

BOARD OF SELECTMEN'S MEETING
January 7, 2019

A meeting of the Board of Selectmen was called to order by Chairman Thomas Melia at 7:00 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA. **Present:** Board Members: Ampagoomian, Athanas, Cannon, Melia and Nolan. **Also Present:** Adam D. Gaudette, Town Manager.

The Pledge of Allegiance was recited by those present.

APPROVAL OF MINUTES/None

Chairman Melia announced there are two public hearings scheduled for 7:05PM and he would be taking up other agenda items until that time.

APPOINTMENTS/By the Board of Selectmen: Open Space & Recreation Update Committee
1. Barbara McNamee [Conservation Commission], 2. Richard Chiras [Conservation Commission],
3. Brian Massey [Planning Board]. A motion/Mr. Ampagoomian, seconded/Mr. Nolan to appoint Barbara McNamee, Richard Chiras and Brian Massey to the Open Space & Recreation Update Committee as the representatives of their respective boards. Vote yes/Unanimous.

Fire Department/ Monetary Donation to the Fire Department in the amount of \$300 [Contribution made by Daniel O'Neill]/Vote to accept. A motion/Mr. Ampagoomian, seconded/Mr. Nolan to accept a monetary donation to the Fire Department in the amount of \$300 and send a letter of appreciation to Mr. O'Neill. Vote yes/Unanimous.

CITIZENS' COMMENTS/INPUT /None

Spring Annual Town Meeting [May 7, 2019]/1) Vote to open the warrant this date; 2) Vote to close the warrant on Friday, March 8, 2019 at Noon. A motion/Mr. Nolan, seconded/Mr. Ampagoomian to open the warrant for the Spring Annual Town Meeting this date and close the warrant on Friday, March 8, 2019 at Noon. Vote yes/Unanimous.

2019 Operation Graduation/Request to hold a boot drive on Saturday, May 4, 2019 from 9 AM to 2 PM at Memorial Square and Ovia Square [Rain date: May 5, 2019]/Present: Maria Paulhus. A motion/Mr. Athanas, seconded/Mr. Ampagoomian to approve the request for a Boot Drive on Saturday, May 4, 2019 from 9 AM to 2 PM at Memorial Square and Ovia Square with a rain date of May 5, 2019. Vote yes/Messrs. Ampagoomian, Athanas, Melia and Nolan. Abstain: Selectwoman Cannon.

PUBLIC HEARING – 7:05 PM: (continued from December 17, 2018 meeting): Robert Cherrier & Brian Cherrier, Main Street Auto & Towing Inc., 2040 Providence Road, Northbridge, MA/Application for a Class II – Used Car Dealer's License [Present: Robert Cherrier]. Chairman Melia read aloud the public hearing notice. A motion/Mr. Ampagoomian, seconded/Mr. Athanas to open the public hearing. Roll call vote: Mr. Ampagoomian/Yes, Mr. Athanas/Yes, Mrs. Cannon/Yes, Mr. Melia/Yes, and Mr. Nolan/Yes. Mr. Cherrier informed those present that he had a Class II license in Northbridge and then temporarily moved to Douglas and is now looking to come back to Northbridge. He advised he is seeking a temporary license to display 10 vehicles at this location until the new location is fully approved and ready. Chairman Melia announced that Building Inspector James Sheehan and Town Accountant Neil Vaidya shared comments regarding the location. Town Manager Gaudette clarified that Mr. Cherrier rents property at this location and Mr. Sheehan and Mr. Vaidya will be making comments for the record. Mr. Sheehan stated that the applicant has not shown a parking plan, has not list number of vehicles for sale, and has no authorization from the property owner(s) to use their property for the purpose

of selling used vehicles. He also noted there are outstanding zoning violations on this property involving fill material located in the floodway and floodplain and added that much of the material has been removed but there is still some remaining. Mr. Sheehan also stated that they were cited for having 15 tractor trailer trucks located within the floodway. Next, Mr. Vaidya stated that he is filling in for Julie Harris who was unable to attend due to illness. Mr. Vaidya explained there are 2 parcels of land at 2040 Providence Road and both are in tax title: The 1st parcel is \$26,247.37 in arrears and the 2nd parcel is \$14,647.66 in arrears. Town Manager Gaudette advised that Mr. Cherrier added a request to sell/display 10 vehicles to his application and that the Town is in receipt of letters from both property owners authorizing Mr. Cherrier to utilize their property to sell used cars. The Town Manager added that typically we receive something in the form of a lease. Selectman Athanas asked when the violation to remove the tractor trailer trucks commenced. Mr. Sheehan responded on November 20, 2018 and January 20, 2019 would be the 60-day mark. Selectman Athanas further asked if there was any contact from the property owners on remedying the violations. Mr. Sheehan answered that he has been in contact with Mr. Caya regarding the fill material for the past 6 months and Mr. Caya continues to tell him that it is going to be removed soon. Selectman Ampagoomian asked if there has been any attempt by either owner to make a payment plan for the outstanding taxes that are owed. Mr. Vaidya stated that he wasn't aware of any plan and added that letters would have been sent out notifying the owners that the property is in tax title. Selectman Melia added that in his opinion he cannot support issuing a license when there are zoning bylaw violations, especially when nothing has been rectified. Chairman Melia asked if there were any abutters in the audience. A motion/Mr. Ampagoomian, seconded/Mr. Athanas to close the public hearing. Roll call vote: Mr. Ampagoomian/Yes, Mr. Athanas/Yes, Mrs. Cannon/Yes, Mr. Melia/Yes, Mr. Nolan/Yes. A motion/Mr. Ampagoomian, seconded/Mr. Athanas to deny the application of Robert Cherrier & Brian Cherrier, Main Street Auto & Towing Inc., 2040 Providence Road, Northbridge, MA to obtain a Class II – Used Car Dealer's License at 2040 Providence Road, Northbridge. Vote yes/Unanimous.

7:05 PM: Therecka, Inc. d/b/a The Grill 122, 91 Providence Road, Linwood, MA 01525.

1) Application for a new All Alcoholic Beverages License, and 2) Application for a Non-Alcoholic Common Victualler's license. [Present: William Therecka, Mgr. & Thomas Wickstrom, Attorney]. Chairman Melia read aloud the public hearing notice. A motion/Mr. Ampagoomian, seconded/Mr. Nolan to open the public hearing. Roll call vote: Mr. Ampagoomian/Yes, Mr. Athanas/Yes, Mrs. Cannon/Yes, Mr. Melia/Yes, and Mr. Nolan/Yes. Mr. Wickstrom introduced Mr. Therecka and explained he has been in the restaurant business his entire career. Mr. Therecka advised the Board that he is in the process of reopening the old Brian's Restaurant and bring it up to code. He stated that the process has been challenging since he is new to town, but he is very excited. Selectman Athanas asked when he anticipates opening. Mr. Therecka replied the sooner the better and added that he hopes to be done with re-construction in about two months. Selectman Athanas asked what type of fare will be served. Mr. Therecka said he will serve comfort food, appetizers, salads, steaks and seafood. Selectman Athanas asked how many hours he plans to work there. Mr. Therecka replied that he plans to be there from open to close. Selectman Ampagoomian stated that his only concern is the crosswalk and urged Mr. Therecka to stress to his customers to use the crosswalk button and wait for the light. Selectman Nolan asked what his anticipated operating hours will be. Mr. Therecka stated that he intends to be open 7 days a week from 11 AM to 10 PM. Selectwoman Cannon asked about the current parking situation and if the landlord intends to make upgrades. Mr. Therecka stated that currently he has a three-year option to purchase the entire plot and at that point could have options to make changes. A motion/Mr. Ampagoomian, seconded/Mr. Nolan to close the public hearing. Vote yes/Unanimous. A motion/Mr. Ampagoomian, seconded/Mr. Nolan to grant local approval to Therecka, Inc. d/b/a The Grill 122 [William Therecka, Mgr.] for an All Alcoholic Beverages License and a Non-Alcoholic Common Victualler's License on the premises of 91 Providence Road, Linwood, MA 01525.

Presentation: Proclamation for Sydney Masciarelli. Chairman Melia announced Ms. Masciarelli recently won the Foot Locker Cross Country Championship title in December. Chairman Melia also announced that retired, long-time track coach, Mr. Kenneth Warchol was present to introduce Ms.

Masciarelli. Mr. Warchol explained that Ms. Masciarelli set a course record at the Elite Massachusetts Runners Race in Boston. He said that she then went on to the North East Foot Locker Regional Championship meet for High School Athletes where she won with one of the fastest times on that course ever. The top 10 go on from there to the National meet, which is the Foot Locker Championship, where she competed against the top 40 girls in the nation. Ms. Masciarelli stated that going into the race she just wanted to run at her own pace and not lose momentum towards the end of the race. She said she made her move into second place while coming up the hill the first time and stayed comfortably there. She then made her move into first place while going up the hill the second time and then sprinting downhill and to the finish line. Chairman Melia read aloud the proclamation that was presented to Ms. Masciarelli and the Selectmen congratulated her on her accomplishment.

TOWN MANAGER'S REPORT: **1) Meetings Attended:** Monday, December 17, 2018 – Met with J. Harris and N. Vaidya to discuss financial management planning. Monday, December 17, 2018 – Attended the Board of Selectmen Meeting. Tuesday, December 18, 2018 – Met with Chairman Melia and staff to discuss a potential decision on a slaughterhouse off Hill Street. Tuesday, December 18, 2018 – Attended the School Building Committee Meeting. Wednesday, December 19, 2018 – Attended the Mass Managers/Police Chiefs Committee Meeting. Friday, December 21, 2018 – Conference Call with NFP regarding Health Insurance for FY2020. Thursday, January 3, 2019 – Met with Chairman Melia to discuss the agenda for 1/7/2019. Friday, January 4, 2019 – Conference Call with Mass Managers/Police Chiefs Committee regarding MMA Annual Meeting presentation. **2) Balmer School Building Project:** The architect Dore & Whittier is working on Design Development with the CM-at-Risk Fontaine Brothers. The School Building Committee recently met this week on January 2, 2019. The Committee discussed mechanicals with the project team. Also, the Town is processing the Project Funding Agreement with MSBA. **3) DPW Garage Project:** The project is now considered complete. We are awaiting on Exterior Building Signage and will be discussing a grand opening/open house. **4) Fire Station Project (Feasibility Study):** The Town Manager and the Fire Chief have been meeting with the OPM team from Cardinal on the Site Selection for inclusion in the RFQ for Designer (Architect) Services. The Site Selection has met with the BPCC and agreed to the potential site list. The Committee and Team will be moving forward with the final list of 8 potential sites and will be preparing the RFQ to hire an architect team to perform the Feasibility Study. **5) 2020 Budget Development:** Staff has provided updates of their department sections of the 5-year capital plan and the Town Manager is in the process of reviewing and compiling for submission to the BPCC. Waiting on the Capital Request from NPS who meets on January 8th. Staff has been provided with instructions for department budget development for FY2020 and they were required to submit to the Town Manager this past Friday the 4th. The initial draft budget will be presented to the Board of Selectmen and Finance Committee in February 2019. **6) LED Streetlight Conversion:** We are awaiting final closing on the purchase of lights from National Grid which we are hoping will take place within 30 days. We have issued a purchase order for the fixtures following a bid process through MAPC. MAPC also awarded a bid for installation. Once the closing takes place we hope for a quick construction timeline and finishing before April 2019. **7) True Nature's Wellness:** Host Community Agreement negotiations with prospective Recreational Marijuana Retailers (2) are ongoing. **8) Solar PILOTs:** Conducting PILOT negotiations (fixed fee and terms) with Nexamp (Sutton Solar 2 project – Lasell Road) and Syncarpha (Northbridge I project – Linwood Ave). Selectwoman Cannon asked if Mr. Gaudette has heard from any concerned citizens in regard to Church Avenue location of the recreational marijuana. Town Manager Gaudette stated that he has not received any feedback in regard to the location but more so recreational marijuana in general. Mr. Gaudette explained that there are three steps for these facilities, starting with negotiating the Host Community Agreement, seconded is the State License and third is the local license in which a public hearing would be held. Mr. Gaudette urged residents to attend those public hearings and voice their opinions there.

SELECTMEN'S CONCERNS: **Selectman Athanas** stated that he has had a number of residents inquiring about the establishment of a dog park that he would like to bring to the Open Space and Recreation

Committee. **Selectman Ampagoomian** stated that there is an article in the Blackstone Valley Express written by the Director of Northbridge Community Television that outlines the concerns of the new FCC rulings and how it will affect cable. **Selectwoman Cannon** followed up on Selectman Athanas' comment about the dog park saying that Uxbridge was recently in the process of building a dog park and could be a good resource. **Chairman Melia** stated he read an article in regard to a recent court decision that exempts solar farm properties from paying municipal taxes. As a result, he said he sent an email to the Town Manager asking how much the town would be losing. He said Mr. Gaudette explained we wouldn't be losing anything with the PILOT Agreement in place. The Town Manager further explained that there are two options to tax these developments; one is the value of land and property tax and the second is having PILOT agreement that allows the Town to enter into an agreement they may be equal or less than what the expected tax value would be over 20 years.

ITEMS FOR FUTURE AGENDA/None

CORRESPONDENCE/None

EXECUTIVE SESSION/None

Chairman Melia announced that the next selectmen's meeting is scheduled for January 28, 2019.

A motion/Mr. Athanas seconded/Mr. Nolan to adjourn the public meeting. Vote yes/Unanimous.

Meeting Adjourned: 7:51 PM

Respectfully submitted,

Daniel Nolan, Clerk

/mjw

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING - OPEN SESSION

January 7, 2019

I. APPROVAL OF MINUTES

II. PUBLIC HEARING – A. 7:05 PM: (continued from December 17, 2018 meeting): Robert Cherrier & Brian Cherrier, Main Street Auto & Towing Inc., 2040 Providence Road, Northbridge, MA/Application for a Class II – Used Car Dealer's License [Present: Robert Cherrier]

- Copy of Notice to Abutters
- Copy of used car dealer's application
- Copy of Revenue Enforcement and Protection Attestation
- Copy of Workers' Compensation Insurance Affidavit
- Copy of layout
- Copy of Dealers Bond
- Copy of Property Record Card
- Copy of request for comment from James Sheehan, Building Inspector
- Copy of memo from the Building Inspector listing comments
- Copy of letter addressed to the owner of 2040 Providence Road listing the violations
- Copy of request for comment from Walter Warchol, Police Chief
- Copy of email from property owner allowing Mr. Cherrier to sell used cars at the location
- Copy of letter from property owner allowing Mr. Cherrier to sell used cars at the location
- Copy of letter from Julie Harris, Treasurer/Collector listing the outstanding taxes

B. 7:05 PM: Therecka, Inc. d/b/a The Grill 122, 91 Providence Road, Linwood, MA 01525/1) Application for a new All Alcoholic Beverages License [Present: William Therecka, Mgr. & Thomas Wickstrom, Attorney]

- Copy of public hearing notice
- Copy of application for a new license
- Copy of articles of organization
- Copy of CORI Request form
- Copy of naturalization papers
- Copy of Connecticut driver's license
- Copy of Corporate Vote
- Copy of lease agreement
- Copy of layout
- Copy of Monetary Transmittal Form
- Copy of payment receipt
- Copy of Corporate Vote
- Copy of bank letter
- Copy of License Routing Slip

2) Application for a Common Victualler license

- Copy of Common Victualler License application
- Copy of Revenue Enforcement and Protection Attestation
- Copy of layout
- Copy of Articles of Organization
- Copy of Property Record Card

- III. APPOINTMENTS/By the Board of Selectmen: C. Open Space & Recreation Update Committee 1. Barbara McNamee [Conservation Commission], 2. Richard Chiras [Conservation Commission], 3. Brian Massey [Planning Board]**
-Copy of memo notification for appointment from the Conservation Commission

IV. CITIZENS' COMMENTS/INPUT

V. DECISIONS:

D. Spring Annual Town Meeting [May 7, 2019]/1) Vote to open the warrant this date and 2) Vote to close the warrant on Friday, March 8, 2019 at Noon/No documentation

E. Fire Department/ Monetary Donation to the Fire Department in the amount of \$300 [Contribution made by Daniel O'Neill]/Vote to accept/No Documentation

F. 2019 Operation Graduation/Request to hold a boot drive on Saturday, May 4, 2019 from 9 AM to 2 PM at Memorial Square and Ovia Square [Rain date: May 5, 2019]/Present: Maria Paulhus

-Copy of Boot Drive Request Form

DISCUSSIONS/None

TOWN MANAGER'S REPORT/No documentation

SELECTMEN'S CONCERNS/No documentation

ITEMS FOR FUTURE AGENDA/None

CORRESPONDENCE/None

EXECUTIVE SESSION/None