

**BOARD OF SELECTMEN  
MEETING MINUTES – October 21, 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 – SEPTEMBER 23, 2019 REGULAR MEETING**

Selectman Rand moved the Board vote to approve the meeting minutes of the September 23, 2019 regular meeting as submitted; Selectman Rutan seconded the motion; all members voted in favor.

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

To consider an application for a Change of Manager as submitted by Mormax Corporation d/b/a BJ's Wholesale Club for their All Alcoholic Beverages Package Store License for premises located at 6102 Shops Way.

David Farina introduced himself as the new manager at the Northborough BJ's Wholesale Club located at 6102 Shops Way. He has been employed by BJ's Wholesale Club since 2000. He is TIPS certified.

Mr. Farina's personal information has been reviewed by Detective Sergeant Brian Griffin, who has indicated that he has no concerns to report.

Selectman Kaelin moved the Board vote to approve the application to change the manager as submitted by Mormax Corporation d/b/a BJ's Wholesale Club for their All Alcoholic Package Store License for premises located at 6102 Shops Way; Selectman Rand seconded the motion; all members voted in favor.

**7:03 p.m. - BILL CALLAGHAN –  
AMERICAN LEGION 100<sup>TH</sup> ANNIVERSARY CHAIR**  
Presentation and invite to the 100<sup>th</sup> Anniversary Celebration  
of the American Legion Post 234.

Chair of the American Legion 100<sup>th</sup> Anniversary Committee Bill Callaghan was present to extend an invitation to the 100<sup>th</sup> Anniversary event of the American Legion Vincent F. Picard Post 234. He indicated that an Open House will be held on Saturday, November 2, 2019 beginning at 12Noon. The Open house will be followed by a Post Appreciation Dinner at 5pm and a Midnight Dance beginning at 8pm.

**AMERICAN LEGION 100<sup>TH</sup> ANNIVERSARY CONT. . .**

Gerry Bourque, past Commander of the American Legion Vincent F. Picard Post 234, who now serves as the Post Historian, presented historical information about the beginnings of the American Legion organization, as well as what led to the establishment of the Vincent F. Picard Post 234 in Northborough on November 1, 1919.

Mr. Bourque also spoke about those Northborough residents who were casualties of World War II, the Korean War, the Vietnam War and the Gulf War and Global War on Terrorism and where throughout Town plaques are located in honor and remembrance of each. The two most recent casualties of the Global War on Terrorism are US Army Major Andrew J. Olmsted who was killed in action in 2009 and was just recently discovered to be a Northborough resident and US Army Specialist Brian K. Arsenault, who was killed in action in September of 2014. Both Major Olmsted and Specialist Arsenault will be honored and remembered at the newly created Gulf War and Global War on Terrorism Memorial at the Town Common.

Chairman Perreault thanked Mr. Callaghan for planning the 100<sup>th</sup> Anniversary event. He also thanked Mr. Bourque for his many years of service, as well as all who work with the American Legion. The efforts to preserve important history and the valuable services that are offered to our community is very much appreciated.

The official proclamation that will be presented at the 100<sup>th</sup> Anniversary Dinner was read in its entirety by Selectman Rand.

Selectman Rand moved the Board vote to proclaim November 1 & 2, 2019 The American Legion Vincent F. Picard Post 234 Days in recognition of its 100<sup>th</sup> Anniversary; Selectman Kaelin seconded the motion; all members voted in favor.

**7:20 p.m. - PUBLIC HEARING**

To consider an application for a new All Alcoholic Beverages Restaurant License as submitted by Agape Restaurant Group d/b/a Kumar's South Indian Restaurant at 8110 Shops Way.

Chairman Perreault opened the public hearing. As the applicant was not present and there was not anyone in the audience who wished to be heard on the matter, Chairman Perreault indicated that the public hearing would be continued to the Board's next meeting on November 4, 2019 at 7:05pm.

**7:15 p.m. - KERRIE WARD – TOUGLAS FAMILY FARM**

To consider an application for a Special One-Day License as submitted by Kerrie Ward and Andre Tougas for a Halloween weekend event to be held at Tougas Farm on premises located at 234 Ball Street.

Kerrie Ward of Tougas Family Farm was present to request the Board's approval of her application for two One-Day Special Liquor Licenses for a Family Farm Halloween

**TOUGAS FAMILY FARM CONT. . .**

Weekend event to be held on the grounds of the farm at 234 Ball Street. The event will take place on Saturday, October 26<sup>th</sup> and Sunday, October 27<sup>th</sup> between 11am – 5pm on both days.

The space designated for alcohol consumption will be fenced off and appropriate signage indicating “No Alcohol Beyond this Point” will be visible. Tougas staff will monitor and watch the area. TIPS certified persons will be carding and serving guests and bracelets will be provided for those over 21 who wish to consume alcohol.

Selectman Rutan moved the Board vote to approve the application and to grant two One-Day Special Liquor Licenses to Kerri Ward and Andre Tougas of Tougas Family Farm for an event to be held on the grounds of the farm at 234 Ball Street on Saturday, October 26, 2019 and Sunday, October 27, 2019 between 11am – 5pm on both days with the following conditions:

1. 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.
2. For any tent larger than 400 square feet, a tent permit must be obtained from the Building Department.
3. Open fires are not allowed without a special permit from the Fire Department.
4. A designated person who has a Crowd Manager Certification from the Department of Fire Services shall be present during all hours of the event.
5. Only TIPS Certified persons shall card and serve guests that are 21 years and older. Guests shall have identification on their person and those who are 21 years and older will be given wrist bands.
6. Proper signage and barriers must be in place to notify guests that alcohol must be contained in the designated area only.
7. If applicable, satisfactory inspections must be performed just prior to the event by the Police, Fire, Building and Health Departments.

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

**REPORTS****Julianne Hirsh**

- Attended a recent meeting of the White Cliffs Committee. Provided an update on the efforts of the Committee.
- Noted that some residents are concerned with the newly proposed dog park at the Yellick Conservation Area and the issue with off-leash dogs at Carney Park. She noted her concerns regarding the proposed dog park and requested that the Board of Selectmen hold a public hearing at their next meeting in order to provide additional information to the public. Mr. Coderre reported that the Department of Conservation and Recreation (DCR) is re-evaluating the proposal after receiving some communication that raises some potential issues with the proposed site. With that being said, there is no new information to report at this time. If the project does move forward, a project engineer would first be assigned, at which time the Town would

Julianne Hirsh Report Cont. . .

expect to receive additional information. That would be the time to hold a public hearing and hear public input. Selectman Hirsh thanked the residents who took the time to reach out.

- Asked if a date has been set for a dedication ceremony for the Town Common? Mr. Charpentier explained that the Town Common consists of three sections – The Civil War section, the Gulf War and Global War on Terrorism section and an open public section. He indicated that a Memorial Stone has been ordered, and a date will be set for a dedication ceremony once the Memorial Stone is delivered and fully set.

Leslie Rutan

- Thanked the Police Chief for hosting an Open House at the Police Station.
- Inquired about the process for reviewing public safety on roadways. Mr. Coderre responded that there is a working group consisting of various Town staff who meet periodically to review traffic safety needs, including signage.
- Thanked the Fire Chief for his monthly report.
- Acknowledged the complaints received from residents regarding off-leash dogs at Carney Park. Reiterated that this is not an off-leash dog park.
- Attended the recent tour of the High School. Thanked the School Superintendent for arranging the tour.
- Noted that the Northborough Food Pantry is in need of food donations.
- Announced that the Annual Winter Gear Drive sponsored by Northborough Helping Hands is collecting donations through November 21<sup>st</sup>.

Tim Kaelin, Clerk

- Attended the dedication ceremony of the musical instruments at Ellsworth McAfee Park that were generously donated by Steve and Arlene Marshall. It was a very touching and meaningful ceremony.
- Noted his appreciation to the School Department for providing safety readiness training for students.
- Thanked the Police and Fire Chief for their reports.
- Noted that some residents are concerned with the proposed dog park and are upset that they were unaware that this project was being proposed. Since this item was an agenda item on a properly posted Selectmen's Meeting agenda, he would appreciate hearing some feedback on how to better get information out to the public? He also encouraged residents to sign up to receive agendas when they are posted via the Town website.

Dawn Rand, Vice Chair

- Announced that the annual Veteran's Luncheon will be held at the Senior Center on Friday, November 8<sup>th</sup>.
- Requested extra enforcement efforts regarding the off-leash dogs at Carney Park. Mr. Coderre responded that the Police Department and Dog Officer will address this issue, adding that the Dog Officer is already at the park 2-3 times per week.

Jason Perreault, Chair

- Congratulated Algonquin Girls Soccer team Coach Scott Taggart on his last season with the team before he retires. Wished the team good luck for the remainder of the season.
- Attended the Memorial Ride event in honor of Army Specialist Brian Arsenault on September 28<sup>th</sup> at the American Legion. Thanked those who organized, attended and contributed to this annual event. Funds will benefit the Brian Arsenault Memorial Fund.
- Attended the dedication ceremony of the musical instruments at Ellsworth McAfee Park. The ceremony was very moving. On behalf of Steven and Arlene Marshall, thanked the DPW Department for installing the instruments.
- Attended the Boroughs Loop Trail ribbon cutting ceremony on October 4<sup>th</sup>. Thanked everyone involved in this group effort.
- Noted that Assistant Town Administrator Kimberly Foster has moved on to a new opportunity. He thanked her for her 10 years of service and wished her the best of luck in her new position. Mr. Coderre and members of the Board echoed the sentiments of Chairman Perreault.

John Coderre

- Noted that the recruitment process for a new Assistant Town Administrator is underway.

**PUBLIC COMMENTS**

Alick Yellick shared an email regarding the proposed dog park at the Yellick Conservation Area. The email indicated that the DCR is reviewing the proposal following questions about whether or not a dog park is an appropriate use of flood control land. Mr. Yellick claimed that the dedication of this property was solely for wildlife. He provided a brief history of the property and offered his opinion that a dog park would not be an appropriate use of this land.

**DISCUSSION OF PRELIMINARY FREE CASH PLAN**

Mr. Coderre presented his preliminary FY2021 Free Cash Plan for consideration and use during the upcoming budget process. The FY2019 year-end Free Cash was certified at approximately \$2.85 million, slightly more than the \$2.3 million from FY2018. The Free Cash is a result of unspent Free Cash from the prior year, plus positive actual performance in both appropriations not spent, as well as revenues realized in excess of the budget.

Mr. Coderre noted that revenues exceeded the FY2019 budget by \$1,260,368 or 2.06%. Expenditures returned were \$1,173,721 or 1.86%. The return of \$389,580 in Employee Benefits is primarily based upon positive performance of the health insurance budget. In addition, many accounts closed out positively. The Town's goal of keeping year-end revenues and appropriations to within 1-3% of the operating budget was once again achieved.

**DISCUSSION OF PRELIMINARY FREE CASH PLAN CONT. . .**

Mr. Coderre indicated that the preliminary Free Cash plan contains the annual appropriation to the Reserve Account in the amount of \$175,000, the same as in FY2020; a contribution of \$500,000 to the FY2021 Operating Budget, the goal specified in the policy; a contribution of \$200,000 to the Stabilization Fund, to maintain current reserve levels; using up to \$1,479,397 to pay for various capital projects; and contemplates leaving approximately \$500,000 in unappropriated Free Cash. Prior to the close of FY2019, the Town's reserves were at 8.2%, or \$5.4 million. After the close of FY2019, the Town's July 1, 2019 reserves increased to approximately 11.8%. The preliminary Free Cash Plan as presented would expend the funds as presented, while providing for the maintenance of financial reserves at approximately 8%, well within the Town's policy target of 5-10%. Mr. Coderre indicated that all expenditures of free cash is subject to Town Meeting approval.

Following the presentation, questions and comments were heard from members of the Board.

**EXECUTION OF CEMETERY DEED**

Selectman Rand moved the Board vote to execute Cemetery Deed 1088; Selectman Rutan seconded the motion; all members voted in favor.

**TRANSFER OF CEMETERY DEED 607**

Selectman Rand moved the Board vote to approve the transfer of Cemetery Deed 607 as presented; Selectman Rutan seconded the motion; all members voted in favor.

**OTHER BUSINESS****8:25 p.m. - EXECUTIVE SESSION**

Selectman Kaelin moved the Board vote to enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Subsection 3 (Collective Bargaining re: Fire Union and Northborough Municipal Employees Association; and Litigation re: Town vs. Santo Anza) due to the Chair's determination that a discussion regarding these matters in an open meeting may have a detrimental effect on the position of the Board; Selectman Rand 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.

**8:45 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 8:45 p.m.

Respectfully submitted,

Diane M. Wackell  
Executive Assistant to the  
Board of Selectmen

### Documents used during meeting:

1. October 21, 2019 Meeting Agenda
2. September 23, 2019 Meeting Minutes
3. Information packet – BJ's Change of Manager
4. Information packet – Kumar's New License
5. Proclamation – American Legion 100<sup>th</sup> Anniversary
6. Information packet – Tougas Farm One-Day License
7. Memorandum – Preliminary Free Cash Plan
8. Cemetery Deeds