



## BOARD OF SELECTMEN

### Meeting Agenda

March 9, 2015

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

- a) Tom Garmon, DPW Director, 7:35 PM
  - i. Transfer Station sticker fees and Bulk Permit fees
  - ii. Paving of Boxborough roads
- b) Energy Commission members, Francie Nolde and Richard Garrison, re: Boxborough Solar Initiative RFP, 8:00 PM
- c) Amrith Fernandes Prabhu, Volunteer/Events Manager and/or Alison Tully, Community Events Intern, Center for Hope Healing, re: Greater Lowell's 10th Annual "Take Back the Night" on April 16th, 2015, 8:30 PM
- d) Citizens' concerns

#### 5. MINUTES

- a) Regular session, February 11, 2015
- b) Executive session, February 23, 2015
- c) Executive session, March 3, 2015

ACCEPT & POF  
ACCEPT & POF  
ACCEPT & POF

#### 6. SELECTMEN REPORTS

#### 7. OLD BUSINESS

- a) FY 16 Budget – continued discussion
- b) Annual/Special Town Meeting – continued discussion

#### 8. NEW BUSINESS

- a) Mosquito Control Assessment

*Further to the recommendation of the Board of Health, move to support the Central Massachusetts Mosquito Control Project's FY 16 budget request, which will result in an assessment to Boxborough of \$28,848, and further to designate the Town Administrator to sign the declaration so indicating*

VOTE:

- b) Acceptance of Grant of Easement – Liberty Square Road Fire Cistern

*Pursuant to the authority granted to the Board of Selectmen by the vote under Article 38 of the May 12, 2014 Annual Town Meeting, move to accept the Grant of Easement from JA Boxboro Realty, LLC for the purpose of installing a fire cistern and appurtenances on the westerly side of Liberty Square Road (211 Massachusetts Avenue)*

**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**

## DRAFT 3-2-15

**Request for Proposal for Tiered Discount Solar Installation Program for Residents of the Town of Boxborough****1.0 General**

The Town of Boxborough (hereinafter the "Town") is soliciting proposals from qualified firms to provide residents and businesses within the community with tiered discount pricing, available for a limited time, to install photovoltaic solar panels. The Town is acting through its Energy Committee (hereinafter the "Energy Committee").

The project, called the Boxborough Solar Initiative (hereinafter the "Solar Initiative" or the "Program"), is similar in function and scope to the Solarize Mass Program offered by the Commonwealth of Massachusetts, Clean Energy Center and the Department of Energy Resources (DOER). The Town is serviced by a municipal light plant, Littleton Electric Light Department (LELD), which does not contribute to the RET (Renewable Energy Trust) and therefore is not eligible to participate in the commonwealth's Solarize Mass Program. The Solar Initiative is intended to be similar to the Solarize Mass community programs, but is not sponsored by the Massachusetts Clean Energy Center.

**This RFP describes the scope of services requested and sets forth all requirements and selection criteria for the successful firm (hereinafter, the "Installer"). The "bid price" is the schedule of tiered price discounts that will be made available to residents and businesses, and the time period during which the discounts will be available.**

This RFP has been structured to comply with all applicable Massachusetts General Laws. All respondents to the RFP must ensure that the submittal is received by the date and time specified herein or automatically be disqualified. The Attachments hereto are incorporated by reference in this RFP.

**Proposals will be accepted in the office of the Town Administrator, Town of Boxborough, 29 Middle Road, Boxborough, MA 01719 until 2:00 p.m., April 16, 2015.**

Addenda will be issued if any changes are made to this RFP. Addenda will be mailed, faxed, or transmitted via email to all bidders on record.

There will be no bidders' conference, but there may be interviews of selected candidates. Except during the interviews, all questions regarding the RFP must be submitted in writing. Verbal responses by Town staff or others are not valid or binding. Submitters must submit all questions in writing at least five days prior to the bid due date and time. Questions in writing shall be directed to: Town Administrator, C/O Energy Committee, 29 Middle Road, Boxborough, MA 01719.

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Responses to all questions submitted in writing will be provided in the form of an RFP Addendum to all bidders of record. In order to facilitate this process, questions and responses will be transmitted by fax and/or e-mail with hard copy to follow by mail.

A bidder may correct, modify, or withdraw a proposal by written notice received by the Town prior to the time and date set for the proposal submittal.

All bid prices submitted in response to this RFP must remain firm for the term of the Program.

The Town may cancel this RFP, or reject in whole or in part any and all bids, if the Town determines that cancellation or rejection serves the best interests of the Town.

### 2.0 Program Description

The Boxborough Solar Initiative is similar in function and scope to the Solarize Massachusetts Program offered by the Commonwealth of Massachusetts, Clean Energy Center and DOER. The selected installer (hereinafter the "Installer") will propose a tiered price discount program, based on total kilowatts of solar electricity generating capacity installed in the Town during a specified period (the "Program Period"), that will be available to Boxborough residents and businesses during the Program Period. The Program Period should be no shorter than five months.

The Town is serviced by Littleton Electric Light Department, a municipal light plant. LELD does not provide Net Metering service to Customers that utilize equipment lease and/or power purchase agreements (PPAs). LELD is currently re-designing its Net Metering Rate structure with a goal to accommodate an additional 461 kW of residential and 655 kW of commercial net metering installations. The updated Net Metering Rate is expected to be in place by May 1, 2015. The current rate can be found at [www.lelwd.com/fileupload/documents/netmeteringrate1.pdf](http://www.lelwd.com/fileupload/documents/netmeteringrate1.pdf).

The Town will provide a group of dedicated volunteers (hereinafter "Volunteers") to market and publicize the Solar Initiative program during the same period. The Installer will enter into contracts with customers for the installation of solar photovoltaic systems. While the Installer will not have an exclusive right to sell solar installation services in Boxborough during this or any other period, all marketing and publicity efforts by the Volunteers to the community will focus on this program and the selected Installer.

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**3.0 Scope of Services**

The Installer will have primary responsibility for managing leads, performing site assessments, providing general customer service, contracting, installation and all other functions typically associated with the sales and installation process. The Installer will also play an integral role in sponsoring, planning, financing and implementing public outreach and educational events in coordination with the Energy Committee, Volunteers and the Town.

**Task 1: Publicity and Marketing**

Immediately after selection of the successful Installer, the Installer will work cooperatively with the Energy Committee and Volunteers to plan, finance and begin implementation of the publicity and marketing program.

The Installer, through its representatives, will attend, as requested, meetings of the Energy Committee during the Program Period, and public forums sponsored by the Energy Committee to describe and publicize the Solar Initiative Program and solar energy in general.

The Installer will provide the Energy Committee with relevant metrics, such as number of leads generated, number of feasible sites identified, number of contracts signed, and total capacity contracted or to be contracted during the Program Period.

The Installer will respond promptly to inquiries from the Energy Committee, customers or potential customers, and town officials.

The Installer may use the words "Boxborough Solar Initiative" and/or symbols and logos to be adopted by the Energy Committee in connection with the Program in its marketing materials.

The Installer will provide Customers with the pricing available at the appropriate tiered level. If a Customer signs a contract with the Installer at a time when one discount tier applies, and later the volume of kW to be installed in the Town triggers another tier, the Customer who has already signed a contract will get the benefit of the deeper discount.

**Task 2: Site Assessments**

Upon an expression of interest from a potential Customer, the Installer will conduct a site assessment to determine the feasibility of a solar installation on the potential Customer's site.

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The site assessment will evaluate a site's suitability for solar PV, including shading, onsite load and any electrical, structural or mechanical issues that may increase the cost of the solar PV project relative to the proposed purchase price.

The Installer will have information available for residents whose locations are not suitable for solar installations for alternative energy cost savings measures (e.g. energy efficiency or other renewable energy alternatives).

### **Task 3: Contracting and Installation**

The Installer will provide each prospective Customer a detailed return on investment (ROI) analysis showing the various costs and returns that can be reasonably expected over the life of the PV system of interest to the Customer. The ROI analysis should include pricing at the tier level currently achieved, the additional costs of identified adders, charge for early roof replacement, financing charges, price of SREC's, price of electricity provided by LELD based on historical averages, percent of solar power expected to be used by Customer, LELD net metering rates, policies and incentives and state and federal incentives.

The Installer will sign written contracts with each residence or business to be provided solar installation services (hereinafter the "Customer") as part of the Program.

Upon contracting, the Installer will be responsible for providing each Customer with a turnkey service which includes securing all local permits and completing the project within one year of project application approval. In addition, the Installer will be expected to provide information regarding net metering, the sale of SREC's and any other federal or state incentives available for the Customer.

The Installer's contracts with Customers will allow Customers to opt-out of any or all electronic communications with the Installer, and will describe how the Installer will use and will keep private any private or confidential information it may receive from Customers, including but not limited to email addresses.

### **Task 4: Town Undertakings**

The Town will provide representatives from the Energy Committee and community Volunteers who will actively coordinate, market and publicize the Boxborough Solar Initiative program. The Town does not anticipate making a financial commitment.

### **4.0 Schedule**

The selected Installer should commence work on the Boxborough Solar Initiative immediately upon signing of a Memorandum of Understanding with the Town. The

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Program Period will begin immediately after a project "kick off" meeting between the Energy Committee and the Installer, to be held within two weeks of the signing of the Memorandum of Understanding.

## 5.0 Minimum Town Selection Criteria

The Town is intent on engaging an Installer with significant experience in the assessment and installation of residential and commercial solar PV facilities.

- 5.1 The successful Installer will meet all the current criteria for participation in the Massachusetts Clean Energy Center's Solarize Massachusetts Program as described below.
  - 5.1.1 Demonstrate experience and proficiency in solar PV installations. The Installer must have installed a minimum of ten (10) solar PV systems in Massachusetts and bear the designation of "Expedited Installer" under the Commonwealth Solar II Rebate Program.
  - 5.1.2 Be, at minimum, a professional contractor licensed to conduct business in Massachusetts.
  - 5.1.3 Include on the project team at least one electrician holding a valid and current Massachusetts electrical license to perform any electrical work on the solar PV Installations.
  - 5.1.4 Submit a proposal that meets the proposal requirements outlined in Attachment A.
- 5.2 The Installer will agree to indemnify the Town, its officers, employees, and agents, including the Energy Committee and Volunteers, of and from any liability, including attorneys' fees, stemming from or related to the intentional or negligent actions of the Installer, its agents or employees, or from equipment used by or products sold by the Installer. The Installer will further agree to add the Town, its officers, employees and agents, including the Energy Committee and Volunteers, to its general liability insurance policy at the expense of the Installer.
- 5.3 Each contract will put the Customer on notice that the Customer is entering into a contractual relationship with the Installer alone, and not the Town of Boxborough, and that the Customer will have legal recourse only against the Installer and not against the Town.
- 5.4 The installer will also provide the following:
  - 5.4.1 One primary contact to manage activity in Boxborough during the Solar Initiative Program Period.
  - 5.4.2 Identification of system specifications for equipment to be used for projects in the Solar Initiative, including equipment manufacturers,

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- models, and warranties for modules, inverters, racking, meters, and data acquisition systems, if applicable.
- 5.4.3 Installations provided by employees of Installer (no subcontracting of installation) and supervised by a NABCEP-certified installer and master electrician.
  - 5.4.4 Turnkey service including permitting, application for rebates, interconnection application, and completion of installation within one year of permit approval. In addition, the Installer will be expected to provide information regarding net metering rates and policies, the sale of SRECs, and other federal and state incentives available for the Customer.
  - 5.4.5 Pricing proposal including tiered pricing structure and pricing contingencies - See Attachment A.
  - 5.4.6 Warranty on workmanship of installation.

**6.0 Comparative Selection Criteria**

Award will be made to the Installer meeting the minimum selection criteria above and that best meets the comparative selection criteria, to include:

- 6.1 Price discounts and the tiers at which they become available .
- 6.2 Demonstrated experience of members of the proposed project team with residential and small scale commercial solar installations .
- 6.3 History of client satisfaction based on at least 4 Massachusetts customer reference checks.
- 6.4 In addition, Installers will also be evaluated to the degree they address the following
  - 6.4.1 Offer US-made panels, as an option
  - 6.4.2 Provide annual production guarantee on contracts, with pay at a level at least equivalent to Boxborough's current electricity rate.
  - 6.4.3 Offer an online system monitoring at no additional cost
  - 6.4.4 Offer micro-inverters
  - 6.4.5 Provide a way to manage SREC
  - 6.4.6 Provide alternative for low-cost entry, which could include an equipment lease or other financial alternative.
  - 6.4.7 Provide compelling and comprehensive marketing plan
  - 6.4.8 Provide marketing support that includes the design and production of collateral materials and financial support needed to execute the comprehensive plan
  - 6.4.9 Availability of Installer staff for timely site evaluation and installation
  - 6.4.10 Price contingencies (adders) that are competitively priced and clearly identified
  - 6.4.11 Length of warranty on material and workmanship
  - 6.4.12 Professionalism of staff

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**7.0 Submission Requirements**

An electronic and five (5) paper copies of the proposal are to be submitted to the Town. All proposals must be delivered to:

Ms. Selina Shaw  
Town Administrator  
29 Middle Road  
Boxborough, MA 01719  
(978) 264-1712  
E-Mail copies to [richardgarrison3@gmail.com](mailto:richardgarrison3@gmail.com) and [francie12637@gmail.com](mailto:francie12637@gmail.com)

**Submission Date - No later than until 2:00 p.m., April 16, 2015**

**8.0 Interviews And Award**

The Town may make an award based solely upon review of the proposals as submitted. If interviews are required to distinguish between finalists, firms will be invited to make a presentation before a selection committee.

The successful Installer will enter into a Memorandum of Understanding with the Town setting forth in more detail the terms of the agreement between the parties reflected in this RFP.

The Town reserves the right to award this Program to the firm it feels will perform the services in a manner that is in the best interests of the Town. The Town will award the Program to the proposer offering the most advantageous proposal, from a responsible and responsive proposer, taking into consideration all evaluation criteria set forth herein.

Finally, the Town reserves the right to reject any proposals or to waive any informality in the bidding process if it is in the best interest of the Town.

**9.0 Questions**

Questions regarding this Request for Proposal should be directed in writing to:

Boxborough Town Administrator  
C/O Boxborough Energy Committee  
Richard Garrison or Francie Nolde  
29 Middle Road  
Boxborough, MA 01775-212  
[richardgarrison3@gmail.com](mailto:richardgarrison3@gmail.com) and [francie12637@gmail.com](mailto:francie12637@gmail.com)

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## ATTACHMENT A - PROPOSAL REQUIREMENTS

### Proposals must contain the following:

**Executive Summary:** The Executive Summary should summarize the highlights of the proposal; key features and distinguishing points of the proposal as well as any unique problems perceived by the installer and proposed solutions.

**Proposal Team Experience:** Identify all members of the project team, including, but not limited to, partners assisting in project financing, customer service, outreach, project installations, and SREC aggregation or brokerage. Include an organization chart outlining the various key individuals and partners, a description and location of each, and attach resumes and copies of any licenses, if applicable, of all key individuals on the project. Installers are welcome to partner, but an Installer must be the lead company on the proposal. Proposals must include the following:

- Description of the applying Installer, including company size, financial stability, location, capacity for work, and access to various supply chains. Highlight relevant experience, skills and capabilities necessary to undertake the work including but not limited to, PV installations in Massachusetts and the designation as an "Expedited Installer" under the Commonwealth Solar II Rebate Program. The Installer should provide references for at least ten (10) of its projects.
- Identify any partnerships or resources you provide to your customers to facilitate the sale of their SRECs.
- Provide a list of any partners on the project team that are located in or near Stow.
- Identify any partners that are local to the Community and/or are focused on sustainable business practices.
- Option: Propose a partner or contact who can install solar hot water systems, other renewable energy technology, or other energy efficiency measures.

**Proposal Narrative:** The proposal narrative should outline a detailed and solid strategy that should at a minimum address the following items:

- ***Program Plan:*** Provide a plan for implementation, describing the proposing Installer's ability to provide solar PV installation services to the Community during the Program period. Specifically, the proposal should describe the Installer's ability to provide timely customer service, site assessments, rebate application submissions, installation services, and SREC aggregation. Please elaborate on the specific intake process for customer leads, method for screening sites, and an installation schedule for tiered levels of solar PV

capacity. Include an estimate of the number of small-scale solar PV projects the Installer team can complete on a monthly basis. Describe a Quality assurance process for the solar PV installations and outline the process for managing any permits, inspections and the interconnection process with the local utility. Finally, outline how the quality of the proposed equipment and installation process will be explained to the customer.

- ***Timeline:*** Provide an expected timeline for the average customer under the Program to guide the Community and the customer expectations.
- ***Marketing Strategy:*** Outline a marketing plan that describes methods to motivate community-driven solar PV installations. Describe ways in which a joint marketing strategy between the Community and the Installer plans to expand the number of solar PV projects within the Community. Include ideas by which Community outreach can be leveraged to generate leads more likely to move forward. Identify any potential Community partners that may be able to assist in deploying or enhancing the marketing strategy.
- ***Marketing Budget:*** Propose a marketing budget that will be financed by the installer to implement the marketing strategy described above.
- ***Geographic Proximity:*** Provide a plan to address the Installer’s geographic proximity to the targeted Community and how this will shape the services provided.

**Pricing Proposal:** Installers should refer to and complete the forms in Attachment B - Pricing Proposal. Pricing Proposal information must be submitted as an electronically produced document - hand written documents will not be accepted. Project specific pricing will not be considered for this Program. In addition, the Program will not recognize any project-related costs adders if they are not outlined in Attachment B at the time of proposal submission.

- ***Tiered Price Structure:*** Outline the Purchase Price on a total capacity of solar PV contracted using the following five tiers:

Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
1kW - 25kW	>25kW - 50kW	>50kW - 100kW	>100kW - 200kW	200kW +

- As total contracted capacity increases by tier, the Installer’s proposed price per watt (\$/W) must decrease for customers that purchase a system under the program.
- Installers may propose additional incentives as higher tiers of aggregate contracted capacity within a Community are reached. Examples of the financial

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incentive can include a donated PV system, a rebate, gift card, or other financial incentives.

- Pricing proposals should include total installation costs, which includes system design, permitting, applicable materials and equipment, transportation, labor, and all equipment and workmanship warranties. The price should be independent of any tax credits or incentives available to the customers. Alternative pricing structures or financial models will be evaluated as appropriate.
- Price Contingencies (Adders): It is understood that features of certain installations will result in higher costs. Installers must outline specific electrical, mechanical, structural, equipment, site, or labor features that will result in greater costs.
- Adders should be listed as a \$/watt cost for projects in Attachment B. If applicable, Installers may also list an adder as a flat fee.
- Installers must identify a maximum Purchase Price associated with more complicated installations and understand that an individual project price cannot exceed the base price (at a given capacity tier) plus the additional price.
- Installers will be responsible for identifying individual projects that include Adders.

**Sample ROI Analysis:** Include a sample ROI analysis with the Price Proposal that illustrates the level of detail which will be provided to Program Customers.

**System Specifications:** Identify system specifications for equipment that will be used for projects going through the Program, including equipment manufacturers, models, and warranties for modules, inverters, racking, meters, and data acquisition systems, if applicable. Boxborough is interested in high quality as well as cost competitive equipment.

**Proposal for Sites Not Feasible for Solar PV:** Outline the process by which the Installer team will handle leads that do not have feasible sites for solar PV.



**ATTACHMENT B – PRICING PROPOSAL**

**Primary Point of Contact**

<i>Installer Company Name</i>	
<i>Contact Name</i>	
<i>Contact Phone Number</i>	
<i>Contact Email</i>	

**Proposed Equipment**

List all proposed equipment to be used during the course of the Program for the typical solar PV installation. If more than one variety of equipment will be used, please include it below.

<b>Major Component</b>	<b>Manufacturer</b>	<b>Model Number</b>
<i>Inverter(s)</i>		
<i>PV Modules</i>		
<i>Mounting System</i>		
<i>Production Meter</i>		
<i>Data Acquisition System (if applicable)</i>		

**Tiered Pricing Proposals**

The bid should include a dollar per watt (\$/W) Purchase Price that will reduce as higher tiers are reached.

<b>Tiers</b>	<b>1kW-25kW</b>	<b>&gt;25kW-50kW</b>	<b>&gt;50kW-100kW</b>	<b>&gt;100kW-200kW</b>	<b>200kW+</b>
<b>Purchased Price (\$/W)</b>					

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### Price Contingency Factors

Outline below any additional costs that may increase the tiered pricing proposal. Identify a maximum price increase or flat fee for projects under the Program.

Factors	Increased Cost (\$/W)	Increased Cost (\$/kWh)	Flat Fee (if applicable)	Description of Work
<b>Site Specific</b> May include, but is not limited to: <ul style="list-style-type: none"> <li>• Multiple roof arrays</li> <li>• Tilt racking</li> <li>• Standing seam metal roof</li> <li>• Flat roof</li> <li>• Pole or ground mounted system</li> <li>• Tree removal</li> </ul>				
<b>Structural</b> May include, but is not limited to: <ul style="list-style-type: none"> <li>• Reinforcing rafters</li> </ul>				
<b>Electrical</b> May include, but is not limited to: <ul style="list-style-type: none"> <li>• Electrical panel upgrade</li> <li>• Electrical sub-panel</li> <li>• Meter Upgrade/change</li> <li>• Interior conduit run</li> </ul>				
Monitoring to the Production Tracking System (if applicable)				
Internal Monitoring (Micro-inverters)				
Extended Warranty (if applicable)				

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Factors	Increased Cost (\$/W)	Increased Cost (\$/kWh)	Flat Fee (if applicable)	Description of Work
Maintenance (if applicable)				
Other May include, but is not limited to: <ul style="list-style-type: none"> <li>• Additional cost micro-inverters</li> <li>• Steep roof / tall roof (define)</li> <li>• Small system adder</li> <li>• Large system cost subtraction</li> </ul>				
American Made Solar Panels				
Total Additional Cost				
(Optional) Other Potential Costs				



March 4, 2015

Board of Selectmen  
Town of Boxborough, Massachusetts

My name is Alison Tully and I am an intern at The Center for Hope and Healing, Inc. (CHH) in Downtown Lowell. I graduated from Framingham State University with a degree in Criminology and I am so glad to be a part of CHH's community. I am contacting you to request a meeting with the Board of Selectman in the town of Billerica to speak about Greater Lowell's 10<sup>th</sup> Annual "Take Back The Night" on April 16th, 2015.

Take Back The Night began by activists to bring awareness of street violence and sexual violence. This 10<sup>th</sup> year, we intends for the event to be the region's widest and most powerful event aimed at raising capacity for individuals who have experienced sexual and physical violence and encouraging survivors to speak out and empower others.

For nearly 40 years, CHH has provided much needed services to residents of the Boxborough community, we would really like to speak at the Board of Selectman meeting to encourage your residents to attend Take Back The Night.

I am hopeful that you will grant my request.  
Thank you so much for your time.

Alison Tully  
Community Events Intern  
Take Back The Night 2015  
#lowelltakesback

Cc: Amrith Fernandes-Prabhu  
Chair, Take Back The Night 2015  
978-452-7721  
amrith@centerforhopehealing.org





**BOARD OF SELECTMEN**  
**Meeting Minutes**  
**February 11, 2015**

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

**PRESENT:** Vincent Amoroso, Chair; Susan Bak, Member; Les Fox, Member; and Jim Gorman, Member

**ABSENT:** Robert Stemple, Clerk

**ALSO PRESENT:** Selina Shaw, Town Administrator

**EXECUTIVE SESSION**

- At 6:32 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 Grange Meeting Room to continue the regular business on the agenda. Seconded by Member Bak. **Approved 4-0 by Roll Call: Amoroso, aye; Fox, aye; Bak, aye; and Gorman, aye.** The Chair noted that open meeting may have a detrimental effect on the bargaining position of the Board.

Chair Amoroso re-convened the meeting at 7:34 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.
- As the signature of the Clerk of the Board of Selectmen will be required on documents this evening Chair Amoroso moved to appoint Member Gorman as Clerk Pro-tem for the purpose of executing the required documents. Seconded by Member Fox. **Approved 4-0.**

**APPOINTMENTS**

- Town Treasurer, Patrick McIntyre, was present to discuss an Issuance of Bonds; recommendations for an article for OPEB funding; disposition of foreclosed properties; to provide an update on the Town's tax title properties and to report on Town's FY 2016 health insurance premiums.
  - Treasurer McIntyre advised that the Town went out to bid for loan services last week. Morgan Stanley's response was the most attractive. He further noted that the rate being offered is primarily due to our high Standard & Poor's rating. Foxborough has received a triple A rating for this year. Member Fox moved to approve the awarding of Two Million Twenty Thousand Dollars (\$2,020,000) general obligation municipal purpose loan of 2015 bonds at a coupon rate of 3 % to Morgan Stanley & Co, LLC – New York, said bonds will be dated February 13, 2015 and will mature in February 2030. Seconded by Member Bak. **Approved 4-0.**
  - He noted that for the last few years it has been the Town's practice to place an OPEB trust fund funding article on the annual warrant and he recommends that we continue this practice for this year. Our commitment to funding this obligation is one reason we have maintained a superior S & P rating. McIntyre further noted that our fund management firm has offered to conduct an informational session on OPEB management. Further to the recommendation of the Town Treasurer, Member Fox moved to support an article on the Annual Town Meeting warrant to transfer \$100,000 to the OPEB Trust Fund. Seconded by Member Bak. **Approved 4-0.**
  - Treasurer McIntyre referred to the materials he provided as to the status of the Town's foreclosed properties and provided an update on tax title properties to give the Selectmen an idea as to the value of these properties and to consider what options are available to the Town. No action is required tonight, however a Town Meeting article may be needed to convey/dispose of some of these properties. Conservation Commission input will also be sought.

- He spoke to the information provided concerning the Town's FY 2016 health insurance premiums. Pharmaceuticals cost is the primary driver of these premium increases. He doesn't know if this is a trend or an aberration. The services being offered by the three providers are pretty much the same; however Fallon has been proactive in addressing these costs shifts which is reflected in a significantly lower increase. He would like to hold a health fair where these providers come and present to employees and Town employees can than make their own decision. He provided information on the communities that participate in the Minuteman Nashoba consortium.
- Chair Amoroso opened a Public Forum on the proposed Grange Meeting Room ("Grange") improvements and use of the Stage. The Selectmen are seeking input as to whether residents want to keep these areas unchanged or if they could support the renovating and reconfiguring of this space. BICAO David Lindberg, Town Clerk Markiewicz along with members of the public were present for this discussion. There are several concerns that have led the Town to consider this proposed renovation/reconfiguration. Chair Amoroso pointed out the improvements that have already been implemented to the Grange space. However, there are important items that still need to be addressed such as the deteriorated condition of the floor & ceiling and the need for energy efficient lighting. The disposition of the stage area will have an effect on this proposed work. Storage and office space are currently in short supply at Town Hall. The stage area was deemed to not be ADA compliant over 25 years ago so it can no longer be used by the public. This space is currently being used just for the storage and the stage curtain was opened to show what is being kept there. Town Clerk Markiewicz spoke to the state's record retention requirements and how climate controls necessary to preserve paper documents. BICAO Lindberg provided a diagram illustrating the proposed reconfiguration. He noted that a similar renovation was proposed 10 years ago, but it didn't go anywhere. Markiewicz noted that as Town Clerk she is responsible for the managing the elections, which take place here in the Grange. The traffic flow pattern that she currently utilizes for elections is inefficient congested and can be confusing. This re-configuration would greatly improve this flow pattern and eliminate the need for voters to queue up on the stairway. The proposed anteroom/reception area would also allow for seating while people wait to enter the Grange. This area would eliminate the background noise that bleeds into the Grange during meetings when people are speaking out in the hallway. There was discussion as to additional measures that could be used to improve election day flow patterns. The consensus was that the columns in the front of the stage should be preserved and that these proposed spaces have some sort of sound barrier. It was stated that the need for storage should not justify taking away the stage. Audience members spoke to the performance artifacts that they recall being stored on the stage, however the last performance took place before the east addition was constructed. It is a shame to eliminate the stage but based on what has been presented there is a need that must be met. It was suggested, that with the high ceilings, suspended shelving would an efficient use of the space. It was further suggested that the board table/dais be shifted to the northside of the room, to eliminate the distraction when people walk-in during a meeting. There was additional discussion on the renovations to Grange Room itself. Chair Amoroso closed the Forum and thanked those present for their input.

*The Board took Agenda Items #5a and #6, out of order.*

#### **MINUTES**

- Member Gorman moved to accept the minutes for the executive session of February 4, 2015, as written/revised. Seconded by Member Bak. **Approved 4-0.**

#### **SELECTMEN REPORTS**

- Member Bak reported that the Personnel Board has held its outreach meetings with most of the town departments. Unfortunately DPW has had to re-schedule twice due to the snow. They are also looking at possible revisions to the Town's Personnel Plan; specifically to address recent changes to sick time allowances and the vacation time portion of the plan.
- Member Fox reported that the Master Plan Update Comm. is making progress and is providing productive input to the MAPC consultants. They are looking at having the update ready to present this fall.
- Chair Amoroso noted that he will save his report on Minuteman until Supt. Bouquillon's presentation later in the agenda.

He also reported that he toured the Town with Chief Ryder during the most recent of the storms and Member Gorman did the same with Chief White. The plows seem to be doing their job and people were staying off the roads. These are historic snowfall numbers and our snow & ice budget is going to take a hit.

- Member Gorman confirmed that he had done a "ride-around" with the Fire Chief.

He also reported that there were some concerns about plowing in a cul-de-sac but they have been resolved.

## APPOINTMENTS (Continued)

- William (Bill) Caulder, JPI/TDI (formerly with the Gutierrez Company), and David Helms from JPI were present to provide an update on Jefferson at Beaver Brook, a 244-unit Chapter 40B housing development and to ask that Selectmen advise the MEPA of their support of this project. Town Planner Adam Duchesneau, Planning Board & Housing Board members and others were also present. Mr. Caulder advised that they intend to break ground later this year. They are looking to develop just 15 acres of this 65 acre site. He provided an overview of the changes that have taken place since this 40B development was originally approved in 2008. Most significant was acquisition of this property from the Gutierrez Co. and his partnering with JPI. There have been some engineering and architectural revisions but nothing that would impact the initial approval. Due to geo-survey results, they have re-configured parking, open-space and recreational areas. He provided information on well test results and the re-engineering of some well sites. He spoke to the required interactions with various governmental agencies and how these various processes interact. They are working with MEPA and the DEP to obtain approval for various aspects, including wells, and will be meeting with the ConsCom to provide them with this information. Soil testing has indicated there are some areas with measurable levels of contaminants. So, though these areas will be remediated, they have determined that gardening areas will not be available. They are working with MassDOT on configuring the access road from Route 111. They are working with the Fire Department on their fire suppression plan and roadway turning radius requirements. Mr. Helms advised that they are looking to incorporate rural aesthetics into the public areas. The clubhouse will now overlook the adjacent horse pasture and they intend on incorporating salvaged wood from the Ward barn into the public areas. Mr. Caulder clarified that this development is comprised of rental units only. They could realize 400-462 tenants and including approximately 45-55 children. Their demographic is across the board – seniors, singles, and families. He explained how Chapter 40B works; the state formula that determines their affordable unit rate; required percentage of affordable units and that they must have a qualified affordable housing rental agent. Mr. Caulder spoke to the management and security measures that will be in place. There was additional discussion as to preserving open space and the configuration of the access road. Mr. Caulder noted that they met with several town departments earlier today and based on this meeting they are optimistic about moving forward. Mr. Helms explained that the name of the development was revised because JPI's naming convention incorporates "Jefferson" into the name of all of their developments. It was confirmed that these units will count towards the Town's affordable housing inventory threshold. The purpose of the proposed letter presented tonight is to provide the MEPA with input from community stakeholders. Member Fox moved to submit a letter of support to the Executive Office of Energy and Environmental Affairs with respect to the developer's MEPA filing for Jefferson at Beaver Brook. Seconded by Member Bak. **Approved 4-0.** Chair Amoroso executed this letter.
- Minuteman Regional School District, Supt. Ed Bouquillon, and Asst. Supt. of Finance Kevin Mahoney were present to provide updates on the proposed amended regional agreement, budget and building project. Supt. Bouquillon spoke to their Powerpoint presentation. Minuteman's overall budget is up 0.9%, but he qualified in that the Governor has yet to issue his budget; bus transportation contract has not been finalized and the Teacher's contract is still under negotiation. He identified the significant items that have affected their FY 16 budget, including changes in various state regulations and funding structures. Boxborough currently has four high school and one post-graduate students enrolled at Minuteman. The current agreement calculates the operational portion of Boxborough's assessment charges on enrollment and the capital portion on a five student minimum. Boxborough is also assessed for the R.J. Grey Tech. Program. He provided information on Boxborough's enrollment history and the District's current, historic, projected, and in-district/out-of-district enrollment numbers. He also spoke to efforts to increase in-district enrollment. He presented an overview of Minuteman's new Educational Plan and the implementation of a Career Academy Model. Supt. Bouquillon provided background and the proposed timeline for the proposed MSBA project. Minuteman has been in the MSBA "pipeline" since 2009. MSBA needs a project approved by 2016, or Minuteman will be removed from the MSBA project list. A report that calculates the projected financial impact on the various project scenarios including one with no MSBA involvement was discussed at last week's Municipal Breakfast. First impact on a member town's capital assessment would be in 2020. He provided an update on the status of the revisions to the regional agreement. Supt. Bouquillon closed his presentation. Chair Amoroso reported that he had attended Friday's Municipal Breakfast and provided his perspective on those discussions and the materials presented tonight. There are issues with the enrollment ratios and that out-of-district communities pay less; citing information that these non-members contribute \$10,000 less towards operating costs. He further noted that out-of-district tuition is going down. Supt. Bouquillon clarified that though Minuteman receives DESE determined tuitions these sending towns are directly responsible for other educational costs, whereas for member town's these expenses are incorporated into the overall budget and proportioned through their assessment. He further noted that though the difference between student assessments and tuitions is a concern; confusion has been generated by faulty analysis and mis-information that has been circulated. He did confirm, that at this time, DESE does not allow Minuteman to seek capital contribution from out-of-district towns; however Minuteman is actively lobbying for a change in this policy. Chair Amoroso spoke to his continuing concerns as to the proposed revisions to the agreement, and that the larger member communities are the ones benefiting from these revisions. He reviewed the breakdown of 2014 Town Meeting votes and the actions taken here in Boxborough at the time. He opined that it is unlikely the District will receive remaining approvals this spring. Supt. Bouquillon concurred that it will be difficult. Chair Amoroso stated that the best thing to do for the health of the district is to build a new school, however, there are several towns, included Boxborough, that have declared they want to get out. He referred to his

“Protocol for Simultaneously Adopting Amended Agreement and Withdrawing” distributed this evening. He prepared this based on the input he received at Friday’s Municipal Breakfast. It proposes new conditions to the proposed revision as a stand-alone provision. Town Counsel has reviewed this proposal. There was discussion as to process and the timeline necessary to address this proposal. Supt. Bouquillon invited Chair Amoroso to submit this proposal to the Minuteman School Committee for consideration; however as Lincoln’s Town Meeting takes place in March it would be problematic to take this up in time for inclusion in the member towns’ Annual Town Meetings. The other Selectmen, FinCom member Neal Hesler and others provided their input. Supt. Bouquillon was asked to expand on the building project scenario costs estimates and the related development concerns. It has been communicated by; at least, one of the communities that they would not be interested in moving forward with the building project if the revised agreement is not ratified by all of the other towns. Supt. Bouquillon advised that the state provides that the School District with the option of putting this forth approve of the revisions on a districtwide popular ballot. There was additional discussion on the “Protocol” document presented tonight. Chair Amoroso would support holding a Special Town Meeting to present this proposal. Discussion turned to the Town’s withdrawal from the Minuteman District and what research has been conducted as to cost analysis and Town’s obligations if we leave. Chair Amoroso advised that this data was provided at last year’s Town Meeting and “apples to apples” numbers will be presented at May’s Town Meeting. Withdrawal would not take away our ability to attend Minuteman. He has participated in the development of an IMA which would allow Boxborough to continue to send our students to Minuteman on tuition basis; allowing us to continue to provide Ch. 74 opportunities. There was discussion about the impact of incoming students testing below grade level. Supt. Bouquillon provided details on measures taken including an integrated Ed. Program and involvement of academic specialists, so that these students achieve at least grade level by the time they leave Minuteman. He responded to a request to expand on the efforts to increase in-district enrollment. Minuteman staff has created a 20 member team that is working with a consult to address this and providing the means for prospective students and their families to connect with the Minuteman on a personal level; working to craft a plan which includes surveying applicants and seeking community feedback. Supt. Bouquillon also clarified that input from the kids, college admission professionals, industry partners and others had an effect on the revisions to the Education Plan. It was noted that these issues need to be dealt and time is of the essence.

- Police Chief Warren Ryder, was present to continue a previous discuss on shift coverage. This situation has continued to evolve since he initially communicated his concerns. Based on the Selectmen’s feedback and subsequent discussions he has generated a follow up memo which presents several shift coverage options and the related financial impact. He spoke to the positive; negatives of each of the proposed options. The Chief reiterated that is situation was precipitated by having a Sergeant out due to injuries received in the fall of 2014. The Chief also stressed that he would have sought a discussion on 2-man shift coverage at some point even if this had not occurred. 2-man coverage provides the optimum level of safety for both his officers and the public. The Selectmen noted that they support 2-man shift coverage; however the fiscal realities have gotten in the way of implementation. The Chief outlined what would happen when the Sgt. comes back on duty and also how the Chief would proceed if the Sgt. has to retire due to his injuries. The Selectmen noted that the Chief has the authority to manage his staffing requirements including shift coverage, however if these determinations result in his going outside of his budget he should be seeking the Selectmen’s approval before that occurs. Chief Ryder advised currently he is managing shift staffing within his budget, however he will need a RFT to cover salaries for FY 15, however at this point he does not know what this final amount will be. Chief Ryder confirmed that his proposed FY 16 reflects 2-man coverage for all shifts.
- Town Administrator, Selina Shaw reviewed the proposed FY 16 Town Government budgets. Members of the Finance Committee were present for this discussion. Debt is up 19% primarily to the due to bonding the Selectmen just approved. Overall Town Gov’t is up 17% and the primary driver for this is the re-alignment of the Technology budget’s funding source. In FY 15 technology related items were consolidated from the individual departments into one budget. . Also in previous years a large chunk of the funding came from the Town’s cable funds. Going forward it has been determined that technology expenses should be funded directly through the budget. There was also discussion as to how the Town intends to address its technology support needs going forward. It was noted that this will need to be discussed at greater length at some point. She went through the other Town Gov’t budgets by their number categories – speaking to those items that reflect a significant change. 100-General Gov’t is up because the BCC lease agreement provides for an increase for FY 16. 135 – Town Account is up because the Software Support previously under the Tax Collector (146) has been shifted into this budget resulting in \$1,800 in overall savings. 162 - Board of Registrars is down – one less election this year. 175 – Planning Bd. is up – MapGeo was underfunded in FY15. 192 – Town Hall is up just over 1% overall. Several lines have been significantly reduced or re-aligned. A-B Regional School District has restructured Table 6. Their numbers have adjusted down. ABRSD representatives will be coming to an upcoming meeting to review their budget and to explain their efforts to further reduce these numbers. We are currently working with Rev. 2 Draft Budget. Town Accountant Barrett anticipates no major revisions in Rev. 3.
- No one asked to speak under the Citizens concerns.

## OLD BUSINESS

- It was determined there was no need for further discussion of the FY 16 Budget at this time.
- The Selectmen opened discussion on the 2015 Annual/Special Town Meeting and took up a request from Minuteman Regional School Committee to place an article on the Annual Town Meeting warrant regarding amendments to the Regional School Agreement. This is the same article that was submitted last year. It was noted that the Selectmen are also considering an article to withdraw from the Minuteman School District and that this would require just a majority not a 2/3<sup>rd</sup> vote. Further to the request of the Minuteman Regional School Committee, Chair Amoroso moved to place an article on the (Annual) Town Meeting warrant regarding amendments to the existing "Agreement with Respect to the Establishment of a Technical and Vocational Regional School District". Seconded by Member Gorman. **Approved 4-0.**

## NEW BUSINESS

- TA Shaw referred to her memorandum concerning the status of the Hammond Scholarship fund account. Further to the recommendation of the Town Administrator, Chair Amoroso moved, with regrets, not to award the Hammond Scholarship in 2015 due to the declining return on investments, which has been the source of funding for the Scholarship. Seconded by Member Gorman. **Approved 4-0.**
- The Selectmen took up the Chapter 90 Project Request for Flagg Hill Road, Pine Hill Road, and Stonehenge Place. Member Gorman moved that the Board of Selectmen votes to authorize the Public Works Director to submit to Mass. Department of Transportation a project request form for the reclamation and repaving of Flagg Hill Road, Pine Hill Road, Stonehenge Place as well as an environmental punch list for the project; further that the Board certifies under penalty of perjury the following: that the project is on a public way, and any necessary takings have been made; that all materials will comply with approved established specifications; that all weights and quantities will be accurate; that equipment rental rates are those established by MassDOT Highway or the advertised low bid; that all documentation will be checked for accuracy, and will be endorsed in accordance with municipal procedures for accountability. Seconded by Member Fox. **Approved 4-0.**
- TA Shaw opened a discussion on hanging banners across Massachusetts Avenue. This was precipitated with the Energy Commission asking to hang a banner across Mass. Ave. to publicize their Solar Forum. There have been similar discussions over the years on this but they never went anywhere. The surrounding communities have been doing it for years. TA Shaw has had initial discussions with Littleton Electric, and they are amenable to allowing the use of their poles, however it would be the Town's responsibility for hanging these banners. She has not spoken to MassDOT however they have indicated in the past that they would not approve the hanging of items across Mass. Ave. She is requesting the Selectmen's input and to see if they are would consider this type of usage. The Selectmen indicated this may be worth considering however they need more details before they make a decision and that a policy and clear procedures should be formalized before we allow this usage.
- Though not on the agenda the Selectmen took care of two "housekeeping" items which required the Selectmen signatures.
  - Amended Common Victuallar's License - The owner of the Bumblebee Snack Shack has changed its name to the Bumblebee Pitstop. There is no change to the business' operations.
  - Previously approved Amended CrossTownConnect IMA.

## ADJOURN

- The meeting was adjourned at 10:55 PM.



**FY2016 Proposed Articles  
Town of Boxborough**

<u>Dept</u>	<u>Description</u>	<u>Amount</u>
<b><u>Special Town Meeting</u></b>		
1	Fund Cost Items of First Year of Collective Bargaining Agreement - Mass Coalition of Police, Local 200, Police	
2	Fund Cost Items of First Year of Collective Bargaining Agreement - Mass Coalition of Police, Local 200A, Dispatch	
3	Fund Cost Items of First Year of Collective Bargaining Agreement - Boxborough Professional Firefighters, Local 4601	
<b><u>Annual Town Meeting</u></b>		
1	Choose Town Officers	
2	Receive Reports	
3	Set Salaries and Compensation of Elected Officers	
4	Amend Personnel Plan and Personnel Classification and Compensation Plan	
5	Town Operating Budget	
6	Amendments to the Regional School District Agreement of the Minuteman Regional Vocational School District	
<b>Transfers</b>		
7	Transfer Unexpended Balances in Prior Year Articles	
8	100 Transfer to Stabilization Fund	100,000
9	171 Conservation: Transfer to Conservation Trust for Future Purchase	5,000
10	950 Transfer to OPEB Trust Fund	100,000
<b>Salary (plus)</b>		
11	141 Assessor: Certification Stipend	1,000
12	210 Police: Promote 1 Sgt to LT	21,125
13	215 Additional Dispatcher (wages of \$9,034 & health ins @ \$15,570) [NB: less OT and less PT hrs]	24,604
14	220 Additional Firefighter/Shift Restructuring (wages of \$25,627 & health ins @ \$15,570)	41,197
15	422 Additional DPW Worker (wages of \$34,049 & health ins @ \$15,570)	49,619
16	610 Additional Library Hours/PT staffing (extend open hours on M & W from 6 PM to 8 PM)	14,162
		<b>Possibly budget</b>

**FY2016 Proposed Articles  
Town of Boxborough**

<u>Dept</u>	<u>Description</u>	<u>Amount</u>	
<b>Other Exp</b>			
17	210	Police: Department Accreditation	14,000
18	210	Police: Palm Scanner	25,000
<b>19</b>	<b>210</b>	<b>Public Safety building programmatic review and schematic design</b>	<b>69,500</b>
20	220	Fire: Pumper Truck (to replace #64; 20 yr. old "maintenance hog"	650,000
21	220	Fire: Turnout Gear (Personal Protective Equipment)	140,000
22	422	DPW: 3/4 Ton Pickup Truck (to replace "Juan's truck")	40,000
23	422	DPW: Road Paving	300,000
<b>24</b>	<b>422</b>	<b>DPW: New vibratory asphalt roller (replacement)</b>	<b>40,000</b>
<b>25</b>	<b>422</b>	<b>DPW; New chipper</b>	<b>60,000</b>
23	630	Recreation: Skate Park	40,000
			[Potential CPA – Fall STM?]
	Total		<u>1,735,207</u>
			1,695,207
<b>CPA</b>			
26		FY 15 set asides (@ 10% for open space, including land for recreational use, historic resources and community housing purposes); FY 16 set asides (@ 10% for open space, including land for recreational use, historic resources and community housing purposes) and 5% for administrative and operating expenses; FY 16 projects <i>Steele Farm barn exterior restoration (\$90,000)</i> <i>Preservation and restoration of Town Hall steps (\$10,000)</i> <i>Conservation of historical records (\$12,000)</i>	TBD
<b>Non-Appropriation Financial</b>			
27	Multi	Departmental Revolving Funds Re-authorization	
28	141	Assessor: Personal Exemption Percentage	
29	220	Fire Alarm System maintenance Revolving Cap Increase (from \$4,100)	10,000 Cap
30		Chapter 90 Highway Reimbursement Program	
31	541	COA: New Revolving Acct for Programs	15,000 Cap

**FY2016 Proposed Articles  
Town of Boxborough**

<u>Dept</u>	<u>Description</u>	<u>Amount</u>
32	610 Library: New Revolving Acct for Copy Machine Funds	1,500 Cap
33	Rescind Unused Borrowing Authorization	TBD
<b>Zoning Bylaw Amendments</b>		
34	Change Definition 2101 "Accessory Structure" to "Accessory Building"	
35	Amend Definition 2152 "Mixed-use" to be inclusive of all permitted uses	
36	Amend Section 4000 Use Regulations, 4100 General (Administrative Correction)	
37	Change the word "Churches" to "Places of Worship" in Section 6006 Parking Schedule	
38	Amend Section 4003(1) Residential Uses to allow the Bed and Breakfast use by Special Permit in the Agricultural-Residential and Residential-1 zoning districts	
39	Various amendments to Section 6300 Signs	
40	Add new section regarding Wireless Communication Facilities erected by a local, state, or federal government entity for the purposes of public safety	
<b>Other Planning Board</b>		
41	Accept a sidewalk easement located on the property at 55-61 Codman Hill Road (Craftsman Village)	
<b>Petition Article</b>		
42	Restoring & Maintaining Constitutional Governance Resolution of Boxborough, Massachusetts	

## Selina Shaw

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**From:** Tom Garmon <tgarmon@boxborough-ma.gov>  
**Sent:** Thursday, February 26, 2015 11:26 AM  
**To:** sshaw@boxborough-ma.gov  
**Subject:** RE: Placeholders

Good morning Selina

Placeholder For a new vibratory asphalt roller \$40,000.00 and a new chipper at \$60,000.00 they can be bought on state bid list. The finance committee did not recommend using chapter 90 funds .

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**From:** Selina Shaw [<mailto:sshaw@boxborough-ma.gov>]  
**Sent:** Wednesday, February 25, 2015 3:23 PM  
**To:** Tom Garmon  
**Cc:** [yfranz@boxborough-ma.gov](mailto:yfranz@boxborough-ma.gov)  
**Subject:** Placeholders

Hi Tom,

Just a nudge to send me an email regarding the placeholders for the roller and chipper, in case Ch 90 monies are not used. Thanks.

Regards,  
Selina

Selina S. Shaw  
Town Administrator  
29 Middle Road  
Boxborough, MA 01719  
(978) 264-1700 general  
(978) 264-1712 direct  
(978) 264-3127 fax  
<http://www.boxborough-ma.gov>

***Boxborough: A Rural, Engaged Community for All***

***\*\*Please note new email address: [sshaw@boxborough-ma.gov](mailto:sshaw@boxborough-ma.gov)\*\****

*When writing or responding, please be aware that the Secretary of State has determined that most email is a public record and, therefore, may not be kept confidential.*



## Selina Shaw

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**From:** Chief Warren B. Ryder <Wryder@Boxborough-MA.Gov>  
**Content:** Wednesday, February 25, 2015 12:42 PM  
**To:** 'Selina Shaw'  
**Subject:** Space Needs Article

Selina,

Once the Space Needs Advisory Group meets I will look for their input as to our potential next steps.

Can you please reserve a place holder for a potential Special Article for:

Public Safety Building programming review and schematic design estimated at \$69,500

Thanks,  
-Warren

Warren B. Ryder  
Chief of Police  
Boxborough Police Department  
520 Massachusetts Avenue  
Boxborough, MA 01719

978-264-1751 Admin Line  
978-268-5123 Admin Fax

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Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and therefore subject to the Massachusetts Public Records Law, M.G.L. c. 66 § 10



**Town of Boxborough, Massachusetts  
Request for Community Preservation Act Funding  
FY2016**

Department: Town Clerk  
Contact Person: Liz Markiewicz  
Phone: 978-264-1727

Date: 03/02/2015

**Request for funding for Conservation of Historical Records**

**Amount requested for FY16: \$12,000**

**Description of Project:**

This request is for \$12,000 to fund the first phase of a three-year project to preserve historic records of the town. A representative from the Records Preservation Services department of Kofile Preservation has examined our records and has provided us with an estimate of the cost of conservation. (See attached.) The process includes deacidification, mending and reinforcement of paper as necessary, resewing and rebinding. For an extra fee of \$225-\$275 or so per book, each page will be photographed before rebinding and made into a CD for web access.

**Rationale for request:**

One of the obligations of towns within the Commonwealth is the preservation of public records. Under MGL 66:9 "every person having custody of any public record books of the commonwealth...shall cause fair and legible copies to be seasonably made of any books which are worn, mutilated or are becoming illegible, and cause them to be repaired, rebound or renovated."

**Financial Impact to the Town:**

<b>Phase</b>	<b>Conservation</b>	<b>CD</b>	<b>35mm Film</b>	<b>Shipping</b>	<b>Total</b>
I	\$9,134	\$1,275	\$1,275	\$100	\$11,784
II	\$8,864	\$1,100	\$1,100	\$100	\$11,164
III	\$7,654	\$1,005	\$1,005	\$100	\$9,764
Total	\$25,652	\$3,380	\$3,380	\$300	\$32,712

**Conservation Proposal**  
 Boxborough, MA  
 July 18, 2013

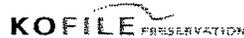
	<u>Conservation</u>	<u>35mm security film</u>	<u>Scan to CD</u>
<b><u>Phase 1</u></b>			
Town Records 1835-1866	\$1,526.00 sew	\$225.00	\$225.00
Town Records 1866-1896	1,925.00 sew	275.00	275.00
Town Records 1896-1918	1,925.00 sew	275.00	275.00
Town Records 1918-1933	2,008.00 Mylar, 2 vols.	250.00	250.00
Town Records 1932-1947	1,750.00 sew	250.00	250.00
<b>Totals</b>	<b>\$9,134.00</b>	<b>\$1,275.00</b>	<b>\$1,275.00</b>

**Phase 1 total: \$11,684.00**

**Phase 2**

Town Records 1947-1955	750.00 sew	100.00	100.00
Town Records 1955-1961	750.00 sew	100.00	100.00
Town Records 1961-1969	1,688.00 Mylar, 2 vols.	150.00	150.00
Town Records 1970-1975	1,249.00 Mylar, 1 vol.	150.00	150.00
Town Order Book 1853-1876	979.00 sew	150.00	150.00
Selectmen's Orders 1876-1911	1,738.00 Mylar, 2 vols.	200.00	200.00
Town Order Book 1820-1833	960.00 Mylar, 1 vol.	150.00	150.00
Board of School 1881-1898	750.00 sew	100.00	100.00
<b>Totals</b>	<b>\$8,864.00</b>	<b>\$1,100.00</b>	<b>\$1,100.00</b>

**Phase 2 total: \$11,064.00**



**Conservation Proposal**  
 Boxborough, MA  
 July 18, 2013

	<u>Conservation</u>	<u>35mm security film</u>	<u>Scan to CD</u>
<b><u>Phase 3</u></b>			
Boxborough Library 1891-1951	750.00 Mylar, 1 vol.	100.00	100.00
Marriages, Deaths & Births 1880-1938 (Important Event)	750.00 Mylar, 1 vol.	100.00	100.00
Marriages, Births, Deaths c. 1843-1869	750.00 Mylar, 1 vol.	100.00	100.00
Rebellion Record (book, index and workbook)	750.00 Mylar, 1 vol.	100.00	100.00
Deaths 1874-1971	750.00 Mylar, 1 vol.	100.00	100.00
Mortgages 1890-1947	1,050.00 Mylar, 1 vol.	140.00	140.00
Lien Statements & Attachments 1857-1891	1,104.00 Mylar, 1 vol.	140.00	140.00
Tax Record 1830	750.00 sew	100.00	100.00
6 small booklets – no covers			
Valuation Records 1834-1840			
Combine above two	1,000.00 Mylar, 1 vol.	125.00	125.00
<b>Totals</b>	<b>\$7,654.00</b>	<b>\$1,005.00</b>	<b>\$1,005.00</b>

**Phase 3 total: \$9,664.00**

**Phase 4, 5, 6: 22 volumes of Valuation Records 1861-1975**

*Prices do not include shipping*





STEELE FARM BARN EXTERIOR RENOVATION  
484 Middle Road  
Boxborough, MA

Specifications - 2/6/15

Entire exterior of building to be repaired and painted as specified below:

CARPENTRY

Replace all windows, sills and casings. Two double hung in gables and 10 - 32" x 30" (overall frame) true divided 6 lite barn sash with 1 1/16" x 3 3/4" composite flat casing and 1 5/8" composite sill by BROSCO or equal (approval required).

Replace 48" x 7'6" 8 lite sliding door on northwest side with 6 lite flush door similar to large barn doors as per attached drawings.

Replace door on northeast side with a flush door as per attached drawings, hung in new Brosco framesaver jamb with exterior aluminum threshold, new hasp and thumb latch.

Replace manure door on south side with flush door as per attached drawings, hung in new Brosco framesaver jamb with exterior aluminum threshold, add hasp and hook and eye on interior side.

Repair rotted sills on northeast and northwest corners of the barn (specify allowance).

Replace all siding and corner boards and door trim. Use actual measure 7/8" thick solid wood and 1/2" x 6" pre-primed red cedar clapboards attached with 2 1/2" stainless steel ring shanked nails into barn framing all installed over Tyvec after nailing existing board sheathing as needed.

Replace large barn doors, door hardware, and cover as per attached drawings and specifications.

Comply with lead paint regulations and all raw wood must be primed with Benjamin Moore Exterior Wood Primer (094). Use Dap Dynaflex 230 white caulking where necessary.

Solid wood for door casings and corner boards to be an approved wood for exterior applications such as cedar, redwood, fir, mahogany, cypress, white oak or approved substitute.

Must have portable bathroom facilities on site for workers for duration of the job.

Building permit is required but no fee will be charged.

Reference drawings and specifications dated 2-6-15 on bid.

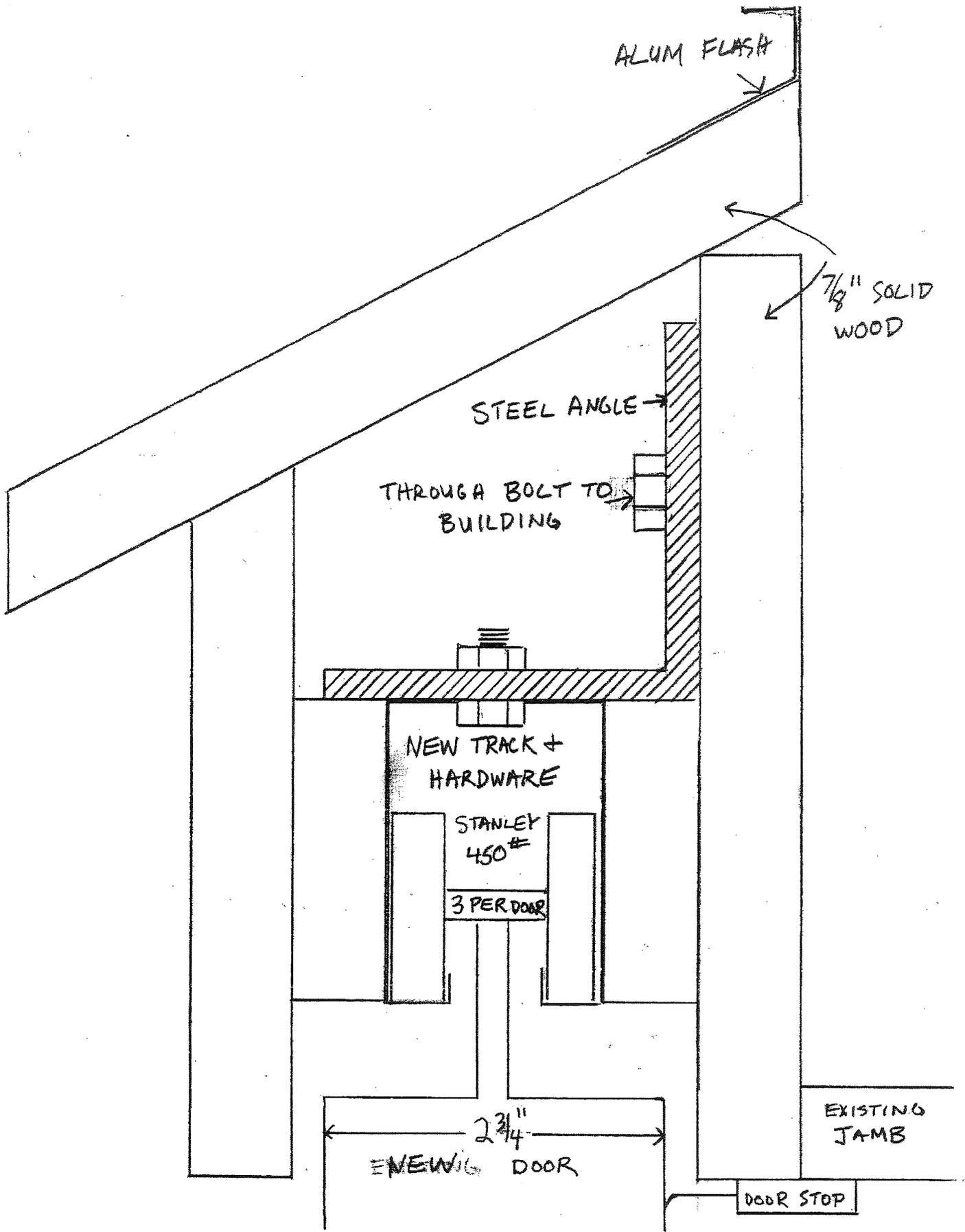
## PAINTING

Prepare rake and fascia boards for primer and prime with Benjamin Moore Exterior Wood Primer (094) or equal.

Paint complete exterior with 2 coats Benjamin Moore Aura Waterborne Exterior paint or equal (approval required).

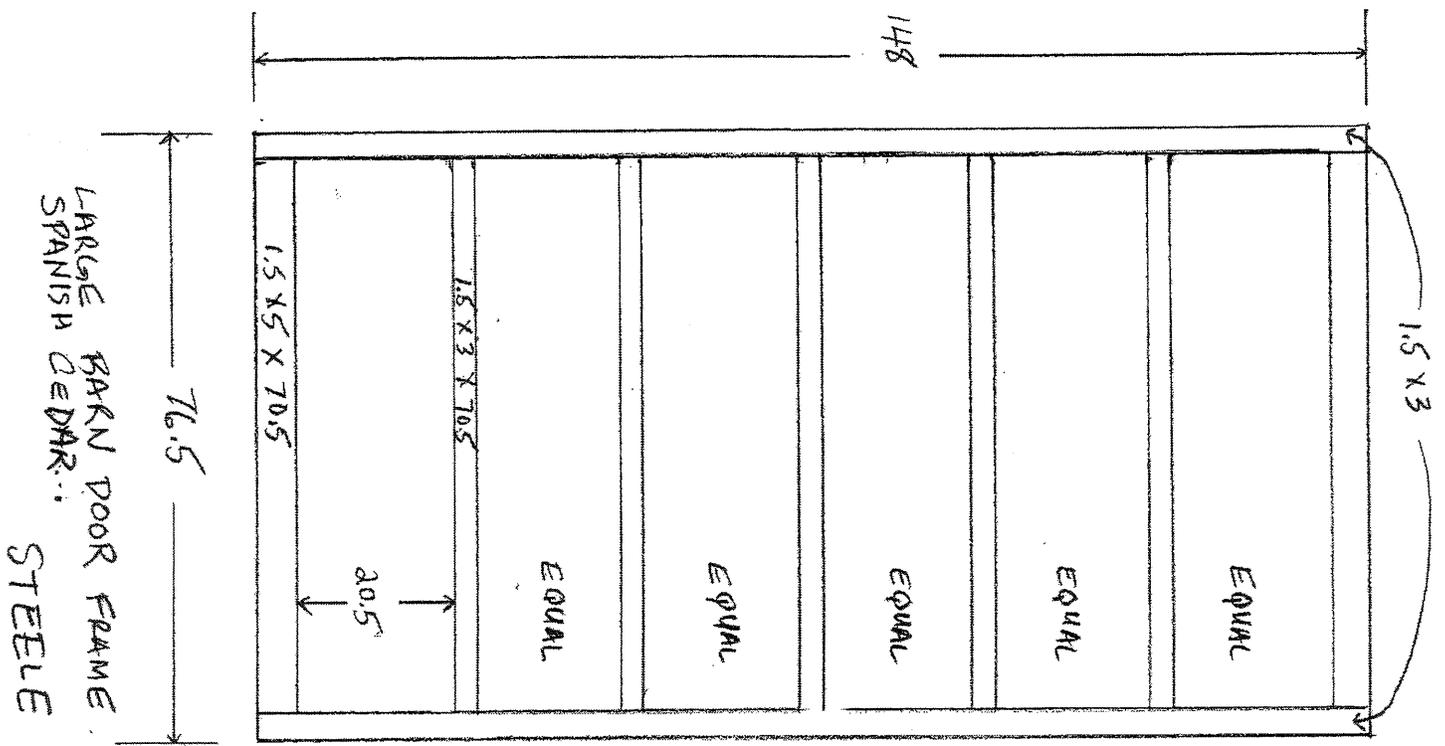
Use Dap Dynaflex 230 white caulking where necessary.

Comply with lead paint regulations.



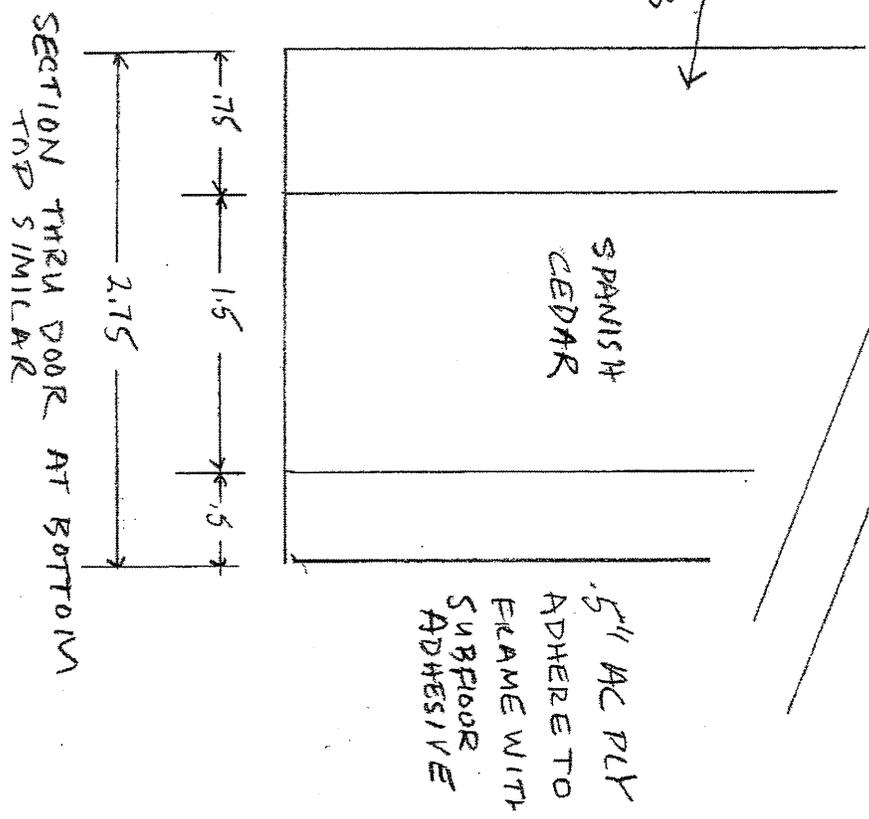
LARGE BARN DOORS TRACK + ROOF

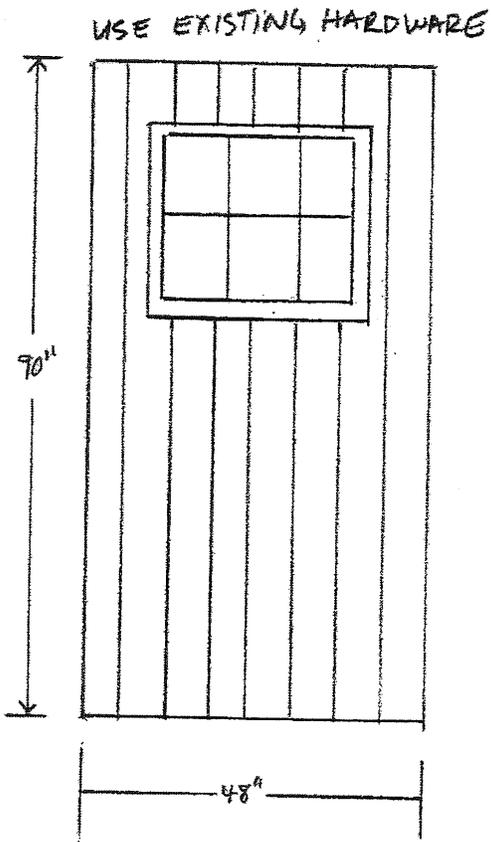
STEELE FARM #1  
SCALE 1" = 1"



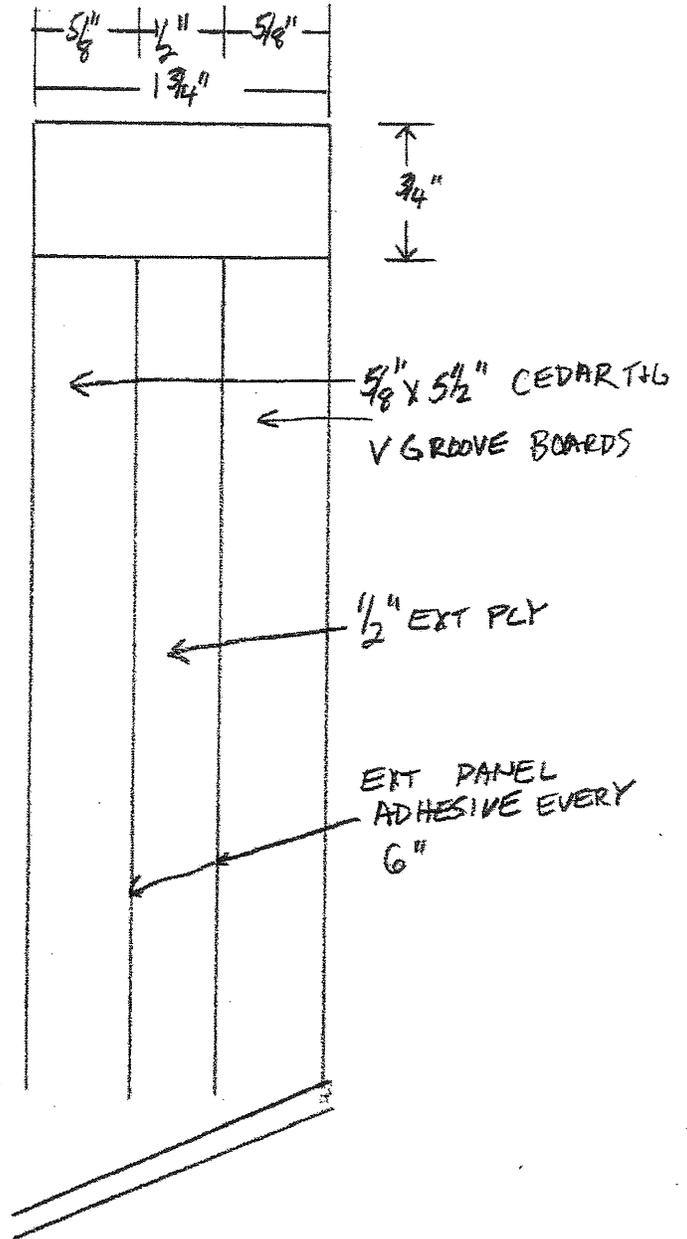
1x6 V GROOVE  
CEDAR VERTICAL  
SIDING NAIL  
WITH SS NAILS

Double biscuit and glue all joints with Tite bond III  
ADD .75 x 2.75 SOLID WOOD ON VERTICAL EDGES  
OF DOOR  
FINISHED DOORS - 78" WIDE x 148" HIGH  
3" ASTRAGAL WHERE DOORS MEET





SLIDING DOOR NW CORNER  
 NE CORNER DOOR + MANURE  
 DOOR SIMILAR LOOK - NO SASH  
 + 36" x 6'8" DOORS  
 SCALE 1/2" = 1"



CORE DETAIL OF DOORS  
 SCALE 1" = 1"

STEELE FARM #3



**2015 REQUEST FOR FUNDING  
COMMUNITY PRESERVATION COMMITTEE**

**TOWN HALL FRONT STEPS  
PRESERVATION & RESTORATION**

**PURPOSE:** This article is being brought to the Community Preservation Committee to request funding for the restoration of the exterior steps at the front of Town Hall. Associated landscaping and signage are also to be included.

**JUSTIFICATION:** The Town Hall steps had been a mass of concrete that had begun cracking and spawling. Red bricks were mortared to the concrete structure as a way of refacing the steps. Over time, water has made its way between and under the bricks, causing the mortar joints to fail and the bricks to come loose. The tripping hazard is particularly concerning on the steps, where someone going down could easily fall forward.

**PROPOSAL:** The bricks will be removed and the concrete will be prepared for a new surface. That surface may need to be determined based on the condition of the concrete but likely will be a veneer slate or stone product. Signage to fulfill the 1989 ruling by the Massachusetts Architectural Access Board will be installed.

**AMOUNT:** The amount sought for this project is \$ 10,000.00.

Thank you for your consideration.

David Lindberg  
Inspector of Buildings



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**From:** Cannon, Marie <Marie.Cannon@aecom.com>  
**Sent:** Thursday, February 19, 2015 11:33 AM  
**To:** Selina S. Shaw (sshaw@boxborough-ma.gov)  
**Cc:** Denise (dmonteiro@boxborough-ma.gov)  
**Subject:** CMMCP BOH Support

Selina,

The CMMCP approval was in the BOH agenda last meeting but it has to be signed by the Treasurer or Selina as authorized party – not BOH

The BOH recommends approval as this is an important program for public and environmental health for Boxborough residents.

Thank you,

Marie Cannon, Chair  
Boxborough Board of Health  
[Marie.Cannon@aecom.com](mailto:Marie.Cannon@aecom.com)

*Marie*

---

**From:** Denise Monteiro [<mailto:dmonteiro@boxborough-ma.gov>]  
**Sent:** Thursday, February 19, 2015 9:13 AM  
**To:** Cannon, Marie  
**Subject:** Question

Hi Marie,

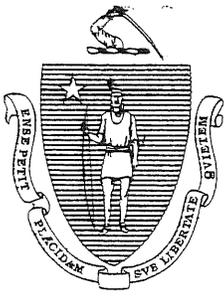
I am typing up the minutes from the last meeting and have 2 questions..

1. The Central Mass Mosquito Control FY2016 Funding was not filled out or signed?
2. On the bottom of the agenda you wrote "Agreed to post BOH on March 4 immed. Following @ 7:30, 7:00 BERC Meeting" ? Are you changing the March 11 meeting to March 4?

Denise Monteiro  
Department Assistant  
Town of Boxborough  
(978)264-1726  
[dmonteiro@boxborough-ma.gov](mailto:dmonteiro@boxborough-ma.gov)

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THE COMMONWEALTH OF MASSACHUSETTS  
STATE RECLAMATION & MOSQUITO CONTROL BOARD

# CENTRAL MASSACHUSETTS MOSQUITO CONTROL PROJECT

111 Otis Street, Northborough, MA 01532 - 2414  
Telephone (508) 393-3055 • Fax (508) 393-8492  
[www.cmmcp.org](http://www.cmmcp.org)



COMMISSION CHAIRMAN  
RICHARD DAY

EXECUTIVE DIRECTOR  
TIMOTHY D. DESCHAMPS

February 4, 2015

In 2010 the State Reclamation & Mosquito Control Board (SRB) implemented a new budget policy – requiring the Mosquito Control Districts (the Districts) to have a public meeting each year. Part of this policy required the Districts to post a legal notice in a newspaper, post a notice in the Environmental Monitor, as well as mail specific information to each member city and town’s Chief Administrative Officer and Finance Committee – we held our FY/16 budget meeting on January 14, 2015 at the Northboro Free Library.

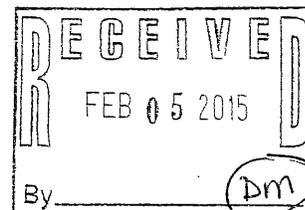
A revision to this policy for 2012 is the requirement that the Districts send out Form SRB-3 (enclosed) to member cities and towns asking for a show of support or non-support for the Districts budget request. Upon receiving these forms, the SRB will use the information gathered to determine the feasibility of each District’s budget request and vote to accept, deny or modify the budget request. SRB has stated that the Chief Executive Officer may designate someone other than him/herself to sign this form. I am sending this information to you because we work through your Board, and I would expect that the Chief Executive Officer, Chair of the Selectmen, Town Administrator, etc. may call upon you for your input. If possible, I ask you to please bring this to their attention to allow facilitation of this form back to our office.

Form SRB-3 is due into SRB by the end of April. I have also included Form SRB-1 which outlines each member city and towns’ assessment and proportionate share of our budget. If you have any questions please do not hesitate to call me at (508) 393-3055 or e-mail me at [deschamps@cmmcp.org](mailto:deschamps@cmmcp.org). Thank you for your assistance and attention to this matter.

Sincerely,

Timothy D. Deschamps  
Executive Director

Enclosures



State Reclamation and Mosquito Control Board  
Budget Notification & Compliance Certification Policy

**DECLARATION OF SUPPORT OR NO SUPPORT OF MOSQUITO CONTROL FUNDING FOR FY 2016**

**Declaration**

I, \_\_\_\_\_ the chief executive officer of Town/City of \_\_\_\_\_  
(Print Name/ and Sign Name) (Please Print)

hereby designate \_\_\_\_\_ to sign this declaration.  
(Print Name)

(Please check applicable box below)

- Support
- Do Not Support

the preliminary mosquito control budget proposed and this municipality's estimated proportionate share thereof, expressed both as a percentage and as a dollar amount as provided to this municipality in compliance with the State Reclamation and Mosquito Control Board Budget Notification and Compliance Certification Policy .

Name: \_\_\_\_\_  
(Please Print)

Signature: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

Both a copy and the original declaration should be submitted to the district **who will forward all member communities' declarations to the State Reclamation and Mosquito Control Board no later than April 15<sup>th</sup>**

District Name: **CENTRAL MASS. MOSQUITO CONTROL PROJECT**  
FY2016 Proposed Cherry Sheet Assessments Estimates  
Based on the preliminary proposed District budget  
(2014 Equalized Valuations)

Name of Municipality	% of Total Budget	District Share Amount*	State Reclamation & Mosquito Control Board Share Amount*	Total Assessment Estimate*
ACTON	3.01%	\$63,175	\$2,109	\$65,283
ASHLAND	1.90%	\$38,568	\$1,287	\$39,855
AUBURN	2.14%	\$43,448	\$1,450	\$44,898
AYER	1.23%	\$24,895	\$831	\$25,725
BERLIN	1.53%	\$30,976	\$1,034	\$32,010
BILLERICA	4.20%	\$85,198	\$2,844	\$88,042
BLACKSTONE	1.39%	\$28,216	\$942	\$29,157
BOXBOROUGH	1.37%	\$27,722	\$925	\$28,648
BOYLSTON	1.88%	\$38,207	\$1,275	\$39,482
CHELMSFORD	3.68%	\$74,778	\$2,496	\$77,274
CLINTON	0.91%	\$18,421	\$615	\$19,036
DRACUT	3.00%	\$60,900	\$2,033	\$62,933
FITCHBURG	3.56%	\$72,292	\$2,413	\$74,705
HOLLISTON	2.54%	\$51,564	\$1,722	\$53,286
HOPEDALE	0.73%	\$14,814	\$494	\$15,303
HOPKINTON	3.60%	\$73,118	\$2,441	\$75,559
HUDSON	1.83%	\$37,046	\$1,236	\$38,282
LANCASTER	3.18%	\$64,525	\$2,154	\$66,679
LEOMINSTER	3.97%	\$80,505	\$2,687	\$83,193
LITTLETON	2.18%	\$44,240	\$1,476	\$45,716
LOWELL	3.12%	\$63,341	\$2,114	\$65,455
LUNENBURG	3.14%	\$63,719	\$2,127	\$65,847
MARLBOROUGH	3.47%	\$70,383	\$2,350	\$72,733
MILFORD	2.33%	\$47,266	\$1,577	\$48,843
MILLBURY	2.04%	\$41,358	\$1,381	\$42,739
MILLVILLE	0.60%	\$12,384	\$409	\$12,652
NATICK	3.27%	\$66,432	\$2,218	\$68,650
NORTHBOROUGH	2.66%	\$53,935	\$1,801	\$55,736
NORTHBRIDGE	2.22%	\$45,152	\$1,507	\$46,659
SHERBORN	2.02%	\$40,972	\$1,367	\$42,340
SHREWSBURY	3.50%	\$71,025	\$2,371	\$73,395
SOUTHBOROUGH	2.07%	\$42,009	\$1,403	\$43,412
STOW	2.20%	\$44,610	\$1,489	\$46,099
STURBRIDGE	4.32%	\$87,610	\$2,925	\$90,535
TEWKSBURY	3.25%	\$65,961	\$2,202	\$68,164
WEBSTER	1.73%	\$35,068	\$1,170	\$36,238
WESTBOROUGH	3.07%	\$62,234	\$2,078	\$64,312
WESTFORD	4.29%	\$87,045	\$2,905	\$89,950
WILMINGTON	2.79%	\$56,685	\$1,892	\$58,577
	100%	\$2,029,800	\$67,748	\$2,097,401

\*Assessment estimates are preliminary and will only be finalized after the State Reclamation & Mosquito Control Board budget certification meeting held annually in May/June.

FY15 \$26880  
690 increase in FY16



## GRANT OF EASEMENT

JA Boxboro Realty, LLC a duly organized and existing Massachusetts Limited Liability Company of 20 Main Street, Acton, MA 01720 (hereinafter called the "Grantor" which term shall also apply to its successors and or assigns as the same may be the owner or owners of the burdened estate), for consideration paid and in full consideration of less than One Hundred (\$100.00) Dollars, grants to the Town of Boxborough, acting by and through its Board of Selectmen, a municipal corporation with a usual place of business at 29 Middle Road, Boxborough, Middlesex County, Massachusetts (hereinafter called the "Grantee") and its successors and assigns forever;

### WITH QUITCLAIM COVENANTS

The perpetual right and easements over, under and upon a certain portion of the land of the Grantor situated on the westerly side of Liberty Square Road in said Boxborough and being shown as "Future Installation of Fire Cistern & Appurtenances" ("Easement Area") on a plan entitled "Easement Plan, 211 Massachusetts Avenue" dated August 7, 2013 prepared for John Anderson by Acton Survey & Engineering, Inc. and recorded with the Middlesex South District Registry of Deeds as Plan No. 614 of 2013 ("Easement Plan"), to which plan reference may be had for a more particular description of said Easement Area, for the purpose of accessing, placing, installing, constructing, using and maintaining a fire protection cistern, provided that any such placement, installation, construction, or maintenance is done in accordance with regulations, plans and practices for fire cisterns.

Also granted herewith is a Temporary Easement within the portion of said land of the Grantor shown as "10' Wide Temporary Construction Easement" ("Temporary Easement Area") on said Easement Plan. Reference is hereby made to said Easement Plan for a more particular description of the Temporary Easement Area. Said Temporary Easement Area may be used for the purpose of accessing, placing, installing, and constructing a fire protection cistern within the Easement Area, provided that any such placement, installation, construction, or maintenance is done in accordance with regulations, plans and practices for fire cisterns. The Temporary Easement shall expire upon the earlier to occur of (a) twenty (20) years from the date of this instrument or (b) or completion of the initial construction of the fire protection cistern and related improvements within the Easement Area.

The easements granted herein shall include the right of entry upon and passage over the easement premises by, without limitation, foot, motor vehicle, and heavy equipment, from time to time for all purposes aforesaid and for uses incidental thereto.

Any improvements constructed by Grantee within the Easement Area shall be and remain the property of the Grantee, its successors and assigns.

The Grantee shall have the right to cut and removal all trees, undergrowth and other obstructions in the Easement Area to the extent the Grantee deems necessary to operate and maintain the improvements. Grantee shall repair, re-grade and restore to its pre-disturbance condition to the degree reasonably practical said Easement Area and the Temporary Easement Area as necessary, at its own expense. All openings and excavations shall be properly refilled and the property left in a good and safe condition.

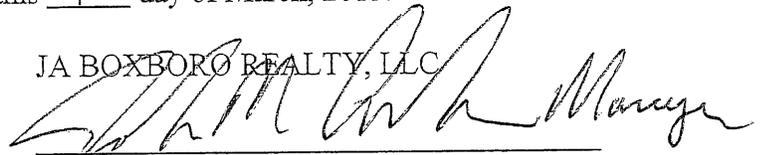
Grantor agrees not to grant any other easements, leases or licenses that will interfere with the herein granted easements without the prior written permission of the Town. Any easements, leases or licenses granted in violation of this provision shall be null and void.

All rights and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives

The Grantor warrants that the easement is free and clear of all liens and encumbrances and the Grantors have good record title to transfer same and will defend the same against all claims of all persons. For Grantor's title see deed recorded with Middlesex South Registry of Deeds in Book 43475, Page 79.

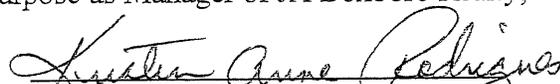
Witness my hand and seal this 4 day of March, 2015.

JA BOXBORO REALTY, LLC

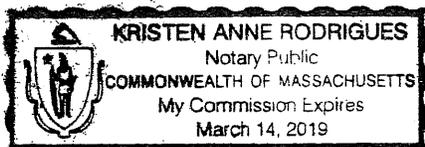
  
John M. Anderson, Manager

COMMONWEALTH OF MASSACHUSETTS  
Middlesex County, ss

On this 4<sup>th</sup> day of March, 2015 before me, the undersigned notary public, personally appeared John M. Anderson (name of document signer), proved to me through satisfactory evidence of identification, which was a driver's license to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Manager of JA Boxboro Realty, LLC.

  
(official signature and seal of notary)

My Commission Expires: 3/14/2019



ACCEPTANCE

The Town of Boxborough, acting by and through its Board of Selectmen pursuant to the authority granted by the vote under Article 38 of the May 12, 2014 Annual Town Meeting of the Town of Boxborough, and all other authority appertaining, hereby accepts the foregoing Grant of Easement from JA Boxboro Realty, LLC, for the purposes stated therein.

TOWN OF BOXBOROUGH  
BOARD OF SELECTMEN

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, who proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose, as a member of the Board of Selectmen of the Town of Boxborough.

\_\_\_\_\_  
(Official Signature and Seal of Notary)



**ARTICLE 38 ACCEPTANCE OF LIBERTY SQUARE ROAD FIRE CISTERN EASEMENT\*\***

(Majority vote required)

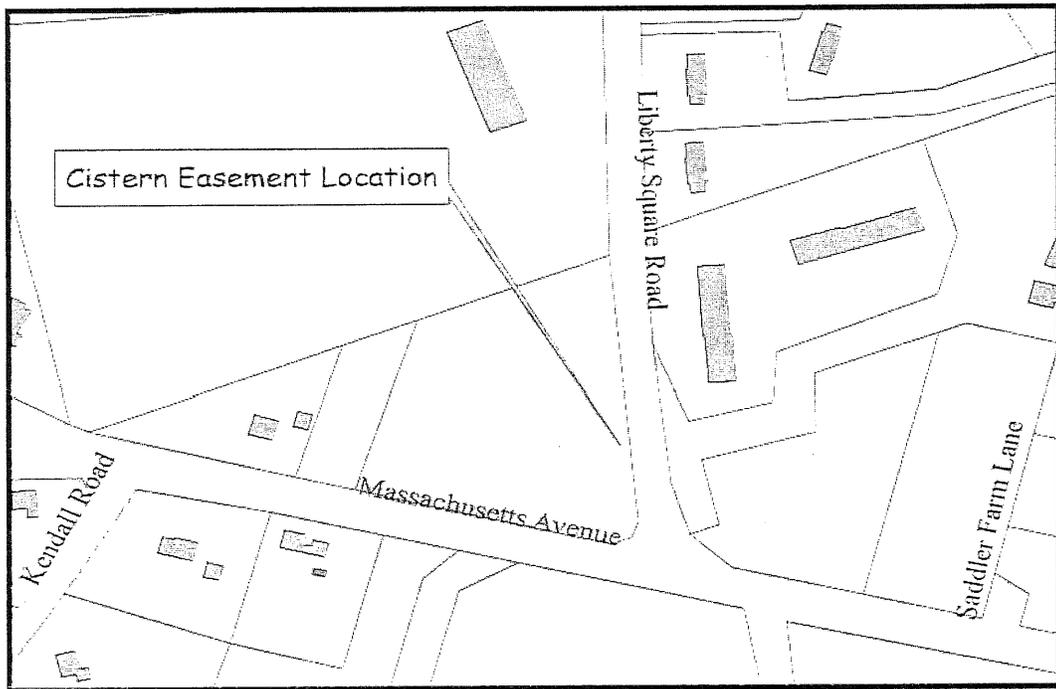
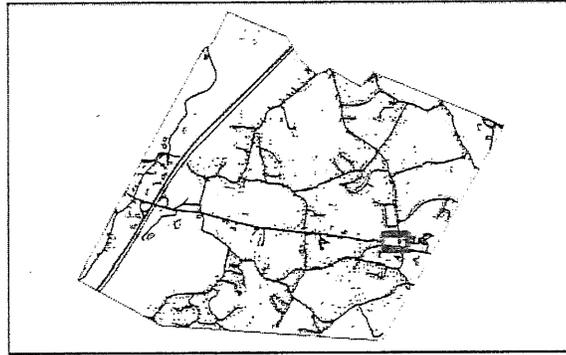
To see if the Town will vote to accept the perpetual right and easements over, under and upon a certain portion of the land of the Grantor situated in the westerly side of Liberty Square Road in said Boxborough and being shown as "Future Installation of Fire Cistern & Appurtenances" ("Easement Area") on a plan entitled "Easement Plan, 211 Massachusetts Avenue" dated August 7, 2013 prepared for John Anderson by Acton Survey & Engineering, Inc. and recorded with the Middlesex South District Registry of Deeds as Plan No. 614 of 2013 ("Easement Plan"), to which plan reference may be had for a more particular description of said Easement Area, for the purpose of accessing, placing, installing, constructing, and maintaining a fire protection cistern; and as described in the Grant of Easement as conveyed by JA Boxboro Realty, LLC; and further to authorize the Board of Selectmen to acquire by purchase, eminent domain, gift or otherwise for the intended purpose the easement; or take any action relative thereto.

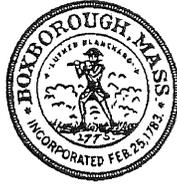
**The Board of Selectmen recommends unanimously (5-0).**

In the absence of a Town water supply, the system of fire cisterns and fire ponds maintained by the Fire Department is an essential element in Boxborough's ability to effectively fight fires in residential and commercial structures, by providing a large and ready source of water. Accepting this easement will allow for the potential future construction of a new fire cistern, should one be required, in the vicinity of the Massachusetts Avenue and Liberty Square intersection.

**The Finance Committee recommends unanimously (5-0).**

# LIBERTY SQUARE ROAD FIRE CISTERN EASEMENT





**Internal Communications and Outgoing Communications**  
**March 9, 2015**

1. Copy of a letter from A-BRSD Dir. Of Educational Technology, Amy Bisiewicz, dated February 20, 2015, to Littleton Electric and Verizon of New England, Inc. to notify them of the A-BRSD's intention "...to install new fiber optic aerial cabling within the existing authorized space already granted to the Town of Boxborough..."
2. Letter from TA Shaw, dated February 27, 2015, to the A-B Regional High School Principal, JoAnn Campbell, dated February 27, 2015, informing her that the Board of Selectmen will be unable award the John and Elsie Hammond Memorial Scholarship to a graduating senior in 2015.





**Minutes, Notices and Updates**  
**March 9, 2015**

**Minutes**

1. Minutes of the Zoning Board of Appeals meeting held November 18, 2014.
2. Minutes of the Conservation Commission meeting held February 18, 2015.
3. Minutes of the Finance Committee meetings held February 18, 2015 and February 23, 2015.
4. Minutes of the Personnel Board meeting held February 20, 2015.

**Notices**

1. Notice of a Master Plan Update Committee meeting held February 25, 2015
2. Notices Acton-Boxborough Cultural Council meetings:
  - a. Held February 25, 2015
  - b. To be held March 11, 2015
3. Notice of Finance Committee meetings:
  - a. Held March 2, 2015
  - b. To be held March 9, 2015
4. Notices Acton-Boxborough Regional School related meetings:
  - a. A-B Special Ed. Parent Advisory Council meeting held February 25, 2015
  - b. A-B RSC Budget Subcommittee meeting held March 4, 2015
  - c. A-B RSC Policy Subcommittee meeting held March 4, 2015
  - d. A-B RSC Negotiations Subcommittee meeting [Exec. Session] held March 5, 2015
5. Notice of a Library Trustees meeting to be held March 10, 2015
6. Notice of an AgCom meeting to be held March 10, 2015
7. Notice of a Recreation Commission meeting to be held February 10, 2015
8. Notice of an Energy Committee meeting to be held March 11, 2015
9. Notice of a Minuteman Regional School Committee meeting to be held March 12, 2015
10. Notice of a Steele Farm Advisory Committee meeting to be held March 17, 2015

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

11. Notice of a Personnel Board meeting to be held April 1, 2015
  
12. Conservation Commission documentation on a Request for Determination of Applicability filed by DPW Dir. Tom Garmon for the installation of a new catch basin & replacement of a culvert in the road right-of-way on Flagg Hill Road near Summer Road\*:
  - a. Legal Notice from the Conservation Commission for a Hearing held March 4, 2015
  - b. WPA Form 1 – Request for Determination of Applicability
  - c. WPA Form 2 – Determination of Applicability

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

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BoS  
K

TOWN OF BOXBOROUGH

Conservation Commission  
29 Middle Road  
Boxborough, MA 01719  
978.264.1722

LEGAL NOTICE OF PUBLIC HEARING  
RDA Filing

Pursuant to MGL Ch. 131, Section 40 and the Boxborough Wetlands By-Law, a Public Hearing will be held on **Wednesday, March 4, 2015 at 7:45 p.m.** at the Boxborough Town Hall, 29 Middle Road, Boxborough, MA before the Boxborough Conservation Commission to consider a Request for Determination of Applicability filed by Tom Garmon, DPW Director, for installation of a new catch basin and replacement of a culvert in the road right-of-way on Flagg Hill Road near Summer Road.

The notice and plans may be viewed at the Boxborough Town Hall, 29 Middle Road, Boxborough, MA 01719 Monday, Tuesday and Wednesday during normal office hours. Refer to the calendar on the town web site, [www.town.boxborough.ma.us](http://www.town.boxborough.ma.us), for possible continuation dates.

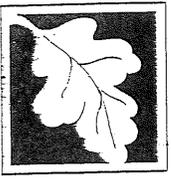
DO NOT PRINT BELOW THIS LINE

Published: Feb. 26, 2015



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\*BOS



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

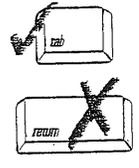
Boxborough  
City/Town

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

**important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Tom Garmon, Director DPW \_\_\_\_\_  
Name tgarmon@boxborough-ma.gov  
E-Mail Address

577 Massachusetts Ave. \_\_\_\_\_  
Mailing Address

Boxborough \_\_\_\_\_  
City/Town MA 01719  
State Zip Code

978.264.1790 \_\_\_\_\_  
Phone Number Fax Number (if applicable)

2. Representative (if any):

\_\_\_\_\_  
Firm

\_\_\_\_\_  
Contact Name E-Mail Address

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City/Town State Zip Code

\_\_\_\_\_  
Phone Number Fax Number (if applicable)

**B. Determinations**

1. I request the Boxborough \_\_\_\_\_ make the following determination(s). Check any that apply:  
Conservation Commission

a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.

b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.

c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.

d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Boxborough \_\_\_\_\_  
Name of Municipality

e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**WPA Form 1- Request for Determination of Applicability**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**C. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

Flagg Hill Rd and Summer Road  
Street Address

Boxborough  
City/Town

Assessors Map/Plat Number

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

road right of way

- c. Plan and/or Map Reference(s):

DPW Culvert Replacement & New Catch Basin Summer 2015  
Title

Feb. 23, 2015  
Date

Title

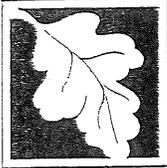
Date

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

An existing culvert is being replaced with plastic pipe 24" in diameter by 40' in length as part of the repaving of Flagg Hill Road. Additionally a new catch basin will be installed.



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### C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

The new culvert is a replacement for a culvert of the same size.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

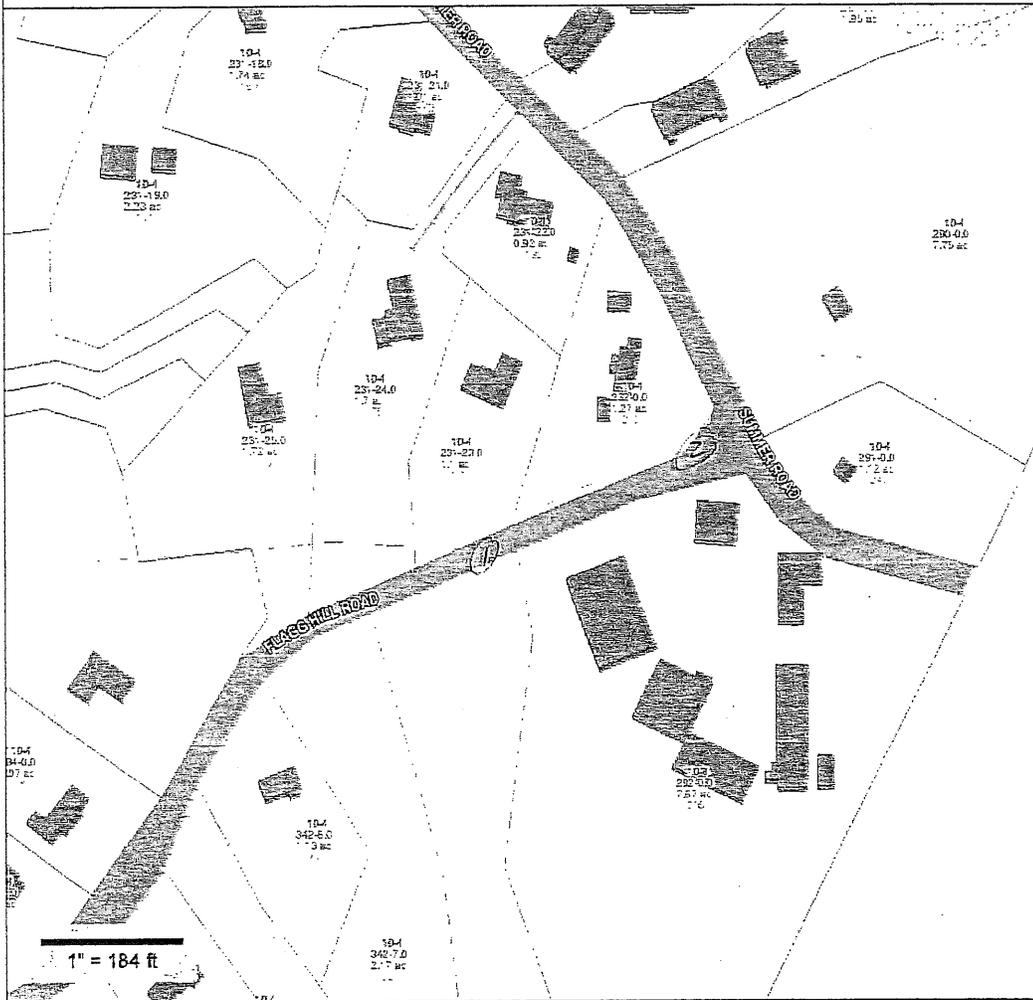
b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

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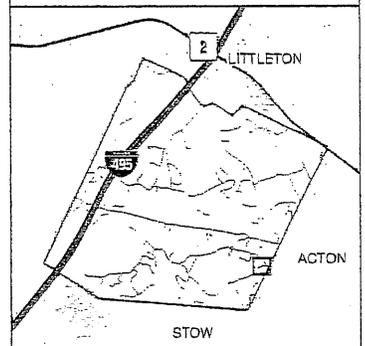
### DPW Culvert & Catch Basin Summer 2015



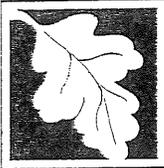
MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

The Town makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated January 1, 2013



- ① Culvert replacement. 24" diameter by 40' long
- ② New catch basin.



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### D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Town of Boxborough

Name

29 Middle Road

Mailing Address

Boxborough

City/Town

MA

State

01719

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

*[Handwritten Signature]*

Signature of Applicant

2/23/15

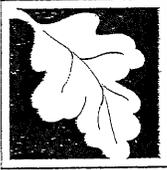
Date

\_\_\_\_\_  
Signature of Representative (if any)

\_\_\_\_\_  
Date







Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

**WPA Form 2 – Determination of Applicability**

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**B. Determination (cont.)**

The following Determination(s) is/are applicable to the proposed site and/or project relative to the Wetlands Protection Act and regulations:

Positive Determination

Note: No work within the jurisdiction of the Wetlands Protection Act may proceed until a final Order of Conditions (issued following submittal of a Notice of Intent or Abbreviated Notice of Intent) or Order of Resource Area Delineation (issued following submittal of Simplified Review ANRAD) has been received from the issuing authority (i.e., Conservation Commission or the Department of Environmental Protection).

1. The area described on the referenced plan(s) is an area subject to protection under the Act. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent.

2a. The boundary delineations of the following resource areas described on the referenced plan(s) are confirmed as accurate. Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the Wetlands Protection Act and its regulations regarding such boundaries for as long as this Determination is valid.

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2b. The boundaries of resource areas listed below are not confirmed by this Determination, regardless of whether such boundaries are contained on the plans attached to this Determination or to the Request for Determination.

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3. The work described on referenced plan(s) and document(s) is within an area subject to protection under the Act and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent.

4. The work described on referenced plan(s) and document(s) is within the Buffer Zone and will alter an Area subject to protection under the Act. Therefore, said work requires the filing of a Notice of Intent or ANRAD Simplified Review (if work is limited to the Buffer Zone).

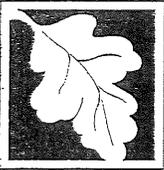
5. The area and/or work described on referenced plan(s) and document(s) is subject to review and approval by:

\_\_\_\_\_  
Name of Municipality

Pursuant to the following municipal wetland ordinance or bylaw:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Ordinance or Bylaw Citation



## WPA Form 2 – Determination of Applicability

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BOS  
\*

### B. Determination (cont.)

6. The following area and/or work, if any, is subject to a municipal ordinance or bylaw but not subject to the Massachusetts Wetlands Protection Act:

7. If a Notice of Intent is filed for the work in the Riverfront Area described on referenced plan(s) and document(s), which includes all or part of the work described in the Request, the applicant must consider the following alternatives. (Refer to the wetland regulations at 10.58(4)c. for more information about the scope of alternatives requirements):

- Alternatives limited to the lot on which the project is located.
- Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.
- Alternatives limited to the original parcel on which the project is located, the subdivided parcels, any adjacent parcels, and any other land which can reasonably be obtained within the municipality.
- Alternatives extend to any sites which can reasonably be obtained within the appropriate region of the state.

#### Negative Determination

Note: No further action under the Wetlands Protection Act is required by the applicant. However, if the Department is requested to issue a Superseding Determination of Applicability, work may not proceed on this project unless the Department fails to act on such request within 35 days of the date the request is post-marked for certified mail or hand delivered to the Department. Work may then proceed at the owner's risk only upon notice to the Department and to the Conservation Commission. Requirements for requests for Superseding Determinations are listed at the end of this document.

1. The area described in the Request is not an area subject to protection under the Act or the Buffer Zone.
2. The work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).  
Wetlands shall be protected by addition of straw watties within 10' of each end of the culvert.

4. The work described in the Request is not within an Area subject to protection under the Act (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to protection under the Act.



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B. Determination (cont.)

- 5. The area described in the Request is subject to protection under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required:

Exempt Activity (site applicable statutory/regulatory provisions)

- 6. The area and/or work described in the Request is not subject to review and approval by:

Name of Municipality

Pursuant to a municipal wetlands ordinance or bylaw.

Name

Ordinance or Bylaw Citation

C. Authorization

This Determination is issued to the applicant and delivered as follows:

[X] by hand delivery on

[ ] by certified mail, return receipt requested on

March 5 2015
Date

Date

This Determination is valid for three years from the date of issuance (except Determinations for Vegetation Management Plans which are valid for the duration of the Plan). This Determination does not relieve the applicant from complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

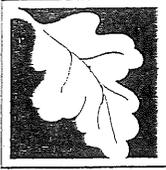
This Determination must be signed by a majority of the Conservation Commission. A copy must be sent to the appropriate DEP Regional Office (see http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html) and the property owner (if different from the applicant).

Signatures:

Handwritten signatures of Charlene Alden, M. Hennessey, and H. Stewart.

Handwritten signature of David M. Roemer.

March 4 2015
Date



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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### D. Appeals

The applicant, owner, any person aggrieved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate Department of Environmental Protection Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>) to issue a Superseding Determination of Applicability. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form (see Request for Departmental Action Fee Transmittal Form) as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant if he/she is not the appellant. The request shall state clearly and concisely the objections to the Determination which is being appealed. To the extent that the Determination is based on a municipal ordinance or bylaw and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



9c



General Correspondence  
March 9, 2015

1. Winter 2014 Baystate Roads Program's Newsletter, *Mass Interchange*.

