

**BOARD OF SELECTMEN
MEETING MINUTES – September 9, 2019**

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

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

*Pledge of Allegiance

APPROVAL OF MINUTES – AUGUST 19, 2019 REGULAR MEETING

Selectman Rand moved the Board vote to approve the meeting minutes of the August 19, 2019 regular meeting as submitted; Selectman Rutan seconded the motion; all members voted in favor.

7:00 p.m. - SKIP AND PAT DOYLE - ROTARY CLUB

Update on Applefest Street Fair and request to close Blake Street on Saturday, September 21, 2019 from 7 a.m. to 5 p.m.

Skip and Pat Doyle were present on behalf of the Rotary Club to provide an update on the Street Fair that will be held from 9am – 4pm on Saturday, September 21st. Everyone on Blake Street has been informed of the event and are in full support.

Ms. Doyle spoke about some of the programs that the Rotary Club supports, including the Nutrition 68 program that provides free lunches at all of the schools to those families that are in need. Mr. Doyle added that the Rotary Club also provides support on an international level, having just purchased a Shelter Box that will provide a temporary residence to one of the devastated families overseas who have been impacted by severe weather.

Members of the Board thanked the Rotary Club for all they do for the community.

Selectman Hirsh moved the Board vote to close Blake Street on Saturday, September 21, 2019 between the hours of 7 a.m. to 5 p.m. for the annual Applefest Street Fair; Selectman Kaelin seconded the motion; all members voted in favor.

7:10 p.m. - HEARING

To consider an application for a Special One-Day License as submitted by David Brannon for premises located at 309 Main Street.

James Furlong was present on behalf of applicant David Brannon to request a Special One-Day License. The license is being requested for the Texas BBQ parking lot at 309 Main Street for the purpose of holding the 5th Annual Corn Hole Tournament on Sunday, October 13th between the hours of 12pm to 6pm to benefit the Challenger Program, a sports-based program for kids 5-22 with disabilities. As in year's past, the restaurant will be closed during the event and measures will be in place to ensure that alcoholic beverages are contained within the designated area.

HEARING CONT. . .

The application has been reviewed by the Police, Fire, Building and Health Departments and there are no concerns to report.

Selectman Rutan moved the Board vote to approve the application for a Special One-Day License as submitted by David Brannon for an event to be held in the parking lot adjacent to the Texas BBQ Company at 309 Main Street on Sunday, October 13, 2019 between 12pm – 6pm. Per the recommendation of the Alcoholic Beverages Control Commission, the license shall include the 24-hour period immediately before and after the event in order to allow for the proper delivery and disposal of all alcoholic beverages prior to and immediately following the event, and to further waive the license fee. The following conditions shall apply:

1. The parking lot area for the sale and consumption of alcoholic beverages shall be clearly marked.
2. Proper signage notifying guests that alcohol must be consumed within the marked areas of the parking lot.
3. A permit from the Building Department is required in the event that a tent larger than a standard easy-up will be used.

Selectman Rand seconded the motion; all members voted in favor.

REPORTS**Julianne Hirsh**

- Thanked Town staff for their efforts regarding the recent EEE mosquito risk threat advisory that was sent through the Town's CodeRED notification system.
- Encouraged residents to visit the Town website and sign up to receive emergency notifications via CodeRED.
- Requested an opportunity to revisit the Appointment Policy for Boards and Committees as it relates to how long the Selectmen's Office will keep on file applications to Boards and Committees who do not currently have vacancies. She requested that the Board revisit the timeframe that applications are kept on file for future Board and Committee vacancies from six months to twelve months. Chairman Perreault suggested that the Appointment Policy be revisited at twelve months from the date it was amended.

Leslie Rutan

- Thanked the Police and Fire Chiefs for their monthly reports.
- Thanked Detective Sergeant Brian Griffin for his presentation on vaping, alcohol and drug use at the Algonquin Fall Sports Night.
- In answer to her inquiry about the operation of the downtown traffic signals, Mr. Coderre explained that the pedestrian crossing signal is given priority and when activated will interrupt the timing and phasing. Although the signals do correct themselves within a few cycles, that correction can be further delayed if that pedestrian or another pedestrian then attempts to cross at one of the other traffic signals in the downtown area before the correction is complete.

Leslie Rutan Report Cont. . .

- Noted how pleased she is with the new look and layout of the Town website. Thanked MIS Director David Kane on the recent upgrades.
- Attended the recent K-8 School Committee Meeting.

Tim Kaelin, Clerk

- Thanked the School Superintendent for sending the kids home with the School's EEE mosquito risk threat advisory
- Congratulated Fire Chief Parenti on a recent Community Advocate article, in which he shares being a self-proclaimed "data geek".

Dawn Rand, Vice Chair

- Requested information regarding the final treatment of some of the recently paved roads in Town. DPW Director Scott Charpentier explained that the rubberized treatment on the recently paved roads is the final surface.

Jason Perreault, Chair

- Noted the following dates relative to the Master Plan Steering Committee:
 - September 19th – the Master Plan Steering Committee will meet.
 - September 23rd – the Master Plan Steering Committee Chair, along with the consultant, will make an informational presentation at the September 23rd Selectmen's Meeting.
 - Later in October – The Master Plan Steering Committee will make a presentation on the proposed Master Plan at a public hearing to be held by the Planning Board. Other Boards and Committees, as well as the public, will be invited to attend and provide additional input if they so wish.
- Noted that September 4th marked the 5th anniversary of the loss of Army Specialist Brian Arsenault. A Memorial Ride will be held on Saturday, September 28th at the American Legion. Funds will benefit the Brian Arsenault Memorial Fund.

John Coderre

- Provided an update on the EEE mosquito risk threat advisory.
- Encouraged residents to visit the Town website and do two things: Subscribe to Town News, which forwards non-emergency, but useful information; and subscribe to CodeRED, the Town's emergency notification system relating to public health and safety issues.
- Announced dates for upcoming flu clinics to be held at the Melican Middle School and the Senior Center. Both are free to the public.
- Reported that the Worcester Superior Court has ruled that Santo Anza is in contempt of court for violating the court's preliminary injunction of October 9, 2018. The Town filed its original complaint against Santo Anza in August of 2018, in order to enforce the Zoning Bylaw with regard to odor producing activities being conducted at the so-called S.A. Farm at 429 Whitney Street. The Superior Court's order now grants the Town the opportunity to submit a motion specifying the penalties the Town believes should be imposed for the contempt, including payment of the Town's costs

John Coderre Report Cont. . .

- for the preparation and trial of the contempt complaint. He added that the Town is pleased that the court has upheld the terms of the original injunction order against Santo Anza and has acted to protect and validate the interests of the residents in the area of the 429 Whitney Street property who should be able to use their homes freely and without disruption from odor and other offensive interference.

PUBLIC COMMENTS

None.

AMENDMENT TO THE JUNE 17, 2019 MEETING MINUTES

At the Board's August 19, 2019 Meeting, Chairman Perreault informed the Board that the Planning Board had asked that an amendment be made to the Planning Board's summary of their deliberation on Planning Board applicant Brad Blanchette. At that time, Selectman Rutan requested that this be postponed until she had the opportunity to view the videotape of the meeting.

The Planning Board did not agree that the following sentence on Page 7 accurately reflected what was said – "Board members stressed the need for better communication between the Planning Board and ZBA and are concerned that Mr. Blanchette wouldn't be the best choice in this regard."

Chairman Perreault suggested that the sentence above be replaced with the following: "Board members and Mr. Blanchette agreed that better communication between the Planning Board and ZBA would benefit both boards."

Motion

Selectman Kaelin moved the Board vote to amend the June 17, 2019 Meeting Minutes as requested by the Planning Board; Selectman Rand seconded the motion.

Discussion

Selectman Rutan stated that having viewed the videotape of the meeting, she is concerned that the amendment as recommended by Chairman Perreault implies the Planning Board members and Mr. Blanchette had a conversation and "agreed" on something, rather than comments just being made by Planning Board members regarding the need for better communication.

Amended Motion

Selectman Rutan amended the motion to amend the June 17, 2019 Meeting Minutes as requested by the Planning Board to change the sentence referenced above to read "Planning Board members stressed the need for better communication between the Planning Board and the Zoning Board of Appeals."; Selectman Rand seconded the motion; all members voted in favor.

DISCUSSION RE: MASSACHUSETTS DEPARTMENT OF AGRICULTURE & RESOURCES LATEST PROPOSED AMENDMENTS TO COMPOSTING REGULATIONS, 330 CMR 25.00

Mr. Coderre reviewed the events leading up to the DAR's proposed amendments to Agricultural Composting Program regulations 330 CMR 25.00. He indicated that the latest version of the proposed amendments is substantially the same in substance as the version proposed in 2018, at which time the Town and residents testified at a public hearing, followed by written testimony submitted by the Town.

Mr. Coderre reviewed the Town's recent testimony, which he submitted prior to the September 3, 2019 deadline on behalf of the Town. The Town maintains the same position as it did in 2018 in that the regulations, as proposed, lean in favor of commercial composting operations at the expense of local communities and their citizens. As in 2018, the Town is requesting that DAR pursue a course of regulation which recognizes the substantial burden composting operations place on communities and allows for meaningful local input when these facilities are seeking approval to operate under the approval of DAR.

Mr. Coderre stressed the fact that commercial composting facilities on agricultural land should not be exempt to local zoning and land use regulations simply by virtue of being located on a farm. DAR's proposed amendments provide absolutely no local authority or input in any way and lack meaningful setbacks, buffers or other standards to mitigate impacts on neighboring properties. This is exactly why the Town has asked our legislative delegation to file legislation that inserts some kind of local authority and oversight for these operations.

Lastly, Mr. Coderre expressed his frustration and disappointment that two MDAR hearings were held unbeknownst to the Town or the residents. He was only recently made aware of the hearings by Senator Chandler's Office. He was also disappointed that at least one of the two hearings were not held in Westborough as was done in the past.

DISCUSSION RE: DATE AND TIME OF ANNUAL TOWN MEETING

Following this year's Annual Town Meeting, and as a follow up to comments made by many parents about the lateness of the meetings, Selectman Kaelin had requested information about dates and times of Annual Town Meetings across the Commonwealth.

Selectman Kaelin thanked Chairman Perreault, Mr. Coderre and Town Moderator Fred George for working with him to explore what's in the best interest of the community. He indicated that of the 293 municipalities that hold an Annual Town Meeting, approximately 88% do so on a weekday with the vast majority opting for a Monday start. Town Meetings generally begin between 6:00pm and 7:30pm.

Selectman Kaelin suggested changing the start-time of Town Meeting from the newly adopted 7:00pm to 6:00pm, with a wrap-up time of 10:00pm instead of 11:00pm. Members of the Board agreed that this would benefit most residents, including parents with children and the elderly. Mr. Coderre indicated that changing the times of Town Meeting would pose no issues to Town staff.

DISCUSSION RE: DATE AND TIME OF ANNUAL TOWN MEETING CONT. . .

Chairman Perreault stated that the Board will discuss this again at a future Board meeting, at which point the public can provide input.

UPDATE ON DOG PARK FUNDRAISING

At the Board's last meeting, Conservation Agent Mia McDonald informed the Board that the Town has been selected as an awardee under the Massachusetts Department of Conservation and Recreation (DCR) Fiscal Year 2020 Partnership Matching Funds Program for the construction of a fenced dog park at the Yellick Conservation Area at 0 Hudson Street.

Mr. Coderre was pleased to announce that the Town received a donation for the matching funds in the full amount of \$16,300 from Jodi Del Re and her family. The matching funds were mailed to the DCR, which confirms the Town's acceptance of the match fund award and entry into the program. The next step is the DCR will assign a project manager to complete the design and initiate permitting.

Mr. Coderre added that to date, the Town has received approximately \$18,000 in total donations and will continue to accept funds on an ongoing basis for the construction and future maintenance of the dog park.

Following questions and comments by members of the Board, the Board agreed to send a thank you letter to the Del Re Family acknowledging their generous donation.

INTERVIEW SUBCOMMITTEE – RECOMMENDATION FOR APPOINTMENT TO THE HOUSING AUTHORITY

Selectman Rutan moved the Board vote to appoint Elaine Solomon to the Housing Authority for a partial 5-year term to expire on April 30, 2024, as recommended by the Interview Subcommittee; Selectman Rand seconded the motion; all members voted in favor.

ANNUAL REAPPOINTMENT OF ELECTION OFFICERS

Selectman Kaelin moved the Board vote to appoint those individuals who appear on the 2019-2020 Election Officer List for a term beginning on September 9, 2019 and ending August 31, 2020 as submitted by the Town Clerk; Selectman Rutan seconded the motion; all members voted in favor.

EXECUTION OF CEMETERY DEEDS

Selectman Hirsh moved the Board vote to execute Cemetery Deeds 1084, 1085, 1086 & 1087; Selectman Kaelin seconded the motion; all members voted in favor.

OTHER BUSINESS

None.

8:20 p.m. - EXECUTIVE SESSION

Selectman Rand moved the Board vote to enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Subsection 3 (Collective Bargaining re: Police, Fire and Northborough Municipal Employees Association Unions) and Subsection 6 (Negotiations re: the value of real property for Fire Station Building Project) 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 Kaelin seconded the motion; the roll call was taken as follows:

Hirsh	"aye"	Rand	"aye"
Rutan	"aye"	Perreault	"aye"
Kaelin	"aye"		

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

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

Selectman Rand 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. September 9, 2019 Meeting Agenda
2. August 19, 2019 Meeting Minutes
3. Memorandum – Rotary Club
4. Information packet – One Day Special License
5. Information packet – Amendment to June 17, 2019 Meeting Minutes
6. Information packet – MDAR Amendments to Composting Regulations
7. Information packet – Date and Time of Annual Town Meeting
8. Memorandum – Dog Park Fundraising Update
9. Information packet – Interview Subcommittee Recommendation
10. Information packet – Annual Reappointment of Election Officers
11. Cemetery Deeds