so we are seeking to separate this position and fund the position in the Selectmen/Town Manager's Office at 40 hours with a separate individual working as the AA for the Country Club Committee.*
- The Selectmen/Town Manager Expenses Account is to address an employee's sick leave buyback for employees that have recently announced their intention to retire this fiscal year. Sick Leave Buy Back for the Clerical Union is paid through this account.*
- For the Treasurer/Collector Expenses Account, there are two items that make up this budget increase. One is that the Town previously received an interest offset from the bank that handles the Town's payroll, which we no longer receive, there is now a bank charge for handling the Town's payroll of \$5,000 per year. The second part of this increase is for the forms for outsourced bill printing in the amount of \$3,000.*
- For the Personnel Board Expenses Account, this is to address the Sick Leave Buy Back for a Department Head that has announced he plans on retiring prior to the end of the fiscal year as well as a custodian. Department Head Sick Leave Buy Backs are funded through the Personnel Board budget.*
- The Public Works Salaries/Expenses Account is to address the Assistant DPW Manager's salary so that it compares more equitably with the second in command of the Fire and Police Department relative to the Department Head's wages (the Asst. DPW Manager is paid a salary without overtime whereby the Police Lt. and Fire Captain are paid hourly and therefore are paid overtime). The Police and Fire second in command are paid approximately 90% of the Department Head's salary and the Assistant DPW Manager is approximately 82% of the DPW Manager's salary. A \$10,000 adjustment to the Assistant DPW Manager would put him at 90% of the DPW Manager's salary and compensate him for the additional hours worked during emergencies and snow storms.*
- The Building and Grounds Salaries and Wages and Expenses Accounts changes are to address contracting out a custodian position. The custodian assigned to the Senior Center is retiring this year and the Supervisor of Buildings and Grounds has recommended contracting out the custodial services which will reduce the department*

salaries/wages account by \$28,000 (as well as associated benefits a new employee would be entitled to) and increase the expenses account by \$10,000 for FY14. Annualized this change will save \$31,500 per year (plus the cost of benefits).

- *The Board of Health is looking to fund a part time health inspector position in order for the department to keep up with required inspections of food establishments. This position would be funded at 16 hours per week.*
- *The Debt Service Account changes are to reflect that the Town refinanced some debt to take advantage of lower interest rates and issued permanent debt for various projects. The General Fund debt reductions were on the long term debt on the High School and Mill Pond Schools and the fact that a portion of the Wastewater Treatment Plant project was funded at 0% lowering overall General Fund debt costs by \$270,000. The Sewer Fund debt was reduced by refinancing at a lower interest rate for a savings of \$6,500. The Water Fund debt was increased by \$113,000 for permanent bonding costs for the South Street water project and Weld/Folly projects.*

**ARTICLE 14: Sandra Pond Reservoir Watershed Maintenance (DPW
Manager/Conservation Officer)**

To see if the Town will vote to transfer from free cash and appropriate the sum of Fifty Thousand Dollars (\$50,000) for the purpose of conducting a watershed maintenance project at Sandra Pond, or take any other action thereon.

Town Manager's Statement – This article would fund various activities around Sandra Pond which include timber harvesting, access, stormwater structure cleaning and updating the 10-year forestry plan for the area.

ARTICLE 22 – Amend Zoning Bylaws, Earth Moving Regulations (Planning Board)

To see if the Town will amend its Zoning Bylaws by amending Article 4, Special Regulations, Section 4100, Earth Moving Regulations by adopting the following changes:

Subsection 4112, by deleting the stricken language:

~~“4112. Earth moving and/or clearing incidental to construction of a lot where such earth moving is explicitly allowed under a currently valid Building Permit; however, should said earthmoving exceed five hundred (500) cubic yards or clearing activity disturb an area more than 20,000 square feet of land, Sections 4120 through 4160 shall apply unless waived by the Permit Granting Authority”.~~

And by inserting in its place the following language;

“Special Permit or Subdivision Approval.”

So that the final Subsection reads as follows:

“4112. Earth moving and/or clearing incidental to construction of a lot where such earth moving is explicitly allowed under a currently valid Building Permit, Special Permit, or Subdivision Approval”.

And by amending Subsection 4120. Special Permit or Approval by deleting the stricken language:

~~“4120. Special Permit or Approval. Earth moving and/or clearing shall be allowed only under a Special Permit issued by the Planning Board or by approval of the Planning Board in case of a subdivision, following a written application, a copy of which shall be forwarded to the Conservation Commission and Town Engineer. The following shall be conditions for such issuance.~~

So that the final subsection reads as follows:

“4120. Special Permit or Approval. Earth moving and/or clearing shall be allowed only under a Special Permit issued by the Planning Board, following written application, a copy of which shall be forwarded to the Conservation Commission and Town Engineer. The following shall be conditions for such issuance.”

And by deleting Subsection 4125 in its entirety.

~~“Permits for earth moving and/or clearing with the provisions set forth herein shall not be transferable.”~~

And by deleting the following language at the beginning of Subsection 4133

~~“4133. An undisturbed fifty (50) foot buffer strip shall be maintained at all boundaries.”~~

And by inserting the following language in its place:

“4133. The Planning Board may require an undisturbed fifty (50) foot buffer strip be maintained at all boundaries”.

And by deleting the following language at the beginning of Subsection 4142

~~“4142. An undisturbed fifty (50) foot buffer strip shall be maintained at all boundaries.”~~

And by inserting the following language in its place:

“4142. The Planning Board may require an undisturbed fifty (50) foot buffer strip be maintained at all boundaries”.

Or take any other action thereon.

Town Manager’s Statement – These proposed changes are intended to remove redundancy and eliminate unnecessary delays in the permitting process resulting in reduced cost to the Applicant.

ARTICLE 23: Amend Zoning Bylaws, District Regulations, Section 2600, Dimensional Schedule (Planning Board)

To see if the Town will amend its Zoning Bylaws by amending Article 2, District Regulations, Section 2600, Dimensional Schedule, Subsection 2610 by deleting footnote “i” in its entirety as follows:

~~“(i) But not less than 50 feet measured from the street centerline.”~~

And by adding a new footnote “q” as follows:

“(q) man-made retention and detention areas shall not be considered open space”

And the footnote “q” shall be inserted in Section 2610, Use Category Table as follows:

USE CATEGORY			
Garden Apartment (AA)	High Rise Apartment (AB)	Senior Living Overlay (SLO)	All Other
Min. open space(%) -----	-----	(n)	40 (q)

Or take any other action thereon.

Town Manager’s Statement – Removing (i) clarifies the front lot setback requirement and provides consistency in residential neighborhoods. Adding (q) clarifies drainage structures in relation to open space in residential neighborhoods.

ARTICLE 24: Amend Zoning Bylaws, Article 3, General Regulations, Section 3200, Environmental Controls, Subsections 3220, 3230 and 3240 (Planning Board)

To see if the Town will amend its Zoning Bylaws by amending Article 3, General Regulations, Section 3200, Environmental Controls, Subsections 3220, 3230 and 3240:

By deleting Subsections 3220, Pollution Control in its entirety as follows:

~~“3220. Pollution Control. All requirements of Article XI of the Sanitary Code of the Department of Public Health and all Regulations of the Central Massachusetts Air Pollution Control District shall be strictly complied with by all uses, and evidence of compliance may be required in issuing permits.”~~

By deleting Subsections 3230, Liquid Waste in its entirety as follows:

~~“3230. Liquid Waste. No discharge into the municipal sewage system by any individual contributor may have a flow rate, measured in G.P.D. (gallons per day), in excess of fifteen percent (15%) of the rated capacity in G.P.D. of the municipal treatment plant.”~~

By amending and renumbering Subsection 3240, Roadside and Parking Area Trees as follows:

By deleting the stricken language shown:

~~“3240. Roadside and Parking Area Trees. In all zoning districts, the maintenance, establishment and protection of roadside and parking area trees is to be encouraged. In Residential (R) Districts, roadside trees are to at least meet the requirements of the Subdivision Rules and Regulations; in all other zoning districts, minimum requirements for roadside and parking area trees are as follows:~~

And by renumbering the Subsection and inserting new language so that the final new Subsection reads as follows:

“3220. Roadside and Parking Area Trees. In all zoning districts, the maintenance, establishment and protection of roadside and parking area trees is to be encouraged. Roadside trees are to at least meet the requirements of the Subdivision Rules and Regulations. In all zoning districts, minimum requirements for roadside and parking area trees shall conform to Article 46 of the Town Charter and Bylaws.”

(Sub-items a. through d. within this Subsection shall remain as currently written in the Zoning Bylaws.)

Or take any other action thereon.

Town Manager’s Statement – These environmental controls are no longer used because they have been superseded by state and federal regulations.

ARTICLE 25: Amend Zoning Bylaws, Article 4, Special Regulations, Section 4500, Flood Plain District (Planning Board)

To see if the Town will amend its Zoning Bylaws by deleting Article 4, Special Regulations, Section 4500, Flood Plain District in its entirety.

Or take any other action thereon.

Town Manager's Statement – The reason for this proposed deletion is that the current Zoning Bylaw in Section 4500 was enacted by the Town Voters in 1973. These regulations are obsolete and no longer used. The Westborough Board of Health Regulations and the Massachusetts Wetland Protection Act supersede the existing Zoning Bylaw. Therefore, this bylaw is no longer necessary and should be removed.

ARTICLE 26: Amend Zoning Bylaws, Article 2, District Regulations, Section 2300, Use Regulations Schedule (Planning Board)

To see if the Town will amend its Zoning Bylaws by amending Article 2, District Regulations, Section 2300, Use Regulations Schedule by modifying the Table concerning Residential Uses as follows (see attached table):

DISTRICT																
	C	R	AA AB	BA	G2	BB	IA	IB	IC	ID	M	AE	M-1	All Other	DPOD	MUD
RESIDENTIAL USES: (1)																
Single Family Dwelling:	N	Y	Y	SP	Y	Y	N	N	Y	N	N	SP	N	Y	SP	SP
Two Family Dwelling:	N	S	Y	SP	SP	Y	N	N	Y	N	N	SP	N	S	SP	SP
Conversion of existing structure to more than two-family dwellings:	N	N	S	SP	SP	S	N	N	SP	N	N	SP	N	N	SP	SP
Boardinghouse:	N	S	S	SP	SP	S	N	S	SP	S	N	SP	N	S	SP	SP
Multi-family dwelling (See Section 4200)	N	N	Y	SP (5)	SP	N	N	N	N	N	N	N	N	N	SP	SP
Open Space Communities (See Section 4300)	N	SP	N	N	N	N	N	N	N	N	N	N	N	N	SP	SP
Mobile Home:	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Campground, mobile home park:	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Mixed Use Residential/Commercial with Industrial Components (See Section 5000)	N	N	N	N	N	N	N	N	SP	N	N	N	N	N	N	N
Senior Living Overlay District (SLO) (See Section 5300) (6)	N	SP	SP	N	SP	SP	SP	SP	N	N	SP	N	SP	SP	SP	SP
OPEN USES:																
Farm: With pigs, animals raised for pelts (2)	N	N	S	SP	SP	S	N	S	S	S	N	SP	N	N	N	N
Other (4):																
Nursery, green houses (commercial):	S	N	Y	SP	SP	Y	N	Y	Y	Y	N	SP	N	N	SP	SP
Supervised camping:	S	N	N	SP	SP	Y	N	S	S	S	N	SP	N	N	N	N
Cemetery:	N	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	N	Y	N	N
Drive-in theater, amusement park, race track or similar commercial outdoor recreation (3):	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Outdoor recreation other than the above operated by a governmental agency:	S	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	N	Y	Y	Y
Other: (4)																
Sale of Christmas Trees:	S	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	N	Y	Y	Y

- (1) Animal keeping may be subject to permit from the Board of Health
- (2) But no animals kept closer than 500 feet to any lot line.
- (3) Temporary carnival sponsored by a non-profit organization permitted upon approval by the Board of Selectmen.
- (4) As determined by the Zoning Enforcement Officer.
- (5) Multi-family dwellings are allowed in the Highway Business (BA) District upon grant of a Special Permit by the Planning Board in accordance with Section 5200.
- (6) In accordance with the requirements and restrictions of Section 5300.

Town Manager's Statement - The amended table shows changes for residential uses involving Single Family Dwelling, Two-Family Dwelling, and Conversion of existing structure to more than two-family dwellings. The current designation for the IB and ID Districts will change from "Y" to "N" and by doing so will be consistent with zoning in other industrial districts.

ARTICLE 27: Amend Zoning Bylaws, Article 5, Definitions (Planning Board)

To see if the Town will amend its Zoning Bylaws by amending Article 5, Definitions by modifying the following terms:

Bedroom - by deleting the current language in its entirety:

~~"Bedroom shall mean any inhabitable room in a dwelling, other than a living room, dining room, kitchen, utility room, or bath if such room exceeds sixty (60) square feet."~~

And inserting in its place the following new definition:

"Bedroom shall mean a habitable room in a residence for the purpose of sleeping and that contains a space for the use of a closet."

Town Manager's Statement – This change is being requested by the Building Commissioner to clarify the current definition.

Camping, Supervised - by deleting the following current language in its entirety.

~~"Camping, Supervised shall mean facilities operated on a seasonal basis for a continuing supervised recreational, health, educational, religious and/or athletic program, with persons enrolled for periods of not less than one (1) week, and with group dining if overnight accommodations are included."~~

And by inserting in its place the following new definition:

"Camping, Supervised shall mean facilities as licensed by the Massachusetts Department of Health under 105 CMR 430.000."

Town Manager – This change is being made because it has been superseded by State Regulations.

Lot Area – by deleting the following stricken language from the current definition:

~~"Lot Area shall mean the horizontal area of the lot exclusive of any area in a street or recorded way open to public use. At least 90% of the lot area required for zoning compliance shall be land other than that under water nine (9) months or more in a normal year, other than any marsh, swamp or flat bordering on inland waters, and other than land within utility transmission easements."~~

So that the final new definition shall read as follows:

“Lot Area – shall mean the horizontal area of the Lot exclusive of any area in a street or recorded way open to public use.”

Town Manager’s Statement – This change is being requested by the Building Commissioner to clarify the current definition.

Lot Coverage – by deleting the following stricken language in the current definition as shown:

“Lot Coverage shall mean percentage of total lot area covered by structures ~~or roofed.~~”

And by inserting new language into the definition so that the final definition in its entirety shall read as follows:

“Lot coverage shall mean percentage of the Lot Area as required for the district as shown in Section 2600, Dimensional Schedule, covered by Structures.”

Town Manager’s Statement – This change is being requested by the Building Commissioner to clarify the current definition.

Major Residential Development - by deleting the definition in its entirety.

~~“Major Residential Development shall mean a development which results in the creation of more than six (6) residential house lots, such development taking place on a parcel of land or a contiguous set of properties in common ownership as of March 15, 1990”.~~

Town Manager’s Statement - The reason for this complete deletion is that the current definition conflicts with similar terminology elsewhere in the current Zoning Bylaws and is further defined in the Town’s Subdivision Rules and Regulations.

Minor Residential Development - by deleting the definition in its entirety.

~~“Minor Residential Development shall mean the division of a parcel or parcels of land in a residential zone into buildable lots whether a subdivision or not, at a rate of lot creation lower than the threshold rate for a major residential development.”~~

Town Manager’s Statement - The reason for this complete deletion is that the current definition conflicts with similar terminology elsewhere in the current Zoning Bylaws and is further defined in the Town’s Subdivision Rules and Regulations.

Open Space – by deleting the following stricken language:

“Open Space shall mean that portion of the lot area not covered by any structure and not used for drives, parking or storage. ~~Man-made retention areas shall not be considered open space.~~ All open space shall be kept stabilized with natural vegetative cover.”

And by inserting new language into the definition so that the final definition in its entirety shall read as follows:

“Open Space shall mean that portion of the Lot Area as required for the district as shown in Section 2600, Dimensional Schedule which is not covered by any Structure and not used for drives, parking or storage. All Open Space shall be kept stabilized with natural vegetative cover.”

Town Manager’s Statement – This change is being requested by the Building Commissioner to clarify the current definition.

Structure – by inserting a new sentence at the end of the current definition as shown:

“Structure shall mean anything constructed or erected, the use of which requires fixed location on the ground, or attachment to something located on the ground, including swimming pools having capacity of 4,000 gallons or more and mobile homes, but not including walls, pavement or fences. *The construction of walls and fences shall comply with the Massachusetts State Building Code.*”

And by creating a new definition entitled **“Lot Area – Minimum Buildable”** as follows:

“Lot Area – Minimum Buildable shall mean at least 90% of the Lot Area as required for the zoning district as shown in Section 2600, Dimensional Schedule and shall be land exclusive of wetland resource areas as currently defined in the Massachusetts Wetland Protection Act, MGL c.131 Section 40 and the regulations promulgated under 310 CMR 10.00.”

Town Manager’s Statement – This definition is intended to clarify the difference between total lot area and minimum buildable area.

Or take any other action thereon.