



BOARD OF SELECTMEN
Meeting Minutes
June 11, 2012

Approved: August 27, 2012

PRESENT: Les Fox, Chair; Frank Powers, Clerk; Raid Suleiman, Member (arrived at 7:50PM); Vincent Amoroso, Member; and Robert Stemple, Member

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

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

Chair Fox called the meeting to order at 7:32 P.M. in the Grange Meeting Room of Town Hall.

There were some technical issues as the beginning of the broadcast.

APPOINTMENTS

- Police Chief Warren Ryder was present to discuss several compensation and personnel related matters. Discussion opened on the compensation rate for special police officer. Member Powers provided background on this matter. The Chief was present to discuss the department's historic practices regarding pay for special officers working details and collective bargaining contract terms. It was noted that the Personnel Plan is silent on the compensation of special officers working details. Now that the Chief has been made aware that there are concerns he would like to encourage the Personnel Board to review this matter so there is a clear process & procedures as we move forward. The Chief broke down the rates in the material he provided. There was discussion on some of the concerns that need to be addressed. Member Powers moved to authorize Police Chief Ryder to send a memorandum to the Personnel Board to recommend the rates for special and town details until the personnel plan can be revised. Seconded by Member Amoroso. **Approved 4-0-1 (Suleiman abstained).**

Chief Ryder also was present to discuss whether the State's mandatory retirement age applies to Special Police Officer/Detailed Officer. The Chief explained that a one of his Special Officer has reached this mandatory retirement age and he would like to allow this individual to continue to serve with the Department. The Chief discussed a published opinion from PERC on this issue. Attorney General has determined that they will not be issuing an opinion on this issue. TA Shaw advised that a poll of surrounding communities resulted in a mixed response. Town Counsel's opinion on this was discussed. Member Powers moved that this special/detail officer be informed that he will be retired effective Monday, June 18, 2012. Seconded by Member Stemple. **Approved 4-0-1 (Suleiman abstained).** Chief Ryder was directed to inform this officer of this decision.

SELECTMEN REPORTS

- Member Suleiman reported that the Energy Committee is working with DPW Director Garmon on the Transfer Station study and improvements. Kelly Brown of the DOER was at the last EnCom meeting to discuss the Green Communities Act and the issues that make Boxborough ineligible to participate.

He also reported that he and Member Amoroso attended the recent 495 Metro West Partnership event. While there he had a discussion with Littleton's TA Keith Bergman to see if we could reach out to LELWD about our efforts in pursuing the creation of a public water infrastructure. He also had a discussion on expanding regional transportation services with MART's Executive Director, Mohammed Khan.

APPOINTMENTS (Continued)

- Members of the Boxborough School Committee, Maria Neyland, and Mary Brolin were present to discuss the (K-6) regionalization study process. Members of the Finance Committee and other interested parties were present. BSC member Neyland spoke to the materials the Regional Study Committee had provided. She reviewed the current make up of the Study Committee; the recruitment/appointment of additional members; the potential voting or non-voting ratios and the ABRSC's

proposed timeline. Although she is no longer a Selectman, it was suggested that Becky Neville could be appointed as the Selectmen's designate. Neville was present and spoke to her possible participation. School Committee members, Brolin and Neyland, spoke in favor of Neville's appointment. Selectmen Amoroso, put himself forth for consideration as the Selectmen's appointee to the ABRSC and provided his reasons for wishing to participate. FinCom member Jim Ham advised that he is the proposed FinCom designate.

ANNOUNCEMENTS

Clerk Powers read the announcements.

SELECTMEN REPORTS (Continued)

- Member Amoroso reported that he had attended the 2012 MMA Selectmen's forum. While there he had a conversation with a Selectman from Stow about Stow not having a Transfer Station facility; the significant costs to Stow residents for private waste disposal; and the possibility of Stow residents paying to use our transfer station. This could be investigated within the context of the Transfer Station study. Who would be involved in this investigation and issues & concerns with this proposal were discussed.

Member Stemple reported that he attended the AB High School Awards night and presented this year's Hammond Scholarship to Dipti Jasrasaria.

- Chair Fox thanked Member Suleiman for his service as Chair over the past year.

Chair Fox reported on the regional dispatch development efforts. The investigative group's report was reviewed at a meeting in Sudbury which he, Member Stemple and TA Shaw attended. At this time there are no concrete plans to move forward with further development of this concept.

He reported that he recently attended an Affordable Housing Forum in Carlisle.

He reported that he continues to participate in contract negotiations with the Town's various unions.

Chair Fox reported that the Stow Rd Concept Development Committee will have a booth at Fifers Day; to obtain public input on development of this site.

- Member Powers reported that he also continues to participate in union negotiations and negotiation team meetings.

He reported that the Well-Being Committee will also have a booth at Fifer's Day. They will be conducting a survey seeking public input on residents' well being. They are also discussing the creation of Wellness University; similar to what done in Acton.

Member Powers reported that progress is being made by the ConsCom and MMAF in resolving long outstanding issues concerning the Order of Conditions for the portion of MMAF land in Boxborough. MMAF's Environment Scientist submitted a proposed remediation plan. ConsCom's consultant reviewed the plan and provided input, which has been communicated back to MMAF. The parties are cooperating and are hopefully approaching a resolution.

MINUTES

- Member Suleiman moved to accept the minutes for the Regular Session of March 26, 2012 and April 2, 2012, as revised and the Executive session (Contract Negotiating Team) minutes of May 15, 2012; May 16, 2012 (#1); May 16, 2012 (#2); May 21, 2012; May 29, 2012; June 5, 2012; and June 6, 2012, as written. Seconded by Member Powers. **Approved 5-0.**

OLD BUSINESS

- The Selectmen reviewed the proposed meeting schedule revisions (June 4, 2012 – January 7, 2013). Further revisions were made and the annual Goals Workshop was set for September 8, 2012. There was also discussion on possible dates and locations for the annual Employee/Volunteer Appreciation event.

NEW BUSINESS

- Member Amoroso opened discussion on the letter to our federal legislators on regulations concerning campaign financing that were generated as a result of the *Citizens United* Supreme Court decision. This letter is a direct result of his Sense of the Meeting, Citizen's Petition put forth and supported at this year's Town Meeting. Member Amoroso moved to authorize Chair Fox to send and execute letters to our federal legislators regarding regulations concerning campaign financing as a result of the *Citizens United* case. Seconded by Member Powers. **Approved 5-0.**

OLD BUSINESS (Continued)

- The Selectmen opened discussion on liaison responsibilities for the coming year. Background as to liaison assignments; an overview of these responsibilities and how the Selectmen manage these tasks were discussed. Liaisons responsibilities for FY 13 were assigned. The intention is to review these assignments in six months. A copy of the FY 13 Liaison List is attached and incorporated by reference.

CONCERNS OF THE BOARD

- Discussion re-opened on the proposed make up of the Regional School Study Committee. Member Suleiman moved to appoint Selectman, Vincent Amoroso, to the School Regionalization Study Committee. Seconded by Member Powers. **Approved 5-0.**
- Member Powers reported that changes have been completed to the BCC lease. It will now be forwarded to UCC and Town Counsel for review.

EXECUTIVE SESSION

- At 10:24 PM, Chair Fox moved to adjourn to executive session to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200A - Dispatch; Massachusetts Coalition of Police, Local 200 and Boxborough Professional Firefighters, Local 4601; and to adjourn immediately thereafter. Seconded by Member Powers. **Approved 5-0 by Roll Call Vote: Fox "aye," Powers "aye," Suleiman "aye," Stemple "aye," and Amoroso "aye."**

Board of Selectmen Committee/Liaison List FY 2013

Current BoS Assignments/Positions

X = Primary Member

L = Liaison

| Assignment | L. Fox | F. Powers | V. Amoroso | R. Stemple | R. Suleiman |
|---|--------|-----------|------------|------------|-------------|
| | X | | | | |
| | | X | | | |
| Acton-Boxborough Cultural Council | | | | | |
| Agricultural Commission | L | | | | |
| Airport Study Committee | | L | | | |
| BHB (Housing Board) | L | | | | |
| BIT.Com | L | | | | |
| BLF (2) | | X | | | |
| Cemetery Commission | | L | | | |
| Conservation Commission | | | L | | |
| Contract Negotiating Team | X | X | | | |
| CoA (Council on Aging) | | L | | | |
| Design Review Board | | | | X | |
| Energy Committee | | | | | |
| Finance Committee | | | | | |
| Board of Health | | | | | |
| Historical Commission | | L | | | |
| K-6 Regional Study Committee | | | X | | |
| Library | | | | L | |
| | X | | | | |
| Personnel Board | | | | | L |
| Planning Board (including Master Plan Steering) | L | | | | |
| Public Celebrations & Ceremonies Committee | | L | | | |
| Recreation Commission | | | | | |
| School Committee | | | | L | |
| Steele Farm | | | | L | |
| Water Resources | | | | | |
| Well-Being Committee | | L | | | |
| Zoning Board of Appeals | L | | | | |
| Fire/Emergency Management | | L | | | |
| Police | L | | | | |
| Public Safety Dispatch | | | | L | |
| Public Works | | | L | | |
| Town Hall | | | | | L |
| MAGIC/ MAPC | X | x | | | |
| I-495 | | | x | | |
| MBTA | | | | X | |
| MART | | X | | | |

SELECTMEN'S ANNOUNCEMENTS

JUNE 11, 2012

The necessary contact information is available at the end of these announcements.

- The **2012 Boxborough Fifer's Day** celebration will take place on Saturday, June 16th at Flerra Field. The Day commences with the Fifer's Four Mile Road Race; followed by a parade from the Blanchard School to Flerra Field and then presentation of the Golden Fife Award. The Fair will commence at noon and include food and barbecue, children's games and activities, a volley ball tournament, booths representing Town organizations, and a local craft fair. There will be music throughout the afternoon. For information go to www.fifersday.org.

- Consider buying a piece of Boxborough's history. The town will be selling the old three chair benches from Town Hall for \$25 each. Orders will be taken at Fifer's Day, or contact Town Administrator Selina Shaw.

- The Police Department would like the public to be aware of the following detours and parking restrictions due to Fifer's Day activities:
 - At 9:15 AM, Stow Road will be closed to vehicular traffic, for the Fifer's Day Road Race, from Burroughs Road to Fifers Lane. All traffic will be detoured to Flagg Hill and Burroughs Roads. The road will be reopened after the race at approximately 10:15 a.m.
 - As of 11:00 AM, the parade will begin and Mass Avenue will be closed from the Blanchard School to the intersection of Stow Road, continuing down Stow Road to Chester Road. Both roadways will be reopened at approximately 11:30 a.m.
 - Primary Parking will be at Flerra Field. There will be NO parking allowed on Stow Road, Chester Road or Burroughs Road.With everyone's assistance and cooperation we hope to have a happy and successful Fifer's Day.

- On June 25th the Board of Selectmen will begin the **annual appointment process** for the fiscal year beginning July 1 and will be meeting with Boxborough citizens who have expressed an interest in serving the town. These various committees provide the backbone to town government, which could not succeed without the valuable contributions of its citizens. We applaud those who continue to dedicate their time to the operations of the town.

We are aware of vacancies which will need to be filled on the following

committees: the Airport Study Committee (2); Boxborough Information Technology Committee (2); Conservation Commission (1), Energy Committee (1); Historical Commission (2); Public Celebrations & Ceremonies Committee (1); Recreation Commission (3); and Steele Farm Advisory Committee (2). Also the Design Review Board is seeking an at-large member and the Zoning Board of Appeals is seeking an alternate member.

- Please consider participating. You will find it to be a worthwhile and rewarding experience. Please stop down to the booth at Fifers Day and complete a Resident Interest Form. Remember Town Government Begins with You !!
- **FY 2013 Transfer Station Applications are now being accepted.** If you have not already received one, applications are available at Town Hall, the Town's website or at the Transfer Station. Please refer to the application for an explanation of fees. Please note applications are to be submitted to the Tax Collector, Town Hall, 29 Middle Road for processing, not at the Transfer Station. For those who have already submitted their applications, stickers will be available to be placed on their vehicles at Town Hall on Saturday, June 23rd from 8:00 AM to 4:00 PM. Applications will not be accepted at this distribution event.

- The **Central Mass Mosquito Control Program** advises that CMMCP personnel intend to be in Town to investigate residents' complaints about mosquitoes on June 12th, 19th and 26th. Complaints about mosquitoes may be made by calling the CMMCP at 508-393-3055. Notice of the CMMCP spraying schedule is posted on their phone system daily after 3:30 PM and also available on their website: www.cmmcp.org.

- **Boxborough's 2011 Annual Town Report** is available on the Town's website and hard copies can now be picked up at the Library or Town Hall.

- Town Departments welcome your questions and feedback on services. Please contact them through the email hyperlink appearing on each department's web page, give them a call or stop in to chat. If you are unable to stop in during normal office hours, don't hesitate to call and make an appointment for a mutually convenient time outside of normal hours.

- The Selectmen want to hear from you and invite residents to contact them regarding issues of concern. The Board can be contacted via e-mail from the link on the Selectmen's webpage.

- The Board of Selectmen continues to look for volunteers willing to serve on the various Town boards and committees, many of which have openings. Please consider participating. You will find it to be a worthwhile and rewarding experience. No matter what your knowledge or interest is, we can use your help in making Town government work.

- Contact information is available on the town website: <http://www.town.boxborough.ma.us> or you may call Town Hall at 978-263-1116 if you have any questions.

- The Selectmen can be contacted directly at selectmen@town.boxborough.ma.us.

- If you wish to find out more about **volunteer opportunities** on Town boards or committees contact Town Administrator Selina Shaw Selina.shaw@town.boxborough.ma.us



BOARD OF SELECTMEN

Meeting Agenda

June 11, 2012

Boxborough Town Hall

Grange Meeting Room

1. CALL TO ORDER, 7:30 PM

2. ANNOUNCEMENTS

3. APPOINTMENTS

- a) Police Chief Warren Ryder regarding special police officer compensation (tentative)
- b) Maria Neyland, BSC member, to discuss (K-6) regionalization process
- c) Citizens' concerns

4. MINUTES

- a) Regular session – March 26, 2012
- b) Regular session – April 2, 2012
- c) Executive session (Contract Negotiating Team), May 15, 2012
- d) Executive session #1 (Contract Negotiating Team), May 16, 2012
- e) Executive session #2 (Contract Negotiating Team), May 16, 2012
- f) Executive session (Contract Negotiating Team), May 21, 2012
- g) Executive session (Contract Negotiating Team), May 29, 2012
- h) Executive session (Contract Negotiating Team), June 5, 2012
- i) Executive session (Contract Negotiating Team), June 6, 2012

ACCEPT & POF
ACCEPT & POF

5. SELECTMEN REPORTS

6. OLD BUSINESS

- a) Proposed meeting schedule revisions (June 4, 2012 – January 7, 2013)
- b) BoS Liaisons

7. NEW BUSINESS

- a) Letter to federal legislators re: regulation of campaign financing after *Citizens United*

8. CORRESPONDENCE

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

ACCEPT & POF

9. PRESS TIME

10. CONCERNS OF THE BOARD

11. EXECUTIVE SESSION

Move to adjourn to executive session to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200A - Dispatch; Massachusetts Coalition of Police, Local 200 and Boxborough Professional Firefighters, Local 4601; and to adjourn immediately thereafter

**ROLL CALL
VOTE:**

NB: Chair shall state: "An open meeting may have a detrimental effect on the bargaining position of the Board"

12. ADJOURN

3b

Selina S. Shaw

From: MARIA NEYLAND [REDACTED]
Sent: Friday, June 08, 2012 8:49 AM
To: 'Karim Raad'; 'Les Fox'
Cc: Selina Shaw(Selina Shaw)
Subject: Regional Study group members

Good Morning,

At last nights SC meeting the regional committee, on the recommendation of the study group, decided to add 3 members to the study group. They are recommending a member from each towns BOS, Fincom (or their designees) and a school administrator from each district. The regional SC would like to have these people chosen and able to attend a meeting of the Study group on Thursday June 14th.

I would like to come to the BOS on Monday night and update the committee, I will have an outline of the time schedule and the time commitment needed. Karim, is the Fincom meeting on Monday? Could you or whomever the new chair is join the BOS for a few minutes so we can get the process moving?

Selina I will also be updating the BLF on Tuesday.

Please feel free to contact by email or my cell [REDACTED]

Thanks
Maria

6/8/2012

To: Acton-Boxborough Regional School Committee
Fr: Regional School District Study Committee
Re: Revision of the Acton-Boxborough Regional Agreement

June 1, 2012

The Regional School District Study Committee recommends the following:

- That the Regional School Committee re-commission the current six member Study Committee to draft a revised Regional Agreement;
- That a member of the Acton Board of Selectmen, the Boxborough Board of Selectmen, the Acton Finance Committee, and the Boxborough Finance Committee, be appointed by their respective boards/committees as ex-officio members of the Regional School District Study Committee;
- That an Acton Public/Acton-Boxborough Regional Administrator and a Boxborough Administrator also be invited as ex-officio members of the Regional School District Study Committee;
- That the Regional School District Study Committee and Regional School Administration pursue grant funding to support the necessary legal, financial study, and transition costs;
- That a "preliminary draft" of a revised Regional Agreement be presented to the Acton-Boxborough Regional School Committee, public boards and members of the community in October 2012;
- That a "final draft" of a revised Regional Agreement be presented to the Acton-Boxborough Regional School Committee in January 2013;
- That the Regional School District Study Committee work with the Acton-Boxborough Regional School Committee to develop a revised Regional Agreement acceptable to the Regional School Committee;
- That the Regional School District Study Committee help communicate the changes in the revised Regional Agreement to the Boards of Selectmen and Finance Committees in addition to the members of the two communities; and
- That the Regional School District Study Committee provide whatever assistance is appropriate to the Acton-Boxborough Regional School Committee in preparation for, and at, the two Town Meetings, on the same night, in the spring of 2013.

The members of the Regional School District Study Committee have enjoyed the experience of getting this project to this point and would welcome the opportunity to continue to bring it to a successful conclusion.

Please advise.

June 1, 2012

Regional School District Study Committee Proposed Timeline and Milestones for Full Regionalization Process

- June 2012 Regional School District Study Committee (RSDSC) develops timeline and identifies issues for discussion and decision-making re the revised agreement
- Summer 2012 RSDSC meets with various stakeholders regarding key issues for a revised regional agreement
- Summer 2012 RSDSC drafts a new regional agreement
- Fall 2012 (October) Preliminary draft agreement is circulated for input from RSC, local SCs, Selectmen and Fincom from each town as well as parents, teachers and others
- Fall 2012 Legal and financial review by subject matter experts
- Fall 2012 Public meetings to solicit input on preliminary draft agreement
- Dec. 2012 Finalize draft regional agreement
- Jan. 2013 Submit draft agreement to RSC for approval and to DESE for review/approval
- Jan. – April 2013 Public outreach
- April 2013 Town Meeting votes on new regional agreement
- Assuming both towns approve the new regional agreement:
- May 2013 Submit the new regional agreement to DESE for Commissioner's approval
- Spring/Summer 2013 Appoint/elect members for interim school committee for new regional district; three existing committees continue to operate the three districts
- Fall/Winter 2013 Interim Regional School Committee develops FY15 budget for new region for town meeting approval; also develop policies and negotiates union contract
- Spring 2014 Elect new permanent regional school committee members
- Spring 2014 Town Meeting votes on new regional budget for FY15
- July 2014 New regional school district becomes operational for FY15 and other local school districts cease operations



BOARD OF SELECTMEN
Meeting Minutes
March 26, 2012

Approved: _____

PRESENT: Raid Suleiman, Chair; Christine Robinson, Clerk; Frank Powers, Member; Rebecca Neville, Member and Les Fox, Member

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

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

Chair Suleiman called the meeting to order at 5:00 P.M. in the Grange Meeting Room of Town Hall.

OLD BUSINESS

- Fire Chief White and Police Chief Ryder were present to review the respective Public Safety Budgets for FY 13. Member Neville opened discussion on the items cut/reduced by the Finance Committee in Chief White's submitted Fire Dept. budget. Chief White spoke to the areas in which some of these reductions were made. Member Neville moved to amend, at Town Meeting, the Fire Department Salary to reflect an increase of \$4,890.00. Seconded by Member Powers. **Approved 5-0.** Member Neville moved to amend, at Town Meeting, the Fire Department Expenses to reflect an increase of \$4,550.00. Seconded by Member Powers. **Approved 5-0.**

ANNOUNCEMENTS

- Chair Suleiman read the announcements.

APPOINTMENTS

- Chair Suleiman opened the discussion for Citizens Concerns. Resident Jeanne Kangas, spoke to her budgetary/fiscal concerns.

*At this point, Member Powers formally moved to take Agenda Item #5a, out of order. Seconded by Member Robinson. **Approved 4-0-1 (Suleiman abstaining).** Further, it was announced that Chair Suleiman would be recusing himself from these discussions and Clerk Robinson would become Chair Pro Tem for these discussions.*

- The discussion on the FY 13 Budget continued. Chief Ryder took up the discussion on the items cut/reduced by the Finance Committee in the Police budget that he had submitted. Of particular concern was the reductions made to the salary portion of his budget. The Police's Citizen Advisory Board has endorsed "Community Policing" as a priority for the department. There was discussion as to the impact of these programs on the community. Member Powers moved to amend and restore \$25,756 in the Salaries portion of this budget. Seconded by Member Neville. **Approved 4-0-1 (Suleiman abstaining).** There was discussion on the FinCom's intention to keep the "cruiser" in the Police budget and to recommend against the Police Command Vehicle capital article. The Selectmen had, previously, voted to take the vehicle acquisition line out of the budget and have a separate warrant article for the command vehicle. Member Powers moved to amend the Police Department budget, on Town Meeting floor, by removing \$34,500 from Expenses. Seconded by Member Neville. **Approved 4-0-1 (Suleiman abstaining).**

The Chiefs remained to discuss the Dispatch budget. The Salary portion was submitted and approved by FinCom. However, FinCom made reductions to Dispatch expenses, related to phone expenses. Member Powers moved to amend, on Town Meeting floor, Dispatch Expenses to reflect an increase of \$1,212.00. Seconded by Member Robinson. **Approved 4-0-1 (Suleiman abstaining).** There was also discussion on the timing and the way in which these budget revisions were communicated to the department heads. There was a general discussion regarding the structure and which column should be used to input which data in budget reports.

Chairmanship was returned to Chair Suleiman.

SELECTMEN REPORTS

- Member Neville reported that the Cemetery Commission is looking at identifying additional locations in Town for additional cemetery plots. There are several factors involved in determining if a property is appropriate. They have requested a list of Chapter properties from Planner Hughes.

She reported that she had attended an A/B Regional School Committee meeting.

- Member Powers reported on the recent BLF meeting. It was suggested that a column be added to the presented budget to reflect proposed amendments. There was discussion as to whether the Selectmen or the Finance Committee are responsible for formatting the budget presented in the warrant.

He reported that he and Member Fox had participated in the Public Employee Committee meeting at which its members agreed on the Memorandum of Understanding, presented tonight.

He also reported that he had had meetings on the Firefighters' contract.

Member Powers reported that on April 18th the Conservation Commission held a continuation of the MMAF hearing. This hearing was continued out to April 4, 2012 as there were still items left to review from the MMAF Order of Conditions. Subsequent to the April 18th meeting it was communicated to ConsCom that there were piles of manure within 500 feet of the wetlands zone; a violation. The Applicant has, since, agreed to remove this material and restore the area.

- Chair Suleiman reported that he had attended BLF and he had also attended the FinCom's meeting on Saturday.
- Member Fox reported that he and Member Powers had met with Chief White for contract discussions.

He reported that the Stow Rd. Concept Development Committee is holding their first meeting this Wednesday.

He also reported that a developer was at the last Housing Board meeting to discuss their proposed 40B project in the Town Center.

NEW BUSINESS

- Member Robinson moved to accept with regrets and place on file the resignation of Bill Litant from the Airport Study Committee, effective immediately. Seconded by Member Neville. **Approved 5-0.**
- Member Neville moved to re-appoint Donald Morse and Michael Guzzo as the Veterans' Agent and Assistant Veterans' Agent, respectively, until March 31, 2013. Seconded by Member Powers. **Approved 5-0.**

- There was discussion on two requests, that have been received, regarding the service of alcohol (wine and wine/beer), and respective requests for a waiver of the related Town fees:

◊ Member Neville moved to authorize the Acton-Boxborough Cultural Council to serve wine at its 2012 Grant Recipient Reception, being held at the Sargent Memorial Library on April 27, 2012, subject to the conditions specified on the application and further, to waive the fee. Seconded by Member Powers. **Approved 5-0.**

◊ For Fifers Day the Minutemen have also applied for a temporary common victualler's license. Member Powers moved to approve the application of the Boxborough District Minuteman Company for a one-day wine and malt beverages license, subject to receipt of adequate insurance coverage, and to approve a temporary common victualler's license for Fifer's Day Festival, to be held on June 16, 2012 (rain date 6/17/12), at Flerra Field. Seconded by Member Neville. **Approved 5-0.**

• OLD BUSINESS (Continued)

Member Fox updated the Selectmen matters related to FY 2013 health insurance. The Public Employee Board met and worked out the terms of the Agreement being presented tonight. The Selectmen reviewed the Agreement and discussed the process that will be implemented. Member Fox moved to ratify and execute the Health Insurance Mitigation Plan Memorandum of Agreement. Seconded by Member Powers. **Approved 5-0.**

- The Selectmen briefly touched on the preparation of a Selectmen's Code of Conduct. Comments/suggestions should be forwarded to TA Shaw for compiling. The intention is to take up this matter after Town Meeting.

At this point the Board recessed for a dinner break, with the intention of returning to open session at ≈ 7:30 PM to continue with the regular business of the board.

The Selectmen re-convened at ≈ 7:30 PM

OLD BUSINESS

- The Selectmen re-opened discussion on the FY 13 Rev. 14 budgets and the voting of the recommendations for these budgets. The procedures to amend budget items at Town Meeting were reviewed. Town Accountant, Mike Guzzo, was present. There was also discussion on the funding of the potential collective bargaining agreements; respective FinCom articles and the possibilities of needing a Special Town Meeting. The Selectmen reviewed the Town Government budgets. There was discussion on the proposed FY 13 Schedule B. Member Neville moved to approve Town Government budgets (114-199), both salaries and expenses, per Budget Rev. 14, in total \$839,168. Seconded by Member Powers. **Approved 5-0.** It was noted that FinCom is holding off voting on the Reserve Fund because they want to discuss it with the Selectmen.

It was noted that the three Public Safety budgets were reviewed and a there was a vote amend these budgets earlier in the evening.

Member Neville moved that the Selectmen recommend to approve the Police Total Budget (210), as amended. Seconded by Member Robinson. **Approved 4-0-1 (Suleiman abstaining).** Member Neville moved that the Selectmen recommend to approve the Fire Total Budget (220), as amended. Seconded by Member Robinson. **Approved 5-0.** Member Neville moved that the Selectmen recommend to approve the Dispatch Total Budget (221), as amended. Seconded by Member Robinson. **Approved 5-0.** There was discussion on the structuring of this information in the warrant for the Operating Budget Article. The other remaining “Protection” (200s) budgets were reviewed. Member Neville moved to approve Protection budgets (241-299), as printed in Rev. 14. Seconded by Member Powers. **Approved 5-0.**

It was noted that the “School” budgets are not under the Selectmen’s purview.

The Selectmen reviewed the Public Works budgets. There was discussion on the determining where to, ultimately, assign the cost for lighting the Garabedian Trial. Member Neville moved to approve Public Works budgets (422-491), per Budget Rev. 14, in total \$1,009,368. Seconded by Member Powers. **Approved 5-0.**

The Selectmen discussed the Health Services budgets. There was discussion on whether to provide input of the Board of Health’s potential amendment at Town Meeting to restore funding of the Mental Health Services budget (523). Member Powers moved to support the re-instatement of \$7,000 to the Mental Health Services budget. Seconded by Member Neville. **Approved 5-0.** A recommendation will be drafted supporting the same. The “Health Services” budgets that are under the Selectmen purview were reviewed. Member Neville moved to approve the Health Services budgets (510-600), as amended in support of the restoration of \$7,000. Seconded by Member Powers. **Approved 5-0.**

The Selectmen discussed the Cultural and Recreation budgets. It was noted that the “Library” budget is not under the Selectmen’s purview. Member Neville moved to approve the Cultural and Recreation budgets (630-699), exclusive of the Library (610), as per Budget Rev. 14. Seconded by Member Powers. **Approved 5-0.** TA Shaw advised that the Public Celebrations has asked to come to the next meeting to discuss providing buses for the Memorial Day parade. It was further noted that they will need to seek a RFT for this year and may want to consider seeking to amend their FY 13 budget at Town Meeting to now include this expense.

Member Neville moved to approve the Debt Services, per Budget Rev. 14. Seconded by Member Powers. **Approved 5-0.**

Member Neville moved to approve the Employee Benefits, per Budget Rev. 14. Seconded by Member Powers. **Approved 5-0.**

- Members of the Finance Committee; the School Committee, Town Accountant Guzzo and members of the public were present for discussion of the Annual/Special Town Meeting. The Selectmen reviewed the compiled recommendations. School Committee member Neyland advised that the School Committee is deferring their recommendation on their Sense of the Meeting Article (#9) until Town Meeting. They have also revised the language for this article. It was noted that the amount for the OPEB Article (#12) is likely to change, so further discussion FinCom may be needed. The preliminary estimates for the painting of Town Hall were reviewed. Finance Committee has advised that they voted against the Transfer Station Study Article (#16). The Selectmen determined that they would defer recommendation on the first Citizen’s Petition (#37). Minuteman School District Rep. Mahoney spoke to STM #1 – Minuteman FY 12 Operating Budget.

The Selectmen and Finance Committee reviewed the Special and Annual Town Meeting articles to determine their stated amounts and their respective funding sources. STM #1 Minuteman’s FY 12 Operating Budget – Agreed: Free Cash. STM #2 the UCC Lease – Agreed: Free Cash. There was general discussion as to the proposed Collective Bargaining Contract Funding articles. There was also a general discussion about bonding/bundling to fund the larger items. The Selectmen’s FY 13 Budget

votes, taken earlier, were reviewed. It was determined that no funding source needed to be identified for the Lower Fields Article (#10) as it will be part of our A/B Assessment.

There was discussion on the OPEB Funding Article (#12). Member Neville moved to set the amount of the OPEB Funding Article at \$75,000. Seconded by Member Robinson. **Approved 5-0** – Agreed: Free Cash. Member Neville moved to fund the Emergency Generators – Hager Well & Blanchard School Article (#13) through Free Cash. Seconded by Member Fox. **Approved 5-0**. The final funding is contingent upon what grant funds are received. The DPW Capital Articles (#s 14, 15 & 16) – Agreed: Free Cash. Value for Town Hall Painting Article (#17) was set at \$75,000 as - Agreed: Stabilization. The Finance Committee advised that they had voted 3 yea/6 nay on recommending the Town Hall staffing Article (#18). Police Cruiser Refurbishment Article (#19) – Agreed: Free Cash. Member Neville moved to fund the Police Command Vehicle (#20) through Free Cash. Seconded by Member Powers. **Approved 4-0-1 (Suleiman abstained)**. The Article for the Installation of A/C at the Fire Station (#21) – Agreed: Free Cash. FinCom advised that they had voted 2 yea/7 nay on recommending the Fire Department's Command vehicle (#22). Member Neville moved to fund the Fire Department's Command Vehicle (#22) through Free Cash. Seconded by Member Powers. **Approved 4-1**. The Article for the School Roof repairs (#23) – Agreed: Borrowing. The Articles for the repairs to the School's mortar/masonry (#24); Carpet Replacement (#25) Lighting Replacement (#26); Fencing Installation (#27); Two-way radio acquisition (#28) and Prior year bill (MTRS) (#29) – Agreed: Free Cash. Library Exterior painting (#30) – Agreed Free Cash. Planning Board build-out analysis/study (#31) – Agreed: Free Cash. Conservation Trust Fund Article (#32) – Agreed: Free Cash. Based on these discussions the total amounts were identified from each funding source. There was discussion on the amount for the transfer to Stabilization Article (#11). Member Neville moved to transfer \$75,000 from Free Cash into Stabilization. Seconded by Member Powers. (Not voted) At this point, Karim Raad and Joe Niro remained, but the other Finance Committee members left. The Sense of the Meeting - Citizen Petition Article (# 37) was discussed. Member Robinson moved to support this Sense of the Meeting Article. Seconded by Member Neville. **Approved 4-0-1**. Member Neville moved not to recommend the other Citizen's Petition Article (#38). Seconded by Member Powers. **Approved 5-0**. Discussion was reopened on Article # 11- Stablization Fund and it was determined that 1% of the budget would be \$197,000. Member Neville moved to support the transfer of \$197,000 from Free Cash into Stabilization, under Article #11. Seconded by Member Fox. **Approved 5-0**. There was discussion on the formatting of the budget columns to be presented for the Operating Budget (#8).

CONCERNS OF THE BOARD

- Though not on the agenda, Selectmen reviewed and revised the Town Meeting flyer as an insert for the tax bill mailing.

ADJOURN

- At 10:05 PM, Member Neville moved to adjourn. Seconded by Member Robinson. **Approved 5-0**.



BOARD OF SELECTMEN
Meeting Minutes
April 2, 2012

Approved: _____

PRESENT: Raid Suleiman, Chair; Christine Robinson, Clerk; Frank Powers, Member; Rebecca Neville, Member and Les Fox, Member

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

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

Chair Suleiman called the meeting to order at 7:03 P.M. in the Grange Meeting Room of Town Hall.

ANNOUNCEMENTS

Chair Suleiman read the announcements.

APPOINTMENTS

- Public Celebration Committee Chair, Trena Minudri, and member, Owen Neville, were present to discuss providing busing for Memorial Day parade participants and the cost involved. PCC Chair Minudri spoke to a handout she prepared – regarding current drop off procedures; the traffic issues in the Hill Road area during drop off and their proposal for busing participants one way from the Blanchard School and dropping off at Wetherbee Lane.

The Selectmen took agenda item #7aiii, out of order

- Member Powers moved to forward to the Finance Committee for approval the request to transfer \$300. from the Reserve Fund to account #01-692-5700-5738 (Public Celebration – Memorial Day). Seconded by Member Neville. **Approved 5-0.** PCC Member Neville further advised that the PCC will be seeking to amend their FY 13 to include this amount, at Town Meeting and have it included in their future budgets. The Selectmen will include this amendment with their other proposed amendments to the Operating Budget.
- PCC member Neville opened the discussion on the PCC's request to change their name to the Public Celebration and Ceremonies Committee. He outlined the rationale behind this proposed name revision. TA Shaw provided background on the history background and purpose of this Committee. Town Counsel has been consulted and can find no issues with this requested change. Member Powers moved to change the name of the body currently known as the Public Celebrations Committee to the Public Celebrations and Ceremonies Committee effective immediately. Seconded by Member Neville. **Approved 5-0.**

MINUTES

- The Board passed over approval of the Executive session minutes of March 12, 2012.
- Member Powers moved to accept the minutes for the Executive Session of February 27, 2012, and the Executive Sessions (BoS Contract Negotiating Team) of March 5, 2012; March 6, 2012; March 7, 2012; March 19, 2012; March 22, 2012; and March 29, 2012, as written. Seconded by Member Neville. **Approved 5-0.**

SELECTMEN REPORTS

- Member Neville reported that the Regional Study materials being shown at the Public Forums is the same as what was already presented to the Selectmen.
- Member Powers reported that he and Member Fox participated in a Negotiating Team meeting today. The Team is schedule to meet with the Firefighters Union on April 5th.

- Member Fox followed up on Member Powers comments; further reporting that the Team also met with the Police Union on March 29th.
- Member Fox reported that the Stow Road Development Committee had its first meeting last week. Public outreach will be a priority.

NEW BUSINESS (Continued)

- The Selectmen took up the remaining Reserve Fund Transfer requests:
 - ◊ Member Neville moved to forward to the Finance Committee for approval the request to transfer \$20.14 from the Reserve Fund to account #01-543-5100-5125 (Veteran Agent – Hourly Wages). Seconded by Member Powers. **Approved 5-0.**
 - ◊ Member Neville moved to forward to the Finance Committee for approval the request to transfer \$34.41 from the Reserve Fund to account #01-599-5700-5711(Animal Inspector – In-State Travel Expense). Seconded by Member Powers. **Approved 5-0.**

APPOINTMENTS (Continued)

AccessSportAmerica Executive Director/Founder, Ross Lilley, was present to request a waiver of the field use permit fee for his special needs soccer program. Mr. Lilley provided background on AccessSportAmerica's purpose and history. He confirmed that this is a volunteer organization; no fees are charged to the participants and no salaries are drawn. It was determined that AccessSportsAmerica will still need to file a field use applications however the fee would be waived. Member Neville moved to waive the field use permit fee for AccessSportAmerica. Seconded by Member Powers. **Approved 5-0.**

OLD BUSINESS

- The Selectmen re-opened discussion of Annual Town Meeting; to conduct a final review and sign the warrant. There was discussion on the School Committee Study Committee remaining options and the revisions to their recommendation for their "Sense of the Meeting" Article. There was discussion on the proposed IT personnel re-structuring and the related changes to Schedule B. It was noted that the Boxborough School Committee has not provided a recommendation on the A/B Lower Fields Article nor the Generator Article. The Selectmen went back and reviewed the body of each article and their related recommendations. Revisions were made where necessary. The authors spoke to their respective recommendations. It was reiterated that the Selectmen will include the PCC budget amendment with their other Operating Budget amendments. There was discussion on how to manage the proposed amendments for the Police Department vehicle articles at Town Meeting. It was moved and seconded to approve the signing of Warrant for the May 14, 2012 Special/Annual Town Meeting. **Approved 5-0.** The warrant was signed by the Board.
- It was noted that the outstanding FY 2013 budget concerns had been already addressed. It was noted that the proposed amendments are footnotes on their respective budget pages in the warrant. Member Powers also advised that he will be reviewing the procedures and details on amending the Operating Budget article with Chiefs White and Ryder.

CONCERNS OF THE BOARD

- Outgoing members Neville and Robinson were thanked for their service to the Town.

EXECUTIVE SESSION

- At 8:25 PM Member Powers moved to adjourn to executive session to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200 and Boxborough Professional Firefighters Association, Local 4601), and to adjourn immediately thereafter. Seconded by Member Neville. **Approved 5-0 by Roll Call Vote: Neville "aye," Powers "aye," Robinson "aye," Fox "aye," and Suleiman "aye."**

**Board of Selectmen Meeting Schedule
June 4, 2012 - January 7, 2013**

| Date | Business |
|---------------------|---|
| June | |
| 4th | No meeting |
| 11th | Meeting |
| 12th, 7 PM | BLF |
| 18th | No meeting |
| 25th, 7 PM | Meeting- Appoint-a-thon, part 1 |
| July | |
| 2nd, 7 PM | Meeting - Appoint-a-thon, part 2 |
| 9th | No meeting [Les away July 7 - 14] |
| 16th | Meeting [Bob away July 13 - 16] |
| 23rd | No meeting |
| 30th | Meeting |
| August | |
| 6th | No meeting [Rand away August 1 - 23] |
| 13th | No meeting - NO QUORUM [Vince away August 12 - 19; Bob away August 10 - 20] [TA away August 10 - 25] |
| 20th | No meeting |
| 27th | Meeting |
| September | |
| 3rd | No meeting [Labor Day] |
| 8th (Saturday) | Goals Workshop??? |
| 10th | Meeting |
| 15th (Saturday) | Goals Workshop (alternate date) |
| 17th | No meeting |
| 22nd | Appreciation Event??? |
| 24th | Meeting |
| 29th | Appreciation Event (alternate date) |
| October | |
| 1st | Meeting [TA away October 5 through October 12, ICMA & vacation] |
| 8th | No meeting [Columbus Day] |
| 15th | No meeting |
| 22nd | Meeting |
| 29th | No meeting |
| November | |
| 5th (Morse-Hilberg) | Meeting [TA away November 9 through November 12] |
| 12th | No meeting [Veterans Day Holiday] |
| 19th | Meeting - Public hearing - FY 12 Min Res Factor; Tax Rate Setting |
| 26th | No meeting |
| December | |
| 3rd | Meeting |
| 10th | No meeting |
| 17th | Meeting - Renewal of Licenses (alcohol, used car, common victuallers, etc.) |
| 24th | No meeting [TA out December 24 through January 1] |
| 31st | No meeting |
| January | |
| 7th | Meeting |

Discussion items

Does BoS want to schedule a meeting on August 6, in place of cancelled meeting August 13?

Scheduling of Goals Workshop - suggested dates: September 8th or 15th? Other?

Scheduling of Appreciation Event - suggested dates: September 22nd or 29th? Other?

Board of Selectmen Committee/Liaison List FY 2013

Current BoS Assignments/Positions

X = Primary Member

L = Liaison

| Assignment | L. Fox | F. Powers | V. Amoroso | R. Stemple | R. Suleiman |
|---|--------|-----------|------------|------------|-------------|
| BoS Chairmanship | X | | | | |
| BoS Clerk | | X | | | |
| Committees/Teams | | | | | |
| Acton-Boxborough Cultural Council | | | | | |
| Agricultural Commission | | | | | |
| Airport Study Committee | | | | | |
| BHB (Housing Board) | | | | | |
| BIT.Com | | | | | |
| BLF (2) | | | | | |
| Cemetery Commission | | | | | |
| Conservation Commission | | | | | |
| Contract Negotiating Team | | | | | |
| CoA (Council on Aging) | | | | | |
| Design Review Board | | | | | |
| Energy Committee | | | | | |
| Finance Committee | | | | | |
| Board of Health | | | | | |
| Historical Commission | | | | | |
| Library | | | | | |
| Municipal Affordable Housing Trust | | | | | |
| Personnel Board | | | | | |
| Planning Board (including Master Plan Steering) | | | | | |
| Public Celebrations & Ceremonies Committee | | | | | |
| Recreation Commission | | | | | |
| School Committee | | | | | |
| Steele Farm | | | | | |
| Water Resources | | | | | |
| Well-Being Committee | | | | | |
| Zoning Board of Appeals | | | | | |
| Departments | | | | | |
| Fire/Emergency Management | | | | | |
| Police | | | | | |
| Public Safety Dispatch | | | | | |
| Public Works | | | | | |
| Town Hall | | | | | |
| External | | | | | |
| MAGIC/ MAPC | X | | | | |
| I-495 | | | | | |
| MBTA | | | | | |
| MART | | | | | |

Board of Selectmen Committee/Liaison List

Showing FY 12 Assignments

Current BoS Assignments/Positions

X = Primary Member

L = Liaison

| Assignment | Raid | | Les | | Frank |
|---|------|---|-----|---|-------|
| BoS Chairmanship | | | | | |
| BoS Clerk | | | | | |
| Committees/Teams | | | | | |
| Acton-Boxborough Cultural Council | | | | L | |
| Agricultural Commission | | | | L | |
| Airport Study Committee | | L | | | |
| BHB (Housing Board) | | | L | | |
| BIT.Com | | | L | | |
| BLF (2) | X | X | | | |
| Cemetery Commission | | | | L | |
| Conservation Commission | | | | | L |
| Contract Negotiating Team | | | X | | X |
| CoA (Council on Aging) | | | | | L |
| Design Review Board | X | | | | |
| Energy Committee | L | | | | |
| Finance Committee | | | | L | |
| Board of Health | L | | | | |
| Historical Commission | | L | | | |
| Library | | L | | | |
| Municipal Affordable Housing Trust | | | X | | |
| Personnel Board | | | | L | |
| Planning Board (including Master Plan Steering) | | L | | | |
| Public Celebrations Committee | | | | | L |
| Recreation Commission | L | | | | |
| School Committee | | | | L | |
| Steele Farm | | | L | | |
| Senior Center Task Force | | | | | L |
| Water Resources | | | | | L |
| Well-being Committee | | | | | X |
| Zoning Board of Appeals | | | | L | |
| Departments | | | | | |
| Fire/Emergency Management | | | | L | |
| Police | | | | | L |
| Public Safety Dispatch | | L | | | |
| Public Works | | | L | | |
| Town Hall | L | | | | |
| External | | | | | |
| MAGIC/ MAPC | | | X | | |
| I-495 | X | | | | |
| MBTA | | | | | X |
| MART | | | | | X |



7a

BOXBOROUGH BOARD OF SELECTMEN
29 Middle Road, Boxborough, Massachusetts 01719
Phone: (978) 263-1116 • Fax: (978) 264-3127
www.town.boxborough.ma.us

Leslie R. Fox, Chair Francis J. Powers, Clerk Vincent M. Amoroso . Robert T. Stemple Raid M. Suleiman

June 12, 2012

The Honorable Senator John F. Kerry
218 Russell Senate Office Building
Washington, D.C. 20510-2102

RE: Petition requesting action by Congress to regulate campaign financing after *Citizens United*

Dear Senator Kerry,

I write on behalf of the Board of Selectmen of the Town of Boxborough, Massachusetts, in order to advise you that the voters of Boxborough, at Town Meeting on May 17, 2012, adopted the following Resolution:

Resolved, That the Town of Boxborough opposes the Supreme Court's interpretation of the Constitution in *Citizens United* regarding the constitutional rights of corporations, and supports amending the Constitution to provide that corporations are not entitled to the entirety of protections or "rights" of natural persons, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech, and calls on Congress to begin the process of amending the Constitution.

The full text of the Resolution is attached. Kindly advise us of what action you expect to take with respect to this petition so that we may inform the voters of Boxborough.

Thank you for your attention to this matter.

Sincerely,

Leslie R. Fox
Chairman
Boxborough Board of Selectmen



BOXBOROUGH BOARD OF SELECTMEN
29 Middle Road, Boxborough, Massachusetts 01719
Phone: (978) 263-1116 • Fax: (978) 264-3127
www.town.boxborough.ma.us

Leslie R. Fox, Chair Francis J. Powers, Clerk Vincent M. Amoroso Robert T. Stemple Raid M. Suleiman

June 12, 2012

The Honorable Senator Scott Brown
317 Russell Senate Office Building
Washington, D.C. 20510-2102

RE: Petition requesting action by Congress to regulate campaign financing after *Citizens United*

Dear Senator Brown,

I write on behalf of the Board of Selectmen of the Town of Boxborough, Massachusetts, in order to advise you that the voters of Boxborough, at Town Meeting on May 17, 2012, adopted the following Resolution:

Resolved, That the Town of Boxborough opposes the Supreme Court's interpretation of the Constitution in *Citizens United* regarding the constitutional rights of corporations, and supports amending the Constitution to provide that corporations are not entitled to the entirety of protections or "rights" of natural persons, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech, and calls on Congress to begin the process of amending the Constitution.

The full text of the Resolution is attached. Kindly advise us of what action you expect to take with respect to this petition so that we may inform the voters of Boxborough.

Thank you for your attention to this matter.

Sincerely,

Leslie R. Fox
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Leslie R. Fox, Chair Francis J. Powers, Clerk Vincent M. Amoroso . Robert T. Stemple Raid M. Suleiman

June 12, 2012

The Honorable Representative Niki Tsongas
1607 Longworth House Office Building
Washington, D.C. 20515-2105

RE: Petition requesting action by Congress to regulate campaign financing after *Citizens United*

Dear Representative Tsongas,

I write on behalf of the Board of Selectmen of the Town of Boxborough, Massachusetts, in order to advise you that the voters of Boxborough, at Town Meeting on May 17, 2012, adopted the following Resolution:

Resolved, That the Town of Boxborough opposes the Supreme Court's interpretation of the Constitution in *Citizens United* regarding the constitutional rights of corporations, and supports amending the Constitution to provide that corporations are not entitled to the entirety of protections or "rights" of natural persons, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech, and calls on Congress to begin the process of amending the Constitution.

The full text of the Resolution is attached. Kindly advise us of what action you expect to take with respect to this petition so that we may inform the voters of Boxborough.

Thank you for your attention to this matter.

Sincerely,

Leslie R. Fox
Chairman
Boxborough Board of Selectmen

Resolution to Support Passage of a Constitutional Amendment Providing that Corporations are not Entitled to the Same Rights as Natural Persons

Resolution opposing the United State Supreme Court's interpretation of the Constitution in *Citizens United* regarding the constitutional rights of corporations, supporting an amendment to the Constitution to provide that corporations are not entitled to the entirety of protections or "rights" of natural persons, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech, and calling on Congress to begin the process of amending the Constitution.

Whereas, In 2010 the United States Supreme Court issued its decision in *Citizens United v. Federal Election Commission*, holding that independent spending on elections by corporations and other groups could not be limited by government regulations; and

Whereas, This decision rolled back the legal restrictions on corporate spending in the electoral process, allowing for unlimited corporate spending to influence elections, candidate selection, and policy decisions; and

Whereas, In reaching its decision, a majority of the Supreme Court, relying on prior decisions, interpreted the First Amendment of the Constitution to afford corporations the same free speech protections as natural persons; and

Whereas, In his eloquent dissent, Justice John Paul Stevens rightly recognized that "corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established". Justice Stevens further recognized that "In the context of election to public office, the distinction between corporate and human speakers is significant. Although they make enormous contributions to our society, corporations are not actually members of it. They cannot vote or run for office. Because they may be managed and controlled by nonresidents, their interests may conflict in fundamental respects with the interests of

eligible voters. The financial resources, legal structure, and instrumental orientation of corporations raise legitimate concerns about their role in the electoral process. Our lawmakers have a compelling constitutional basis, if not also a democratic duty, to take measures designed to guard against the potentially deleterious effects of corporate spending in local and national races"; and

Whereas, The Court's decision in *Citizens United* severely hampers the ability of federal, state and local governments to enact reasonable campaign finance reforms and regulations regarding corporate political activity; and

Whereas, Corporations should not be afforded the entirety of protections or "rights" of natural persons, such that the expenditure of corporate money to influence the electoral process is a form of constitutionally protected speech; and

Whereas, several proposed amendments to the Constitution have been introduced in Congress that would allow governments to regulate the raising and spending of money by corporations to influence elections; now, therefore, be it

Resolved, That the Town of Boxborough opposes the Supreme Court's interpretation of the Constitution in *Citizens United* regarding the constitutional rights of corporations, and supports amending the Constitution to provide that corporations are not entitled to the entirety of protections or "rights" of natural persons, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech, and calls on Congress to begin the process of amending the Constitution.

82



Internal Communications and Outgoing Communications
June 11, 2012

1. May 2012 Monthly Construction Activity Report from the Building Department, dated June 4, 2012.*
2. Copy of a communication from Town Counsel, Kopelman & Paige, LLC, dated May 24, 2012, regarding various Appellate Tax Board matters. (*Identified as Confidential material – available for review in the Town Administrator's office, not included in folder*)

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



BOXBOROUGH BUILDING DEPARTMENT

29 Middle Road, Boxborough, Massachusetts 01719

Phone: (978) 263-1116 • Fax: (978) 264-3127

www.town.boxborough.ma.us

To: Board of Selectmen ✓
Town Planner
Town Assessor
Finance Committee
School Committee

From: Building Department

Date: June 4, 2012

RE: Building Department Monthly Construction Activity Report

The Building Department has released the May 2012 Construction Activity Report. A copy is attached.

ma

Permit Listing Report

by District

Printed On: Mon Jun 04, 2012

Date Range: Issued between 05/01/2012 And 05/31/2012
 SQL Statement: (Type of Permit)="Building"

| District | Address (Work Location) | District | Zoning | Owner | Date Issued | Contractor (Phone #) | Work Category | Work Description | Est. Cost | Proposed Use And Detail | Fees Paid | Check # |
|----------|-------------------------|----------|--------|-----------------------------------|-------------|--|-------------------------|--|-------------|-------------------------|-----------|---------|
| | 1091 HULL RD | | A/R | WILLIS, MICHAEL P | May-03-2012 | WILLIS, MICHAEL P | ADDITION/ALTERATIO N | Interior Renovation | \$0.00 | | | |
| Building | BP-2012-0142 | | VOID | | | | | | | | | |
| | 127 BOXMILL RD | | A/R | LUNDY, TIMOTHY W | May-03-2012 | LUNDY, TIMOTHY W | Windows | Replace 15 Windows | \$28,000.00 | | \$280.00 | 25648 |
| Building | BP-2012-0143 | | OPEN | | | | | | | | | |
| | 235 SUMMER RD | | OPEN | JOULE POWER INC | May-07-2012 | Northland Technology | cell tower antenna | Cell Tower | \$42,000.00 | | \$420.00 | 18086 |
| Building | BP-2012-0144 | | OPEN | | | | | | | | | |
| | 99 SCHOOL HOUSE LN | | A/R | LAWSON, JOHN K | May-07-2012 | John Hills | Finish Basement | Finish Basement area stud wall plaster and drop ceiling Board of Health- no further division of attic or basement deed restriction | \$16,000.00 | | \$160.00 | 2158 |
| Building | BP-2012-0145 | | OPEN | | | | | | | | | |
| | 411 WHITCOMB RD | | OPEN | DIODATI, FRANCIS PAUL III & JANET | May-07-2012 | Ranucci Custom Homes, Inc (857) 452-0010 | Alteration | Convert existing shed into office | \$3,000.00 | | \$50.00 | 1208 |
| Building | BP-2012-0146 | | OPEN | | | | | | | | | |
| | 1187 LIBERTY SQ RD | | OPEN | KIDD, MICHAEL J TEACHOUT, HEIDL | May-09-2012 | KIDD, MICHAEL J TEACHOUT, HEIDL | POOL | Onstall above ground pool Location #3 approved by the Board of Health | \$6,050.00 | | \$60.00 | 1823 |
| Building | BP-2012-0147 | | OPEN | | | | | | | | | |

Project Cancelled

Permit Listing Report

by District

| District | Address (Work Location) | District | Zoning | Owner | Date Issued | Contractor (Phone #) | Work Category | Work Description | Est. Cost | Proposed Use | Fees Paid | Check # |
|-------------|---------------------------|------------------|---------------|--|-------------|--|---------------|---|------------|--------------|-----------|---------|
| Permit Type | Permit No | Online Permit No | Permit Status | Permit No | Date Issued | Contractor (Phone #) | Work Category | Work Description | Est. Cost | Proposed Use | Fees Paid | Check # |
| Building | 873 MASS AV (871 MASS AV) | | | MORSE RICHARD S, TR C & N REALTY TRUST | | | Demolition | | \$0.00 | | | |
| | BP-2012-0148 | | OPEN | | May-15-2012 | MORSE RICHARD S, TR C & N REALTY TRUST | | Demo - interior | | | \$50.00 | 2994 |
| Building | 873 MASS AV | | | MORSE RICHARD S, TR C & N REALTY TRUST | | | SIGN | | \$0.00 | | | |
| | BP-2012-0149 | | OPEN | | May-17-2012 | MORSE RICHARD S, TR C & N REALTY TRUST | | Install New Monument Sign | | | \$50.00 | 1983 |
| Building | 873 MASS AV | | | MORSE RICHARD S, TR C & N REALTY TRUST | | | SIGN | | \$0.00 | | | |
| | BP-2012-0150 | | OPEN | | May-17-2012 | MORSE RICHARD S, TR C & N REALTY TRUST | | Install a new monument sign 8'x10'x7"x31.75 Compnay Name and Logo | | | \$75.00 | 1982 |
| Building | 873 MASS AV | | | MORSE RICHARD S, TR C & N REALTY TRUST | | | ROOF | | \$2,000.00 | | | |
| | BP-2012-0151 | | OPEN | | May-21-2012 | Space Building | | Repair Roof | | | \$50.00 | 20027 |
| Building | 123 REED FARM RD | | | DESROCHERS, PAUL R & IKERD, MARTHA E | | | Deck | | \$3,600.00 | | | |
| | BP-2012-0152 | | OPEN | | May-21-2012 | DESROCHERS, PAUL R & IKERD, MARTHA E | | Expand existing Deck | | | \$50.00 | 2282 |

Permit Listing Report

by District

| District | Address (Work Location) | District | Zoning | Owner | Date Issued | Contractor (Phone #) | Work Category | Work Description | Est. Cost | Proposed Use And Detail | Check # |
|---|-------------------------|------------------|---------------|--|-------------|-----------------------------------|-------------------------|--|-------------|-------------------------|---------|
| Permit Type | Permit No | Online Permit No | Permit Status | | | | | | | | |
| 816 DEPOT RD | | | | | | | | | | | |
| Building | BP-2012-0153 | | OPEN | HORSKY, THOMAS N & HORSKY, LYNN C | May-21-2012 | John Bartlett | ADDITION/ALTERATIO N | Add Room within an existing garage | \$70,000.00 | | 108 |
| 387 ROBINSON RD | | | | | | | | | | | |
| Building | BP-2012-0154 | | OPEN | ZUKAS, WALTER X & BELAIR, PAULA J | May-21-2012 | ZUKAS, WALTER X & BELAIR, PAULA J | Deck | | \$2,000.00 | | |
| 613 HILL RD | | | | | | | | | | | |
| Building | BP-2012-0155 | | OPEN | WEAVER, IRVIN W | May-21-2012 | Paul Peltier | FOUNDATION ONLY | New Foundation under existing building | \$14,500.00 | | 975 |
| 15-69 SPENCER RD (61 SPENCER RD) | | | | | | | | | | | |
| Building | BP-2012-0156 | | OPEN | David Grossman | May-23-2012 | William Furness | Repair | remove wet insulation-sheest rock | \$1,500.00 | | |
| 184 LITTLEFIELD RD | | | | | | | | | | | |
| Building | BP-2012-0157 | | OPEN | MALAKIAN, A KARL & MALAKIAN, HEATHER F | May-23-2012 | David Hamblett | Bathroom Remodel | Bathroom Remodel | \$18,750.00 | | 6465 |
| 95 MEADOW LN | | | | | | | | | | | |
| Building | BP-2012-0158 | | OPEN | A/R FANUCCI, KAREN M, TR | May-24-2012 | FANUCCI, KAREN M, TR | Storage Room | Finished Storage Only | \$0.00 | | 168 |
| 30 BUTLER WAY | | | | | | | | | | | |
| Building | BP-2012-0159 | | OPEN | Tian Liang Lee | May-29-2012 | Tian Liang Lee | ADDITION/ALTERATIO N | Add one bedroom on top of Garage | \$75,000.00 | | 1170 |

Permit Listing Report

by District

| District | Address (Work Location) | District | Zoning | Owner | Date Issued | Contractor (Phone #) | Work Category | Work Description | Est. Cost | Proposed Use | And Detail | Check # |
|---|-------------------------|------------------|---------------|--|-------------|----------------------|--------------------------------------|--|--------------------|--------------|------------|---------|
| Permit Type | Permit No | Online Permit No | Permit Status | HASHEM, MARK A & HASHEM, PATRICIA MCDONOUGH | May-31-2012 | R. Paul Morris | ADDITION/ALTERATIO N | Add Mud Room | \$8,200.00 | | | |
| Building | BP-2012-0160 | | OPEN | | | | | | | | | |
| 57 HOUGHTON LN | | | | | | | | | | | | |
| | 873 MASS AV | | | Sakura Realty LLC | | | ADDITION/ALTERATIO N | | \$39,655.00 | | | |
| Building | BP-2012-0161 | | OPEN | | May-31-2012 | Space Building | | Minor Structural Repairs | | | \$400.00 | 20072 |
| 873 MASS AV | | | | | | | | | | | | |
| | | | | Sakura Realty LLC | | | COMMERCIAL - ALTERATION OR FIT-UP | | \$95,000.00 | | | |
| Building | BP-2012-0162 | | OPEN | | May-31-2012 | Ed Foran | | Interior Remodel, 2 offices, suspended ceiling | | | \$950.00 | 2998 |
| District () TOTALS: ESTIMATED COST: \$357,755.00 NUMBER OF PERMITS: 21 | | | | | | | | | | | | |
| FEEES INVOICED: \$5,222.50 FEES PAID: \$3,842.50 | | | | | | | | | | | | |
| BALANCE: \$1,380.00 BALANCE: \$1,380.00 | | | | | | | | | | | | |
| GRAND TOTALS: ESTIMATED COST: \$357,755.00 NUMBER OF PERMITS: 21 | | | | | | | | | | | | |
| FEEES INVOICED: \$5,222.50 FEES PAID: \$3,842.50 | | | | | | | | | | | | |
| BALANCE: \$1,380.00 BALANCE: \$1,380.00 | | | | | | | | | | | | |

Building Department Monthly Construction Activity CY 2012

| | January | February | March | April | May | June | July | August | Sept. | October | November | December | Y-T-D Total |
|------------------------|-----------|----------|---------|---------|---------|------|------|--------|-------|---------|----------|----------|-------------|
| Residential: | | | | | | | | | | | | | |
| Single Family - new | | | | | | | | | | | | | 0 |
| Additions/Alterations | 8 | 3 | 10 | 8 | 11 | | | | | | | | 40 |
| Repairs | | | 2 | | 1 | | | | | | | | 3 |
| Foundation Only | | | | | 1 | | | | | | | | 1 |
| Pool | | | | 1 | 1 | | | | | | | | 2 |
| Void | | | | | | | | | | | | | |
| Accessory Apartment | | | | | | | | | | | | | |
| Business: | | | | | | | | | | | | | 0 |
| New | | | | | | | | | | | | | 0 |
| Additions/Alterations | 3 | 1 | 1 | | 1 | | | | | | | | 6 |
| Other: | | | | | | | | | | | | | |
| Construct. trailers | | | | | | | | | | | | | 0 |
| Tents | | | | | | | | | | | | | 0 |
| Cell Tower / Antenna | 1 | | 1 | | 1 | | | | | | | | 3 |
| Demolition | | 1 | | 1 | 2 | | | | | | | | 4 |
| Foundation Only | 1 | | | | | | | | | | | | 1 |
| Mechanical /Sheet Met | 1 | 1 | | | | | | | | | | | 2 |
| Woodstove | 2 | 1 | 2 | | | | | | | | | | 5 |
| Signs | | | | | 2 | | | | | | | | 2 |
| Shed/Barn | | | | 2 | | | | | | | | | 2 |
| Change of Use | | | | | | | | | | | | | 0 |
| Totals: | | | | | | | | | | | | | 0 |
| Number of Permits | 16 | 7 | 16 | 12 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 71 |
| Construction Cost | 1,508,792 | 128,600 | 405,142 | 172,600 | 357,755 | | | | | | | | 2,572,889 |
| Total Fees | 9,640 | 1,403 | 4,495 | 2,128 | 5,222 | | | | | | | | 22,888 |
| Fines Collected | | | | | | | | | | | | | 0 |

86



**Minutes, Notices and Updates
June 11, 2012**

Minutes

1. Minutes of the Finance Committee meeting held April 30, 2012.
2. Minutes of the Conservation Commission meeting held May 2, 2012.

Notices

1. Notice of an Agricultural Commission meeting held May 29, 2012.
2. Notice of an Energy Committee meeting held June 5, 2012.
3. Notices of Board of Selectmen meetings:
 - a. Memorandum - regular meetings scheduled June 11, 2012 through January 7, 2013 #
 - b. Regular meeting to be held June 11, 2012.
 - c. Contract Negotiating Team [Executive Session]
 - i. Held June 5, 2012 [Fire]
 - ii. Held June 5, 2012 – *Revised* [Fire]
 - iii. Held June 6, 2012 [Dispatch]
4. Notice of a Recreation Commission meeting held June 5, 2012.
5. Notice of a Well-Being Committee meeting held June 6, 2012.
6. Notice of a Public Celebration Committee meeting held June 7, 2012.
7. Notice of a Finance Committee meeting to be held June 11, 2012.
8. Notice of an A/B Cultural Council meeting to be held June 11, 2012.
9. Notice of an Emergency Corps (BERC) meeting to be held June 12, 2012.
10. Notice of a Steele Farm Advisory Committee meeting to be held June 14, 2012
11. Notices of Boxborough and Acton/Boxborough School(s) related meetings:
 - a. Contract Negotiations Subcommittee [Executive Session] held June 6, 2012.
 - b. Acton & A/B School Committee meeting held June 7, 2012.
 - c. Boxborough School Council meeting [original scheduled for 6/4/12] now to be held June 11, 2012.

12. Notice of a Boxborough Leadership Committee meeting to be held June 12, 2012.
13. Notice of a Board of Health meeting to be held June 13, 2012.
14. Legal notice of Public Hearing of the Conservation Commission held on June 6, 2012, to consider the Request for Determination of Applicability filed by Blanchard Memorial School Principal, Curtis Bates, to install a safety fence to fulfill insurance requirements at the Blanchard Memorial School property located at 493 Mass. Ave.