



**BOARD OF SELECTMEN**  
**Meeting Agenda**  
**January 27, 2014**  
**Boxborough Town Hall**  
**Grange Meeting Room**

**1. CALL TO ORDER, 7:00 PM**

**2. ANNOUNCEMENTS**

**3. APPOINTMENTS**

*[Times are estimated; if you are interested in a particular matter, please plan to arrive 15 minutes earlier]*

- a) DPW Director Tom Garmon, to present FY15 DPW budgets, 7:05 PM  
(members of FinCom may also be present)
- b) Fire Chief Randolph T. White, to present FY15 Fire Department budget, 7:35 PM  
(members of FinCom may also be present)
- c) Personnel Board, further discussion re: Compensation and Classification Study, 8:05 PM
- d) Mary Brolin, Chair, Library Board of Trustees and other interested parties, to discuss proposed donation from the Friends of the Whitcomb House, 8:35 PM
- e) Bruce Hager, Steele Farm Advisory Committee Chair; Dave Nordstrom, Conway School and other interested parties to discuss preliminary scope of Steele Farm management plan, 9:00 PM
- f) Citizens concerns

**4. MINUTES**

- a) Regular session, January 13, 2014

**ACCEPT & POF**

**5. SELECTMEN REPORTS**

**6. OLD BUSINESS**

**7. NEW BUSINESS**

- a) Authorization of Bond Anticipation Note #362 in the amount of \$864,500, payable to Century Subsidiary Investments Inc. III (Century Bank), on February 13, 2015  
[N.B. Town Clerk's presence will be required when signing]  
[Rollover of \$280,000 borrowing authorized at ATM 2012 for DPW mower, DPW generator and Blanchard School roof plus new borrowing of \$584,500 authorized at ATM 2013 for Town Hall windows, Fire Dept. vehicle, Fire Dept. ambulance, DPW mower, DPW dumpster, Police Dept. HVAC, Blanchard School windows and Blanchard School security upgrade]
- b) John R. & Elsie G. Hammond Scholarship, \$750
- c) Proposed mixed martial arts event at Holiday Inn, February 21, 2014.

**VOTE:**

**VOTE:**

**8. CORRESPONDENCE**

**ACCEPT & POF**

- a) Internal Communications
- b) Minutes, Notices & Updates
- c) General Communications

**9. PRESS TIME**

**10. CONCERNS OF THE BOARD**

**11. EXECUTIVE SESSION, TOWN ADMINISTRATOR’S OFFICE, tentative**

*Move to adjourn to executive session to conduct strategy session in preparation for negotiations with non-union personnel (Police and Fire Chiefs and DPW Director) and to adjourn immediately thereafter*

**ROLL CALL  
VOTE:**

**12. ADJOURN**

**From:** "Mary Brolin"

**Date:** January 5, 2014 at 8:22:34 PM EST

**To:** <amorosovm>, <bstemple>, "Selina S. Shaw" <selina.shaw@town.boxborough.ma.us>

**Cc:** "Maureen Strapko" <mstrapko@cwmars.org>, "Elizabeth Reinhardt"

Hello Vince, Bob and Selina,

I am writing to you in my capacity as Chair of the Library Board of Trustees. We have been approached by Karen Kely in her role as a member of the Friends of Whitcomb House/Senior Center, Inc. Many years ago the Friends of Whitcomb House raised about \$70,000 with the purpose of obtaining, renovating and maintaining the Whitcomb House as a senior center in Boxborough. They were not able to achieve this mission and with recent Town efforts to establish a Community Center at the UCC church they have decided they will dissolve the group. With this in mind, they are looking to donate the funds to a group in Boxborough to benefit seniors and have identified the Sargent Memorial Library as the potential recipient, with the funds to be focused on materials and services that will be used by seniors.

Members of the Library Board of Trustees have spoken to several seniors in town about our accepting these funds. The general feeling is that they would like to see the funds put to good use to benefit seniors of the Town and although some might put the funds elsewhere, they support the funds going to the Library.

The Friends of Whitcomb House is working with Elizabeth Reinhardt on the legal documents to make this happen. Liz has drafted the attached two documents which have been reviewed by the Library Board of Trustees.

To make this happen, we are requesting two things from the Board of Selectman:

First, we would like to have Town Counsel review the attached documents and give us his input on whether he would recommend any changes.

**Second, legally, for the Board of Library Trustees to accept the funds, the Selectmen need to vote to approve the acceptance.** As part of this second request, I would be happy to come to a Selectmen's meeting to discuss this with you and address any questions/concerns. I'm fairly certain Liz Reinhardt could also be available if you would like that.

Please let me know if you have any questions/concerns and how you would like us to proceed with this.

Thank you!

Mary

## INPUT FROM TOWN COUNSEL

**Please confirm that the procedure emboldened in Mary's email below is the appropriate process.**

*In my opinion, the procedures outlined for the acceptance of the gift from the Friends of the Whitcomb House is appropriate. Pursuant to G.L. c. 78, s. 11, the Board of Library Trustees is empowered to administer all gifts and bequests made to the Town for the benefit of the library, and the Sargent Memorial Library is the intended future beneficiary of the funds as specified in the draft Memorandum of Agreement (MOA). Thus, the Board of Library Trustees will act as trustees with regard to these funds, rather than the Town's Commissioners of Trust Funds per G.L. c.41, §45. In turn, such funds may be expended with the approval of the Board of Selectmen pursuant to G. L. c. 44, s. 53A. I recommend that the MOA be revised to make clear that it is the Board of Library Trustees which is empower to administer the funds. This can be accomplished by adding in the fourth Whereas clause after the reference to the Sergeant Memorial Library, the following: "acting by and through its Board of Trustees." The signature page should be revised to provide for execution of the Memorandum of Agreement by the Board of Library Trustees. In addition, I recommend that a provision be added to the Memorandum of Agreement stating that interest on the funds shall be credited to the gift account in accordance with G.L. c. 44, §53A.*

*I understand that it is the intention of the Library Trustees to obtain the approval of the Board of Selectmen for the acceptance of the gift. While there is some question whether the Board of Library Trustees require the approval of the Board of Selectmen to accept a gift of funds for library purposes, as the chief elected board of the Town, it is certainly appropriate for the Board of Selectmen to vote acceptance of the gift.*

**What would happen in the event that the Trustees accept the funds under the specified conditions, and a donor to the FoWH comes forward and says that they do not "approve" of the monies being gifted to the Library Board of Trustees. The Selectmen want to ensure that no liability could fall to the town.**

*Please note that, according to the terms of the Memorandum of Agreement, the transfer of funds to the Library is contingent upon the Approvals by the Massachusetts Office of the Attorney General and Massachusetts Supreme Judicial Court in a dissolution proceeding. Because the Friends of the Whitcomb House is a non-profit organization and donated funds were solicited and received for a specific purpose, in my opinion a charitable trust was established when the funds were first donated. Accordingly, in order to use the funds for a different purpose, the Director of the Division of Public Charities of the Attorney General's Office (the "Director") must be notified in accordance with G.L. c.12, §8G and as provided in G.L. c.12, §8G the Attorney General may seek to be made a party to the dissolution proceeding, and, as provided by G.L. c.180, §11A, the Massachusetts Supreme Judicial Court must approve the dissolution of the non-profit corporation and authorize the administration of its funds for such similar public charitable purposes as the court may determine. The Memorandum of Agreement sets forth a procedure whereby the Friends will obtain the necessary "Approvals" before the funds are actually transferred to the Town. This will entail notifying the Director and obtaining court approval. It would appear that the Friends has engaged counsel for the purpose of drafting the documents and for providing the necessary notices and obtaining the necessary approvals.*

*If such notice to the Director is given and court approval obtained and the transfer of funds to the Town is completed, in my opinion there is little likelihood of any liability falling on the Town since the procedures outlined in the Memorandum of Agreement include the necessary notice to the Director and court approval.*

**Are FoWH obligated to make any efforts to identify donors and offer to return monies?**

*Although G.L. c.180, §11A pertaining to the dissolution of charitable corporations does not expressly require notice to those who have donated funds to the corporation, it is possible that the court will order notice to such persons. Unless a particular gift expressly stated that the money shall be returned to the donor if not used for the particular purpose for which it was donated, however, it is unlikely that a court would order that the funds be returned to the donor or his heirs or next of kin.*

**Are FoWH obligated to return donated monies if so asked?**

*As long as the Friends obtain the necessary approvals as outlined above, there is no obligation to return the donated funds. Donors have the right, however, to object to the Director and/or the court in the dissolution proceeding.*

**What happens if donor asks for return of donated funds, once money has been gifted to Library Trustees?**

*Because the funds will only be transferred to the Town upon receipt of the "Approvals," in my opinion the Trustees would not be legally obligated to return the funds if an original donor objects after the fact. Furthermore, unless the Memorandum of Agreement provides for the ability of the Town to return a gift and that return is approved by the court in the dissolution proceeding or some subsequent court proceeding, the Trustees would not have the legal authority to return the gift since that would be a purpose not stated in the MOA.*



**DRAFT 11.6.13**

**MEMORANDUM OF AGREEMENT**

**The Sargent Memorial Library  
and  
The Friends of Whitcomb House/Senior Center, Inc.**

WHEREAS, The Friends of Whitcomb House/Senior Center, Inc. (Whitcomb House), is a 501 (c)(3) private, non-profit corporation whose mission is to obtain, renovate and maintain the Whitcomb House as a senior center in Boxborough; and

WHEREAS, the Whitcomb House Board of Directors has concluded that continued operation is impossible and impracticable and has voted to dissolve; and

WHEREAS, Whitcomb House wishes to further its mission and legacy by allocating any funds remaining upon dissolution, subject to the prior approval of the Massachusetts Attorney General and Supreme Judicial Court (the "Approvals"), to a worthy organization supporting programs and activities of benefit to senior citizens in the Boxborough community; and

WHEREAS, The Sargent Memorial Library is the public library facility in the Town of Boxborough; and

WHEREAS, The Sargent Memorial Library has become an important participant in senior programming in Boxborough and the Library staff and trustees have made a commitment to senior programming.

NOW THEREFORE, The Sargent Memorial Library and The Friends of Whitcomb House / Senior Center, Inc. (collectively, the Parties and individually a Party) memorialize their intentions and understandings as follows:

1. Contingent upon the Approvals and transfer of funds upon dissolution of Whitcomb House, the Library will establish and implement the Whitcomb House Fund in accordance with the Whitcomb House Fund Plan attached hereto as Attachment A.
2. The Library acknowledges that any material change from its obligations pursuant to this Agreement, the Whitcomb House Fund Plan, and/or the dissolution court order would require approval of the Massachusetts Attorney General and Supreme Judicial Court.
3. This Memorandum may be executed in counterparts, each of which shall be deemed to be an original, and such signed counterparts shall constitute one and the same instrument. Facsimile and e-mail PDF signatures shall be acceptable as evidence of execution of this Memorandum, without the need for sending or receiving the original executed document.

IN WITNESS WHEREOF, each Party has caused this Memorandum of Agreement to be approved by its Board of Directors and executed by a duly authorized representative.

THE FRIENDS OF WHITCOMB HOUSE/ SARGENT MEMORIAL LIBRARY  
SENIOR CENTER, INC.

\_\_\_\_\_

\_\_\_\_\_

Dated: \_\_\_\_\_, 2014

Dated: \_\_\_\_\_, 2014

**WHITCOMB HOUSE FUND PLAN**

The Sargent Memorial Library (“Library”) would be pleased to accept funds conveyed in connection with dissolution of The Friends of Whitcomb House/Senior Center, Inc. (“Whitcomb House”), to be applied as follows:

**Whitcomb House Fund**

A restricted fund to be known as the **Whitcomb House Fund** (the “Fund”) will be created for the purpose of acquiring Library materials for, and supporting library programs and activities of interest to senior citizens in the Boxborough community.

Subject to the investment and distribution terms below, the Fund will be utilized to acquire library materials popular with senior citizens, such as large print books, audio books, DVD’s and magazines, as well as to present programs and activities popular with seniors, such as movie showings.

Rationale: The Sargent Memorial Library has become an important participant in senior programming in Boxborough. The new library facility offers comfortable, accessible library and community program space and the Library staff and trustees have made a commitment to senior programming. Library activities and programs for seniors are well attended and senior oriented materials are heavily utilized.

**Investment and Distribution Terms**

The Library may invest and manage Whitcomb House funds together with, and in coordination with its other holdings. At the Library’s discretion, principal and income generated by the Fund may be distributed at any time for the purposes stated above until all principal and income in the Fund has been expended.

Estimated value of the Fund upon conveyance to the Library is \$65,000. The Library will use best efforts to present at least two or three programs or activities of interest to senior citizens each year.

**Anticipated Next Steps:**

1. Boards of both Whitcomb House and the Library finalize a Memorandum of Agreement and Fund Plan, contingent upon Approvals by the Massachusetts Office of the Attorney General and Massachusetts Court in a dissolution proceeding (the “Approvals”);
2. Receipt of the Approvals and a court order to convey funds to the Library; and
3. Upon receipt of transferred funds, establishment of the Whitcomb House Fund and formal announcement of the Fund’s creations within the Boxborough community.



the **Graduate Program** in Sustainable  
Landscape Planning + Design  
**Conway School**

**Paul Cawood Hellmund**  
*Director*

January 22, 2014

Nina Antonetti  
*Director of Advancement*  
Adrian Dahlin  
*Director of Admissions & Marketing*  
David Nordstrom  
*Administrative Director*  
Priscilla Novitt  
*Communications Manager*

Mr. Vincent Amoroso, Chair  
Board of Selectmen  
Boxborough Town Hall  
29 Middle Road  
Boxborough, MA 01709

**BOARD of TRUSTEES**

Via email: [bruce4570@verizon.net](mailto:bruce4570@verizon.net)

Virginia Sullivan '86, Chair  
*Learning by the Yard  
Conway, MA*  
Allen Rossiter, Vice Chair  
*Lincoln, MA*  
Dr. Richard C. Andriole  
*Retired Business Manager  
Eaglebrook School, Deerfield MA*  
Mitch Anthony  
*Brand and Organizational  
Strategist, Clarity  
Northampton, MA*  
John S. Barclay  
*Wildlife Conservation Center  
UCONN, Storrs, CT*  
Rachel Bird Anderson  
*Public Health Professional  
Minneapolis, MN*  
Michael Cavanagh '02  
*Cavanagh Landscape Design  
Saunderstown, RI*  
Kerri Culhane '10  
*Two Bridges Neighborhood  
Council, New York, NY*  
Carol Franklin  
*Andropogon Associates  
Philadelphia, PA*  
Nicholas Lasoff '05  
*Lasoff Landscape Design  
Bennington, VT*  
Carla Oleska  
*Women's Fund of Western  
Massachusetts  
Easthampton, MA*  
Bob Pura  
*President, Greenfield Community  
College, Greenfield, MA*  
Dolores Root  
*Center for Creative Solutions  
Brattleboro, VT*  
Keith Ross  
*LandVest, Warwick, MA*  
Timothy A. Umbach  
*Northampton, MA*  
Seth Wilkinson '99  
*Wilkinson Ecological Design  
Orleans, MA*  
**Emeritus Trustees**  
David Bird (d. 2007)  
Gordon H. Shaw '89  
Bruce Stedman '78  
**Walter Cudnohufsky**  
*Founder, Director, 1972-1992*  
**Donald L. Walker, Jr.**  
*Director, 1992-2005*

Dear Mr. Amoroso,

Thank you for your interest in our student design services regarding a management plan for the Steele Farm conservation land. The Conway School would be pleased to undertake such a project and delighted to welcome you as part of our educational process.

**Preliminary Proposal.** During the Conway School's spring term, April – June 2014, a team of graduate students using data from the Baseline Document Report prepared by The Trustees of Reservations, the Grasslands and Meadows Management Plan prepared by Mass Audubon, and the Boxborough Reconnaissance Report prepared by the Massachusetts Division of Conservation and Recreation, will prepare a management plan for the 36-acre Steele Farm conservation land in Boxborough, Massachusetts. Bruce Hager, Chair of the Steele Farm Advisory Committee would serve as the primary project contact.

**SCOPE OF SERVICES**

The student report will:

- Explore potential agricultural uses
- Explore stewardship strategies
- Assess wildlife management needs to the extent possible using existing data and limited field research
- Assess the existing trail systems and make recommendation for improvements if necessary
- Explore connections to adjacent open space
- Evaluate the ecosystem services provided by Steele Farm and the larger open space and provide recommendations for improvement if necessary
- Identify ways to protect and improve water quality
- Identify methods to enhance habitat and species diversity while maintaining appropriate recreational opportunities
- Determine appropriate recreational uses
- Investigate methods to manage illegal uses
- Evaluate access and circulation patterns including signs and parking needs
- Assess the potential for providing accessible destinations
- Explore how the land and buildings can serve as a classroom for educational

*The mission of the Conway School is to explore, develop, practice, and teach design of the land that is ecologically and socially sustainable.*

- and interpretive programs
- Identify existing and potential conflicts between human recreation and natural processes
- Improve wayfinding
- Research user demographics to the extent possible
- Provide mapping of invasive species and management recommendations using existing data and limited field research.
- General maintenance scheduling

**Process.** A team of 2-3 graduate students will come to Boxborough in mid-April 2014, to meet with you and/or other representatives or stakeholders to review goals and objectives towards establishing a more detailed scope of services, which will be embodied in a final contract that the team will draw up for your consideration, including a time-table.

Using base information that we receive from you (maps, other pertinent documents, etc.) and other information the student team uncovers, the students will draft a document analyzing the issues pertinent to the project. The student team will hold two stakeholder meetings designed to solicit opinion in regard to the subject of the project and to provide preliminary findings and recommendations.

The Conway team will be available to meet with you on several occasions during the term that you and the team may mutually identify. Final products will include three bound plan sets and a CD of the material. The project will be completed by July 15, 2014.

**Reimbursement cost.** The cost of this project is \$6,500. Half of the reimbursement is to be paid before the project starts on or about April 15, 2014, and the remainder upon receipt of the final plan set on or before July 15, 2014.

**Questionnaire.** You will commit to completing brief questionnaires assessing the Conway work and process at the mid-point of the project and following receipt of the final report. The feedback from these questionnaires is vitally important to the school and allows us to more readily identify areas for improvement. In addition our accrediting agency, the New England Association of Schools and Colleges (NEASC), reviews these questionnaires as part of their overall evaluation of the school.

**Confirmation of agreement.** At such time as the above terms or modified version we may agree on are deemed satisfactory, the preliminary agreement may be confirmed by signing and mailing to me two copies of this proposal. I will sign and return one copy for your records.

Thank you for considering Conway's proposal for preparing a management plan for the Steele Farm conservation land. We believe that this project will be an excellent learning experience for a team of Conway graduate students and that you will receive a thoroughly researched document in a defined period of time that takes into account stakeholder opinions as well as studies prepared to date.

Sincerely,

David Nordstrom  
Administrative Director

\_\_\_\_\_  
Vincent Amoroso, Chair  
Board of Selectmen  
Date: \_\_\_\_\_



**BOARD OF SELECTMEN**  
**Meeting Minutes**  
**January 13, 2014**

Approved: \_\_\_\_\_

**PRESENT:** Vincent Amoroso, Chair; Robert Stemple, Clerk (arrived ≈7:20 PM); Les Fox, Member; Raid Suleiman, Member and Jim Gorman, Member

**ALSO PRESENT:** Selina Shaw, Town Administrator and Cheryl Mahoney, Department Assistant

The documents discussed herein have been included with the file copy of the agenda packet for the above referenced date and are hereby incorporated by reference.

Chair Amoroso called the meeting to order at 7:06 P.M. in the Grange Meeting Room of Town Hall.

**ANNOUNCEMENTS**

Chair Amoroso read the announcements.

**APPOINTMENTS**

- Town Assessor, Ruth Anderson, was present to continue the discussion on increasing the Assessor's hours. Assessor Anderson advised that an Assessor's office in a liked-sized community is typically staffed 60+ hours a week (i.e. full-time Assessor & part-time support). She is looking at adding just eight additional hours a week for the current fiscal year. There was discussion as to budgeting for an increase for FY 15. Anderson noted that, based on her review, she will not be able to resolve all of the identified backlogs, gaps and data deficiencies until well into FY 15. She further noted that this project is in addition to the regular workload. TA Shaw spoke to the staffing arrangements under the two previous Assessors. Member Fox moved to authorize the increase in hours for the Town Assessor, effective immediately, from twenty-four to thirty-two hours per week, and further, to forward to the Finance Committee for approval the request to transfer \$3,089.84 from the Reserve Fund to account #001-141-5100-5112, Assessor Salary. Seconded by Member Suleiman. **Approved 4-0 (Member Stemple not present for vote).**

*The Board took Agenda Item #4a, out of order.*

**MINUTES**

- Member Gorman moved to accept the minutes for the regular session, January 6, 2014, as revised. Seconded by Member Suleiman. **Approved 4-0 (Member Stemple not present for vote).**

**APPOINTMENTS (Continued)**

- Police Chief Warren Ryder was present to discuss the FY 15 Police & Dispatch budgets and potential warrant article. Finance Committee member Jim Ham was present for this discussion. Chief Ryder opened discussion by updating the Selectmen on his efforts to fill the vacate patrol officer position. A candidate should be chosen by the end of the month and they will then be presented to the Selectmen. Chief Ryder referred to his FY 15 Budget presentation; opening discussion on the FY 15 Dispatch Budget with a summary of the overall changes. Selectmen asked Chief Ryder to expand on Dispatch's overtime budget lines. He noted that contractual obligations, "Earned Time" and the tenure of the current staff have a significant effect on this budget. Chief Ryder noted that he anticipates that this amount will be reduced prior to Town Meeting. Chief Ryder noted that he had prepared a breakdown as to overtime, he just did not have it with him tonight but that he could forward the data. There was a discussion about possibly retaining additional part-time staff to cover these slots and the difficulties that the Chief has encountered when he previously sought to hire part-time dispatchers. The Chief moved onto the Police Budget, again, starting with a summary of the overall changes to this budget. Regarding the salary section: Chief Ryder is currently in contract negotiations with the Town so the FY 14 number is the placeholder here; there is a 5.3% increase for Officers pursuant to their contract and 4% placeholders for Clerical Support and for Special Officers. Historically, the budget for Lock up Attendants has been underfunded so he has increased it by 17%, to address this FY 15. Discussion moved to expenses. Chief Ryder updated the Board of the status of the department's vehicle fleet - two vehicles were unexpectedly replaced this year so 80% of the fleet is

currently under warranty. There was a discussion on the type of vehicles that are being acquired and the outfitting that is necessary for a police vehicle. Chief Ryder spoke to the proposed capital articles – Replacement of 10 computers; Public Safety Needs Analysis; and Public Safety Communication. Possible alternative funding sources i.e. grants, were also discussed.

*The Board took Agenda Item #5, out of order.*

#### **SELECTMEN REPORTS**

- Member Fox reported that he met with Chief Ryder and FinCom’s John Rosamond, to review the police & dispatch budgets.

He also reported that he continues to work with Chief Ryder and TA Shaw on identifying what is needed to prepare the IT infrastructure for the server upgrades. TA Shaw added that CISCO will be donating several server racks for this project.

Member Fox reported that he and TA Shaw met this morning with CoA Chair, Frank Powers concerning the renewal of the Community Center’s lease.

He reported that, this morning, he and TA Shaw also participated in a meeting of the Regional Economic Development Committee (REDC) among those present were representatives from Littleton and Westford. Some of the matters discussed – CrossTown Connect; status of the towns’ respective EDC activities and tax classification determinations.

- Member Suleiman reported on Energy Committee activities. A MAPC representative attended a recent meeting and they are working with TA Shaw on a proposal for the Town to access “Green Communities” funding. The EnCom is considering an article for Town Meeting but they are still working out the specifics. He updated the Board on EnCom efforts as to the installation of energy efficient window curtains for Town Hall – expanded from original proposal for just the Grange Meeting Room. EnCom will be coming before the Board to discuss their proposal. BICAO Lindberg has attended EnCom’s discussions on this.
- Member Stemple reported on Steele Farm Advisory Comm. activities. The Conway School is unable to do the Management Plan study this spring, they are looking at this fall or maybe even next spring (2015). SFAC intends on coming to an upcoming meeting to discuss the status of this; various other activities and preservation efforts.
- Chair Amoroso reported that he and Member Fox have met with members of FinCom regarding establishing goals for the contract renewal negotiations with the Police Chief.
- Member Gorman reported that he has had discussion with the concerned resident regarding Kaisen Tuning’s noise levels. Member Fox related discussions that he had with BICAO Lindberg today on this matter.

#### **APPOINTMENTS (Continued)**

- Sandy Stapczynski from Human Resources Services, Inc. (HRS) and members of the Personnel Board were present to continue the discussion of the Compensation and Classification Study. FinCom member John Rosamond was also present. Ms. Stapczynski had returned to answer some of the questions/concerns that had been raised. The majority of these queries focused on the rating system’s metrics and methodology. Member Gorman spoke to the concerns that he has raised in his memo. A lot of good work had been done and the information provided was mostly right. However, there were some positions that he felt were mis-classified and assigned to the incorrect pay grade. Specifically, he felt that the public safety per diem personnel situation in Boxborough is atypical and these anomalies should have been factored into this analysis. He further noted that the “factors” used in the HRS points/degrees system are subject to interpretation. Ms. Stapczynski reviewed the methodology, processes used by HRS and the factors that they utilize when positions are rated. The criteria in the HRS grading manual, is universally accepted for rating municipal positions. Once the ratings were compiled HRS has those raters meet to compare the scoring; they come to a consensus on the ratings and this is then balanced with market data to come to a final determination. HRS comes into these studies as a stranger - not familiar with local politics. They provided a standard independent evaluation. The scope of work did not include meeting with department heads or personnel. This report is a management study – a recommendation that the Town can take away from it what they wish. Modifications can be made, however, they should be done judiciously as extensive modification would significantly impact overall integrity of the analysis. When it comes to re-classification she suggested shifting a few position by one or even two grades, as being discussed tonight, may not have a significant impact to the overall integrity. However, any change could ripple out, effecting the placement of other positions. There was discussion on incorporating the presented variables. Ms. Stapczynski noted that if HRS went back in and factored these variables this would no longer be an independent analysis. There is a question as to which methodology to use - Member Gorman’s or HRS’s. Member Gorman noted that the study was extremely helpful, he just disagrees with the metric. The Personnel Board noted that other factors were considered in their discussions with HRS, and some modifications were made however they perceived that, in general, these variables were not significant enough to bring to the Selectmen’s attention prior to the conclusion of the study. The Selectmen asked the Personnel Board to re-open their discussion; reflect on Member Gorman’s

memo and reconsider their current recommendation. The Personnel Board noted that the cost of these shifts; the justification and supporting materials should be identified in order for them to re-open this matter and asked Member Gorman to provide this information. Rosamond asked that FinCom also be provided this material. As to Call / Per Diem public safety personnel Ms. Stapczynski noted that these positions are not classified in the current schedule and one of the study's recommendations is that these positions do become classified. There was discussion about the intermittent position classification and how they should be handled moving forward. Personnel Board Chair Anne Canfield provided some history on these positions; why they are currently "flat-rated" and why the Personnel Board is not proposing any changes to this practice. It was suggested that a range for these positions should be set before further analysis occurs. The Selectmen thanked the Personnel Board and Ms. Stapczynski for their many hours of hard work. The Personnel Board will meet and consider Member Gorman's information and the concerns brought forward tonight and the come back to the Selectmen with so the Selectmen vote on the acceptance of the recommendations presented in the Compensation and Classification Study.

- No one asked to speak when Chair Amoroso opened the floor for Citizens' concerns.

#### **NEW BUSINESS**

- The Board opened discussion on Town Treasurer Margaret Dennehy's notice of retirement which will be effective May 30, 2014. It was noted Ms. Dennehy has been an asset to the Town and will be missed. Member Suleiman moved to accept Town Treasurer Margaret Dennehy's retirement from the Town, effective May 30, 2014, with regrets. Seconded by Chair Amoroso. **Approved 5-0.**
- The Board discussed the establishment of a Town Treasurer search team - including the timeline, anticipated tasks and the composition of the search team. Member Stemple volunteered to serve as the Selectmen's representative. Member Suleiman moved to support TA's proposed plan for moving forward with search process to fill the upcoming vacancy in the office of the Town Treasurer. Seconded by Member Stemple. **Approved 5-0.**
- Though not on the Agenda, Member Fox moved to appoint John Markiewicz to the Stow Road Concept Development Committee for a term beginning immediately and ending on December 31, 2014. Seconded by Member Stemple. **Approved 5-0.**

#### **EXECUTIVE SESSION**

- It was determined that there was no need for an Executive Session.

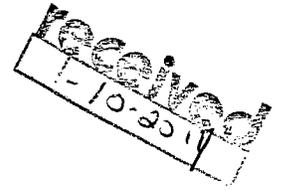
#### **ADJOURN**

- The meeting was adjourned at 9:35 PM.



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**Acton-Boxborough Regional High School**  
**36 Charter Road, Acton, Massachusetts 01720**  
**Tel: (978) 264-4700 Web Address: ab.mec.edu/abrhs**



*Together we promote respect for self, others, and learning*

January 9, 2014

Re: John and Elsie Hammond Memorial Scholarship

Dear Mr. Suleiman

We welcome your participation in recognizing our students through awarding a graduating senior in the Class of 2014 with a scholarship. This year, as we prepare for the ceremony, we would like your assistance in providing us with the information we need to begin the process.

We are planning a Scholarship Reception the week before graduation specifically for the presentation of scholarships. We look forward to your participation in this May 29th event which will focus attention on community support. Presenters, recipients and their families, and the community will be invited. Presenters will have the opportunity to present their awards directly to the recipients at the podium, personalizing the occasion for both. There will be a photographer on hand and there will be a reception following the formal presentation of scholarships. We continue to be excited about the more personalized approach which the scholarship reception offers. It has been well received.

I hope you will want to make an award again this year and that you will feel able to match, or increase, last year's amount. We have looked at our local scholarship program as a vehicle that has enabled us to grant aid to some of our students based on the character, qualities, activity or their attainment as a student scholar. Over the years we have been fortunate to have received support for our students from many segments of our communities including civic organizations, local businesses and booster groups.

On the enclosed sheet would you kindly make changes, if any, in the information about the scholarship, complete the data requested with regard to the presenter, and indicate your preferred method of payment. We ask that you also include an email address on the criteria form as well. A stamped, self-addressed envelope is enclosed for your convenience. Please respond by **February 7th** in order for us to have all the information available for the scholarship committee when they begin their series of meetings.

The Scholarship Ceremony will be held at 7:00 p.m. on Thursday, May 29, 2014 in the high school auditorium. I will be in touch with you again prior to this date. However, please feel free to contact either myself or the ABRHS Local Scholarship Coordinator, Lynn Hurley (978-264-4700 ext. 3405) if you have any questions.

As a reminder to all of our sponsors, only those seniors who have completed the electronic local ABRHS scholarship application by the established deadline are eligible for the scholarships to be awarded at the ceremony on May 29, 2014.

Thank you in advance for your continued support of our ABRHS graduates.

Sincerely,

A handwritten signature in cursive script that reads "John Campbell". The signature is written in black ink and is positioned above the title "Principal".

Principal

**CRITERIA:**

Awarded to an overall outstanding senior selected by the principal of the high school. Must be a Boxborough resident and a graduate of Blanchard School. Financial need is not a criteria.





**Internal Communications and Outgoing Communications**  
**January 27, 2014**

1. Letter from TA Shaw, dated January 16, 2014, to MART's Acting Administrator, Bruno Fisher advising that Marcia McNeil is no longer providing [van] dispatch services to the Town and that, effective December 16<sup>th</sup>, TransAction Assoc. is providing dispatch services.
2. Letter from Luis Rodriguez, Chief of FEMA's Engineering Management Branch, dated January 7, 2014, to Leslie Fox Chairperson of the Board of Selectmen, on the status of the proposed modified flood hazard determinations (FHDs) and the related study and mapping regarding the Town of Boxborough, Middlesex County, Massachusetts.(accompanied by "Final Summary of Map Actions")\*





# Federal Emergency Management Agency

Washington, D.C. 20472

received  
1-16-2014

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:  
115-I

January 7, 2014

Leslie Fox  
Chairperson, Board of Selectmen  
Town of Boxborough  
Town Hall  
29 Middle Road  
Boxborough, Massachusetts 01719

Community: Town of Boxborough,  
Middlesex County, Massachusetts  
Community No.: 250184  
Map Panels Affected: See FIRM Index

Dear Mr. Fox:

On May 30, 2013, you were notified of proposed modified flood hazard determinations (FHDs) affecting the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for the Town of Boxborough, Middlesex County, Massachusetts (All Jurisdictions). The statutory 90-day appeal period that was initiated on June 13, 2013, when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed FHDs for your community in *The Beacon*, has elapsed.

FEMA received no valid requests for changes in the FHDs. Therefore, the determination of the Agency as to the FHDs for your community is considered final. The final FHDs will be published in the *Federal Register* as soon as possible. The modified FHDs and revised map panels, as referenced above, will be effective as of July 7, 2014, and revise the FIRM that was in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the panels being revised are indicated above and on the maps and must be used for all new policies and renewals.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Because of the modifications to the FIRM and FIS report for your community made by this map revision, certain additional requirements must be met under Section 1361 of the 1968 Act, as amended, within 6 months from the date of this letter. Prior to July 7, 2014, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3(d) of the NFIP regulations. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all the standards specified in Paragraph 60.3(d) of the NFIP regulations must be enacted in a legally enforceable document. This includes the adoption of the effective FIRM and FIS report to which the regulations apply and the modifications made by this map revision. Some of the standards should already have been enacted by your community. Any additional requirements can be met by taking one of the following actions:

1. Amending existing regulations to incorporate any additional requirements of Paragraph 60.3(d);

2. Adopting all the standards of Paragraph 60.3(d) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3(d).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the 1973 Act as amended.

A Consultation Coordination Officer (CCO) has been designated to assist your community with any difficulties you may be encountering in enacting the floodplain management regulations. The CCO will be the primary liaison between your community and FEMA. For information about your CCO, please contact:

Richard Verville  
Chief, Hazard Mitigation Assistance Branch  
Federal Emergency Management Agency, Region I  
99 High Street, Sixth Floor  
Boston, Massachusetts 02110  
(617) 956-7524

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions to document previous Letter of Map Change (LOMC) actions (i.e., Letters of Map Amendment (LOMAs), Letters of Map Revision (LOMRs)) that will be superseded when the revised FIRM panels referenced above become effective. Information on LOMCs is presented in the following four categories: (1) LOMCs for which results have been included on the revised FIRM panels; (2) LOMCs for which results could not be shown on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lots or structures involved were outside the Special Flood Hazard Area as shown on the FIRM; (3) LOMCs for which results have not been included on the revised FIRM panels because the flood hazard information on which the original determinations were based is being superseded by new flood hazard information; and (4) LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures cannot be revalidated through an administrative process like the LOMCs in Category 2 above. LOMCs in Category 2 will be revalidated through a single letter that reaffirms the validity of a previously issued LOMC; the letter will be sent to your community shortly before the effective date of the revised FIRM and will become effective 1 day after the revised FIRM becomes effective. For the LOMCs listed in Category 4, we will review the data previously submitted for the LOMA or LOMR request and issue a new determination for the affected properties after the revised FIRM becomes effective.

The FIRM panels have been computer-generated. Once the FIRM and FIS report are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided to your community for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements, and many other planning applications. Copies of the digital files or paper copies of the FIRM panels may be obtained by calling our FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627). In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

If you have any questions regarding the necessary floodplain management measures for your community or the NFIP in general, we urge you to call the Director, Mitigation Division of FEMA Region I, in Boston, Massachusetts, at (617) 956-7506 for assistance. If you have any questions concerning mapping issues in general or the enclosed Summary of Map Actions, please call FMIX at the number shown above. Additional information and resources your community may find helpful regarding the NFIP and floodplain

management, such as *The National Flood Insurance Program Code of Federal Regulations, Answers to Questions About the NFIP, Use of Flood Insurance Study (FIS) Data as Available Data, Frequently Asked Questions Regarding the Effect that Revised Flood Hazards have on Existing Structures, and National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <http://www.floodmaps.fema.gov/lfd>. Paper copies of these documents may also be obtained by calling FMIX.

Sincerely,



Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

Enclosure:

Final Summary of Map Actions

cc: Community Map Repository  
Mary Nadwairski, Conservation Commission, Town of Boxborough  
Tom Garmon, Public Works Director, Town of Boxborough  
Elizabeth Hughes, Town Planner, Town of Boxborough  
✓ Selina S. Shaw, Town Administrator, Town of Boxborough



## FINAL SUMMARY OF MAP ACTIONS

Community: BOXBOROUGH, TOWN OF

Community No: 250184

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs) and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on July 7<sup>th</sup>, 2014.

**1. LOMCs Incorporated**

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

**2. LOMCs Not Incorporated**

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	00-01-0330A	02/09/2000	239 DAVIDSON ROAD	2501840002C	25017C0238F
LOMA	00-01-0278A	03/21/2000	346 REED FARM ROAD	2501840004C	25017C0351F
LOMA	00-01-0464A	04/13/2000	45 HILL ROAD	2501840003C	25017C0331F
LOMA	00-01-0280A	05/11/2000	988 DEPOT ROAD	2501840003C	25017C0332F
LOMA	00-01-0878A	08/31/2000	MAP 11, PARCEL 513 - 304 REED FARM ROAD	2501840004C	25017C0351F
LOMA	05-01-0702A	08/11/2005	REED FARM II, LOT 211 - 276 REED FARM ROAD	2501840004C	25017C0351F
LOMA	11-01-1600A	05/03/2011	LOT 215 - 332 REED FARM ROAD	25017C0351E	25017C0351F
LOMA	12-01-2352A	09/25/2012	BROOK VILLAGE CONDOMINIUM, BUILDINGS G & H - 41 & 49 SPENCER ROAD	25017C0331E	25017C0331F

## FINAL SUMMARY OF MAP ACTIONS

Community: BOXBOROUGH, TOWN OF

Community No: 250184

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	13-01-0590A	12/27/2012	24 & 32 SPENCER ROAD / 50 & 58 SPENCER ROAD	25017C0331E	25017C0331F

**3. LOMCs Superseded**

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new detailed flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	13-01-2968A	10/04/2013	LOT B – 148 SARGENT ROAD	4

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.

**4. LOMCs To Be Redetermined**

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures has changed, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

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**Minutes, Notices and Updates**  
**January 27, 2014**

**Minutes**

1. Minutes for the Finance Committee meeting held December 16, 2013.
2. Minutes for the Conservation Commission meeting held December 4, 2013.

**Notices**

1. Notices of Finance Committee meetings:
  - a. Scheduled for January 21, 2014. [cancelled]
  - b. To be held January 27, 2014.
2. Notices of Personnel Board meetings
  - a. Held January 22, 2014.
  - b. To be held January 27, 2014 (7:00 AM)
  - c. To be held January 27, 2014 (7:30 PM) – BoS discussion
3. Town Hall Job Posting – Part-Time Department Assistant.
4. Notice of an Acton-Boxborough Transitional School Committee meeting held Saturday, January 25, 2014.
5. Notice of Public Hearing from the Acton Board of Appeals to be held February 3, 2014 on Leo Bertolami's Petition for Review Zoning Officer's determination on the property at 107-115 Great Road, Acton.

