



BOARD OF SELECTMEN

Meeting Agenda

November 24, 2014

Boxborough Town Hall

Grange Meeting Room

1. CALL TO ORDER (TOWN ADMINISTRATOR'S OFFICE), 6:30 PM

2. EXECUTIVE SESSION

Move to convene in executive session in the Town Administrator's office to discuss strategy with respect to collective bargaining (all CBU's) and to reconvene in open session at 7:30 PM in the Grange Meeting Room to continue the regular business on the agenda

ROLL CALL
VOTE:

N.B. Chair shall state: "To conduct such session in an open meeting may have a detrimental effect on the bargaining position of the Board."

RE-CONVENE IN GRANGE MEETING ROOM, 7:30 PM

3. ANNOUNCEMENTS

4. APPOINTMENTS

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

- a) Citizens' concerns

5. MINUTES

- a) Regular session, November 3, 2014
- b) Executive session, November 3, 2014
- c) Regular session, November 17, 2014
- d) Executive session, November 17, 2014

ACCEPT & POF
ACCEPT & POF
ACCEPT & POF
ACCEPT & POF

6. SELECTMEN REPORTS

7. OLD BUSINESS

- a) Board of Selectmen Rules, Regulations, Policies and Procedures, brought forward by Selectmen Bak and Stemple - Discussion
- b) Composition of Personnel Board
Discussion related to Selectman Gorman's request to consider including an employee member on the Personnel Board
- c) Amendment to Intermunicipal Agreement with the Town of Littleton for the provision of Animal Control Officer Services

Pursuant to the vote taken on July 21, 2014, move to extend the term of the intermunicipal agreement with the Town of Littleton for the provision of Animal Control Officer Services through June 30, 2015 VOTE:

- d) Appointment of members to the Community Preservation Committee (CPC)

Pursuant to the Bylaw to Establish Community Preservation Committee, move to appoint members to the Community Preservation Committee for terms starting effective immediately and ending as noted:

- i. Dennis Reip, Conservation Commission (June 30, 2017)
- ii. Alan Rohwer, Historical Commission (June 30, 2017)
- iii. John Neyland, Agricultural Commission (June 30, 2015)
- iv. John Rosamond, Finance Committee (June 30, 2015)

VOTE:
VOTE:
VOTE:
VOTE:

The Recreation Commission and Housing Board have not yet met to select their designees; the Planning Board has appointed Owen Neville to serve on the CPC, for a term ending June 30, 2016.

8. NEW BUSINESS

- a) Police Chief Warren Ryder - request to establish a Public Safety Building Committee

VOTE:

9. CORRESPONDENCE

ACCEPT & POF

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

10. PRESS TIME

11. CONCERNS OF THE BOARD

12. ADJOURN



BOARD OF SELECTMEN
Meeting Minutes
November 3, 2014

Approved: _____

PRESENT: Vincent Amoroso, Chair; Susan Bak, Member; Les Fox, Member; and Jim Gorman, Member
ALSO PRESENT: Selina Shaw, Town Administrator

EXECUTIVE SESSION

- At 6:30 PM, Chair Amoroso moved to convene in executive session in the Town Administrator's office to discuss strategy with respect to collective bargaining (all CBU's) and to reconvene in open session at 7:30 PM in the Morse-Hilberg Meeting Room to continue the regular business on the agenda. Seconded by Member Fox. **Approved 4-0 by a roll call vote: Gorman, aye; Bak, aye; Fox, aye; and Amoroso, aye.** The Chair noted that open meeting may have a detrimental effect on the bargaining position of the Town.

Chair Amoroso re-convened the meeting at 7:34 P.M. in the Morse-Hilberg Meeting Room of the Town Hall.

PRESENT: Robert Stemple

ALSO PRESENT: 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.

ANNOUNCEMENTS

- Chair Amoroso read the announcements.

APPOINTMENTS

- Energy Committee Chair, Francie Nolde, member Richard Garrison and proposed new member Rebecca Morris were present to provide updates on various Energy Committee (EnCom) matters, including their Solar Initiative, their Committee's workload & composition and to propose Rebecca Morris as a candidate for the Energy Committee. They have changed the title of their upcoming Solar forum from BoxGoSolar to the Boxborough Solar Initiative. Garrison has taken the lead on this project. EnCom's participation in the Town's Master Plan Update Comm. (MPUC) is essential however, all of the current voting members are committed to other on-going projects, including the Solar Initiative, and so no one is available to participate on the MPUC. Rebecca Morris has offered to join the EnCom to serve on the MPUC, however the current charter only allows for the current seven voting members. An amendment to their charter is needed so an eighth voting member can be brought onboard. Chair Amoroso moved to amend the Energy Committee Charter to provide for an eighth voting member. Seconded by Member Stemple. **Approved 5-0.** EnCom Chair Nolde introduced Rebecca Morris as a candidate to the Energy Committee and as the EnCom's representative & voting member on the Master Plan Update Comm. Nolde related Morris' background and Ms. Morris spoke to her experience. Chair Amoroso moved to appoint Rebecca Morris to serve on the Energy Committee for a term starting effective immediately and ending on June 30, 2017; and further, to appoint Rebecca Morris to serve on the Master Plan Update Committee for a term starting effective immediately and ending on December 31, 2015. Seconded by Member Bak. **Approved 5-0.**

There was additional discussion on the proposed Boxborough Solar Initiative. Chair Amoroso moved to support the request from the Energy Committee to move forward with the Boxborough Solar Initiative and to authorize the Town Administrator to issue a Request for Proposals to qualified firms to provide tiered discount pricing schedules for the installation of solar photovoltaic systems to Boxborough residents. Seconded by Member Stemple. **Approved 5-0.** Along with educating and engaging residents in a discussion about solar power alternatives the EnCom is also exploring a program that would help residential and commercial property owners to acquire solar systems at a reasonable cost by providing a group pricing mechanism. The more participants involved the lower the cost. Stow is implementing just such a program, modeled on a state initiative that the state is using to encourage participation in solar energy efforts. This mechanism requires the Town to issue an RFP for a tiered discount pricing schedule for Boxborough property owners for the installation of solar systems. Once a successful vendor is identified the Town would no longer be involved and property owners would contract directly with the vendor. Property owners could still hire their own contractor however as the incentive to sign up with the vendor awarded the RFP would be the tiered discount pricing schedule. The Selectmen outlined concerns about engaging in just such a RFP. It was

determined no action would be taken at this time and the motion was withdrawn. The Selectmen would conduct further review of the proposed RFP and revisit this proposal at their next meeting.

- No one asked to speak under the Citizens concerns.

MINUTES

- The Selectmen passed over approval of the minutes for the Goals workshop of September 27, 2014
- Member Fox moved to accept the minutes for the regular session, October 20, 2014, as revised and the executive session, October 20, 2014, as written. Seconded by Member Stemple. **Approved 5-0.**

SELECTMEN REPORTS

- Member Bak reported that Chief Ryder presented a proposal to restructure staffing in the Police Dept. at last week's Personnel Board meeting. No vote was taken. The Personnel Bd. also reviewed COLA and the classification schedule for FY 16. They are also reviewing the vacation terms in the current plan.
- Member Fox reported he had met with Chief Ryder regarding his staffing proposal to add lieutenant to the staffing structure.

OLD BUSINESS

- The Selectmen took up additional appointments to the Master Plan Update Committee.
 - Chair Amoroso moved to appoint Mitzi Garcia-Weil, Recreation Commission member to the Master Planning Update Committee for a term starting effective immediately and ending on December 31, 2015. Seconded by Stemple. **Approved 5-0.**
 - Chair Amoroso moved to appoint Dmitry Bykhovsky, local business owner (Alpha Cars), to the Master Planning Update Committee as a non-voting, ex-officio members for a term starting effective immediately and ending on December 31, 2015. Seconded by Stemple. **Approved 5-0.**
- The Selectmen re-opened discussion on a request from Acton-Boxborough Regional School District to hang cable in Boxborough's municipal space on Verizon/LELD poles along Mass. Ave. (Acton border to the Blanchard Memorial School). A-B Technology Operations Mgr., Brendan Hearn was present. Chair Amoroso and TA Shaw have been working with Town Counsel to move forward on the A-B District's proposal while protecting the Town. The materials provided in the packet work to ensure that any risks are borne by the A-B District. The next step would be to hold a public "pole" hearing. TA Shaw reviewed the pole hearing requirements and process. Mr. Hearn voiced concern about having all of the specifications finalized in time to file their hearing request. It was determined that the hearing would go be scheduled as long as the preliminary materials were provided by the end of the week with the remaining materials provided ahead of the scheduled hearing. A-B District bears the burden of completing the submission process so that the hearing can go forward.

NEW BUSINESS

- Member Fox moved to appoint Eduardo Pontoriero, Planning Board member, to the Design Review Board to fill the unexpired term of James Faulkner for a term starting effective immediately and ending on June 30, 2016. Seconded by Stemple. **Approved 5-0.**
- Member Stemple moved to accept with regrets and place on file the resignation of Matt Kosakowski from the Public Celebrations and Ceremonies Committee effective immediately Seconded by Member Gorman. **Approved 5-0.**
- Chair Amoroso moved to proclaim November as Pancreatic Cancer Awareness Month. Seconded by Member Gorman. **Approved 5-0.**
- The Selectmen took up the acceptance of several grants.
 - Public Safety Departments have been awarded grant funding. The intention is to use these funds for IT and communication infrastructure improvements. Member Stemple moved to accept the Commonwealth of Massachusetts, State 911 Department's FY 2015 Support and Incentive Grant in the amount of \$16,469.66. Seconded by Member Bak. **Approved 5-0.**

Though not on the agenda, an additional item -

- Member Gorman moved to accept the Commonwealth of Massachusetts, State 911 Department's FY 2015 Training Grant and EMD/ Regulatory Compliance Grant in the amount of \$10,000.00. Seconded by Member Stemple. **Approved 5-0.**

- The Selectmen discussed the Mass DEP Sustainable Materials Recovery Program Municipal Grant. This will be used to acquire recycling bins & liners for the town's sports fields. Member Gorman moved to accept the Massachusetts Department of Environmental Protection's Sustainable Materials Recovery Program Municipal Grant for an amount up to \$500 for a Targeted Small Scale Initiative. Seconded by Member Bak. **Approved 5-0.**
- The Selectmen took up a request from the Grapevine Package Store/Retail Licensee (Alcohol) to modify their Sunday opening time. The Governor recently approved a change to state law under which alcohol retailers are now allowed, by right, to open on Sundays beginning at 10 AM. Local licensing authority (aka Selectmen) cannot deny this request. Member Bak moved to approve the request of Robert Hirsch, d.b.a. Grapevine, located at 104 Massachusetts Avenue, to sell alcoholic beverages beginning at 10 AM on Sundays, pursuant to the recently amended MGL c.136, §6(52). Seconded by Member Stemple. **Approved 5-0.**
- The Selectmen took up a request from the Town Assessor to accompany Fire Dept. personnel on smoke/fire detectors inspections. Partnering with the fire inspectors would provide the Assessor with the opportunity to view the property so she can update her records for properties that are about to be conveyed, saving significant time and resources. Further to the request of the Town Assessor, Chair Amoroso moved to authorize the Assessor to partner with the Fire Department to perform a full inspection of a property at the same time the Fire Department tests smoke/fire detectors prior to a sale of the property. Seconded by Member Gorman. **Approved 5-0.**
- The Selectmen also opened an initial discussion on a memorandum from the Town Assessor regarding the assessing of owners of private ways and the accompanying materials. The Town could realize additional revenues if implemented. Unaccepted private ways have been a re-occurring discussion over the years. Member Gorman will review the provided list of roadways with DPW Dir. Garmon. Also as the Town Assessor will be able to discuss after the tax factor setting public hearing at the next meeting.
- The Selectmen reviewed a request from Herbert Viggh regarding the possible attendance of a foreign student at the Minuteman Career & Technical High School. Chair Amoroso provided background on this request, referring to Mr. Viggh's letter; US State Dept.'s webpage "Foreign Students in Public Schools" and communications with the Minuteman School administration. Though this seems like a request that the Selectmen could support in a follow-up communication the Minuteman School administration provided a legal opinion that the U.S. State Dept. requires these requests to be initiated through the school not the sending town. Based on this information the Selectmen determined that they would defer to the Minuteman School District.

CORRESPONDENCE

- The Selectmen discussed Town Assessor, Anderson's memorandum regarding street address changes. Assessor Anderson has determined that there are several houses misnumbered in Town and this could hinder public safety responses. She had outlined a proposed plan of action however it was suggested that the Public Safety Chiefs provide their input and that further review is needed before any action is taken.

CONCERNS OF THE BOARD

- As the newest member on the Board of Selectmen Member Bak inquired about how department head performance appraisals are conducted. TA Shaw spoke to the process. There was also discussion about the impracticality of conducting a professional process while preserving an individual's rights and yet still having to comply with Open Meeting Law. It makes it extremely onerous and discourages the Selectmen's effective management of these staff members.

ADJOURN

- At 8:57 PM, It was moved and seconded to adjourn. **Approved 5-0.**



BOARD OF SELECTMEN
Meeting Minutes
November 17, 2014

Approved: _____

PRESENT: Vincent Amoroso, Chair; Robert Stemple, Clerk; Susan Bak, Member; Les Fox, Member; and Jim Gorman, Member

ALSO PRESENT: Selina Shaw, Town Administrator

EXECUTIVE SESSION

- At 6:30 PM, Chair Amoroso moved to convene in executive session in the Town Administrator's office to discuss strategy with respect to collective bargaining (all CBU's) and to reconvene in open session at 7:00 PM in the Grange Meeting Room to continue the regular business on the agenda. Seconded by Member Fox. **Approved 5-0 by a roll call vote: Gorman, aye; Stemple, aye; Amoroso, aye; Bak, aye; aye; and Fox, aye.** The Chair noted that open meeting may have a detrimental effect on the bargaining position of the Town.

Chair Amoroso re-convened the meeting at 7:15 P.M. in the Grange Meeting Room of the Town Hall.

ALSO PRESENT: 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.

ANNOUNCEMENTS

- Chair Amoroso read the announcements.

PUBLIC HEARING

- At 7:20 PM, Chair Amoroso opened the FY 2015 Tax Classification Public Hearing. A list of those present for this hearing is attached and incorporated by reference. Chair Amoroso provided an overview as to the purpose of this hearing and recent history regarding the setting of the annual rate. Town Assessor, Ruth Anderson, spoke to the materials provided. This is the 3rd year in a row that rates are down. It was noted, though separate from the tax obligations being discussed tonight, the overall property rate will still be lower than prior years even with the CPA factor approved by voters on November 4th. Tax-base breakdown of residential (75%) versus business (25%) remains essentially unchanged. Shifting a higher tax liability on to commercial properties would discourage commercial growth. Assessor Anderson further advised that the Town will undergo a state mandated re-evaluation in FY 16. No member of the public asked to speak. The hearing was closed at 7:30 PM. Chair Amoroso moved to adopt a residential factor of one, i.e. a single tax rate, and to authorize the Town Assessor to digitally sign the LA-5 form on behalf of the Board for submission to the Department of Revenue. Seconded by Member Stemple. **Approved 5-0.**

The Selectmen took Agenda Items 9a, out of order.

NEW BUSINESS

- The Selectmen took up the Tax Collector's Reserve Fund Transfer for Software Support. Assessor Anderson advised that it is her understanding that with the passage of CPA the Tax Collector needs a supplemental software module so that the CPA factor can be included on real estate tax bills. Member Gorman moved to forward to the Finance Committee for approval the request to transfer \$3,550 from the Reserve Fund to 001- 146-5305-0000, Tax Collector Software Support. Seconded by Member Stemple. **Approved 5-0.** [Assessor Anderson provided a draft copy of an CPA Informational flyer to be included in the next tax mailing]

APPOINTMENTS

- Assessor Anderson spoke to the materials provided regarding proposed street address changes in Town. This material updates/supplements her previous submission of October 21st. She provided background as to how this plan of action was developed and the public safety concerns that these updates would address. The Selectmen noted that while this renumbering is a worthwhile goal it could have a significant impact on those affected. These incorrect address numbers have existed for many years. It was noted that there was a similar address adjustment was needed on Swanson Road several years ago. There was discussion on the input provided by Chief Ryder and Chief White. There were several options discussed. Assessor Anderson noted that several of these parcels are actually condominium units, which are located all one building. It would be the building number that would have to change not the unit designations so those parcels all have to change or none can change. Assessor Anderson was directed to send out a letter, revised pursuant to tonight's discussions, to these property owners - explaining what is being proposed; the rationale; and requesting the owners' feedback by February 1st [to align with the next tax bill cycle].
- Assessor Anderson spoke to her memorandum & the materials provided regarding the assessing of "private ways". This material updates/supplements her previous submission. She spoke to her research into this and how her proposed plan of action was developed. The issue that parcels exist in town that are essentially private ways but had not been assigned a parcel numbers was initially identified by the Planning Board in 2008. As unnumbered properties these parcels do not show up in the Assessor's database and therefore no tax bill is generated. Her research indicates that by including these parcels in the Assessor's database the Town could realize \$14,000 in additional tax revenue. She clarified that these parcels would be taxed going forward and no back taxes should be assessed. It was clarified that these parcels are simply private property that is being used to access the surrounding homes. They are not classified as roadways. Assessor Anderson noted that some of the surrounding homeowners actually own a portion of these private ways while others were never conveyed out and are still wholly owned by the developer. She was asked to speculate as to how these parcel omissions came about. These parcels would likely be identified and taxed as "undevelopable" land. TA Shaw advised that Town Counsel's opinion supports the Assessor proposal, but clarified that this has to apply to all of these unnumbered parcels. The Selectmen directed the Assessor to move forward with the actions proposed in her memorandum.
- Planning Board Chair, Owen Neville; members, Nancy Fillmore, John Markiewicz & Eduardo Pontoriero; and Town Planner, Adam Duchesneau, were present to conduct a joint meeting to consider Hongbing Tang as a candidate to fill the vacancy on the Planning Board. The Planning Board advised they had already opened their meeting; suspended it and were reconvening in the Grange Meeting Room for this joint meeting. There was a review of this appointment process and background on tonight's appointment. Planning Board Chair Neville spoke to Ms. Tang's qualifications and her attendance at their meetings. Ms. Tang spoke to her professional experience, her time here in Town and how she is looking forward contributing to the community by serving.
 - ◊ Selectmen: Selectman Gorman moved to appoint Hongbing Tang to the Planning Board for a term effective immediately through May 18, 2015. Seconded by Selectman Stemple. **Approved 5-0, by Roll Call Vote: Gorman "aye," Stemple "aye," Fox "aye," Bak "aye," and Amoroso "aye."**
 - ◊ Planning Board: Chair Owen Neville moved that the Planning Board with the Selectmen appoint Hongbing Tang to fill the vacancy on the Planning Board for a term effective immediately through May 18, 2015. Seconded by Member John Markiewicz. **Approved 4-0, by Roll Call Vote: Markiewicz "aye," Pontoriero "aye," Fillmore "aye," and Neville "aye."**
- Public Celebrations and Ceremonies Committee (PCCC) Chair, Trena Minudri, was present to introduce Susan Chavez, as a candidate for appointment to the PCCC. PCCC Chair Minudri spoke to the current make up of their board and the difficulty in recruiting members. She noted that Ms. Chavez recently moved to town; has attended their meetings and Chavez's desire to "join the team." Ms. Chavez spoke to her personal & professional background; she is looking forward to working with the Comm. and introducing her family to the community through this work. Further to the recommendation of the Public Celebrations and Ceremonies Committee, Member Gorman moved to appoint Susan Chavez to the PCCC to complete the unexpired term of Matt Kosakowski, starting effective immediately and ending on June 30, 2017. Seconded by Member Stemple. **Approved 5-0.**
- Energy Committee Chair Francie Nolde and member Richard Garrison were present to continue discussion of Boxborough's Solar Initiative. Garrison handed out their responses to the concerns raised by the by the Selectmen, specifically those of Member Gorman. Nolde advised that she had spoken with Stow Solar Committee member, Arnie Epstein to develop these responses. Member Gorman lead the review of the responses. Nolde noted that since their BoS presentation on November 3rd the Energy Committee has learned that most of Littleton Electric's "net-metering" units have been taken for the year. So, as this component is a significant incentive to participate in solar conversion, it would be imprudent to publish the proposed Solar Initiative RFP at this time. However, Nolde asked that the Town continue to work on crafting this proposed RFP so it would be ready for publication when Littleton Electric re-visits their allotted number of "net-metering" units. She advised that she would

welcome Member Gorman's participation in developing this RFP. They still intend to move forward with the educational portion of this initiative -holding a "Solar Forum" in 2015. Member Gorman moved to support the request from the Energy Committee to continue moving forward with the Boxborough Solar Initiative and to bring back to the Board of Selectmen a proposed RFP incorporating the Board's recommended revisions. Seconded by Member Stemple. **Approved 5-0.**

- Jeanne Kangas, Rita Gibes-Grossman and Ron Parker, members of the CPA Ballot Committee, were present to follow up on the recent adoption of the Community Preservation Act (CPA). Kangas reviewed the history of CPA in Boxborough and thanked the voters for coming out to support its adoption on November 4th. We can now set up the Community Preservation Committee and begin the implementation of this program. Kangas announced that after paying their various campaign expenses the Ballot Comm. has left over funds which they would like to donate to the Town to defray the cost of the Tax Collector's CPA software upgrade. Kangas discussed the proposed CPA flyer going out in the next tax bill mailing. Gibes-Grossman advised that she and Kangas may be willing to serve on the CPA Committee if they were needed.

The Selectmen took Agenda Items 9b, out of order.

NEW BUSINESS (Continued)

- The Selectmen took up discussion on assigning BoS appointees to the Community Preservation Committee. Gibes-Grossman, Kangas and Parker remained for this discussion. The Board may appoint a Selectman or they can identify designates. After the Board was polled, it was determined that designates would be approached about serving. To date Kangas, Gibes-Grossman and Hugh Fortmiller have all indicated they would consider serving on the CPA. Gibes-Grossman disclosed that as she is the President of the Boxborough Conservation Trust so she may need to recuse herself from certain discussions if appointed. Kangas declined to serve as she already serves on the Steele Farm Advisory Comm. and is President of the Boxborough Historical Society. Chair Amoroso moved to appoint Hugh Fortmiller for a term effective immediately and ending on June 30, 2016 and Rita Gibes-Grossman for a term effective immediately and ending on June 30, 2015, as the Board of Selectmen's appointees on the Community Preservation Committee. Seconded by Member Bak. **Approved 5-0.**
- No one asked to speak under the Citizens concerns.

MINUTES

- Member Gorman moved to accept the minutes for the Goals workshop, September 27, 2014, as revised. Seconded by Member Fox. **Approved 5-0.**
- The Selectmen passed over approval of the minutes for both the Regular and Executive sessions of November 3, 2014.

SELECTMEN REPORTS

- Member Bak reported that as part of the Board's FY 15 Goals she and Member Stemple were charged with taking a look at the "Statement of Ethics of the Board of Selectmen". She handed out materials prepared as a read ahead for the Selectmen.
- Member Fox reported that he recently had attended a presentation at a MAGIC meeting on their new technical assistance program. MAGIC is committing 80% of new assessment income to this initiative.
- He reported that the Affordable Housing Trustees met with Town Accountant Jennifer Barrett and Treasurer Patrick McIntyre last week to review the status of trust funds and financial reports. It was suggested that, moving forward, all boards that are trustees of trust funds sit down the Town's trust fund management firm to review their trust account(s) data and reports.
- Member Fox also reported that he participated in an IT management discussion this morning with TA Shaw, Library Dir. Strapko and the IT consultants. It looks like the initial timeline is still on-target for the switch over to off-site support. There was also review of the new Technology budget established in FY 15 with a look towards long term planning.
- Member Gorman reported that that he has had several meetings with each of the Chiefs concerning the respective CBUs.
- He also reported that he has been meeting with DPW Director Garmon – to development new project request form and procedures and to discuss the recent Town Hall lot paving and the outstanding items i.e. installing a temporary paved walkway in front of Town Hall.

OLD BUSINESS

- Member Gorman opened discussion on Public Safety Certification requirements. Member Stemple recused himself from this discussion. Member Gorman advised that it has been brought to his attention that some Fire Department staff member are lacking some important training and/or certifications. The intention of this motion is to clearly communicate to Chief White and Fire personnel that, regardless of when they were hired, the Selectmen expect them to achieve and maintain appropriate

professional standards. It was noted that Police Chief Ryder will be approached to see if similar action is necessary for Police personnel. Member Gorman moved that the Board of Selectmen direct the Fire Chief to ensure that all members of the Department meet appropriate standards of training and certification for the position they hold within the Department, irrespective of their date of hire. Seconded by Member Fox. **Approved 4-0-1** (Stemple recused)

- Chair Amoroso moved to appoint Steven Ballard, Finance Committee member, to the Master Planning Update Committee, as an ex-officio non-voting member for a term starting effective immediately and ending on December 31, 2015. Seconded by Member Stemple. **Approved 5-0.**
- The Selectmen discussed the proposed revisions to the Intermunicipal Agreement for the provision of Transportation Management Services [aka CrossTownConnect]. Many of the proposed revisions were done to clarify some and simply generally clean up other terms of the IMA. These corrections were brought to light when the IMA was reviewed in preparation for Westford's inclusion. There was also a general discussion on the assessment funding mechanism, rider participation and getting more of a "buzz" out about this valuable service. Chair Amoroso moved to support the proposed revisions to the Intermunicipal Agreement for the provision of Transportation Management Services by and between the Towns of Acton, Boxborough, Concord, Littleton, Maynard Stow and Westford. Seconded by Member Stemple. **Approved 5-0.**

NEW BUSINESS (Continued)

- The Selectmen reviewed their proposed meeting schedule for January to June 2015. Chair Amoroso moved to adopt the proposed meeting schedule as recommended by the Town Administrator. Seconded by Member Fox. **Approved 5-0.**

ADJOURN

- The meeting adjourned at 9:09 PM

7a

PROPOSED CHANGES



Town of Boxborough

Board of Selectmen Rules, Regulations, Policies and Procedures

Introduction

During the September 2014 Board of Selectmen annual goal setting meeting, we were asked to review a document entitled "Town of Boxborough Statement of Ethics of the Board of Selectmen." That document had previously been reviewed by this Board. There were several comments from the Board suggesting that some of the proposed recommendations in the Statement of Ethics might be found elsewhere. Under the circumstances, we reviewed the following documents:

1. Boxborough Town By-Laws
2. M.G.L. Chapter 39 Municipal Government
3. State Ethics Law
 - Conflict of Interest
 - Gifts/Gratuities
 - Nepotism
 - Bribery
 - Code of Conduct - Public officials or employees shall not knowingly:
 - Secure unwarranted privileges for his/herself or others
 - Use official resources for private or personal use
 - Political Activity
 - Financial interests in contracts

Neither the Town By-Laws nor M.G.L. Chapter 39 Municipal Government addressed ethics or behaviors. Nor did the State Ethics law address interactions between members of the Board of Selectmen nor interactions between the Selectmen and Town employees.

We could find no document or policy or by-law that addressed the "current model" of operation for the Town and only one document (BoS Policy on Membership and Activities of Appointed Town Boards approved November 2006) that addressed "conduct". However, with Selina's help, we discovered a document entitled:

BoS Rules, Regulations, Policies & Procedures (Amended 1997)

So rather than create an entirely, new document for "Ethics", we propose to update and revise the existing document entitled "BoS Rules, Regulations, Policies and Procedures". What follows is an over view of the proposed changes.

Susan Bak
Member
11/17/2014

Bob Stemple
Clerk/Member
11/17/2014

Overview of Proposed Changes

Overview of Changes

Entire document

- Anything highlighted in yellow is a change
- Changed "Executive" Administrator to Town Administrator throughout the document
- Changed the number of Selectmen from 3 to 5 throughout the document
- Changed the word "Chairman" to "Chair" throughout the document

Section II "Internal Operations with Town Administrator and Department Heads"

- There was already a section that dealt with Board Member to Board Member interactions, but nothing dealing with interactions between Board Member and Town Employees
- Most of this section is new
- Incorporates recommendations in the "Statement of Ethics" document that deal with operations

Section III "internal Operations – Member Interaction"

- Added a section about decisions made by the Board as recommended in the "Statement of Ethics" document
- Added sections on Liaisons and Annual goal setting
- Added a section on "conduct" currently addressed in the "Board of Selectmen Policy on Membership and Activities of Appointed Town Boards". Approved November 27, 2006.

Section IV Meeting Procedures

- Removed the word "weekly" since the Board does not meet weekly
- Substituted the word "scheduled" meetings
- Changed the meeting time from 7:30PM to 7:00 PM
- Changed the word "secretary" to department assistant

Section V Agenda Procedure

- Changed the format and content of the Agenda to reflect the way the agenda is currently organized

**Draft Revision of
Existing Policy entitled:**

**Town of Boxborough
Board of Selectmen
Rules, Regulations, Policies,
Procedures**

Amended and Voted 2/24/1997

**Town of Boxborough
Board of Selectmen
Rules, Regulations, Policies & Procedures
Draft Revisions 2014**

I. Authority and Structure of the Board of Selectmen

The Board of Selectmen is an Elected Board and derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts, and the By-laws of the Town of Boxborough. The Board may promulgate rules, regulations and procedures as necessary in order to carry out its duties.

A. Election and Qualification

The Board shall consist of **five** duly elected members who shall serve staggered three year terms. Before assuming official duties, each newly elected member shall be sworn to faithful performance of official responsibilities by the Town Clerk.

B. Vacancies on the Board

The term vacancy includes failure to elect. If a vacancy or vacancies occur the remaining members or member may call for a special election pursuant to MGL Chapter 41, sec.10.

C. Organization of the Board

The Chair and the Clerk of the Board of Selectmen shall be elected annually at the first regular meeting of the Board after the adjournment of the Annual Town Meeting. The Board by vote may at any time remove the Chair.

A majority vote shall constitute an election. Nominations require no second. The Clerk of the Selectmen shall preside as Chair pro tem until the Chair is elected.

If a vacancy occurs in the Office of Chair, the Board shall elect a successor.

The Clerk of the Board shall also be elected annually at the first regular meeting. The Clerk shall serve as Chair in the absence of the Chair. In the absence of the Town Administrator, the Clerk takes the minutes for Executive Sessions.

D. Responsibilities of the Chair

The Chair of the Board shall:

1. Preside at all meetings of the Board
2. Sign official documents that require the signature of the **Chief Elected** Official.
3. **Coordinate with** the Town Administrator in preparing the agenda.
4. Arrange orientation for new members.
5. Represent the Board at meetings, conferences and other gatherings.
6. **Act as spokesperson for the Board with the press.**
7. Serve as spokesperson of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chair.
8. When so delegated, shall speak to Town Counsel on legal matters.
9. The position of Chair generally rotates among the **five** members of the Board on an annual basis with the Clerk of the Board first in line to assume the position of Chair next year.

II. Internal Operations with Town Administrator and Department Heads

The Board is responsible for setting overall goals, strategies and priorities. The day-to day administration of departmental operations rests with the Town Administrator and/or the appropriate Department Heads.

A. Day-to Day Operations

Board Members should not become involved in the day-to-day operations of the various departments. If a major problem ensues, the TA or Department Head should deal directly with their Board liaison. The liaison will then inform the Board of the situation and how it was resolved or will seek the advice or opinion of the Board.

B. Town Administrator as Liaison to the Board

The Town Administrator shall be the Board's Liaison and will accurately report any critical information to all five Board Members as soon as practical.

C. Requests for information, documents, records or reports

To ensure that workloads are properly prioritized and managed, any request for information, documents, records or reports must be made through the Town Administrator or appropriate Department Head. The Town Administrator or Department Head should be copied on all requests.

D. Navigating complaints from residents

The Town Administrator and/or Department Head will deal with any complaint or concern raised by a resident having to do with Town Hall or their respective department.

E. Communication with staff

The Board will treat all staff as professionals with clear and honest communication that respects the abilities, experience and dignity of each individual. The Board will not publicly criticize an individual employee. Concerns about staff performance shall be communicated to the Town Administrator or appropriate Department Head in a private conversation.

III. Internal Operation-Members Interaction

The Board functions as a body in all decisions and matters as required by law or determined by vote of the Board in formal session.

- A. Actions at official legal meetings are binding. An individual Board member cannot bind the Board outside of such meetings. Board members shall abide by and carry out all board decisions once they are made.

- B. Annually, the Board shall create a liaison list where Board members are assigned to specific Departments, Town appointed Committees, Boards or Commissions. The liaison is responsible for providing the full Board with substantive information about initiatives, activities, problems, upcoming events, budgets and warrant articles. A Board liaison cannot commit the Board to a position or decision until after a full and fair opportunity to weigh the merits of an issue during a Board meeting.

- C. Annually, the Board shall schedule a meeting to discuss, formulate and develop strategic goals and priorities for the year. Goals and priorities will be reviewed and updated quarterly.

- D. Board Members will keep each other informed of all issues they are pursuing which are, or may be, of concern to the Board. Fact finding by Board Members must first be approved by a majority vote of the Board.

- E. Board Members shall not surprise each other by last minute agenda items about which others have no warning or knowledge except in matters of emergency or those of a strictly routine nature which need no prior research, or which are of a strictly routine nature which need action before the next regularly scheduled meeting.

- F. When the Town Administrator is asked by individual members for information on matters of concern to the whole Board, he/she will report back to the whole Board and not only the individual member. Any materials or information provided to a Selectman from a staff member will be made available to all Selectmen.

- G. Board members shall maintain a professional demeanor when dealing with each other and the public. They shall refrain from abusive conduct, personal charge or verbal attacks upon the character or motives of other members of their board, or other boards, commissions, committees, staff or the public and shall be courteous to their colleagues and to the public.

Members shall not act arbitrarily to the detriment of any person, group or body and shall have due regard for the rights, duties and proper interests of all others. When making decisions members shall act lawfully and exercise their discretionary powers impartially, taking into account only relevant matters.

IV. Meeting Procedures

A. General Procedures

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure. It is the accepted practice that application of such procedure be on a relatively informal basis, due to the size of the group and desire for flexibility in the expression of opinion.

A quorum shall consist of **three** members of the Board. As a practical courtesy, actions on critical or controversial matters, the adoption of policy, appointments, etc. shall be taken when practical only when the full Board is in attendance.

Actions and decisions shall be by motion, seconded, opened for discussion and then voted. Split votes will be identified by name.

B. Regular Meetings

The Board meets **as scheduled** on Monday Nights at **7:00** p.m. unless otherwise scheduled. Meetings may be canceled or postponed at the discretion of the Board. The meeting is called to order at the time posted when a quorum is present. The Meeting is conducted by the Chair or the Clerk in the absence of the Chair. The **department assistant who supports the Town Administrator**, is responsible for taking the minutes. The Selectmen Clerk or Town Administrator shall accurately record the votes taken at Executive Sessions. Except as voted by the Board, Executive Sessions may not be taped by any party.

C. Agenda Packet

An agenda packet will be prepared by the Town Administrator on the Friday preceding a scheduled meeting. Board Members will communicate with the Town Administrator before 4:00 p.m. on the **Wednesday** prior to a scheduled meeting regarding agenda items that they wish to be included in the packet. In an effort to keep the Board informed regarding its upcoming meeting, the Town Administrator shall, except **for a compelling reason** or in cases of emergency, not add materials to the packet, or schedule additional appointments after noon on the **Thursday** before the meeting. All meeting appointment times shall be coordinated through the Town Administrator.

D. Joint Meetings

The Board may hold joint meetings with other Town Committees, Commissions, and Boards as deemed necessary. All quorums of any Board, Committee or Commission must be posted according to the Open Meeting Law at least 48 hours in advance of the meeting, **not including Saturdays, Sundays or holidays.**

E. Attendance at Meetings

The Town Administrator and Members of the Board are expected to be in attendance at all regular meetings. The Town Administrator shall attend in order to ensure accurate record keeping, for purposes of updating Board Members and to coordinate and carry-out the actions of the Board. He/she shall recommend in all matters that fall within the jurisdiction of the Office, shall carry out the actions of the Board as they relate to the conduct and administration of town affairs under his/her jurisdiction, and research and inform the Board on matters of law known to him/her.

F. Recordings

Any person in attendance may record the meeting by any means of reproduction, provided that there is no interference with the conduct of the meeting and that those present are informed that the meeting is being taped.

G. Executive Session

If practicable, Executive Sessions, other than a few minutes in duration, will be scheduled at the end of the Open Meeting. Executive Sessions shall be called only for the purposes legally permissible under the open meeting law MGL Chapter 39 sec 23A. The meeting must be convened in open session, the Chair announces the purpose of the Executive Session, a majority of the Board must vote to enter an Executive Session and the vote must be recorded as a roll call vote. The Chair must announce whether the meeting will once again convene in open session and all votes taken in an Executive Session must be roll call votes.

The Board must maintain accurate records of both Open Meetings and Executive Session Meetings. At a minimum, the records must set forth the date, time, place, persons present, and action taken. **The minutes must provide enough substance to allow readers to understand the nature and status of matters discussed at the meeting.** Executive Session Records shall remain confidential only as long as the publication of such records may defeat the lawful purpose of the Executive Session but no longer. Thereafter, they shall be open to the Public.

H. Emergency Meetings

An "Emergency Meeting" may be called **if the emergency in question is one that relates directly to the functions and responsibilities of the Board.** An emergency is defined by law as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action". Such a meeting may be held even though notice was not posted as required at least 48 hours in advance. Notice of such "Emergency Meeting" must be posted as soon as the Board determines that an Emergency Meeting is warranted and scheduled.

V. **Agenda Procedure**

A. Responsibility

The responsibility for coordinating and planning the agenda is that of the Chair. Each of the Board Members and the Town Administrator may place items on the agenda. The Town Administrator shall schedule a realistic time period for each appointment, item of business, interview etc.

B. Timing

All items for the agenda must be submitted to the Town Administrator before 4:00 p.m. on the **Wednesday** preceding the meeting.

Items of emergency nature or those that are strictly routine which develop after the closing of the agenda may be considered under other business.

C. Format and Contents

1. Call the meeting to order
2. **Announcements**
3. Scheduled Appointments
4. **Citizens Concerns**
5. Minutes
6. **Selectman reports**
7. Old Business
8. New Business
9. **Correspondence**
10. **Press Time**
11. **Concerns of the Board**
12. Executive Session
13. Adjourn

All back-up data, pertinent information or an outline for discussion must accompany all subject matters or items to appear on the agenda.

Members of the Board, Staff, the Town Administrator or others who prepare background material for the meeting should make an effort to have such material available for the weekly packet. If the background information is insufficient or complicated or if complex memos or motions are presented at the meeting, which were not in the mail, any member should feel free to request the tabling of the item to allow for careful study of the material presented or the motion proposed.

**Red-lined version of
existing policy entitled:**

**Town of Boxborough
Board of Selectmen
Rules, Regulations, Policies,
Procedures**

Amended and Voted 2/24/1997

Town of Boxborough
Board of Selectmen
Rules, Regulations, Policies & Procedures
Revised 2014

I. Authority and Structure of the Board of Selectmen

The Board of Selectmen is an Elected Board and derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts, and the By-laws of the Town of Boxborough. The may promulgate rules, regulations and procedures as necessary in order to carry out its duties.

A. Election and Qualification

The Board shall consist of ~~three~~ five duly elected members who shall serve staggered three year terms. Before assuming official duties, each newly elected member shall be sworn to faithful performance of official responsibilities by the Town Clerk.

B. Vacancies on the Board

The term vacancy includes failure to elect. If a vacancy or vacancies occur the remaining members or member may call for a special election pursuant to MGL Chapter 41, sec.10.

C. Organization of the Board

The ~~e~~Chair~~man~~ and the Clerk of the Board of Selectmen shall be elected annually at the first regular meeting of the Board after the adjournment of the Annual Town Meeting. The Board by vote may at any time remove the Chair~~man~~.

A majority vote shall constitute an election. Nominations require no second. The Clerk of the Selectmen shall preside as Chair~~man~~ pro tem until the Chair~~man~~ is elected.

If a vacancy occurs in the Office of Chair~~man~~, the Board shall elect a successor.

The Clerk of the Board shall also be elected annually at the first regular meeting. The Clerk shall serve as Chair~~man~~ in the absence of the Chair~~man~~, ~~and shall also ensure that the minutes of the Board are taped at regular sessions.~~ In the absence of the TA, The Clerk takes the minutes for Executive Sessions.

D. Responsibilities of the Chair~~man~~

The Chair~~man~~ of the Board shall:

1. Preside at all meetings of the Board
2. Sign official documents that require the signature of ~~an~~ the Chief Elected -Official.
3. Assist Coordinate with the Executive Town Administrator in preparing the ~~weekly~~ agenda.
4. Arrange orientation for new members.
- ~~5.~~ 5. Represent the Board at meetings, conferences and other gatherings.
- ~~5-6.~~ 5-6. Spokesperson for the Board with the press.
- ~~6-7.~~ 6-7. Serve as spokesperson of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chair~~man~~.
- ~~7-8.~~ 7-8. When so delegated, shall speak to Town Counsel on legal matters.

9. The Chairmanship generally rotates among the three five members of the Board on an annual basis with the Clerk of the Board first in line to assume the Chairmanship next year.

II. Internal Operation with Town Administrator and Department Heads

The Board is responsible for setting overall goals, strategies and priorities. The day-to day administration of departmental operations rests with the Town Administrator and/or the appropriate Department Heads.

A. Day-to Day Operations.

Board Members should not become involved in the day-to-day operations of the various departments. If a major problem ensues, the TA or Department Head should deal directly with their Board liaison. The liaison will then inform the Board of the situation and how it was resolved or will seek the advice or opinion of the Board.

B. The Town Administrator shall be the Board's Liaison and will accurately report any critical information to all five Board Members as soon as practical.

C. Requests for information, documents, records or reports.

To ensure that workloads are properly prioritized and managed, any request for information, documents, records or reports must be made through the Town Administrator or appropriate Department Head. The Town Administrator or Department Head should be copied on all requests.

D. Complaints from residents.

The Town Administrator and/or Department Head will deal with any complaint or concern raised by a resident having to do with Town Hall or their respective department. .

E. Communication with staff.

The Board will treat all staff as professionals with clear, honest communication that respects the abilities, experience and dignity of each individual. The Board will not publicly criticize an individual employee. Concerns about staff performance should only be communicated to the Town Administrator or appropriate Department Head in a private conversation.

III. Internal Operation-Members Interaction

The Board functions as a body in all decisions and matters as required by law or determined by vote of the Board in formal session.

~~A. A weekly mail packet and other agenda memoranda will be prepared on Friday by the Executive Administrator. Board Members will communicate with the Executive Administrator before 4:00 p.m. on Thursday of each week regarding agenda items that they wish to be included in the packet. The Executive Administrator in an effort to keep the Board informed regarding its upcoming meeting, shall except in cases of emergency not add materials to the packet, or schedule additional meetings after noon on the Friday before the meeting. All meeting appointment times shall be coordinated through the Executive Administrator.~~

A. Actions at official legal meetings are binding. An individual Board member cannot bind the Board outside of such meetings. Board members shall abide by and carry out all board decisions once they are made.

B. Annually, the Board shall create a liaison list where Board members are assigned to specific Departments, Town appointed Committees, Boards or Commissions. The liaison is responsible for providing the full Board with information about initiatives, problems, upcoming events, activities, budgets and warrant articles. A Board liaison cannot commit the Board to a position or decision until after a full and fair opportunity to weigh the merits of an issue during a Board meeting.

C. Annually, the Board shall schedule a meeting to discuss, formulate and develop strategic goals and priorities.

~~B.~~ Board Members will keep each other informed of all issues they are pursuing which are, or may be, of concern to the Board. ~~Any investigations~~ Fact finding initiatives by Board Members must first be approved by a majority vote of the Board.

~~C.D.~~ Board Members shall not surprise each other by last minute agenda items about which others have no warning or knowledge except in matters of emergency or those of a strictly routine nature which need no prior research, or which are of a strictly routine nature which need action before the next regularly scheduled meeting.

E. When the Executive Town Administrator is asked by individual members for information on matters of concern to the whole Board, he/she will report back to the whole Board and not only the individual member. Any materials or information provided to a Selectman from a staff member will be made available to all Selectmen.

~~D.~~

~~E.~~ Board Members should not become involved in the ordinary operations of the various departments and should whenever possible require Department Heads to deal directly with the Executive Administrator in order that all Board Members are equally informed. The

Executive Administrator shall be the Board's Liaison and will accurately report any critical information to all three Board Members as soon as practical.

~~F.—Official Communication between individual members of the Board of Selectmen and Department Heads will take place at posted Board of Selectmen Meetings.~~

~~In the rare event, and after all three Members of the Board of Selectmen have been equally informed, if a majority of the Board of Selectmen determines that it is necessary to have an Official Communication with a Department Head in a less public forum, one member of the Board of Selectmen, along with the Executive Administrator, will meet with that person. At the next Board of Selectmen meeting, the participating Board of Selectmen Member will outline briefly for the non-participating Board of Selectmen Members the results of the meeting. If either of the non-participating Board of Selectmen Members would like more detailed information about the meeting, they may meet privately with the Executive Administrator to obtain such information.~~

~~All Department Heads will be notified immediately that Official Communication with the Board of Selectmen occurs only under the conditions listed above. (section F added by amendment 2/18/1997).~~

~~G.—Regular Meetings. The Board meets once a week on Monday Night at 7:30 p.m. unless otherwise scheduled. Meetings may be canceled or postponed at the discretion of the Board. Treasury Warrants are approved weekly. The meeting is called to order at the time posted when a quorum is present. The Meeting is conducted by the Chairman or the Clerk in the absence of the Chairman. The minutes will be tape recorded and transcribed by a secretary. The Selectmen Clerk or Executive Administrator shall accurately record the votes taken at Executive Sessions. Except as voted by the Board, Executive Sessions may not be taped by any party.~~

~~H.F. Joint Meetings. The Board may hold joint meetings with other Town Committees, Commissions, and Boards as deemed necessary. All quorums of any Board, Committee or Commission must be posted according to the Open Meeting Law at least 48 hours in advance of the meeting.~~

III.IV. Meeting Procedures

A. General Procedures

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure. It is the accepted practice that application of such procedure be on a relatively informal basis, due to the size of the group and desire for flexibility in the expression of opinion.

A quorum shall consist of ~~two~~ three members of the Board. As a practical courtesy, actions on critical or controversial matters, the adoption of policy, appointments, etc. shall be taken when practical only when the full Board is in attendance.

Actions and decisions shall be by motion, seconded, opened for discussion and then voted. Split votes will be identified by name.

B. Regular Meetings. The Board meets as scheduled on Monday Nights at 7:00 p.m. unless otherwise scheduled. Meetings may be canceled or postponed at the discretion of the Board. The meeting is called to order at the time posted when a quorum is present. The Meeting is conducted by the Chair or the Clerk in the absence of the Chair. The department assistant, who supports the TA, will take the minutes. The Selectmen Clerk or Town Administrator shall accurately record the votes taken at Executive Sessions. Except as voted by the Board, Executive Sessions may not be taped by any party.

C. An agenda packet will be prepared by the TA on the Friday preceding a scheduled meeting. Board Members will communicate with the Town Administrator before 4:00 p.m. on the Wednesday, prior to a scheduled meeting regarding agenda items that they wish to be included in the packet. In an effort to keep the Board informed regarding its upcoming meeting, the TA shall, except for a compelling reason or in cases of an emergency, not add materials to the packet, or schedule additional appointments after noon on the Thursday before the meeting. All meeting appointment times shall be coordinated through the Town Administrator.

D. Joint Meetings. The Board may hold joint meetings with other Town Committees, Commissions, and Boards as deemed necessary. All quorums of any Board, Committee or Commission must be posted according to the Open Meeting Law at least 48 hours in advance of the meeting, not including Saturday, Sundays or holidays.

B.E. Attendance at Meetings

The ~~Executive Town~~ Administrator ~~of the Town~~ and Members of the Board are expected to be in attendance at all regular meetings. The ~~Executive Town~~ Administrator shall attend in order to ensure accurate record keeping, for purposes ~~ds~~ of updating Board Member and to coordinate and carry-out the actions of the Board. He/she shall recommend in all matters that fall within the jurisdiction of the Office, shall carry out the actions of the Board as they relate to the conduct and administration of town affairs under his/her jurisdiction, and research and inform the Board on matters of law known to ~~him/her. he/she.~~

C.F. Recordings

Any person in attendance may record the meeting by any means of ~~sonic~~ reproduction, provided that there is no interference with the conduct of the meeting and that those present are informed that the meeting is being taped.

D.G. Executive Session

If practicable, Executive Sessions, other than a few minutes in duration, will be scheduled at the end of the Open Meeting. Executive Sessions shall be called only for the purposes legally permissible under the open meeting law MGL Chapter 39 sec 23A. The meeting must be convened in open session, the Chair~~person~~ announces the purpose of the Executive Session, a majority of the Board must vote to enter an Executive Session and the vote must be recorded as a roll call vote. The Chair~~person~~ must announce whether the meeting will once again convene in open session and all votes taken in an Executive Session must be roll call votes.

The Board must maintain accurate records of both Open Meetings and Executive Session Meetings. At a minimum, the records must set forth the date, time, place, persons present, and action taken. The minutes must also provide enough information to allow readers to understand the nature and status of matters discussed at the meeting. Executive Session Records shall remain confidential only as long as the publication of such records may defeat the lawful purpose of the Executive Session but no longer. Thereafter, they shall be open to the Public.

E.H. Emergency Meetings

~~In a situation where immediate action is deemed by the Board to be imperative, An~~ "Emergency Meeting" may be called if the emergency in question is one that relates directly to the functions and responsibilities of the Board. In this case, an emergency is defined by law as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action". Such a meeting may be held even though notice was not posted as required at least 48 hours in advance. Notice of such "Emergency Meeting" must be posted as soon as the Board determines that an Emergency Meeting is warranted and scheduled.

IV.V. Agenda Procedure

A. Responsibility

The responsibility for coordinating and planning the weekly agenda is that of the Chairman. Each of the Board Members and the Executive Town Administrator may place items on the agenda. The Executive Town Administrator shall schedule a realistic time period for each appointment, item of business, interview etc.

B. Timing

All items for the agenda must be submitted to the Executive Town Administrator before 4:00 p.m. on the Thursday Wednesday preceding the meeting.

Items of emergency nature or those that are strictly routine which develop after the closing of the agenda may be considered under other business.

C. Format and Contents

1. Call the meeting to order

~~1-2.~~ Announcements

3. Scheduled Appointments

4. Citizen's Concerns

5. Minutes

6. Selectman Reports

7. Old Business

8. New Business

9. Correspondence

10. Press time

11. Concerns of the Board

~~2.~~—

~~3.~~— New Business

~~4.~~— Old Business

~~5.~~— Executive Sessions

~~6-12.~~— Other Business

13. Press Time

~~7-14.~~— Executive Session

~~8-15.~~— Adjourn

All back-up data, pertinent information or an outline for discussion must accompany all subject matters or items to appear on the agenda.

Members of the Board, Staff, the Executive Town Administrator or others who prepare background material for the meeting should make an effort to have such material available for the weekly packet. If the background information is insufficient or complicated or if complex memos or motions are presented at the meeting which were not in the mail, any member should feel free to

request the tabling of the item to allow for careful study of the material presented or the motion proposed.

| F. ←
—
E.

Original Policy entitled:

Town of Boxborough Board of Selectmen Rules, Regulations, Policies, Procedures

Amended and Voted 2/24/1997

BOARD OF SELECTMEN
RULES, REGULATIONS, POLICIES & PROCEDURES

Amended and Voted February 24, 1997

Susan S. Elenbaas

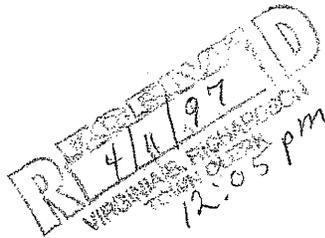
Susan S. Elenbaas, Chairman

Mark R. White (except section D)

Mark R. White, Clerk

Anne K. Canfield

Anne K. Canfield, Member



Rules, Regulations and Procedures Manual

I. Authority and Structure of the Board of Selectmen

The Board of Selectmen is an Elected Board and derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts, and the By-laws of the Town of Boxborough. The Board may promulgate rules, regulations and procedures as necessary in order to carry out its duties.

A. Election and Qualification

The Board shall consist of three duly elected members who shall serve staggered three year terms. Before assuming official duties, each newly elected member shall be sworn to faithful performance of official responsibilities by the Town Clerk.

B. Vacancies on the Board

The term vacancy includes failure to elect. If a vacancy or vacancies occur the remaining members or member may call for a special election pursuant to MGL Chapter 41, sec. 10.

C. Organization of the Board

The Chairman and the Clerk of the Board of Selectmen shall be elected annually at the first regular meeting of the Board after the adjournment of the Annual Town Meeting. The Board by vote may at any time remove the Chairman.

A majority vote shall constitute an election. Nominations require no second. The Clerk of the Selectmen shall preside as Chairman pro tem until the Chairman is elected.

If a vacancy occurs in the Office of Chairman, the Board shall elect a successor.

The Clerk of the Board shall also be elected annually at the first regular meeting. The Clerk shall serve as Chairman in the absence of the Chairman, and shall also ensure that the minutes of the Board are taped at regular sessions. The Clerk takes the minutes for Executive Sessions.

D. Responsibilities of the Chairman

The Chairman of the Board shall:

1. Preside at all meetings of the Board
2. Sign official documents that require the signature of an Official.
3. Assist the Executive Administrator in preparing the weekly agenda.
4. Arrange orientation for new members.
5. Represent the Board at meetings, conferences and other gatherings.
6. Serve as spokesperson of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chairman.
7. When so delegated, shall speak to Town Counsel on legal matters.
8. The Chairmanship generally rotates among the three members of the Board on an annual basis with the Clerk of the Board first in line to assume the Chairmanship next year.

II. Internal Operation-Members Interaction

The Board functions as a body in all decisions and matters as required by law or determined by vote of the Board in formal session.

A. A weekly mail packet and other agenda memoranda will be prepared on Friday by the Executive Administrator. Board Members will communicate with the Executive Administrator before 4:00 p.m. on Thursday of each week regarding agenda items that they wish to be included in the packet. The Executive Administrator in an effort to keep the Board informed regarding its upcoming meeting, shall except in cases of emergency not add materials to the packet, or schedule additional meetings after noon on the Friday before the meeting. All meeting appointment times shall be coordinated through the Executive Administrator.

B. Board Members will keep each other informed of all issues they are pursuing which are, or may be, of concern to the Board. Any investigations by Board Members must first be approved by a majority vote of the Board.

C. Board Members shall not surprise each other by last minute agenda items about which others have no warning or knowledge except in matters of emergency or those of a strictly routine nature which need no prior research, or which are of a strictly routine nature which need action before the next regularly scheduled meeting.

D. When the Executive Administrator is asked by individual members for information on matters of concern to the whole Board, he/she will report back to the whole Board and not only the individual member.

E. Board Members should not become involved in the ordinary operations of the various departments and should whenever possible require Department Heads to deal directly with the Executive Administrator in order that all Board Members are equally informed. The Executive Administrator shall be the Board's Liaison and will accurately report any critical information to all three Board Members as soon as practical.

F. Official Communication between individual members of the Board of Selectmen and Department Heads will take place at posted Board of Selectmen Meetings.

In the rare event, and after all three Members of the Board of Selectmen have been equally informed, if a majority of the Board of Selectmen determines that it is necessary to have an Official Communication with a Department Head in a less public forum, one member of the Board of Selectmen, along with the Executive Administrator, will meet with that person. At the next Board of Selectmen meeting, the participating Board of Selectmen Member will outline briefly for the non-participating Board of Selectmen Members the results of the meeting. If either of the non-participating Board of Selectmen Members would like more detailed information about the meeting, they may meet privately with the Executive Administrator to obtain such information.

All Department Heads will be notified immediately that Official Communication with the Board of Selectmen occurs only under the conditions listed above. (section F. added by amendment 2/18/97)

G. Regular Meetings-The Board meets once a week on Monday Night at 7:30 p.m. unless otherwise scheduled. Meetings may be canceled or postponed at the discretion of the Board. Treasury Warrants are approved weekly. The meeting is called to order at the time posted when a quorum is present. The Meeting is conducted by the Chairman or the Clerk in the absence of the Chairman. The minutes will be tape recorded and transcribed by a secretary. The Selectmen Clerk or Executive Administrator shall accurately record the votes taken at Executive Sessions. Except as voted by the Board, Executive Sessions may not be taped by any party.

H. Joint Meetings-The Board may hold joint meetings with other Town Committees, Commissions, and Boards as deemed necessary. All quorums of any Board, Committee, or Commission must be posted according to the Open Meeting Law at least 48 hours in advance of the meeting.

III. Meeting Procedures

A. General Procedures

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure. It is the accepted practice that application of such procedure be on a relatively informal basis, due to the size of the group and desire for flexibility in the expression of opinion.

A quorum shall consist of two members of the Board. As a practical courtesy, actions on critical or controversial matters, the adoption of policy, appointments, etc. shall be taken when practical only when the full Board is in attendance.

Actions and decisions shall be by motion, seconded, opened for discussion and then voted. Split votes will be identified by name.

B. Attendance at Meetings

The Executive Administrator of the Town and Members of the Board are expected to be in attendance at all regular meetings. The Executive Administrator shall attend in order to ensure accurate record keeping, for purposes of updating Board Members, and to coordinate and carry-out the actions of the Board. He/she shall recommend in all matters that fall within the jurisdiction of the Office, shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under his/her jurisdiction, and research and inform the Board on matters of law known to he/she.

C. Recordings

Any person in attendance may record the meeting by any means of sonic reproduction, provided that there is no interference with the conduct of the meeting and that those present are informed that the meeting is being taped.

D. Executive Session

If practicable, Executive Sessions, other than a few minutes in duration, will be scheduled at the end of the Open Meeting. Executive Sessions shall be called only for the purposes legally permissible under the open meeting law MGL Chapter 39, sec. 23A. The meeting must be convened in open session, the Chairperson announces the purpose of the Executive Session, a majority of the Board must vote to enter an Executive Session and the vote must be recorded as a roll call vote. The Chairperson must announce whether the meeting will once again convene in open session and all votes taken in an Executive Session must be roll call votes.

The Board must maintain accurate records of both Open Meetings and Executive Session Meetings. At a minimum, the records must set forth the date, time, place, persons present, and action taken. Executive Session Records shall remain confidential only as long as the publication of such records may defeat the lawful purpose of the Executive Session but no longer. Thereafter, they shall be open to the Public.

E. Emergency Meetings

In a situation where immediate action is deemed by the Board to be imperative, an "Emergency Meeting" may be called. In this case, an emergency is defined by law as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action". Such a meeting may be held even though notice was not posted as required at least 48 hours in advance. Notice of such "Emergency Meeting" must be posted as soon as the Board determines that an Emergency Meeting is warranted and scheduled.

IV. Agenda Procedure

A. Responsibility

The responsibility for coordinating and planning the weekly agenda is that of the Chairman. Each of the Board Members and the Executive Administrator may place items on the agenda. The Executive Administrator shall schedule a realistic time period for each appointment, item of business, interview etc.

B. Timing

All items for the agenda must be submitted to the Executive Administrator before 4:00 p.m. on the Thursday preceding the meeting.

Items of emergency nature or those that are strictly routine which develop after the closing of the agenda may be considered under other business.

C. Format and Contents

1. Call the meeting to order
2. Scheduled Appointments
3. New Business
4. Old Business
5. Executive Sessions
6. Other Business
7. Press Time
8. Adjourn

All back-up data, pertinent information or an outline for discussion must accompany all subject matters or items to appear on the agenda.

Members of the Board, Staff, the Executive Administrator or others who prepare background material for the meeting should make an effort to have such material available for the weekly packet. If background information is insufficient or complicated or if complex memos or motions are presented at the meeting which were not in the mail, any member should feel free to request the tabling of the item to allow for careful study of the material presented or the motion proposed.

**Town of Boxborough
Board of Selectmen
Policy on Membership
and Activities of
Appointed Town
Boards**

**Approved by the Board of Selectmen
November 27, 2006**



TOWN OF BOXBOROUGH
BOARD OF SELECTMEN POLICY ON
MEMBERSHIP AND ACTIVITIES
OF APPOINTED TOWN BOARDS

I. POLICY & APPLICABILITY

The following policy is intended to govern the membership and activities of all Town boards, committees and commissions that are comprised of citizen volunteers appointed by the Board of Selectmen, hereinafter referred to as "boards". Should any provision of this policy conflict with the provisions of any general or special law of the Commonwealth or of any Town bylaw, the terms of the general or special law or bylaw shall be controlling and shall supersede those of this policy.

II. COMPOSITION

Boards shall be comprised of an odd number of members, whenever possible. When the terms of office of a board are for more than one year, such terms of office shall be so arranged that as nearly an equal number of terms as is possible will expire each year.

If a board has a variable number of members, the Selectmen shall seek input from the board on the desirability to increase or decrease the membership above or below the then current level, at such times when the then-current number of members may become ineffective in fulfilling the board's responsibilities. Additionally, the board may at any time recommend to the Selectmen to increase or decrease the current membership.

III. FILLING OF VACANCIES

Whenever a vacancy shall occur in the membership of a board, the chair of said board shall forthwith give written notice of such vacancy to the Selectmen. The board may recommend to the Selectmen in writing a suitable candidate or candidates for appointment to fill the vacated position(s). The Town Administrator shall publish a notice of the vacancy in local media, the Town website, and other suitable locations. Interested individuals will be asked to directly contact the Town Administrator who shall bring forward the names to the Selectmen.

IV. RESIGNATION FROM OFFICE

A board member who is no longer able to serve for whatever reason should resign promptly so that the vacancy may be filled. The member shall submit a written resignation to the Town Clerk, with a copy to the Board Chair and the Selectmen.

V. ASSOCIATE MEMBERS

Boards may create positions of associate membership as may be appropriate to the board. Such positions are encouraged as they can help develop new prospective candidates for future appointments as voting members, and also provide opportunity for continued participation and continuity with members who have not been reappointed for whatever reason. Associate members shall not, however, be entitled to vote or deliberate on any matter that is before the board.

VI. OFFICERS

A Board shall annually, at its first regularly scheduled meeting in the fiscal year, select from its membership such officers as deemed necessary by the board; at a minimum, this shall include a Chair and Vice Chair or Clerk. Boards should rotate membership through their elected offices, with no member serving more than two years in succession in any given office. Boards are encouraged to adopt rotation policies of their own, consistent with the desire expressed herein for a regular change in leadership.

VII. REMOVAL FROM OFFICE

When considering removal from office, the Selectmen shall act in accordance with the following procedure:

- A. A written notice of the intent to remove and a statement of the cause or causes therefore shall be delivered in hand, or by certified mail, return receipt requested, to the last known address of the person sought to be removed.
- B. Within five days following delivery of such notice, the board member may request a public hearing at which such person may be represented by counsel, shall be entitled to present evidence, call witnesses and to question any witness appearing at the hearing.
- C. Between one and twenty one days after the public hearing is adjourned, or if the board member fails to request a public hearing between six and twenty one days after delivery of the notice of intent to remove, the Selectmen shall take final action, either removing the member, or notifying such person that the notice is rescinded.

Nothing in this section shall be construed as granting a right to such a hearing when a person who has been appointed for a fixed term is not reappointed when the term for which such person was appointed has expired.

VIII. OPEN MEETING LAW [MGL c 39 §23B]

All appointed officials shall comply with the Open Meeting Law, which requires that all meetings of elected or appointed boards, committees and sub-committees shall be open to the public unless falling under one of the nine exemptions for which a board may convene executive session. The law generally does not apply to chance meetings or social occasions; however such meetings cannot be used to circumvent the Open Meeting Law. The law also does not generally apply to administrative meetings or to a group appointed by a single administrator to advise on administrative matters.

Boards shall deliberate and take action in a public forum for which members of the public have been provided adequate notice. Such notice shall be filed with the Town Clerk at least 48 hours prior to the meeting, including Saturdays, but excluding Sundays and legal holidays. No quorum of a board shall meet in private for the purpose of deciding on or deliberating on any matter unless it meets an exception under executive session. No votes taken in open session shall be by secret ballot. Boards should take care not to use e-mail or telephone to conduct business, deliberate or otherwise act to circumvent the Open Meeting Law.

Executive session may be held for one of nine reasons listed below. Before convening in executive session, the board must first convene in open session for which notice has been duly posted. A majority of the members must vote, by roll call, to convene in executive session; the motion must state one of the nine reasons as well as whether the board will be returning to open session or adjourning. All votes taken in executive session must be recorded roll call votes.

Reasons for convening in executive session are as follows:

1. To discuss the reputation, character, physical condition or mental health of an individual, rather than the professional competence of an individual, provided that the individual is accorded notice and certain rights.
2. To consider the discipline or dismissal of, or to hear complaints or charges brought against an individual provided that the individual is accorded notice and certain rights.
3. To discuss collective bargaining or litigation strategy if open discussion may have a detrimental effect on the position of the governmental body; to conduct strategy sessions in preparation for negotiations with non-union personnel; to conduct collective bargaining and contract negotiations with nonunion personnel.
4. To discuss deployment of security personnel or devices.
5. To investigate alleged criminal misconduct or to discuss filing of criminal complaints.
6. To consider the purchase, exchange, taking, lease, or value of real property if open discussion may have a detrimental effect on the position of the governmental body.
7. To comply with the provisions of any general or special law or federal grant-in-aid requirements (generally privacy).
8. To hold an initial screening (including interviews if they are part of the initial screening process) of candidates for employment if an open meeting would have a detrimental effect in obtaining qualified candidates.
9. To meet with a mediator regarding any litigation or decision.

IX. MINUTES [MGL c 39 §23B and Meeting Minutes Policy for the Town of Boxborough, adopted by the BoS 8/23/99]

Boards shall create accurate minutes of open meetings and executive session in a written format. At a minimum, the minutes shall contain the date, time, place, names of members present and absent, and an exact record of motions, votes and official actions taken at each meeting. It is not necessary or even advisable to transcribe verbatim; rather, the minutes need only provide enough substance to

Approved by the Board of Selectmen_November 27, 2006

allow readers to understand the nature and status of the matters discussed at the meeting. Audio tapes may be made of the meetings, but written minutes must also be prepared. Draft minutes of open sessions are considered public record from the moment that they are created. Minutes shall be promptly prepared and accepted in the course of a subsequent meeting of the board, and a copy filed with the Town Administrator on behalf of the Board of Selectmen.

X. CONFLICT OF INTEREST [MGL c 268A]

All elected and appointed town officials and employees are subject to the Conflict of Interest Law which ensures that public employees' private financial interests and personal relationships do not conflict with their public obligations. The law is broadly written to prevent a public employee from becoming involved in a situation that could result in a conflict or give the appearance of a conflict. Upon swearing in by the Town Clerk, the appointed official shall acknowledge receipt of the Conflict of Interest Law. The Selectmen shall provide group training on the Conflict of Interest Law as needed.

The law restricts what a public employee may do on the job, after hours, and after leaving public service. It prohibits a variety of actions, including bribery, extra pay, receipt of gifts or privileges because of committee members' official actions, and acting as an agent or attorney for anyone in a claim against or doing business with the Town. The law prohibits all municipal employees from participating in a particular matter in which committee members or any of the following have a financial interest:

Immediate Family - This includes the employee and his/her spouse, and their parents, children, brothers and sisters. Cousins, nephews, nieces, aunts, uncles, etc. are not considered immediate family members. Also, under the definition of immediate family, some brothers-in-law are immediate family, while others are not; if your brother-in-law is your spouse's brother, he is immediate family, but if he is your sister's husband, he is not immediate family for purposes of the conflict law.

Partner or Business Associates - A business organization in which the committee member serves as an officer, director, trustee, partner, or employee (including a non-profit organization), any person or organization with whom the committee member is negotiating or has any arrangement concerning prospective employment. If board members have a conflict of interest or an appearance of conflict in any matter before their board, they should not be counted in the quorum nor participate in or be present for any pertinent discussion or votes.

The law provides for the legal determination of conflict of interest status for any employee submitting a request to the appointing authority or State Ethics Commission. The law also provides for continued services in certain circumstances if full disclosure is made or a special exemption is granted by the Board of Selectmen. If members have any questions about their activities, they should file a written request through the Town Administrator. The response will be in writing and will become a matter of public record.

XI. CONDUCT

Board members shall maintain a professional demeanor when dealing with each other and the public. They shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of their board, or other boards, commissions, committees, staff or the public and shall be courteous to their colleagues and to the public.

Members shall not act arbitrarily to the detriment of any person, group or body and shall have due regard for the rights, duties and proper interests of all others. When making decisions, members shall act lawfully and exercise their discretionary powers impartially, taking into account only relevant matters.

Sources:

Appointed Committee Handbook, Town of Norwell, September 2004
City Council Personal Code of Conduct, Mountain View, CA, July 6 2004
Handbook for Members of Town boards, Provincetown, June 2005
Massachusetts General Laws, c 39 §§23A & 23B, c 268A
Model code of conduct for public officials, GRECO
Open Meeting, Public Records, and Conflict of Interest Laws, Lauren Goldberg, Esq., September 26, 2005
Town Charter Uxbridge, May 2002

M.G.L. Chapter 39
Municipal Government
Overview

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE VII** CITIES, TOWNS AND DISTRICTS**CHAPTER 39** MUNICIPAL GOVERNMENT

Section 1 - Allocation of powers

Section 2 - Presiding officer of board of aldermen; voting rights

Section 3 - Elections of city officers by municipal bodies; manner of voting

Section 4 - Mayor to sign every ordinance; veto power; effect

Section 5 - Performance of mayoralty duties during vacancy

Section 6 - Election warrants; issuance; acceptance of provisions of section

Section 6A - Municipal salaries; increases and decreases; procedure

Section 7 - Holding other offices

Section 8 - Compatibility of offices

Section 8A - Removal of officers; procedure; exception

Section 9 - Annual meeting; other meetings; election of officers; times; adjournment; holidays

Section 9A - Election of officers and other matters determined by ballot; meetings; time and place; warrants

Section 10 - Warrant; issuance; contents

Section 11 - Persons authorized to call meetings upon resignation of selectmen

Section 12 - Persons authorized to call meetings upon refusal of selectmen

Section 13 - Quorum; application of section

Section 14 - Moderators; election; tenure; vacancies; assistant moderators

Section 15 - Moderators; powers and duties

Section 16 - Appropriation, advisory or finance committees; appointment; tenure; powers and duties

Section 17 - Powers of moderator; preservation of order

Section 18 - Duties of moderators; reception of votes

Section 19 - Repealed, 1934, 39, Sec. 1

Section 20 - Precinct voting

Section 21 - Canvass of returns

Section 22, 23 - Repealed, 1974, 8, Sec. 4

Section 23A to 23C - Repealed, 2009, 28, Sec. 20

Section 23D - Adjudicatory hearings; attendance by municipal board, committee and commission members; voting disqualification

Section 24 - Application of chapter

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE VII** CITIES, TOWNS AND DISTRICTS**CHAPTER 39** MUNICIPAL GOVERNMENT**Section 9** Annual meeting; other meetings; election of officers; times; adjournment; holidays

Section 9. Except as otherwise provided by special law or a charter adopted or revised or amended under Sections two, three, or four of Article LXXXIX of the Amendments to the Constitution of the Commonwealth which may provide for a different time for the election of town officials and other matters to be determined by ballot, the annual meeting of each town shall be held in February, March, April, May or June; and other meetings may be held at such times as the selectmen may order or the charter or by-law prescribe; provided, however, that, notwithstanding the provisions of this section or of any other law, by-law, or charter to the contrary, a town, by the vote of its board of selectmen or town council may delay the annual town meeting; and provided, further, that such a delayed annual town meeting shall complete its business on or before June thirtieth. Town meetings shall be held within the geographic limits of the town unless a special law, charter or by-law provides otherwise; provided, however, that any meeting for the election by ballot of federal, state or other officers or the determination of other matters that are to be determined by ballot at an election shall be held within the geographic limits of the town. Meetings may be adjourned from time to time and meet and adjourn to any place authorized by law provided that officers shall be elected, and matters required by law to be elected or determined by ballot, shall be so elected or determined during the hours during which polls shall remain open as hereinafter provided. If the day set for a town meeting by by-law or otherwise falls on a legal holiday, such meetings shall be held on the day following. A town may by by-law designate the hour at which the annual town meeting shall be called and subject to section sixty-four of chapter fifty-four by vote or by-law designate the hours during which polls shall remain open in meetings for the election of officers and the determination of other matters that are required by law to be determined by ballot.

7c

Selina Shaw

From: Keith Bergman <KBergman@littletonma.org>
Sent: Thursday, November 13, 2014 5:44 AM
To: Selina Shaw (selina.shaw@town.boxborough.ma.us)
Cc: Bonnie Holston; Matthew King; Jennifer Gibbons
Subject: Intermunicipal Agreement w/Boxborough: Animal Control Officer Services

Follow Up Flag: Follow up
Flag Status: Flagged

Hello, Selina-

I am pleased to report that Littleton Special Town Meeting voters last night voted to increase from \$5,000 to \$12,000 the allowed amount in the FY 2015 Revolving Fund for Dog By-law Enforcement, thereby allowing the Town of Littleton to extend the term of our intermunicipal agreement for animal control officer services from the Town of Boxborough through June 30, 2015.

Recall that on July 14, 2014, the Littleton Board of Selectmen had voted, pursuant to MGL C.40,§4A, to authorize execution of an intermunicipal agreement with the Town of Boxborough for the provision by Boxborough of animal control officer services for Littleton at a cost of \$1,000 per month, with a term through November 30, 2014, which may be extended through June 30, 2015, and further to state its intent to insert an article onto the Fall 2014 Special Town Meeting warrant to increase the Dog By-law Enforcement revolving fund amount from \$5,000 to \$12,000.

The Town of Littleton is pleased to continue to procure these needed services from the Town of Boxborough.

Thanks very much.
Keith

Keith A. Bergman
Town Administrator
Town of Littleton, MA
kbergman@littletonma.org<<mailto:kbergman@littletonma.org>>
<http://twitter.com/littletonTABlog>
978-540-2461

P Please consider the environment before printing this email.

BYLAW TO ESTABLISH COMMUNITY PRESERVATION COMMITTEE

- 1.1 There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to M.G.L. Chapter 44B, §5(a).
- 1.2 With the exception of subsection c., which is appointed by the Planning Board, the members of the Committee shall be appointed by the Board of Selectmen as follows:
 - a. One member of the Conservation Commission as designated by such Commission. *Dennis Reip*
 - b. One member of the Historical Commission as designated by such Commission. *Alan Rohrer*
 - c. One member of the Planning Board as appointed by such Board. *Owen Neville*
 - d. One member of the Recreation Commission as designated by such Commission.
 - e. One member of the Housing Board as designated by such Board.
 - f. One member of the Agricultural Commission as designated by such Commission. *John Neyland*
 - g. One member to be designated by the Finance Committee (FC). *John Rosamond*
 - h. Two members to be appointed by the Board of Selectmen (BoS). *Rita Grossman*
Hugh Fortmiller
 - i. Each member of the Committee shall serve for a term of three years or until the person no longer serves in the position or on the board or committee as set forth above, whichever is earlier.
 - j. For the first year, appointments will be staggered as follows:
 - i. Three at 1 year: Agricultural Commission designee; 1 BoS appointee; FC designee; *6/30/15*
 - ii. Three at 2 years: 1 BoS appointee; Planning Board appointee; Recreation Commission designee; *6/30/16*
 - iii. Three at 3 years: Conservation Commission designee; Housing Board designee; Historical Commission designee. *6/30/17*
- 1.3 Should any of the officers, commissions, or boards who have appointment authority under this Chapter be no longer in existence for whatever reason, the Board of Selectmen shall appoint a suitable person to serve in his/her place.
- 1.4 Any member of the Committee may be removed for cause by his/her respective appointing authority after hearing.

CHAPTER 2: DUTIES

- 2.1 The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation pursuant to M.G.L. Chapter 44B. The Committee shall

consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Planning Board, the Recreation Commission, the Agricultural Commission and the Boxborough Housing Board in conducting such studies. In its study of the needs, possibilities and resources of the Town regarding community preservation, the Committee shall review the Town's Capital Plan, maintained by the Finance Committee, and identify such overlap as may exist between Capital Plan prescriptions and community preservation proposals. As part of its study, the Committee shall hold one or more public informational hearing annually on the needs, possibilities and resources of the Town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper, or equivalent publication, of general circulation in the Town.

- 2.2 The Community Preservation Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space, for the acquisition, preservation, rehabilitation and restoration of historic resources, for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use, for the acquisition, creation, preservation and support of community housing and for the rehabilitation or restoration of open space and community housing that is acquired or created as provided in this section. With respect to community housing, the Community Preservation Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. The Committee shall, to the degree practicable in its recommendations to Town Meeting, conform its proposed expenditures to the long term capital spending profile outlined in the Town's Capital Plan, so as to moderate fluctuations in the Town's direct and debt service spending.
- 2.3 The Community Preservation Committee may include in its recommendation to Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with community preservation.
- 2.4 In every fiscal year, the Community Preservation Committee must recommend either that the Town Meeting spend or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for each of (a) open space, (b) historic resources, and, (c) community housing.

CHAPTER 3: REQUIREMENT FOR A QUORUM

- 3.1 The Community Preservation Committee shall comply with the provisions of the Open Meeting Law, M.G.L. c.39 §23B. The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Community Preservation Committee shall constitute a quorum. The Community Preservation Committee shall approve its actions by majority vote.
- 3.2 After receiving such recommendations from the Community Preservation Committee, Town Meeting shall then take such action and approve such appropriations from the Community Preservation Fund as set forth in section 7 of the Act, and such additional appropriations as it deems appropriate to carry out the recommendations of the Community Preservation Committee.

CHAPTER 4: COST ESTIMATES

- 4.1 Recommendations to Town Meeting shall include their anticipated costs and strategies for longer term financing within the provisions of the Community Preservation Act.
- 4.2 Town Meeting may appropriate money in any year from the Community Preservation Fund to the Affordable Housing Trust Fund.

CHAPTER 5: AMENDMENTS

- 5.1 This Bylaw may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not cause a conflict to occur with M.G.L. Chapter 44B.

CHAPTER 6: SEVERABILITY

- 6.1 In case any section, paragraph or part of this Bylaw be, for any reason, declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

CHAPTER 7: EFFECTIVE DATE

- 7.1 This Bylaw shall take effect upon the acceptance by the voters at the November 4, 2014 State Election and approval by the Attorney General of the Commonwealth, and after all requirements of M.G.L. c. 40 §32B have been met.
- 7.2 Each appointing authority shall make their appointments within thirty (30) days of the effective date of this bylaw.



8a

BOXBOROUGH POLICE DEPARTMENT

520 Massachusetts Avenue, Boxborough, Massachusetts 01719

Phone: (978) 264-1750 · Fax: (978) 268-5123

To: Board of Selectmen
From: Chief Warren B. Ryder
Date: November 19, 2014
Re: Public Safety Building Committee

In May of 2014 the Annual Town Meeting approved funding to conduct a Spatial Needs Assessment on both Police and Fire Departments. The Town has recently entered into a contract with HKT Architects to compile data and make recommendations on current and future needs of our buildings. I respectfully request the Board's consideration of establishing a Public Safety Building Committee or Task Force that will be charged with;

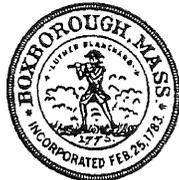
- Reviewing needs analysis and identification of problem areas within the building systems prepared by the firm.
- Reviewing and comment on proposed solutions and design of the public safety facilities that meet the needs of public safety professionals and the public in a cost effective manner considering both current and future needs.
- Report to the Board of Selectmen on the status of such projects.

If I may offer a suggestion of potential membership;

- Police Chief
- Fire Chief
- Police and Fire BoS Liaisons
- Building Inspector
- Town Planner
- Planning Board Member
- Finance Committee Member
- Conservation Committee Member
- Citizen(s)?

Thank you for your consideration,

Chief Warren B. Ryder



Internal Communications and Outgoing Communications
November 24, 2014

1. Memorandum and Recommendation for Revised Assessment for 2014-2015 A-B Regional School District Budget and Assessment as of November 6, 2014 from A-B School District Treasurer, Sharon "Tess" Summers, dated November 4, 2014 to the Chairman, Board of Selectmen and others. [*Boxborough's assessment is unchanged*] *
2. Email communication, PEG Grant Report 3rd Quarter 2014, and check for their 3rd Quarter PEG payment of \$15,064.49 from Viola Baboola, Verizon New England, Inc., dated November 14, 2014, to Town Administrator Selina Shaw.
3. Communications from xfinity [Comcast]'s Sr. Mgr. of Gov't & Regulatory Affairs, Ben Pearlman, to the Board of Selectmen:
 - a. Dated November 13, 2014, coverletter and Franchise Payment Report, and check for \$9,939.99.
 - b. Dated November 18, 2014, advising of their pricing schedule effective December 20, 2014 accompanied by the revised pricing list.

* Indicates that the item is included in the agenda packet as well as in the general notebook.



92(1)

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Acton-Boxborough Regional School District
16 Charter Road
Acton, MA 01720
978-264-4700 www.abschools.org



Sharon Summers
Treasurer

ph: 978-264-4700
fax: 978-264-3340
SSummers@abschools.org

November 4, 2014

ACTON-BOXBOROUGH
REVISED ASSESSMENT FOR 2014-2015

TOWN OF BOXBOROUGH

To:

1. Chairman, Board of Selectman c/o Executive Officer
2. Chairman, Finance Committee
3. Town Administrator
4. Town Treasurer
5. Town Accountant
6. Town Clerk

In accordance with Chapter 71, Section 16B and by vote of the Acton-Boxborough Regional School Committee on November 6, 2014 the total District budget was increased from \$76,003,826 to \$76,455,123. Boxborough's assessment for 2014-2015 is unchanged at \$10,594,577.

Enclosed are copies of the recommendation to the School Committee and the analysis of assessment for FY'15.

Sincerely,

Sharon Summers

Sharon Summers
Treasurer

SLS/nfs
Encl.

Cc:

- Glenn Brand
- Marie Altieri
- Kristina Rychlik
- Brigid Bieber
- ✓Clare Jeannotte
- Denise Kelly

Table 6
ACTON-BOXBOROUGH RSD
 Analysis of Assessments
 Update: Voted State Aid Numbers & Middlesex Retirement - Voted 11/06/14
 School Year 2014-2015

	GROSS BUDGET	ACTON	BOXBOROUGH	
	2014-2015	83.97%	16.03%	K to L2
		82.46%	17.54%	7 to 12
EXPENDITURES INSIDE DEBT LIMIT:				
OPERATING BUDGET	\$73,494,892	\$61,713,661	\$11,781,231	
MIDDLESEX RETIREMENT CONTRIBUTION -TRANSITION YEAR	\$451,297	\$384,255	\$67,042	
OPEB TRUST FUND CONTRIBUTION	\$506,000	\$424,888	\$81,112	
LOWER FIELDS CONSTRUCTION DEBT SERVICE	\$45,818	\$40,072	\$5,746	
CAPITAL OUTLAY - BULDINGS	\$155,200	\$130,321	\$24,879	
TOTAL INSIDE DEBT LIMIT	\$74,653,207	\$62,693,198	\$11,960,009	
EXPENDITURES OUTSIDE DEBT LIMIT (PREVIOUSLY AUTHORIZED BY REGION):				
CONSTRUCTION DEBT SERVICE (FOR JHS & SHS/AUTHORIZED OUTSIDE PROP 2 1/2)	\$395,693	\$346,073	\$49,620	
SH CONSTRUCTION/RENOVATION	\$1,406,223	\$1,229,883	\$176,340	
	\$1,801,916	\$1,575,956	\$225,960	
GROSS BUDGET-Subtotal	\$76,455,123	\$64,269,154	\$12,185,969	
EXPENDITURES OUTSIDE DEBT LIMIT (PREVIOUSLY AUTHORIZED BY ACTON OR BOXBOROUGH):				
BUILDING ADDITION BLANCHARD SCHOOL (Authorized FY06)	\$397,800	\$334,033	\$63,767	
SBAB REIMBURSEMENT BUILDING ADDITION BLANCHARD SCHOOL (Authorized FY06)	(\$284,092)	(\$238,552)	(\$45,540)	
HAGGER WELL (WATER & SEWER) (Authorized FY00)	\$108,948	\$91,484	\$17,464	
TWIN SCHOOLS (Authorized FY03)	\$1,533,700	\$1,287,847	\$245,852	
SBAB REIMBURSEMENT TWIN SCHOOLS (Authorized FY03)	(\$922,673)	(\$774,769)	(\$147,904)	
TOTAL OUTSIDE DEBT LIMIT	\$833,683	\$700,043	\$133,639	
SCHOOL RELATED DEBT SERVICE AUTHORIZED BY BOXBOROUGH TOWN MEETING:				
COMBINATION; (REPLACEMENT OF PORTION OF BLANCHARD MEMORIAL ROOF (Authoriz	\$2,325	\$1,952	\$373	
REPLACEMENT OF WINDOWS BLANCHARD MEMORIAL ROOF (Authorized FY13)	\$0	\$0	\$0	
SECURITY UPGRADES AT BLANCHARD MEMORIAL SCHOOL (Authorized FY13))	\$0	\$0	\$0	
TOTAL TOWN OF BOXBOROUGH SCHOOL DEBT SERVICE	\$2,325	\$1,952	\$373	
SCHOOL RELATED DEBT SERVICE AUTHORIZED BY ACTON TOWN MEETING:				
SCHOOL REPAIR (Authorized FY05)	\$31,195	\$26,195	\$5,001	
CONANT SCHOOL (Authorized FY10)	\$24,501	\$20,574	\$3,928	
SCHOOL FACILITIES (Authorized FY10)	\$76,755	\$64,451	\$12,304	
DOUGLAS ROOF (Authorized FY09)	\$24,913	\$20,919	\$3,993	
TOTAL TOWN OF ACTON SCHOOL DEBT SERVICE	\$157,364	\$132,139	\$25,225	
CREDIT FOR SCHOOL RELATED DEBT SERVICE TO BE PAID FROM MUNICIPAL BUDGET	(\$993,372)	(\$768,391)	(\$224,981)	
GROSS BUDGET-TOTAL	\$76,455,123	\$64,334,897	\$12,120,226	
OTHER FINANCING SOURCES:				
CHAPTER 70 BASE AID	\$14,254,476	\$11,969,483	\$2,284,993	
CHOICE/CHARTER SCHOOL ASSESSMENT	(\$645,391)	(\$541,935)	(\$103,456)	
CHARTER SCHOOL AID	\$133,282	\$111,917	\$21,365	
REGIONAL SCHOOL TRANSPORTATION (Cherry Sheet)	\$1,729,727	\$1,452,452	\$277,275	
REGIONAL SCHOOL TRANSPORTATION (Reserve to Reg Trnns Revolving)	(\$192,649)	(\$161,767)	(\$30,882)	
REGIONAL BONUS AID	\$139,000	\$116,718	\$22,282	
MIDDLESEX RETIREMENT CONTRIBUTION -TRANSITION YEAR	\$451,297	\$384,255	\$67,042	
TRANSFER FROM PREMIUM ON LOAN-JHS	\$658	\$553	\$105	
TRANSFER FROM OPEB TRUST FUND	\$0	\$0	\$0	
TRANSFER FROM RESERVES (Excess & Deficiency)	\$300,000	\$251,910	\$48,090	
TOTAL OTHER FINANCING SOURCES	\$16,170,400	\$13,583,586	\$2,586,814	
TOWN ASSESSMENTS	\$60,284,723	\$50,751,311	\$9,533,412	
	\$60,284,723	\$50,751,311	\$9,533,412	

Calculation of Final Assessments Per Appendix A to Revised Regional Agreement - FY15

Description	Total	ACTON	BOXBOROUGH	Steps
Project Total Benefit Amount	\$1,873,119			1
Base Budgets	\$62,885,811	\$51,788,675	\$11,097,136	2
Benefit Percentage Shares		80%	20%	3
Share of Benefits	\$1,873,119	\$1,498,495	\$374,624	4a
Reduce Base Budgets By Benefit Shares	\$61,012,692	\$50,290,180	\$10,722,512	4b
Recalculated Assessment Percentages Based On Benefit Shares Applied To Base Budget	100.00%	82.43%	17.57%	4c
Input Table 6 Result From FY15 Actual Budget	\$60,284,723	\$50,751,311	\$9,533,412	4d
Assessment Percentages With Actual Budget		84.19%	15.81%	4d
Shift In Percentage Shares		1.76%	-1.76%	4d
Final Assessment	\$60,284,723	\$49,690,145	\$10,594,577	4d
Actual Assessment Percentages With Actual Budget		82.43%	17.57%	
FY15 Shift:		(\$1,061,165)		

Office of the Superintendent
Acton-Boxborough Regional School District
(978) 264-4700 x 3206
www.abschools.org

TO: Acton-Boxborough Regional School Committee members
FROM: Glenn A. Brand, Superintendent
DATE: November 4, 2014
RE: Recommendation for Revised FY'15 Acton-Boxborough Regional School District Budget and Assessments

Recommendation for Revised FY'15 Acton-Boxborough Regional School District Budget and Assessments

Attached is a copy of the Analysis of Assessments for FY'15. The Administration recommends that the total adjusted appropriation for the Acton-Boxborough Regional School District for the fiscal year of July 1, 2014 through June 30, 2015 be set at \$76,455,123 and that member towns be assessed in accordance with the Education Reform Law and the terms of the Agreement and amendments thereto as follows: Acton \$49,690,145, Boxborough \$10,594,577, remainder to be accounted for by the Anticipated Chapter 70 Aid in the amount of \$13,609,085, Anticipated Charter School Aid in the amount of \$133,282, Anticipated Regional Bonus Aid in the amount of \$139,000, Transportation Aid, Chapter 71, Section 16C in the amount of \$1,729,727, an anticipated transfer to the Regional School Transportation Reimbursement Fund in the amount of \$192,649, and Transition Year Middlesex Retirement reimbursement from Acton of \$384,255 and from Boxborough of \$67,042, a transfer from E&D Reserves in the amount of \$300,000, and a transfer from the Junior High School Project Premium on Loan in the amount of \$658.

CC: Clare Jeannotte, Director of Finance
Marie Altieri, Director of Personnel



Minutes, Notices and Updates
November 24, 2014

Minutes

1. Minutes of the Finance Committee meeting held November 3, 2014.

Notices

1. Notice of a Personnel Board meeting held November 19, 2014
2. Notice of a Acton-Boxborough Regional School Committee meeting held November 20, 2014
3. Notice of a Historical Commission meeting held November 20, 2014
4. Selectmen's Wire Location Hearing Notice to be held December 8, 2014 to consider the petition of the A-B Regional School District requesting permission to attach one new fiber optic aerial cable within the space granted to the Town of Boxborough by the pole owners, Verizon and LELD, on poles running

