



BOARD OF SELECTMEN
Meeting Minutes
July 15, 2013

Approved: July 29, 2013

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

ABSENT: Raid Suleiman

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

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

Chair Amoroso called the meeting to order at 7:30 P.M. in the Grange Meeting Room of Town Hall.

ANNOUNCEMENTS

Chair Amoroso read the announcements.

APPOINTMENTS

- Howard Sobel was present to request that Selectmen, as the Local Licensing Authority, approve him as the new manager under the ABCC license issued to the Hotel Boxborough Lessee, LLC. Mr. Sobel discussed his background and updated the Selectmen regarding various activities at the Holiday Inn since coming on as the facility's manager. Member Fox moved to approve and forward to the Alcoholic Beverages Control Commission the petition of the Hotel Boxborough Lessee, LLC, dba Holiday Inn Boxborough Woods, located at 242 Adams Place, to change the manager of the Hotel's beverage service operations from Ron Cuomo to Howard Sobel. Seconded by Member Stemple. **Approved 4-0.**

The Selectmen took Agenda Items # 4a & 5, out of order.

MINUTES

- Member Fox moved to accept the minutes for the regular session of June 10, 2013, as revised. Seconded by Member Stemple. **Approved 4-0.**

SELECTMEN REPORTS

- Member Gorman reported that he has been working with Town Clerk Markiewicz to identify Civil War veterans.
- Member Stemple noted that though he could report on activities concerning Steele Farm he will defer any comments until the Steele Farm Conservation Restriction discussion, later in the agenda.
- Chair Amoroso reported that the Boxborough School Committee has designated Gary Kushner as their representative in the IMA discussions. They continue work on the background material, in preparation for these negotiations.

He also reported that when the current heat wave began the week of July 4th Chief White, with assistance from town staff and volunteers, activated a Cooling Center at the Library. Chair Amoroso thanked Chief White and those employees & volunteers for all of their hard work in providing this resource to residents. The Town now has a set of guidelines for instances when the Emergency Management Dir. (Fire Chief) declares a heat emergency.

- Member Fox reported that the Stow Rd Concept Development Comm. has viewed four RFQ proposals and selected two. TA Shaw is in negotiations with one of the two finalists.

Member Fox also reported that Police Chief Ryder is requesting that he be allowed to carry-over 70 hours of unused vacation time into FY 14. This would be in addition to the 200 hours he is allowed to retain under his contract. This is similar to a request Chief Ryder made last year. There was a review of the July 2, 2012 discussion which resulted in the Selectmen approving Chief Ryder's carry-over of an additional 74 hours of vacation time. At that time it was pointed out to the Chief that this surplus had to use up during FY 13. Over the past year, the Chief has had difficulty taking time off due to officer injuries and staffing, in general. However, he is confident that he can use up the surplus 70 hours before Sept. 2013. There was a review of vacation hours currently accumulated by Chief Ryder and how they are calculated. The Selectmen discussed their concerns: the need to take vacation to ensure an employee's well being and productivity; carrying over this compensational time potentially exposes the town to significant unanticipated costs if that employee leaves; this is the second year, in a row, that a request for almost the exact same amount of time has been made by him; this request & discussion should have taken place during FY 13; by contract he is still allowed to carry-over/retain 200 vacation hours; and no written plan has been presented by the Chief as to how and when he proposes to use up this 70 hours of surplus time. The Selectmen do appreciate Chief Ryder's dedication to the Town; however there was reluctance to approve this request. Member Gorman moved to deny Police Chief Warren Ryder's request to carryover an additional 70 hours of vacation time beyond the 200 hours allowed under his contract. Seconded by Member Fox. **Approved 4-0.**

APPOINTMENTS (Continued)

- Bruce Hager, Steele Farm Advisory Committee; Alan Rohwer, Boxborough Historic Commission; Rita Gibes-Grossman, Boxborough Conservation Trust; John Fallon, Boxborough Historical Society and other interested parties were present to discuss the Baseline Documentation Report for Steele Farm. Rohwer led the discussion – providing background and updates on this component of the Conservation Restriction project. There was discussion on this and the other related documents. It was clarified that Steele Farm will remain a municipal property and that the management plan is intended to serve as the Town's guideline for operating the property. The Selectmen can modify the management plan from time to time. TA Shaw will facilitate the distribution of the necessary documents. Upon receipt from The Trustees of Reservations of the revised pages noted in the 7/11/13 (10:09AM) email from Andrew Bentley, Member Stemple moved to authorize the Board of Selectman Chair (or the Town Administrator), as representative of the Town, to acknowledge the Baseline Document Report as accurate. Seconded by Member Gorman. **Approved 4-0.**

The Selectmen took Agenda Items # 6a, b & 7a, out of order.

OLD BUSINESS

- The Selectmen re-opened discussion on their FY 14 liaison assignments, which was continued so that Member Suleiman could provide input. Unfortunately, he was unable to be present tonight. It was determined that this is the finalized list for FY 14 and Member Suleiman can contact the respective member if he wishes to discuss switching.
- The Selectmen determined that their August 12, 2013, meeting would be cancelled.
- Though not on the agenda, TA Shaw advised that due to an oversight, her name was not included in the June 24, 2013, enmasse Town Employees reappointments. Consistent with the agreement which was executed and ratified at our last meeting on June 24, 2013, Member Fox moved to appoint Selina Shaw to the position of Town Administrator, Chief Procurement Officer and ADAAA Compliance Officer for the term commencing July 1, 2013, through September 30, 2016. Seconded by Member Stemple. **Approved 4-0.**

NEW BUSINESS

- The Town has received a Notice of Sale and Conversion of a Portion of 94 Chester Road (currently in Chapter 61, forestry). Even though the owners (Morans) have advised that they are converting land to their own use, and may not need to exercise this option, they are still formally requesting that the Town sign-off on its right of first refusal per MGL.Chapter 61. Member Fox moved not to exercise the Town's first right of refusal with respect to the sale of a portion of 94 Chester Road (Parcel A). Seconded by Member Gorman. **Approved 4-0.**

APPOINTMENTS (Continued)

- Town Planner Elizabeth Hughes was present to review the process related to FEMA's preliminary updating of Flood Insurance Rate Maps. Planner Hughes provided background on recent studies conducted by FEMA in the Concord River basin. As a result of these studies FEMA is revising their Flood Plain maps for this region. They have issued preliminary plans and published notices in the local papers. Planner Hughes has sent notice, by certified mail, to the 11 property owners impacted. She reviewed the process for communities to provide feedback; appeals process to seek a revision to this mapping,

FEMA's technical requirements and the threshold that must be met for an appeal to be considered. An individual property owner could seek one of these appeals, but it would need to be submitted through the Town incorporating specific technical and scientific data; making this process prohibitive. She also explained a property owners can seek a re-classification of specific structures on their property by filing a Letter of Map Amendment "LOMA"; submitting evidence that the elevations of those identified structures takes those structures out of that flood plain designation. This is just for the buildings surveyed not the parcel itself, which can only be accomplished through FEMA's formal appeal process. Hughes advised that based on the materials received these revisions do not affect Town-owned properties. It is her opinion that the Town does not need to appeal these proposed revisions to FEMA's Flood Insurance Rate Maps. She will inform the Selectmen if a property owner does seek to submit an appeal.

NEW BUSINESS (Continued)

- The Selectmen took up several Reserve Fund Transfers requests. It was noted that all of these RFTs were previously approved by the Finance Committee, subject to an affirmative vote of the Selectmen.
 - ◇ Member Stemple moved to authorize the request to transfer \$5,500 from the Reserve Fund to account #001-122-5700-5704, DPW Generator (design services). Seconded by Member Gorman. **Approved 4-0.**
 - ◇ Member Stemple moved to authorize the request to transfer \$28,250 from the Reserve Fund to account #001-122-5700-7059, Blanchard/Hager Generator (design services). Seconded by Member Gorman. **Approved 4-0.**
 - ◇ Member Gorman moved to authorize the request to transfer \$2,238 from the Reserve Fund to account #001-145-5200-5304, Treasurer – Tax Title Foreclosure. Seconded by Member Fox. **Approved 4-0.**
 - ◇ Chair Amoroso moved to authorize the request to transfer \$71.48 from the Reserve Fund to account #001-151-5200-5233, Legal Services – School. Seconded by Member Gorman. **Approved 4-0.**
 - ◇ Member Stemple moved to authorize the request to transfer \$739.72 from the Reserve Fund to account #001-162-5200-5120, Election and Registrations – Hourly Wages. Seconded by Chair Amoroso. **Approved 4-0.**
 - ◇ Member Gorman moved to authorize the request to transfer \$94 from the Reserve Fund to account #001-600-5700-5716, Animal Control – Training and Seminars. Seconded by Chair Amoroso. **Approved 4-0.**
 - ◇ Member Fox moved to authorize the request to transfer \$2,922 from the Reserve Fund to account #001-543-5770-5770, Veterans – Veteran Benefits – FY 2014. Seconded by Member Gorman. **Approved 4-0.**

- Member Gorman moved to accept the FY 2012 Assistance to Firefighters Grant from FEMA in the amount of \$ 6,713for the purpose of acquiring two RIT-Pak's [Rapid Intervention Team (RIT) systems, provide portable air supply]. Seconded by Member Fox. **Approved 4-0.**

CORRESPONDENCE

A letter from the Town of Wareham seeking support for an amendment to MGL. Ch. 40B, was distributed. Discussion as to whether to support this effort will be deferred until the Housing Board has had the opportunity to provide input and the Selectmen have had the chance to review in more detail.

ADJOURN

- At 8:48 PM it was moved and seconded to adjourn. **Approved 4-0.**

SELECTMEN'S ANNOUNCEMENTS

JULY 15, 2013

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

- With the anticipation of this week's temperatures in the 90's, the town will activate its **Cooling Center** on Tuesday – Thursday from 11 AM – 7 PM at the Sargent Memorial Library Meeting Room, located at 427 Massachusetts Ave.
- Drivers are asked to use extra caution during the summer months especially in July. The **Town's Summer Day Camp Program** at Flerra Meadows runs through Friday, July 26th. Drop-off begins around 8:00 a.m. with pick-up after 12:30 p.m. Also, many children will be riding their bikes to camp and around town in general during the summer, so you are asked to drive with care.
- The recent resignation of Frank Roth from the **Boxborough Board of Health** has left a vacancy on the Board. The vacancy will be filled by joint appointment of the Board of Health and Selectmen until the next annual municipal election, which will be held on May 14, 2014. The Board of Health and Selectmen will interview interested candidates and jointly appoint Frank's successor on Monday, July 29th at 7:35 p.m. in the Grange Meeting Room at Town Hall. Interested candidates should submit a letter of interest and qualifications to the Board of Health, Boxborough Town Hall, 29 Middle Road, Boxborough, MA 01719, or by email to Maureen.adema@town.boxborough.ma.us. Letters must be received no later than Wednesday, July 24th, 2013, at 12 noon. Please contact Maureen Adema, Board of Health Department Assistant, by email above or phone (978-263-1116 x 115) with any questions.
- **Please be sure that you have an FY 2014 sticker, or you will be unable to access the Transfer Station.** Applications are still being accepted, but fees will increase as of August 1st. Please refer to the application for an explanation of fees. Forms may be obtained at Town Hall, the Town's website, or at the Transfer Station. Once your submitted application has been processed, you can have your sticker affixed to your vehicle at the Transfer Station shed during regular operating hours. Applications can only be processed by the Tax Collector at Town Hall, 29 Middle Road, and will not be accepted at the Transfer Station. Also as of July 1st, you need to obtain a voucher and pay additional fees for the disposal of bulk items. Vouchers can be purchased only at the Town Hall from the Tax Collector's office. It would be helpful if you could pay by check or exact dollar amount in cash. Please refer to the Transfer Station webpage or call the DPW at 978-263-1600 for more information.

- Congratulations to **Boxborough's own Annie Viggh**, for receiving a Bronze Medal in Web Design at the SkillsUSA National Conference held in Kansas City at the end of June. Annie and the other Minuteman participants competed against nearly 6,000 high school students from across the country. This was Annie's 2nd trip to Nationals. Great Job!
- Come see Boxborough's Treasures at the **Boxborough Museum** at 575 Middle Road from 2:00 pm to 4:00 pm on Sunday, August 11th and September 8th. Admission is free and all are welcome. Members of the Boxborough Historical Society will be on hand to discuss the Treasures and the other exhibits. Contact John Fallon for more information or to arrange for a private tour.
- The **Acton-Boxborough Farmers' Market** is back for a fifth season. The market is located on Pearl Street just off of Mass Ave./Route 111 in West Acton Village and is open on Sundays from 10 a.m. to 1 p.m. and will run through October.
- **Save the date....**
The Boxborough Harvest Fair, previously known as the Agricultural Fair, will be held on Saturday, September 7th at the Boxborough Town Hall and UCC Church. An informational flyer was included in your recent real estate tax bills, and more information will be forthcoming in the future.
- The **Stow Road Concept Development Committee** continues its effort to reach out to residents to hear what you would like to see built at 72 Stow Road. To learn more or to provide your opinion by completing a brief on-line survey, go to the Link on the Town's website under "NEWS".
- **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: Airport Study Committee (1), ZBA (1 alternate member), Housing Board (1), BITcom (4), Design Review Board (1 at-large member), Public Celebrations &

Ceremonies Comm. (1) and the Steele Farm Advisory Committee (2). Please consider participating on a town board. 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, Boxborough School Committee and Acton-Boxborough Regional School Committee **meetings are broadcast on both Comcast's Channel 9 and Verizon's Channel 39.** Residents can also tune-in and view the public meetings playback schedule, to find out when a particular meeting is scheduled for broadcast.
- Those interested in the open seat on the Board of Health should submit a letter of interest and qualifications to the Boxborough Board of Health, Boxborough Town Hall, 29 Middle Road, Boxborough, MA 01719, or by email to Maureen.adema@town.boxborough.ma.us. Letters must be received no later than Wednesday, July 24th, 2013, at 12 noon. Please contact Maureen Adema, Board of Health Department Assistant, by email above or phone (978-263-1116 x 115) with any questions.
- For more information on the Acton-Boxborough Farmers Market go to www.boxboroughfair.org ; or find them on Facebook – Boxborough Harvest Fair.
- To start planning on entering or for more information on the **2012 Boxborough Harvest Fair** go to www.boxboroughfair.org ; or find them on Facebook - Boxborough Harvest Fair.



BOARD OF SELECTMEN

Meeting Agenda

July 15, 2013

Boxborough Town Hall

Grange Meeting Room

1. CALL TO ORDER, 7:30 PM

2. ANNOUNCEMENTS

3. APPOINTMENTS

- a) Howard Sobel, requested new manager of the Hotel Boxborough Lessee, LLC, 7:30 PM
Move to approve and forward to the Alcoholic Beverages Control Commission the petition of the Hotel Boxborough Lessee, LLC, dba Holiday Inn Boxborough Woods, located at 242 Adams Place, to change the manager of the Hotel's beverage service operations from Ron Cuomo to Howard Sobel

VOTE:

- b) Bruce Hager, Steele Farm Advisory Committee; Alan Rohwer, Boxborough Historical Society and other interested parties to discuss the Baseline Documentation Report for Steele Farm, 8:00 PM
Upon receipt from The Trustees of Reservations of the revised pages noted in the 7/11/13 (10:09AM) email from Andrew Bentley, move to authorize the Board of Selectman Chair (or the Town Administrator), as representative of the Town, to acknowledge the Baseline Document Report as accurate

VOTE:

- c) Town Planner Elizabeth Hughes, to review process related to updating of Flood Insurance Rate Maps (FIRM), 8:30 PM

- d) Citizens' Concerns

4. MINUTES

- a) Regular session, June 10, 2013

ACCEPT & POF

5. SELECTMEN REPORTS

6. OLD BUSINESS

- a) BoS Liaisons - review
b) BoS Meeting Schedule -- discuss cancellation of August 12 meeting
(N.B.: next meetings would be July 29 & August 26)

7. NEW BUSINESS

- a) Notice of Sale and Conversion of a Portion of 94 Chester Road (currently in Chapter 61, forestry)
Move not to exercise the Town's first right of refusal with respect to the sale of a portion of 94 Chester Road (Parcel A)

VOTE:

- b) Reserve Fund Transfers (all were approved by the Finance Committee on July 8, subject to affirmative vote of BoS; all are for FY 13, except for vii.)

- i. Board of Selectmen

Move to authorize the request to transfer \$5,500 from the Reserve Fund to account #001-122-5700-5704, DPW Generator (design services)

VOTE:

- ii. Board of Selectmen
Move to authorize the request to transfer \$28,250 from the Reserve Fund to account #001-122-5700-7059, Blanchard/Hager Generator (design services) VOTE:

- iii. Treasurer – Tax Title Foreclosure
Move to authorize the request to transfer \$2,238 from the Reserve Fund to account #001-145-5200-5304, Treasurer – Tax Title Foreclosure VOTE:

- iv. Legal Services - School
Move to authorize the request to transfer \$71.48 from the Reserve Fund to account #001-151-5200-5233, Legal Services - School VOTE:

- v. Election and Registrations – Hourly Wages
Move to authorize the request to transfer \$739.72 from the Reserve Fund to account #001-162-5200-5120, Election and Registrations – Hourly Wages VOTE:

- vi. Animal Control – Training and Seminars
Move to authorize the request to transfer \$94 from the Reserve Fund to account #001-600-5700-5716, Animal Control – Training and Seminars VOTE:

- vii. Veterans – Veteran Benefits – FY 2014
Move to authorize the request to transfer \$2,922 from the Reserve Fund to account #001-543-5770-5770, Veterans – Veteran Benefits – FY 2014 VOTE:

- c) Acceptance of FY 2012 Assistance to Firefighters Grant
Move to accept the FY 2012 Assistance to Firefighters Grant from FEMA in the amount of \$ 6,713 for the purpose of acquiring two RIT-Pak's [Rapid Intervention Team (RIT) systems, provide portable air supply] VOTE:

8. CORRESPONDENCE

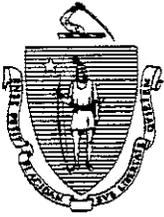
ACCEPT & POF

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

9. PRESS TIME

10. CONCERNS OF THE BOARD

11. ADJOURN



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

MANAGER APPLICATION

All proposed managers are required to complete a Personal Information Form, and attach a copy of the corporate vote authorizing this action and appointing a manager.

1. LICENSEE INFORMATION:

Legal Name of Licensee: Business Name (dba):

Address:

City/Town: State: Zip Code:

ABCC License Number: (If existing licensee) Phone Number of Premise:

2. MANAGER INFORMATION:

A. Name: B. Cell Phone Number:

C. List the number of hours per week you will spend on the licensed premises:

3. CITIZENSHIP INFORMATION:

A. Are you a U.S. Citizen: Yes No B. Date of Naturalization: C. Court of Naturalization:

(Submit proof of citizenship and/or naturalization such as Voter's Certificate, Birth Certificate or Naturalization Papers)

4. BACKGROUND INFORMATION:

A. Do you now, or have you ever, held any direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages? Yes No

If yes, please describe:

B. Have you ever been the Manager of Record of a license to sell alcoholic beverages that has been suspended, revoked or cancelled? Yes No

If yes, please describe:

C. Have you ever been the Manager of Record of a license that was issued by this Commission? Yes No

If yes, please describe: *

D. Please list your employment for the past ten years (Dates, Position, Employer, Address and Telephone):

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

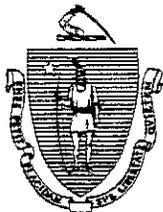
Signature Date

Additional Space

Please note which question you are using this space for.

* CROWNE PLAZA NATICK
HOLIDAY INN FRAMINGHAM
NATICK HILTON





The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

| | | | | |
|----------------------------|------------------------------|--|------------------------------|----------|
| A. Legal Name of Licensee | Hotel Boxborough Lessee, LLC | B. Business Name (dba) | Holiday Inn Boxborough Woods | |
| C. Address | 242 Adams Place | D. ABCC License Number (If existing licensee) | 012200001 | |
| E. City/Town | Boxborough | State | MA | Zip Code |
| F. Phone Number of Premise | 978-263-8701 | G. EIN of License | 35-2246569 | |

2. PERSONAL INFORMATION:

| | | | | |
|---------------------------|------------------------|----------------------|------------|----------|
| A. Individual Name | Howard Sobel | B. Home Phone Number | [REDACTED] | |
| C. Address | [REDACTED] | | | |
| D. City/Town | [REDACTED] | State | MA | Zip Code |
| E. Social Security Number | [REDACTED] | F. Date of Birth | [REDACTED] | |
| G. Place of Employment | Holiday Inn Boxborough | | | |

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

None

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.

*If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

| | | | |
|-----------|------------|-------------------------------------|---------|
| Signature | | Date | 6-21-13 |
| Title | [REDACTED] | (If Corporation/LLC Representative) | |

**Hotel Boxborough Lessee, LLC
Consent of Sole Member**

June 18, 2013

The undersigned, being the sole member of Hotel Boxborough Lessee, LLC, a Massachusetts limited liability company (the "**Company**"), in accordance with the by-laws of the Company, hereby resolves, agrees and consents to the following resolution for and on behalf of the Company, and hereby certifies that such resolution has not been amended, rescinded, or revoked and is in full force and effect as of this date:

WHEREAS, the Company is the license holder for the liquor license issued to the Holiday Inn Boxboro Hotel (the "**Hotel**") located at 242 Adams Place, Boxborough, MA 01719-1735; and

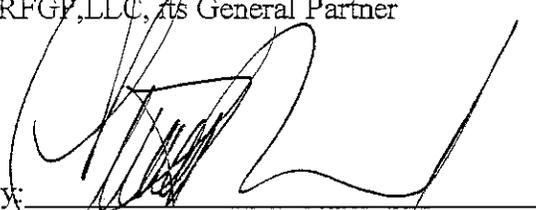
WHEREAS, Ron Cuomo is no longer Manager of the beverage service operations for the Hotel and therefore has no authority to act or execute documents relating to the liquor license for the Hotel; and

NOW THEREFORE, the Company hereby appoints Howard Sobel ("**Manager**") Manager of the beverage service operations for the Hotel; and

Said **Manager**, in capacity as Manager, be and hereby is, authorized to execute the necessary documentation, and to do any and all such acts and things as may be necessary or proper relating to the liquor license relating to the Hotel.

IN WITNESS WHEREOF, this Consent is executed as of the date first above written.

Hotel Boxborough Lessee, LLC, by
RFP VI Hotel, L.P., its sole member by
PRFGP, LLC, its General Partner

By: 
Name: Elizabeth A. Procaccianti
Title: Manager

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Selina S. Shaw

From: Andrew Bentley [abentley@ttor.org]
Sent: Thursday, July 11, 2013 10:09 AM
To: 'alan.rohwer@verizon.net'; selina.shaw@town.boxborough.ma.us
Cc: bruce4570@verizon.net; jgorman@tritonsys.com; lesfox@comcast.net; rsuleiman@cfa.harvard.edu; sraid@yahoo.com; bstemple@verizon.net; RSTEMPLE@PARTNERS.ORG; amorosovm@gmail.com; leahjen@verizon.net; Sally Naser; johnfallon@verizon.net
Subject: RE: Comments on Baseline Document Report

Hi all,

Alan, thank you for the careful review. It is much appreciated, as of course it is important to have the most accurate document possible! As for Les's question – yes, corrections can be made to the BDR, with grantor & grantee's mutual consent. Please send corrections to me, and I will make those changes.

Question 1 – As for the BDR, the primary purpose is to serve as a document of existing conditions at the time of CR grant, and a document for comparison when monitoring the property annually. As part of being a nationally accredited land trust, The Trustees are required to keep BDRs for every CR we hold. An original copy of the binder is stored in our archives, and we digitize all material contained within it for ongoing reference. So short answer is yes, TTOR holds the original, with copies to the grantor (the town) and co-grantee (BHS). The BDR is NOT recorded, however it is referenced in the CR document, making it a legally admissible document if ever necessary.

Correction – “Steele Farm” / cover sheet. Correction made.

Correction / directions – will change to Hill Road.

Property Conditions Report, pg 2 - while the CR has buildings, there is no designated “building envelope” for this CR. A building envelope is a designated area within a CR, in which further buildings and more intensive activities are permitted. For this CR, yes the buildings are there, but virtually no other structures are allowed besides those so no building envelope was legally designated.

Property Conditions report page 4 – agriculture – I will note the apple trees in former orchard.

Property conditions report pg 7 – ice house in photo 46. Will add reference.

Photosheets – icehouse referred to as shed. Will correct.

I'll get these corrections to you all as soon as possible.

Thanks and please send any other notes on corrections, additions, or omissions my way! Best,

Andrew



FIND YOUR PLACE

Andrew Bentley

7/11/2013

Conservation Restriction Stewardship Specialist

The Trustees of Reservations | Doyle Community Park & Center
464 Abbott Avenue | Leominster, MA 01453
abentley@ttor.org | 978.840.4446 x1965 tel | 978.537.5835 fax

Web: thetrustees.org | CR & Land Conservation Blog: walkontheland.blogspot.com | Facebook: [facebook.com/thetrustees](https://www.facebook.com/thetrustees)

From: Alan Rohwer [mailto:alan.rohwer@verizon.net]

Sent: Thursday, July 11, 2013 6:43 AM

To: Andrew Bentley; selina.shaw@town.boxborough.ma.us

Cc: alan.rohwer@verizon.net; bruce4570@verizon.net; jgorman@tritonsys.com; lesfox@comcast.net; rsuleiman@cfa.harvard.edu; sraid@yahoo.com; bstemple@verizon.net; RSTEMPLE@PARTNERS.ORG; amorosovm@gmail.com; leahjen@verizon.net; Sally Naser; johnfallon@verizon.net

Subject: Comments on Baseline Document Report

All:

General comment, very impressive document. It certainly documents many aspects of the property in one place.

Below are comments from my review:

1. General question: Where does this document go? Is it held at TTOR offices with copies to the Town of Boxborough and to the Boxborough Historical Society? Does a copy go to the Registry of Deeds to be held there? How does it tie to the deed restriction?
2. Correction: Cover sheet title should refer to "Steele Farm" not to "Steele Farm Conservation Area" [this correction made in revised cover sheet on 10 July 2013]
3. Correction: Directions to Steele Farm "From 495 North or South": Step 2 should reference "turn left on Hill Road" not Hill Street.
4. Question: Property Conditions Field Report, page 2. Definition of "Building envelopes". This is checked "no" yet there are buildings on the property (referenced elsewhere)
5. Property Conditions Field Report, page 4, "Agriculture" – there are remnants of apple orchards, which were once much more prominent, on the property. Approximately six untended apple trees remain.
6. Property Conditions Field Report, page 7. The icehouse is described and said to appear in photos 5,6, 43 – 45. It also appears in photo 46.

7/11/2013

7. Baseline Ground Photograph captions: in photos 44, 45 & 46, the icehouse is labeled "shed".
Would be nice to correct this.

Let's keep this process going!

- Alan

—
Alan Billingsley Rohwer

Boxborough, MA, U.S.A 01719

42.4763 N, 71.4972 W. 95 m elev.

"You can learn not to want what you want, to recognize desires but not be controlled by them"

- The Buddha



3c
Federal Emergency Management Agency

Washington, D.C. 20472

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
APPEAL START



May 30, 2013

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

Case No.: 11-01-0888S
Community: Town of Boxborough,
Middlesex County, Massachusetts
Community No.: 250184

Dear Mr. Fox:

On January 10, 2013, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided your community with Preliminary copies of the revised Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Middlesex County, Massachusetts (All Jurisdictions). FEMA has posted digital copies of these revised FIRM and FIS report materials to the following Website: <http://www.starr-team.com/starr/RegionalWorkspaces/RegionI/ConcordWatershed/>. The Preliminary FIRM and FIS report include proposed flood hazard information for certain locations in the Town of Boxborough. The proposed flood hazard information may include addition or modification of Special Flood Hazard Areas, the areas that would be inundated by the base (1-percent-annual-chance) flood; base flood elevations or depths; zone designations; or regulatory floodways.

We have published a notice of the proposed flood hazard determinations in the FEDERAL REGISTER and will publish a public notification concerning the appeal process (explained below) in *The Beacon* on or about June 6, 2013, and June 13, 2013. We will also publish a separate notice of the flood hazard determinations on the "Flood Hazard Determinations on the Web" portion of the FEMA Website (www.fema.gov/plan/prevent/fhm/bfe). We have enclosed copies of the notice published in the FEDERAL REGISTER and the newspaper notice for your information.

These proposed flood hazard determinations, if finalized, will become the basis for the floodplain management measures that your community must adopt or show evidence of having in effect to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). However, before any new or modified flood hazard information is effective for floodplain management purposes, FEMA will provide community officials and citizens an opportunity to appeal the proposed flood hazard information presented on the preliminary revised FIRM and FIS report posted to the above-referenced Website.

Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) is intended to ensure an equitable balancing of all interests involved in the setting of flood hazard determinations. The legislation provides for an explicit process of notification and appeals for your community and for private persons prior to this office making the flood hazard determinations final. The appeal procedure is outlined below

for your information and in the enclosed document titled *Criteria for Appeals of Flood Insurance Rate Maps*.

During the 90-day appeal period following the second publication of the public notification in the above-named newspaper, any owner or lessee of real property in your community who believes his or her property rights will be adversely affected by the proposed flood hazard determinations may appeal to you, or to an agency that you publicly designate. It is important to note, however, that the sole basis for such appeals is the possession of knowledge or information indicating that the proposed flood hazard determinations are scientifically or technically incorrect. The appeal data must be submitted to FEMA during the 90-day appeal period. Only appeals of the proposed flood hazard determinations supported by scientific or technical data can be considered before FEMA makes its final flood hazard determination at the end of the 90-day appeal period. Note that the 90-day appeal period is statutory and cannot be extended. However, FEMA also will consider comments and inquiries regarding data other than the proposed flood hazard determinations (e.g., incorrect street names, typographical errors, omissions) that are submitted during the appeal period, and will incorporate any appropriate changes to the revised FIRM and FIS report before they become effective.

If your community cannot submit scientific or technical data before the end of the 90-day appeal period, you may nevertheless submit data at any time. If warranted, FEMA will revise the FIRM and FIS report after the effective date. This means that the revised FIRM would be issued with the flood hazard information presently indicated, and flood insurance purchase requirements would be enforced accordingly, until such time as a revision could be made.

Any interested party who wishes to appeal should present the data that tend to negate or contradict our findings to you, or to an agency that you publicly delegate, in such form as you may specify. We ask that you review and consolidate any appeal data you may receive and issue a written opinion stating whether the evidence provided is sufficient to justify an official appeal by your community in its own name or on behalf of the interested parties. Whether or not your community decides to appeal, you must send copies of individual appeals and supporting data, if any, to:

Kevin Donnelly
STARR
6110 Frost Place
Laurel, Maryland 20707
Kevin.Donnelly@starr-team.com

If we do not receive an appeal or other formal comment from your community in its own name within 90 days of the second date of public notification, we will consolidate and review on their own merits such appeal data and comments from individuals that you may forward to us, and we will make such modifications to the proposed flood hazard information presented on the revised FIRM and in the revised FIS report as may be appropriate. If your community decides to appeal in its own name, all individuals' appeal data must be consolidated into one appeal by you, because, in this event, we are required to deal only with the local government as representative of all local interests. We will send our final decision in writing to you, and we will send copies to the community floodplain administrator, each individual appellant, and the State NFIP Coordinator.

All appeal submittals will be resolved by consultation with officials of the local government involved, by an administrative hearing, or by submission of the conflicting data to an independent scientific body or appropriate Federal agency for advice. Use of a Scientific Resolution Panel (SRP) is also available to your community in support of the appeal resolution process when conflicting scientific or technical data are submitted during the appeal period. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. An SRP is an option after FEMA and community officials have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Please refer to the enclosed "Scientific Resolution Panels" fact sheet for additional information on this resource available to your community.

FEMA will make the reports and other information used in making the final determination available for public inspection. Until the conflict of data is resolved and the revised FIRM becomes effective, flood insurance available within your community will continue to be available under the effective NFIP map, and no person shall be denied the right to purchase the applicable level of insurance at chargeable rates.

The decision by your community to appeal, or a copy of its decision not to appeal, should be filed with this office no later than 90 days following the second publication of the flood hazard determination notice in the above-named newspaper. Your community may find it appropriate to call further attention to the proposed flood hazard determinations and to the appeal procedure by using a press release or other public notice.

If warranted by substantive changes, during the appeal period we will send you Revised Preliminary copies of the revised FIRM and FIS report. At the end of the 90-day appeal period and following the resolution of any appeals and comments, we will send you a Letter of Final Determination, which will finalize the flood hazard information presented on the revised FIRM and FIS report and will establish an effective date.

If you have any questions regarding participation in the NFIP, we encourage you to contact the Mitigation Division Director, FEMA Region I, in Boston, Massachusetts, either by telephone at (617) 956-7506 or in writing to 99 High Street, Sixth Floor, Boston, Massachusetts 02110.

If you have any questions regarding the proposed flood hazard determinations, revised FIRM panels, or revised FIS report for your community, please call our FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627) or e-mail the FMIX staff at FEMAMapSpecialist@riskmapcds.com.

Sincerely,



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

List of Enclosures:

Newspaper Notice

Proposed Flood Hazard Determinations FEDERAL REGISTER Notice

Criteria for Appeals of Flood Insurance Rate Maps

“Scientific Resolution Panels” Fact Sheet

cc: Community Map Repository

Mary Nadwairski, Conservation Commission, Town of Boxborough

David Mendelsohn, Consultation Coordination Officer, FEMA Region I

Kerry Bogdan, Senior Engineer, FEMA Region I

Richard Zingarelli, NFIP State Coordinator, Massachusetts Department of Conservation and Recreation

Kevin Donnelly, Project Manager, STARR Region I

Alex Sirotek, Regional Service Center, STARR Region I

distributed to BOS 6/24



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

June 20, 2013

Eileen Kassower & Lisa Jensen
42 Cobleigh Road
Boxborough, MA 01719

11 property owners
received letter

Dear Ms. Kassower and Ms. Jensen,

This letter is to inform you of an update to the Flood Insurance Rate Map (FIRM) being proposed by the Federal Emergency Management Agency (FEMA) that will impact your property. Attached is a copy of the preliminary FIRM panel that includes your property.

As a result of a study of the Concord River Watershed and new hydrologic and hydraulic analyses, FEMA has issued a preliminary version of the FIRM showing alterations to the Base (1% annual chance) Flood Elevations (BFEs), referred to the Special Flood Hazard Area (SFHA) or more commonly known as the 100-year floodplain. The preliminary FIRM now shows your dwelling in the SFHA. Should this alteration to the BFE be finalized by FEMA, your mortgage company will likely require you to obtain flood insurance, which could be a significant financial yearly cost.

FEMA has published a notice in the local paper which starts the 90-day appeal period, which expires on September 10, 2013. During the appeal period, any owner or lessee of real property who believes his or her property rights will be adversely affected by the proposed flood hazard determinations may submit an appeal through the Town of Boxborough. Please note that the sole basis for such appeal is the possession of knowledge or information indicating that the proposed flood hazard determinations, which are the result of hydrologic and hydraulic analyses, are scientifically or technically incorrect. FEMA will only consider appeals supported by scientific or technical data. Attached is the letter from FEMA that includes the *Criteria for Appeals of Flood Insurance Rate Maps*.

The Town is very aware that most property owners are not in a position to provide or hire an engineer to develop the scientific data needed to appeal FEMA's determination. FEMA uses the most accurate flood hazard information available and applies rigorous standards in developing the FIRMs. However, because of limitations of scale or topographic definition of the source maps used to prepare a FIRM, small areas may be inadvertently shown within an SFHA on a FIRM even though the property (legally defined parcel(s) of land, structure[s]) is on natural ground and is at or above the elevation of the BFE. Such cases are referred to as "inadvertent inclusions."

For other small areas, earthen fill may have been placed during construction, thereby elevating a small area within the SFHA to an elevation that is at or above the BFE. This construction may have taken place during the time the engineering study was being performed or subsequent to that study. Because of the limited extent of the elevated area and the limitations of the map

FEMA FIRM Revisions

Page 2

scale, it may not have been possible for FEMA to show this area as being outside the SFHA and so these areas have been incorrectly included in the SFHA on the FIRM.

FEMA recognizes that these situations do occur, and has established administrative procedures to change the designation for these properties on the FIRM. These processes are referred to as a Letter of Map Amendment (LOMA) and a Letter of Map Revision Based on Fill (LOMR-F). Through these processes, an individual who owns, rents, or leases property may submit certain mapping and survey information to FEMA and request that FEMA issue a document that officially removes a property and/or structure from the SFHA. In most cases, the applicant will need to hire a Licensed Land Surveyor or Registered Professional Engineer to prepare an Elevation Certificate for the property. Upon receiving a complete application forms package through mail or through the Online LOMA application, FEMA will normally complete its review and issue its determination in 4 to 6 weeks. There is no review and processing fee for the FEMA review of a LOMA request.

To make submitting LOMA requests quicker and easier, FEMA created eLOMA— a web-based application within FEMA's Mapping Information Platform. eLOMA provides licensed land surveyors and professional engineers (Licensed Professionals) a system to submit simple LOMA requests to FEMA. Note that not all LOMA requests qualify to be submitted using the eLOMA tool. At this time, only existing single residential structures or entire legally recorded properties qualify. If all the required supporting data are submitted according to eLOMA criteria, a Licensed Professional could obtain a LOMA determination in a matter of minutes. The eLOMA process is much faster than the standard LOMA process, which historically took up to 60 days.

All of the information noted above and well as the on-line application can be found on the FEMA website at www.fema.gov/letter-map-amendment-letter-map-revision-based-fill-process.

If you have questions regarding the appeal process, please visit FEMA's website at www.fema.gov/plan/prevent/fhm/bfe, or call the FEMA Map Information eXchange (FMIX) toll free at 1-877-336-2627.

I understand that this is a complex letter and there is very limited assistance the Town can provide property owners, please feel free to call me if you have any questions and I will do my best to help in any way.

Sincerely,

Elizabeth Hughes
Town Planner

In SFHA

| | | | |
|-------|-----|-------------|---|
| P 331 | 617 | Old Harvard | |
| P 333 | 647 | " | " |
| ↓ | 662 | " | " |
| ↓ | 674 | " | " |
| ↓ | 46 | Eldridge | |
| P 351 | 290 | Reed Farm | |
| ↓ | 318 | " | " |
| ↓ | 148 | Sargent | |
| ↓ | 80 | Littlefield | |
| P 332 | 42 | Cobleigh | |
| ↓ | 118 | " | " |

Out SFHA

| | | | |
|-------|-----|----------|---------------------------|
| P 332 | 153 | Middle | Johnny + Quamee Paulin |
| P 332 | 127 | Boornell | Timothy + Kalamayna Kumbi |



Federal Emergency Management Agency

Washington, D.C. 20472

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IN REPLY REFER TO:
APPEAL START

JUN 05 2013

May 30, 2013

Boxborough
Planning Department

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

Case No.: 11-01-0888S
Community: Town of Boxborough,
Middlesex County, Massachusetts
Community No.: 250184

Dear Mr. Fox:

On January 10, 2013, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided your community with Preliminary copies of the revised Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Middlesex County, Massachusetts (All Jurisdictions). FEMA has posted digital copies of these revised FIRM and FIS report materials to the following Website: <http://www.starr-team.com/starr/RegionalWorkspaces/RegionI/ConcordWatershed/>. The Preliminary FIRM and FIS report include proposed flood hazard information for certain locations in the Town of Boxborough. The proposed flood hazard information may include addition or modification of Special Flood Hazard Areas, the areas that would be inundated by the base (1-percent-annual-chance) flood; base flood elevations or depths; zone designations; or regulatory floodways.

We have published a notice of the proposed flood hazard determinations in the FEDERAL REGISTER and will publish a public notification concerning the appeal process (explained below) in *The Beacon* on or about June 6, 2013; and June 13, 2013. We will also publish a separate notice of the flood hazard determinations on the "Flood Hazard Determinations on the Web" portion of the FEMA Website (www.fema.gov/plan/prevent/fhm/bfe). We have enclosed copies of the notice published in the FEDERAL REGISTER and the newspaper notice for your information.

These proposed flood hazard determinations, if finalized, will become the basis for the floodplain management measures that your community must adopt or show evidence of having in effect to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). However, before any new or modified flood hazard information is effective for floodplain management purposes, FEMA will provide community officials and citizens an opportunity to appeal the proposed flood hazard information presented on the preliminary revised FIRM and FIS report posted to the above-referenced Website.

Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) is intended to ensure an equitable balancing of all interests involved in the setting of flood hazard determinations. The legislation provides for an explicit process of notification and appeals for your community and for private persons prior to this office making the flood hazard determinations final. The appeal procedure is outlined below

for your information and in the enclosed document titled *Criteria for Appeals of Flood Insurance Rate Maps*.

During the 90-day appeal period following the second publication of the public notification in the above-named newspaper, any owner or lessee of real property in your community who believes his or her property rights will be adversely affected by the proposed flood hazard determinations may appeal to you, or to an agency that you publicly designate. It is important to note, however, that the sole basis for such appeals is the possession of knowledge or information indicating that the proposed flood hazard determinations are scientifically or technically incorrect. The appeal data must be submitted to FEMA during the 90-day appeal period. Only appeals of the proposed flood hazard determinations supported by scientific or technical data can be considered before FEMA makes its final flood hazard determination at the end of the 90-day appeal period. Note that the 90-day appeal period is statutory and cannot be extended. However, FEMA also will consider comments and inquiries regarding data other than the proposed flood hazard determinations (e.g., incorrect street names, typographical errors, omissions) that are submitted during the appeal period, and will incorporate any appropriate changes to the revised FIRM and FIS report before they become effective.

If your community cannot submit scientific or technical data before the end of the 90-day appeal period, you may nevertheless submit data at any time. If warranted, FEMA will revise the FIRM and FIS report after the effective date. This means that the revised FIRM would be issued with the flood hazard information presently indicated, and flood insurance purchase requirements would be enforced accordingly, until such time as a revision could be made.

Any interested party who wishes to appeal should present the data that tend to negate or contradict our findings to you, or to an agency that you publicly delegate, in such form as you may specify. We ask that you review and consolidate any appeal data you may receive and issue a written opinion stating whether the evidence provided is sufficient to justify an official appeal by your community in its own name or on behalf of the interested parties. Whether or not your community decides to appeal, you must send copies of individual appeals and supporting data, if any, to:

Kevin Donnelly
STARR
6110 Frost Place
Laurel, Maryland 20707
Kevin.Donnelly@starr-team.com

If we do not receive an appeal or other formal comment from your community in its own name within 90 days of the second date of public notification, we will consolidate and review on their own merits such appeal data and comments from individuals that you may forward to us, and we will make such modifications to the proposed flood hazard information presented on the revised FIRM and in the revised FIS report as may be appropriate. If your community decides to appeal in its own name, all individuals' appeal data must be consolidated into one appeal by you, because, in this event, we are required to deal only with the local government as representative of all local interests. We will send our final decision in writing to you, and we will send copies to the community floodplain administrator, each individual appellant, and the State NFIP Coordinator.

All appeal submittals will be resolved by consultation with officials of the local government involved, by an administrative hearing, or by submission of the conflicting data to an independent scientific body or appropriate Federal agency for advice. Use of a Scientific Resolution Panel (SRP) is also available to your community in support of the appeal resolution process when conflicting scientific or technical data are submitted during the appeal period. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. An SRP is an option after FEMA and community officials have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Please refer to the enclosed "Scientific Resolution Panels" fact sheet for additional information on this resource available to your community.

FEMA will make the reports and other information used in making the final determination available for public inspection. Until the conflict of data is resolved and the revised FIRM becomes effective, flood insurance available within your community will continue to be available under the effective NFIP map, and no person shall be denied the right to purchase the applicable level of insurance at chargeable rates.

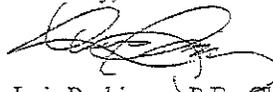
The decision by your community to appeal, or a copy of its decision not to appeal, should be filed with this office no later than 90 days following the second publication of the flood hazard determination notice in the above-named newspaper. Your community may find it appropriate to call further attention to the proposed flood hazard determinations and to the appeal procedure by using a press release or other public notice.

If warranted by substantive changes, during the appeal period we will send you Revised Preliminary copies of the revised FIRM and FIS report. At the end of the 90-day appeal period and following the resolution of any appeals and comments, we will send you a Letter of Final Determination, which will finalize the flood hazard information presented on the revised FIRM and FIS report and will establish an effective date.

If you have any questions regarding participation in the NFIP, we encourage you to contact the Mitigation Division Director, FEMA Region I, in Boston, Massachusetts, either by telephone at (617) 956-7506 or in writing to 99 High Street, Sixth Floor, Boston, Massachusetts 02110.

If you have any questions regarding the proposed flood hazard determinations, revised FIRM panels, or revised FIS report for your community, please call our FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627) or e-mail the FMIX staff at FEMAMapSpecialist@riskmapcds.com.

Sincerely,



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

List of Enclosures:

Newspaper Notice
Proposed Flood Hazard Determinations FEDERAL REGISTER Notice
Criteria for Appeals of Flood Insurance Rate Maps
"Scientific Resolution Panels" Fact Sheet

cc: Community Map Repository
Mary Nadwairski, Conservation Commission, Town of Boxborough
David Mendelsohn, Consultation Coordination Officer, FEMA Region I
Kerry Bogdan, Senior Engineer, FEMA Region I
Richard Zingarelli, NFIP State Coordinator, Massachusetts Department of Conservation and
Recreation
Kevin Donnelly, Project Manager, STARR Region I
Alex Sirotek, Regional Service Center, STARR Region I

DEPARTMENT OF HOMELAND SECURITY

FEDERAL EMERGENCY MANAGEMENT AGENCY

**Proposed Flood Hazard Determinations for Middlesex County and Worcester County,
Massachusetts (All Jurisdictions)**

The Department of Homeland Security's Federal Emergency Management Agency has issued a preliminary Flood Insurance Rate Map (FIRM), and where applicable, Flood Insurance Study (FIS) report, reflecting proposed flood hazard determinations within Middlesex County and Worcester County, Massachusetts (All Jurisdictions). These flood hazard determinations may include the addition or modification of Base Flood Elevations, base flood depths, Special Flood Hazard Area boundaries or zone designations, or the regulatory floodway. Technical information or comments are solicited on the proposed flood hazard determinations shown on the preliminary FIRM and/or FIS report for Middlesex County and Worcester County, Massachusetts (All Jurisdictions). These flood hazard determinations are the basis for the floodplain management measures that your community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program. However, before these determinations are effective for floodplain management purposes, you will be provided an opportunity to appeal the proposed information. For information on the statutory 90-day period provided for appeals, as well as a complete listing of the communities affected and the locations where copies of the FIRM are available for review, please visit FEMA's website at www.fema.gov/plan/prevent/fhm/bfe, or call the FEMA Map Information eXchange (FMIX) toll free at 1-877-FEMA MAP (1-877-336-2627).

listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium

rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of

the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at http://floodsrp.org/pdfs/srp_fact_sheet.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at www.msc.fema.gov for comparison.

| Community | Community Map Repository Address |
|-----------|----------------------------------|
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**Concord River Watershed
Worcester County and Middlesex County, Massachusetts (All Jurisdictions)**

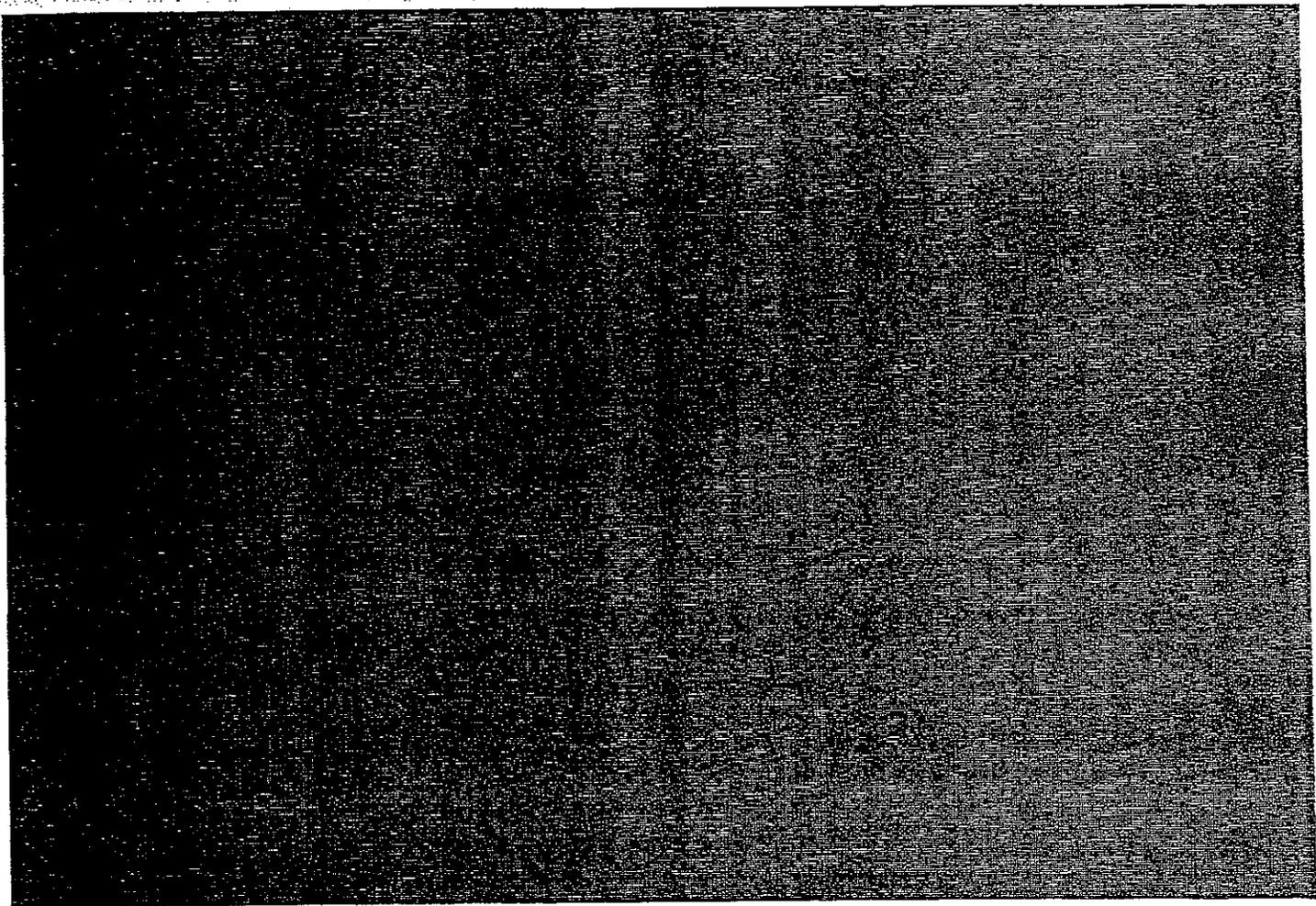
Maps Available for Inspection Online at <http://www.starr-team.com/starr/Regional/Workspaces/Region/ConcordWatershed/>

| | |
|----------------------------|---|
| City of Lowell | City Hall, 375 Merrimack Street, Lowell, MA 01852 |
| City of Marlborough | City Hall, 140 Main Street, Marlborough, MA 01752 |
| Town of Acton | Town Hall, 472 Main Street, Acton, MA 01720. |
| Town of Ashland | Town Hall, 101 Main Street, Ashland, MA 01721. |
| Town of Bedford | Town Hall, 10 Mudge Way, Bedford, MA 01730. |
| Town of Berlin | Municipal Building, 23 Linden Street, Berlin, MA 01503. |
| Town of Billerica | Town Hall, 365 Boston Road, Billerica, MA 01821. |
| Town of Bolton | Town Hall, 663 Main Street, Bolton, MA 01740. |
| Town of Boxborough | Town Hall, 29 Middle Road, Boxborough, MA 01719. |
| Town of Boylston | Town Hall, 221 Main Street, Boylston, MA 01505. |
| Town of Carlisle | Town Hall, 66 Westford Drive, Carlisle, MA 01741. |
| Town of Chelmsford | Town Hall, 50 Billerica Road, Chelmsford, MA 01824. |
| Town of Clinton | Town Hall, 242 Church Street, Clinton, MA 01510. |
| Town of Concord | Planning and Development Building, 141 Keyes Road, Concord, MA 01742. |
| Town of Framingham | Town Hall, 150 Concord Street, Framingham, MA 01702. |
| Town of Harvard | Town Hall, 13 Ayer Road, Harvard, MA 01451. |
| Town of Holliston | Town Hall, 703 Washington Street, Holliston, MA 01746. |
| Town of Hopkinton | Town Hall, 18 Main Street, Hopkinton, MA 01748. |
| Town of Hudson | Town Hall, 78 Main Street, Hudson, MA 01749. |
| Town of Lincoln | Town Office, 15 Lincoln Road, Second Floor, Lincoln, MA 01773. |
| Town of Littleton | Town Office Building, 37 Shattuck Street, Littleton, MA 01460. |
| Town of Maynard | Town Hall, 195 Main Street, Maynard, MA 01754. |
| Town of Natick | Town Hall, 13 East Central Street, Natick, MA 01760. |
| Town of Northborough | Town Offices, 63 Main Street, Northborough, MA 01532. |
| Town of Sherborn | Town Hall, 18 Washington Street, Sherborn, MA 01770. |
| Town of Shrewsbury | Town Hall, 100 Maple Avenue, Shrewsbury, MA 01545. |
| Town of Southborough | Town House, 17 Common Street, Southborough, MA 01772. |
| Town of Stow | Town Hall, 380 Great Road, Stow, MA 01775. |
| Town of Sudbury | Flynn Building, 278 Old Sudbury Road, Sudbury, MA 01776. |
| Town of Tewksbury | Town Hall, 1009 Main Street, Tewksbury, MA 01676. |
| Town of Wayland | Town Hall, 41 Cochituate Road, Wayland, MA 01778. |
| Town of Westborough | Town Hall, 34 West Main Street, Westborough, MA 01581. |
| Town of Westford | Town Hall, 55 Main Street, Westford, MA 01886. |

**Upper Rock Watershed
Dodge County, Wisconsin, and Incorporated Areas**

Maps Available for Inspection Online at <http://www.starr-team.com/starr/Regional/Workspaces/Region/VDodgeRockRiver/WI/>

| | |
|--------------------------|--|
| City of Beaver Dam | City Hall, 205 South Lincoln Avenue, Beaver Dam, WI 53916. |
| City of Columbus | City Hall, 105 North Dickason Boulevard, Columbus, WI 53925. |
| City of Hartford | City Hall, 109 North Main Street, Hartford, WI 53027. |



Criteria for Appeals of Flood Insurance Rate Maps

November 30, 2011



FEMA

This document outlines the criteria for appealing proposed changes in flood hazard information on Flood Insurance Rate Maps (FIRMs) during the appeal period. The Department of Homeland Security's Federal Emergency Management Agency (FEMA) applies rigorous standards in developing and updating flood hazard information and provides communities with an opportunity to review the updated flood hazard information presented on new or revised FIRMs before they become final.

1. Background

The regulatory requirements related to appeals are found in Part 67 of the National Flood Insurance Program (NFIP) regulations. Additional FEMA procedural details are provided in Procedure Memorandum No. 57, *Expanded Appeals Process*, dated November 30, 2011. Detailed information on appeals can also be found in *Appeals, Revisions, and Amendments to National Flood Insurance Program Maps—A Guide for Community Officials* and FEMA's *Document Control Procedures Manual*. All referenced documents are accessible through the "Guidance Documents and Other Published Resources" webpage, located at: http://www.fema.gov/plan/prevent/fhm/firm_docs.shtm.

As outlined in these documents, an appeal period is provided for all new or modified flood hazard information shown on a FIRM, including additions or modifications of any Base (1-percent-annual-chance) Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway. SFHAs are areas subject to inundation by the base (1-percent-annual-chance) flood and include the following SFHA zone designations: A, AO, AH, A1-A30, AE, A99, AR, AR/A1-A30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-V30, VE, and V. Therefore, a statutory 90-day appeal period is required when a flood study, Physical Map Revision (PMR), or Letter of Map Revision (LOMR) is proposed in which:

- New BFEs or base flood depths are proposed or currently effective BFEs or base flood depths are modified;
- New SFHAs are proposed or the boundaries of currently effective SFHAs are modified;
- New SFHA zone designations are proposed or currently effective SFHA zone designations are modified; and
- New regulatory floodways are proposed or the boundaries of currently effective floodways are modified.

Clarification on the necessity for an appeal period is provided for certain specific circumstances outlined below:

- Edge matching of effective floodplain boundaries or information. This usually occurs in first-time countywide flood mapping projects when effective BFEs, base flood depths,

SFHAs, or floodways are extended to an adjacent community that previously had differing or no BFEs, base flood depths, SFHAs, or floodways shown on their effective FIRM in order to fix a map panel to map panel mismatch. In these instances, an **appeal period is required** because BFEs, base flood depths, SFHAs, or floodways are changing or being shown for the first time in the area.

- Redelineation of effective floodplain boundaries. This occurs when an effective SFHA boundary is redrawn on the FIRM using new or updated topography to more accurately represent the risk of flooding. In these instances **an appeal period is required** because the SFHA boundary is changing. However, the appeal period will only apply to the updated SFHA boundary delineations, not the methodology used to originally establish BFEs/flood depths (since this will not have changed).
- Revisions to SFHA zone designations. A revision to an SFHA zone designation may occur with or without a BFE and/or boundary change. For example, when a Zone VE floodplain is changed to a Zone AE designation to reflect the updated location of a Primary Frontal Dune (PFD), the BFE and SFHA boundary may not necessarily change. For any change in SFHA zone designation, including the *removal* of an SFHA designation from a FIRM, **an appeal period is required.**
- Regulatory floodway boundaries. When the effective floodway boundary is redrawn on the FIRM to more accurately represent the extent of the encroachment, **an appeal period is required.**
- MT-1 cases. When the SFHA or floodway boundary is amended due to the issuance of a Letter of Map Amendment (LOMA), Letter of Map Revision based on Fill (LOMR-F), Letter of Map Revision – Floodway, or other MT-1 case, **an appeal period is not required.**
- Annexation of effective floodplain boundaries. When a new or revised FIRM shows new community boundaries which include effective BFEs, base flood depths, SFHAs, or floodways, **an appeal period is not required**, provided no BFE, base flood depth, SFHA, or floodway changes apply.

However, in cases where the flood hazard information in the annexed area has never received due process (for example, if the area is shown for information only on all FIRMs depicting the area), **an appeal period is required.**

- Reissuance of effective LOMRs: When a LOMR is reissued after not being incorporated into a revised FIRM, **an appeal period is not required.**

- Updates that do not impact flood hazard data: When flood studies, PMRs, or LOMRs result in changes to FIRMs that do not impact BFEs, base flood depths, SFHAs, or floodways, an appeal period is not required.
- Datum Conversions: An appeal period is not required specifically for a datum conversion (e.g., a conversion from NGVD 29 to NAVD 88).

1.1. Additional Procedures for LOMRs

Beginning with LOMRs issued on or after December 1, 2011, the following procedures will apply:

In order to provide sufficient due process rights for changes due to LOMRs, any LOMR in a compliant community that requires an appeal period will become effective 120 days from the second newspaper publication date, following FEMA's current policy. This allows time to collect appeals, as well as provides for newspaper publication schedule conflicts. LOMRs in non-compliant communities or in communities that require adoption of the LOMR will become effective following the six month compliance period.

Evidence of public notice or property owner notification of the changes due to a LOMR will continue to be requested during the review of the LOMR request. This will help to ensure that the affected population is aware of the flood hazard changes in the area and the resultant LOMR. However, evidence of property owner acceptance of the changes due to a LOMR will no longer be requested. Because all LOMRs that require an appeal period will become effective 120 days from the second newspaper publication date, the receipt of such acceptance will have no effect on the effective date of the LOMR; therefore, there is no need for the requester to pursue acceptance.

2. Appeal Eligibility Requirements

Areas that are eligible for appeal include:

- Areas showing new or revised BFEs or base flood depths
- Areas showing new or revised SFHA boundaries (including both increases and decreases in the extent of the SFHA)
- Areas where there is a change in SFHA zone designation
- Areas showing new or revised regulatory floodway boundaries (including both increases and decreases in the extent of the regulatory floodway).

The area of concern must be within the scope of the new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, and/or regulatory floodway boundary changes and

be supported by scientific and/or technical data. The criteria for data submittals are outlined in Title 44, Chapter 1, Code of Federal Regulations, Section 67.6(b) and in this document.

The statutory 90-day appeal period cannot be extended. FEMA may provide an additional 30 days for a community after the 90-day appeal period has ended to submit supporting and clarifying data for an appeal received during the appeal period. No appeals will be accepted after the 90-day appeal period.

Challenges that do not relate to new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways are not considered appeals. Challenges received by FEMA during the appeal period that do not address these items will be considered comments. Comments include, but are not limited to the following:

- The impacts of changes that have occurred in the floodplain that should have previously been submitted to FEMA in accordance with 44 Code of Federal Regulations, Section 65.3;
- Corporate limit revisions;
- Road name errors and revisions;
- Requests that changes effected by a LOMA, LOMR-F, or LOMR be incorporated;
- Base map errors; and
- Other possible omissions or potential improvements to the mapping.

Any significant problems identified by community officials or residents (at formal meetings or otherwise) will be addressed appropriately.

3. Supporting Data and Documentation Required for Appeals

The BFEs and base flood depths presented in Flood Insurance Study (FIS) reports and shown on FIRMs are typically the result of coastal, hydrologic and hydraulic engineering methodologies. Floodway configurations, generally developed as part of the hydraulic analyses, are adopted by communities as a regulatory tool for floodplain management and are delineated on FIRMs along with SFHAs.

Because numerous methodologies have been developed for estimating flood discharges and flood elevations/depths, and other flood hazard information under a variety of conditions, FEMA contractors, mapping partners, and others whose data and documentation FEMA approves and uses, such as communities, regional entities and State agencies participating in the Cooperating Technical Partners (CTP) Program, use their professional judgment in selecting methodologies that are appropriate for the conditions along a particular segment of a particular flooding source.

For FEMA contracted flood studies and PMRs the approach to be used will usually be discussed with community officials at the beginning of the flood study or PMR mapping process.

Because the methodologies are the result of attempts to reduce complex physical processes to mathematical models, the methodologies include simplifying assumptions. Usually, the methodologies are used with data developed specifically for the flood study, PMR, or LOMR. Therefore, the results of the methodologies are affected by the amount of data collected and the precision of any measurements made.

Because of the judgments and assumptions that must be made and the limits imposed by cost considerations, the correctness of the BFEs, base flood depths and other flood hazard information is often a matter of degree, rather than absolute. For that reason, appellants who contend that the BFEs, base flood depths, or other flood hazard information is incorrect because better methodologies could have been used, better assumptions could have been made, or better data could have been used, must provide alternative analyses that incorporate such methodologies, assumptions, or data and that quantify their effect on the BFEs, base flood depths or other flood hazard information. FEMA will review the alternative analyses and determine whether they are superior to those used for the flood study, PMR, or LOMR and whether changes to the FIS report and/or FIRM, or LOMR are warranted as a result.

Unless appeals are based on indisputable mathematical or measurement errors or the effects of natural physical changes that have occurred in the floodplain, they must be accompanied by all data that FEMA needs to revise the preliminary version of the FIS report and FIRMs. Therefore, appellants should be prepared to perform coastal, hydrologic and hydraulic analyses, to plot new and/or revised Flood Profiles, and to delineate revised SFHA zone and regulatory floodway boundaries as necessary.

An appeal must be based on data that show the new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways to be scientifically or technically incorrect. All analyses and data submitted by appellants must be certified by a Registered Professional Engineer or Licensed Land Surveyor, as appropriate. The data and documentation that must be submitted in support of the various types of appeals are discussed in the subsections that follow.

3.1. Appealing BFEs, Base Flood Depths, SFHA Zone Designations, or Regulatory Floodways

Scientifically incorrect BFEs, base flood depths, SFHA zone designations, or regulatory floodways:

Proposed BFEs, base flood depths, SFHA zone designations, or regulatory floodways are said to be scientifically incorrect if the methodology used in the determination of the BFEs,

base flood depths, SFHA zone designations, or regulatory floodways is inappropriate or incorrect, or if the assumptions made as part of the methodology are inappropriate or incorrect. An appeal that is based on the proposed BFEs, base flood depths, SFHA zone designations, or regulatory floodways being scientifically incorrect would, therefore, contend that the use of a different methodology or different assumptions would produce more accurate results. A list of National Flood Insurance Program-accepted hydrologic, hydraulic and coastal models is available on FEMA's website at http://www.fema.gov/plan/prevent/fim/en_mod1.shtm. To show that an inappropriate or incorrect coastal, hydraulic or hydrologic methodology has been used, an appellant must submit the following data, as applicable:

- New hydrologic analysis based on alternative methodology and if applicable, updated hydraulic/floodway or coastal analyses based on the updated discharge values;
- New hydraulic/floodway analysis based on alternative methodology and original flood discharge values (if the appeal does not involve the hydrologic analysis);
- New coastal analyses based on alternative methodology and original stillwater elevations (if the appeal does not involve the hydrologic analysis);
- Explanation for superiority of alternative methodology;
- As applicable, revised Summary of Discharges Table, Flood Profiles, Transect Data Table, Summary of Stillwater Elevations Table, and Floodway Data Table (FDT); and
- Revised SFHA zone boundaries and, if applicable, regulatory floodway boundary delineations.

Technically Incorrect BFEs, Base Flood Depths, SFHA Zone Designations, or Regulatory Floodways:

The proposed BFEs, base flood depths, SFHA zone designation or regulatory floodways are said to be technically incorrect if at least one of the following is true.

- **The methodology was not applied correctly.**
 - To show that a hydrologic methodology was not applied correctly, an appellant must submit the following:
 - New hydrologic analysis in which the original methodology has been applied differently;
 - Explanation for superiority of new application;
 - New hydraulic/floodway or coastal analysis based on flood discharge values from new hydrologic analysis;

- Revised Summary of Discharges Table and/or Flood Profiles and, if applicable, FDT; and
 - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
- To show that a hydraulic methodology was not applied correctly, an appellant must submit the following information. *(Please note that an appeal to a floodway configuration cannot be solely based on surcharge values.)*
 - New hydraulic/floodway analysis, based on original flood discharge values, in which the original methodology has been applied differently;
 - As applicable, revised Flood Profiles, FDT and other FIS report tables as needed; and
 - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
- To show that a coastal methodology was not applied correctly, an appellant must submit the following:
 - New coastal analysis, based on the original stillwater elevations, in which the original methodology has been applied differently;
 - Revised SFHA zone boundary and, all applicable FIS report tables, including the Transect Data Table.
- **The methodology was based on insufficient or poor-quality data.**
 - To show that insufficient or poor-quality hydrologic data were used, an appellant must submit the following:
 - Data believed to be better than those used in original hydrologic analysis;
 - Documentation for source of data;
 - Explanation for improvement resulting from use of new data;
 - New hydrologic analysis based on better data;
 - New hydraulic/floodway or coastal analysis based on flood discharge values resulting from new hydrologic analysis;
 - Revised Summary of Discharges Table, Flood Profiles and, if applicable, FDT; and
 - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
 - To show that insufficient or poor-quality hydraulic data were used, an appellant must submit the following:

- Data believed to be better than those used in original hydraulic analysis;
 - Documentation for source of new data;
 - Explanation for improvement resulting from use of new data;
 - New hydraulic analysis based on better data and original flood discharge values;
 - Revised Flood Profiles and, if applicable, FDT; and
 - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
- To show that insufficient or poor-quality coastal analysis data were used, an appellant must submit the following:
 - Data believed to be better than those used in original coastal analysis;
 - Documentation for source of new data;
 - Explanation for improvement resulting from use of new data;
 - New coastal analysis based on better data and original stillwater elevation values; and
 - Revised SFHA zone boundary and, all applicable FIS report tables, including the Transect Data Table.
- **The application of the methodology included indisputable mathematical or measurement errors.**
 - To show that a mathematical error was made, an appellant must identify the error. FEMA will perform any required calculations and make the necessary changes to the FIS report and FIRM.
 - To show that a measurement error (e.g., an incorrect surveyed elevation used in the flood study, PMR, or LOMR) was made, appellants must identify the error and provide the correct measurement. Any new survey data provided must be certified by a Registered Professional Engineer or Licensed Land Surveyor. FEMA will perform any required calculations and make the necessary changes to the FIS report and FIRM.
- **The methodology did not account for the effects of natural physical changes that have occurred in the floodplain.**
 - For appeals based on the effects of natural physical changes that have occurred in the base floodplain, appellants must identify the changes that have occurred and provide the data FEMA needs to perform a revised analysis. The data may include new stream channel and floodplain cross sections or coastal transects.

3.2. Appeals to SFHA Boundaries

The supporting data required for changes to SFHA zone boundaries will vary, depending on whether the boundaries are for flooding sources studied by detailed methods or flooding sources studied by approximate methods, as discussed below.

Flooding sources studied by detailed methods

Usually, detailed SFHA zone boundaries are delineated using topographic data and the BFEs and base flood depths resulting from the hydraulic analysis performed for the flood study, PMR, or LOMR. If topographic data are more detailed than those used by FEMA or show more recent topographic conditions, appellants should submit that data and the revised SFHA zone boundaries for FEMA to incorporate into the affected map panels. All maps and other supporting data submitted must be certified by a Registered Professional Engineer or a Licensed Land Surveyor and must reflect existing conditions. Maps or data prepared by an authoritative source, such as the U.S. Army Corps of Engineers, U.S. Geological Survey, U.S. Bureau of Reclamation, or a State department of highways and transportation, are acceptable without certification as long as the sources and dates of the maps are identified. For further information on submittals involving topographic data, please refer to the section below *Additional Guidance on Appeal Submittals Involving Topographic Data*.

Flooding Sources Studied by Approximate Methods

Usually, where BFEs or base flood depths are not available, flood zone boundaries are delineated with the best available data, including flood maps published by other Federal agencies, information on past floods, and simplified hydrologic and hydraulic analyses. If more detailed data or analyses are submitted, FEMA will use them to update the flood hazard information shown on the affected map panels. Such data and analyses may include the following:

- Published flood maps that are more recent or more detailed than those used by FEMA;
- Analyses that are more detailed than those performed by FEMA or that are based on more detailed data than those used by FEMA;
- Topographic data and resulting updated SFHA boundaries.

For further information on submittals involving topographic data, please refer to the section below *Additional Guidance on Appeal Submittals Involving Topographic Data*.

Please note that, when applicable, appeals related to the *methodology* used to develop an approximate flood zone boundary must follow the guidelines established for appeals to BFEs, base flood depths, SFHA zone designations, or regulatory floodways under Section 3.1 above. However, since flood profiles, FDTs, Summary of Discharges Tables, Transect

Data Tables, and Summary of Stillwater Elevations Tables are not developed in support of approximate floodplain boundaries, these data will not need to be submitted for appeals to flooding sources studied by approximate methods.

All submitted data and analyses must be certified by a Registered Professional Engineer or a Licensed Land Surveyor. Maps prepared by an authoritative source, such as the U.S. Army Corps of Engineers, U.S. Geological Survey, U.S. Bureau of Reclamation, or a State department of highways and transportation, are acceptable without certification as long as the sources and dates of the maps are identified.

Additional Guidance on Appeal Submittals Involving Topographic Data

For appeal submittals that involve topographic data, the following additional guidelines must be followed:

- The data must be more detailed/accurate, and/or reflect more recent topographic conditions, and be in a digital Geographic Information System (GIS) format preferably;
- The appeal submittal must clearly state which flooding sources are being appealed based on the updated topographic data;
- Updated SFHA boundary delineations that reflect the submitted topographic data for each appealed flooding source must also be provided, preferably in digital GIS format;
- All topographic data submitted must adhere to FEMA's current data capture standards for such data;
- If necessary, a data sharing agreement must be provided.

4. Appeal Period Procedures

Appeals and comments must be resolved by following the procedures below:

- Acknowledgement by FEMA of the receipt of an appeal in writing, ensuring that acknowledged appeals include ALL of the criteria discussed above.
- Acknowledge the receipt of comments. This can be done either in writing, by FEMA, or through a documented phone conversation between the mapping partner and the community that submitted the comments. At a minimum FEMA must notify the community in writing that it did not receive any appeals. This can be done by separate correspondence or by the inclusion of language in the Letter of Final Determination (LFD).

- FEMA or the mapping partner will evaluate any scientific or technical data submitted for compliance with existing mapping statutes, regulations, or Guidelines and Standards.
- FEMA or the mapping partner will request any additional scientific or technical data required to properly review the appeal or comment.
- FEMA or the mapping partner will make a recommendation to FEMA on the resolution of the appeal or comment.
- FEMA or the mapping partner will prepare a draft appeal resolution letter (if all the criteria for an appeal are met).
- The assigned mapping partner shall dispatch the signed FEMA appeal resolution letter and if warranted, Revised Preliminary copies of the FIRM and FIS report to the community CEO and floodplain administrator and all appellants. All correspondence must be prepared and issued on FEMA Headquarters or FEMA Regional letterhead.
- FEMA provides a comment period of 30 days following the date the appeal or comment resolution letter is issued. Any comments received during the 30 day comment period must be addressed and resolved before proceeding with the LFD. Extensions to this 30 day period can only be granted with FEMA Headquarters approval.

5. General Technical Guidance

Detailed guidance on the supporting documentation that must be submitted in support of an appeal can be found in *Appeals, Revisions, and Amendments to National Flood Insurance Program Maps—A Guide for Community Officials*.

Unless appeals are based on the use of alternative models or methodologies, the hydrologic and hydraulic analyses that appellants submit must be performed with the models used for the flood study, PMR, or LOMR. Generally, when appellants are required to submit hydrologic or hydraulic analyses, those analyses must be performed for the same recurrence interval floods as those performed for the flood study, PMR, or LOMR. The vertical datum used in any data submitted must match the datum used in the preliminary FIS report and FIRM. Further, SFHA boundaries are to be shown on a topographic map (preferably, in digital form) whose scale and contour interval are sufficient to provide reasonable accuracy.

New flooding information cannot be added to a FIRM in such a way as to create mismatches with the flooding information shown for unrevised areas. Therefore, in performing new analyses and developing revised flooding information, appellants must tie the new BFEs, base flood

depths, SFHA boundaries, SFHA zone designations, and/or regulatory floodway boundaries into those shown on the maps for areas not affected by the appeal.

All analyses and data submitted by appellants, including those that show mathematical or measurement errors must be certified by a Registered Professional Engineer or Licensed Land Surveyor, as appropriate.

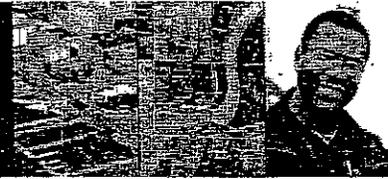
6. Scientific Resolution Panel (SRP)

FEMA's Scientific Resolution Panel (SRP) process reinforces FEMA's commitment to work with communities to ensure the flood hazard data depicted on FIRMs is built collaboratively using the best science available.

When changes to the FIRMs are met with conflicting technical and scientific data, an independent third party review of the information may be needed to ensure the FIRMs are updated correctly. The SRP serves as the independent third party. To be eligible for an SRP, an appeal must include supporting information or data to substantiate that the BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways proposed by FEMA are scientifically or technically incorrect. An SRP request is an option only after FEMA and a local community have been engaged in a collaborative consultation process for at least 60 days without a mutually-acceptable resolution of an appeal.



FEMA



Scientific Resolution Panels

FEMA's Scientific Resolution Panel (SRP) process reinforces FEMA's commitment to work with communities to ensure the flood hazard data depicted on Flood Insurance Rate Maps (FIRMs) is built collaboratively using the best science available. Flood hazards are constantly changing, and as such, FEMA regularly updates FIRMs through several methods to reflect those changes. When changes to the FIRMs are met with conflicting technical and scientific data, an independent third party review of the information may be needed to ensure the FIRMs are updated correctly. The Scientific Resolution Panel serves as the independent third party.

Who can request an SRP?

A community, Tribe or political entity that has the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction can request FEMA use the SRP when conflicting data are presented. Chief Executive Officers or authorized community representatives must make or endorse the SRP request if they did not develop or propose the conflicting technical data.

When can communities request an SRP?

A community can request an SRP if it has:

- Not received a Letter of Final Determination (LFD);
- Submitted an appeal during the 90-day appeal period with scientific or technical data resulting in different flood hazards than those proposed by FEMA;
- Allowed at least 60 days of community consultation with FEMA (but no more than 120 days).

Additionally, a community that has received a FEMA-issued appeal resolution letter and has not exercised the SRP process will have 30 days from the issuance of the letter to request an SRP.

Independent Panel Sponsor

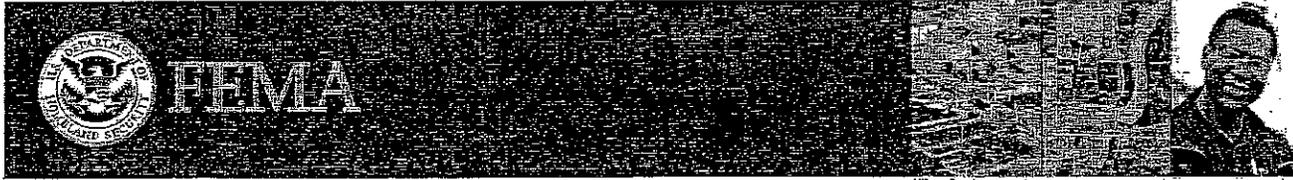
The SRP process is managed by the National Institute of Building Sciences (NIBS), a non-profit organization independent from FEMA. NIBS will act as the Panel Sponsor, coordinating the SRPs, ensuring that proper regulations and procedures are employed and maintaining a cadre of experts from which Panel members are selected.

Panel Member Selection

For each appeal, an SRP (or Panel) of three or five members will be convened. Panel members are technical experts in surface water hydrology, hydraulics, coastal engineering, and other engineering and scientific fields that relate to the creation of Flood Hazard Maps and Flood Insurance Studies throughout the United States.

Based on the technical specifications of the appeal, NIBS will develop a list of potential panel members with relevant expertise from its cadre of experts. NIBS will ensure that there is no conflict of interest amongst the panel members. NIBS will confirm that members do not reside in the state from which the appeal is taken and have no personal or professional interest in its findings of the appeal.

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NIBS will provide the list of eligible panel members to the community and FEMA. The community selects the majority (in the case of a five-member Panel, the community selects three), and FEMA selects the minority (in the case of a five-member Panel, FEMA selects two).

The Process

To request an SRP, the Chief Executive Officer of a community or authorized representative completes an SRP Request Form and submits it to FEMA during the time periods outlined above.

Once FEMA confirms the appeal is eligible for an SRP, FEMA will forward the SRP Request form to NIBS to initiate the Panel selection process and develop a list of potential members.

Once the Panel is convened, Panel members will be provided with a summary of the issue, FEMA's data, and the data the community submitted during the 90-day appeal period. Panel members will review the data and, on a point-by-point basis, deliberate and make a decision based on the scientific and technical challenges of the appeal.

If the community feels it is necessary to make an oral presentation in support of its appeal, it must include a justification on the SRP Request Form.

Resolution

The Panel will render a written recommendation to FEMA, based on the scientific and technical data submitted by the community and FEMA. The recommendation may either deny the community's data or incorporate it in part or in whole into the FIRM. For an appeal to be incorporated, the community's data must satisfy the NFIP standards for flood hazard mapping.

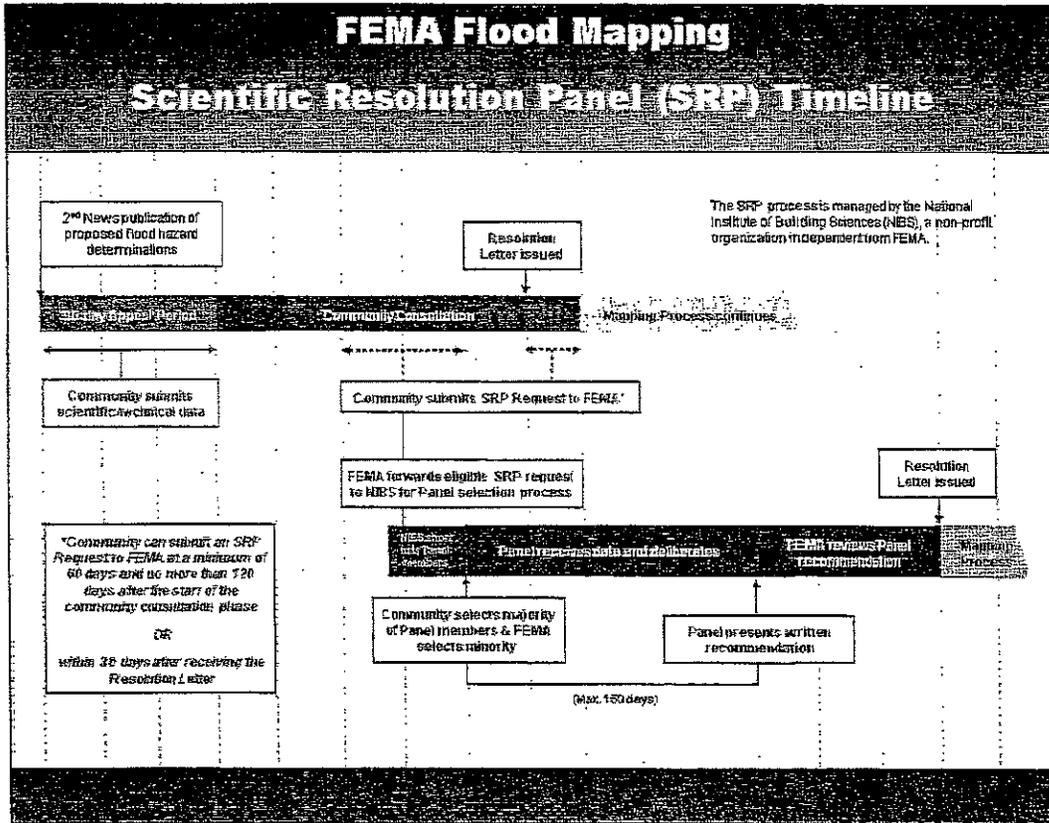
The Panel will present a written report with its decision and rationale to FEMA and the community no later than 150 days after being convened. The SRP's decision will become the recommendation provided to the FEMA Administrator. Once a final determination has been made, FEMA will issue a resolution letter. If changes to the maps are made, FEMA will incorporate the changes into revised preliminary FIRM panels and Flood Insurance Study. These changes will be made available to the community with a resolution letter for review prior to the issuance of an LFD.

Once a determination is made and a resolution letter is issued, the community will not be able to re-submit an appeal of the proposed flood hazard information nor request an SRP again. If the community is not satisfied with the recommendation of the Panel or the determination of the FEMA Administrator, it may appeal to the appropriate United States District Court, as outlined in Section 67.12 of the National Flood Insurance Program (NFIP) regulations.

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For Additional Information

For more information on appeals, see the FEMA document: *Appeals, Revisions, and Amendments to National Flood Insurance Program Maps: A Guide for Community Officials*.

Part 67 of the NFIP regulations, which pertains to appeals, is available on the "Forms and Publications" section of FEMA's Flood Hazard Mapping website at www.fema.gov/fhm.

Other Important Links www.floodSRP.org www.fema.gov/plan/prevent/fhm/st_hot.shtm#2

Status of Map Change Requests: http://www.fema.gov/plan/prevent/fhm/st_main.shtm

Risk MAP: www.fema.gov/plan/prevent/fhm/rm_main.shtm

Flood Hazard Mapping Annex: www.floodmaps.fema.gov

Flood Insurance: www.floodsmart.gov

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BOARD OF SELECTMEN
Meeting Minutes
June 10, 2013

Approved: _____

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

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

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

Chair Fox called the meeting to order at 7:02 P.M. in the Grange Meeting Room of Town Hall.

ANNOUNCEMENTS

- Chair Fox read the announcements.

REORGANIZATION OF THE BOARD

- It was determined that the officer appointments being voted in this evening would go into affect tomorrow, June 11th. Chair Fox called for nominations for Chair. Member Suleiman nominated Vince Amoroso. Seconded by Member Stemple. Hearing no others, Chair Fox closed the nominations. **Approved 5 - 0.**
- Chair Fox called for nominations for Clerk. Member Amoroso nominated Bob Stemple. Seconded by Member Suleiman. Hearing no others, Chair Fox closed the nominations. **Approved 5 - 0.**

The Selectmen took Agenda Items #5 a & b, out of order.

APPOINTMENTS

- Ruth T. Anderson was present to be appointed as the new Town Assessor. Anderson related her background and her time with the Assessor's office in Grafton. The Selectmen welcomed her to the Town. Further to the recommendation of the Assessor Search Committee, Chair Fox moved to appoint Ruth T. Anderson to the position of Town Assessor for a term effective June 10, 2013 through June 30, 2014. Seconded by Member Stemple. **Approved 5-0.**
- Charles Weeks was present to be appointed Inspector of Wires. This appointment is necessary due to the passing of Tom Argento. Weeks was Acting Inspector of Wires during Argento's illness. Weeks noted that his first job was apprenticing under Tom Argento and Argento was the one that had recommended him for Assistant Inspector of Wires back in 1994. Further to the recommendation of the Inspector of Buildings, Chair Fox moved to appoint Charles Weeks to the position of Inspector of Wires for a term effective June 10, 2013 through June 30, 2014. Seconded by Member Stemple. **Approved 5-0.**

PUBLIC HEARING

- At 7:15 PM Chair Fox opened a public hearing to consider the application of Nashoba Valley Nursery, Inc., d.b.a. Hayward Farms Ice Cream Parlor, for a Common Victualler's license for the premises located at 36 Massachusetts Avenue, Boxborough. He reviewed the public hearing process and procedures. A list of those present is attached and incorporated by reference. Lisa Cote' was present, representing the applicant. Cote' explained the renovations to the building and reconfiguration. They intend to offer 27-33 flavors of ice cream; and to operate 7 days a week 12 noon to 10:00 PM during the busy season; closing in October. 14 high-school/college aged local kids have, tentatively, been hired. Their goal is to open the Ice Cream Parlor before the end of the month. TA Shaw spoke to the outstanding licensing and permitting issues. There was also discussion on the proposed restaurant planned for the other side of the building. Cote' explained this would be operated under separate management and they are looking to open sometime in July. 7:23 PM Chair Fox closed the hearing. Member Amoroso moved to approve the application of Nashoba Valley Nursery, Inc., d.b.a. Hayward Farms Ice Cream Parlor, for a Common Victualler's license. The issuance of this license will be held in abeyance, until such time as the Building Inspector has issued the Certificate of Occupancy for the referenced premises. Seconded by Member Stemple. **Approved 5-0.**

APPOINTMENTS

- The Selectmen took up the appointment/re-appointment of the members to various town boards:
 - ◇ Zoning Board of Appeals member, Lonnie Weil, was present to discuss ZBA activities; and his re-appointment. Chair Fox moved to re-appoint Lonnie Weil to the Zoning Board of Appeals for a term of three years, from July 1, 2013 to June 30, 2016, or until a successor is appointed by this Board. Seconded by Member Stemple. **Approved 5-0.**
 - ◇ Al Murphy, Ron Vogel, and Diane Friedman were present for Ron Vogel's re-appointment to the Affordable Housing Trust and Housing Board and Diane Friedman's re-appointment to the Housing Board. They also updated the Selectmen on the activities of the Housing Board, Boxborough Affordable Housing Trust; and the Stow Road Concept Development Committee. Chair Fox moved to re-appoint Ron Vogel to the Boxborough Affordable Housing Trust of a term of two years, from July 1, 2013 to June 30, 2015, or until a successor is appointed by this Board. Seconded by Member Amoroso. **Approved 5-0.** Chair Fox moved to re-appoint Ron Vogel to the Boxborough Housing Board for a term of three years, from July 1, 2013 to June 30, 2016, or until a successor is appointed by this Board. Seconded by Member Amoroso. **Approved 5-0.** Chair Fox moved to re-appoint Diane Friedman to the Boxborough Housing Board for a term of three years, from July 1, 2013 to June 30, 2016, or until a successor is appointed by this Board. Seconded by Member Amoroso. **Approved 5-0.**
 - ◇ Council on Aging Chair, Barbara Wheeler and CoA candidate, Helen C. Berry, were present to update the Selectmen on CoA activities; to discuss Wheeler's re-appointment and Berry's appointment. Chair Fox moved to appoint Helen C. Berry to the Council on Aging for a term of three years, from July 1, 2013 to June 30, 2016, or until a successor is appointed by this Board. Seconded by Member Amoroso. **Approved 5-0.** Chair Fox moved to re-appoint Barbara Wheeler to the Council on Aging for a term of three years, from July 1, 2013 to June 30, 2016, or until a successor is appointed by this Board. Seconded by Member Amoroso. **Approved 5-0.**
 - ◇ Conservation Commission member, Hoff Stuart, was present to discuss ConsCom activities; and his re-appointment. Chair Fox moved to re-appoint Hoff Stuart to the Conservation Commission for a term of three years, from July 1, 2013 to June 30, 2016, or until a successor is appointed by this Board. Seconded by Member Amoroso. **Approved 5-0.**
 - ◇ Energy Committee Chair, Francie Nolde and member Margo Webber, were present to update the Selectmen on EnCom activities; and to be re-appointed. Nolde has been re-appointed as EnCom Chair. Nolde thanked Member Suleiman for his advice and support. Chair Fox moved to re-appoint Frances Nolde to the Energy Committee for a term of three years, from July 1, 2013 to June 30, 2016, or until a successor is appointed by this Board. Seconded by Member Amoroso. **Approved 5-0.** Chair Fox moved to re-appoint Margaret Webber to the Energy Committee for a term of three years, from July 1, 2013 to June 30, 2016, or until a successor is appointed by this Board. Seconded by Member Amoroso. **Approved 5-0.**
 - ◇ Conservation Commission member, Norm Hanover, thanked Member Amoroso service as the ConsCom's BoS Liaison; discussed ConsCom activities; and his re-appointment. Chair Fox moved to re-appoint Norman Hanover to the Conservation Commission for a term of three years, from July 1, 2013 to June 30, 2016, or until a successor is appointed by this Board. Seconded by Member Amoroso. **Approved 5-0.**
 - ◇ Chair Fox moved to re-appoint himself, Les Fox, to the Boxborough Affordable Housing Trust of a term of two years, from July 1, 2013 to June 30, 2015, or until a successor is appointed by this Board. Seconded by Member Amoroso. **Approved 5-0.** Town Clerk Markiewicz swore in those present.

Though they were not present, both Matt Rosner and Becky Neville have stated that they wished to be re-appointed to their respective boards:

- ◇ Chair Fox moved to re-appoint Matthew Rosner to the Recreation Commission for a term of three years, from July 1, 2013 to June 30, 2016, or until a successor is appointed by this Board. Seconded by Member Stemple. **Approved 5-0.**
 - ◇ Chair Fox moved to re-appoint Rebecca Neville to the Personnel Board for a term of three years, from July 1, 2013 to June 30, 2016, or until a successor is appointed by this Board. Seconded by Member Stemple. **Approved 5-0.**
- Phyllis Tower, Animal Control Officer – Dogs and Cats was present to provide her report concerning the dog complaint filed by Norm Hanover. Hanover was present for this discussion. She has discussed this incident with the dog owner (Crowley) and Hanover and has determined that the dog was not being restrained when the incident occurred. Crowley as agreed that the dog will be kept in a fenced in area out back and will be securely tied when out in other sections of the Crowley's yard, and the dog will only be out when Crowley is in the yard. She has explained to Crowley the tiers of enforcement actions and consequences if he fails to comply. ACO-DC Tower stated that this was the dog's first offense; this is a reasonable resolution; no further enforcement action is necessary and recommended that no dog hearing be convened, at this time. The Selectmen determined that it should also be required that the dog be leashed when off of the Crowley's property. The Selectmen thanked ACO-DC Tower for, once again, obtaining a reasonable resolution in these matters; confirming that, as stated in the Dog Control Bylaw, she has the authority to take enforcement actions, including the imposing of fines. It was determined that a public hearing will not be needed. Chair Fox moved to accept Animal Control Officer – Dogs and Cats' report and to confirm that the Animal

Control Officer – Dogs and Cats is authorized to impose fine(s) if further infractions occur. Seconded by Member Gorman. **Approved 5-0.** Hanover stated that he was pleased with the outcome.

- At 8:07 PM Chair Fox opened the Citizens' Concerns portion of the agenda. TA Shaw confirmed that Philip Kicelemos had been advised that he would be able to present his concerns on health insurance this evening at 8:00 PM; however, he was not present. Member Amoroso noted that no materials have been provided by Kicelemos and it is a more efficient use of the Selectmen's time if they have the ability to have a "read ahead" prior to any discussion at a meeting. Chair Fox closed this portion of the agenda.

MINUTES

- Chair Fox moved to accept the minutes for the regular session of June 3, 2013, as written. Seconded by Member Gorman. **Approved 5-0.**

SELECTMEN REPORTS

- Chair Fox reported that MAGIC held an Agricultural Forum on May 21st. Also, MAPC's Agricultural Planning project has really taken off. He is pleased with the collaboration and networking he is seeing. A major report on Agricultural interests in this region is due out soon.
- He also reported that the Stow Rd. Concept Development Comm. received seven proposals and they will be conducting interviews of four of those submitters on June 19th. The finalists will then be vetted by TA Shaw. The SRCDC will, again, have a booth at Fifer's Day.
- Member Suleiman reported that the Energy Comm. is working on arranging meetings over the next few months to address energy and recycling concerns as the school district begins the transition process. They are also looking to purchase recycling bins for some of the town facilities.
- Member Amoroso reported that regionalization had passed on June 3rd.

OLD BUSINESS

- It was noted that the Selectmen will be responsible for next four Boxborough Leadership Forums.

NEW BUSINESS

- The Selectmen took up two Reserve Fund Transfer (RFT) Requests:
 - ◊ Member Gorman moved to forward to the Finance Committee for approval the request to transfer \$6.00 from the Reserve Fund to account #001-751-5915-5925, Acton-Boxborough Regional H.S. Debt Service. Seconded by Member Stemple. **Approved 5-0.**
 - ◊ Member Stemple moved to forward to the Finance Committee for approval the request to transfer \$88.00 from the Reserve Fund to account #001-751-5915-5918, Acton-Boxborough Regional Jr. H.S. Debt Service. **Seconded by Member Gorman. Approved 5-0.**

The deadline for FY 13 Reserve Fund Transfer requests is July 16th. Chief Ryder intends on submitting a RFT and presenting it to the Selectmen on June 24th.

APPOINTMENTS (Continued)

- Matt Rosen appeared and though he was advised that the Selectmen had already approved his re-appointment to the Recreation Commission he took the opportunity to provide a "year in review" for newly re-formed Recreation Commission; current RecCom activities; goals for the coming year and potential projects. There was also discussion on the possible replacement of the water fountain at Flerra that was vandalized over the winter. Rosen will work with DPW to try to find a solution.
- Philip Kicelemos appeared at 8:35 PM. The Selectmen re-opened Citizens' Concerns. Kicelemos advised that he wanted to discuss the Town's employee health insurance costs. He reviewed his background in the life insurance and investment industry. He related the facts that he has gathered, noting that "...this town is overpaying for health insurance," referring to his discussions with several individuals including "Maureen," TA Shaw and a "Gentleman from Concord." He went on to relate his perspective as to why health care costs are so high in the U.S. At this point, Kicelemos was asked to state his proposal or the

proposed action that he wished the Selectmen to take. Kicelemos stated that the "Gentleman from Concord" should be brought in to explain what [the Town's insurance group] pays out i.e. administrative fees, loss ratios and long term claims. The Selectmen acknowledged that health costs are a concern. Background on the status of the Town's current health insurance coverage and the studies & analyses done in recent years were further discussed by the Selectmen. Kicelemos then proposed that the Selectmen form a committee to review and study these costs, with him as a member. TA Shaw gave an overview as to how the Minuteman Nashoba Health consortium works, but deferred; noting that Town Treasurer Dennehy has firmer grasp of this group's workings and our health care costs, in general. The Selectmen also discussed how school regionalization may affect the Blanchard staff's participation in this program. Kicelemos further suggested that the Town put employee health insurance coverage out to bid annually. Discussion concluded. The Selectmen thanked Kicelemos for this input and reiterated that they are aware of the concerns related to the Town's health care costs.

- The Selectmen were asked to review the BoS Liaisons lists in their packet so assignments for FY 14 could be discussed on June 24th.

ADJOURN

- At 8:51 PM, Chair Fox moved to adjourn. Seconded by Member Stemple. **Approved 5-0.**

**Board of Selectmen Committee/Liaison List FY 2014
Showing FY 13 Assignments
For Further Discussion July 15, 2013**

Current BoS Assignments/Positions

X = Primary Member

L = Liaison

| Assignment | V. Amoroso | L. Fox | J. Gorman | R. Stemple | R. Suleiman |
|--|------------|--------|-----------|------------|-------------|
| BoS Chairmanship | X | | | | |
| BoS Clerk | | | | X | |
| Committees/Teams | | | | | |
| Acton-Boxborough Cultural | | | | | 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 | | |
| <i>Regional School Transition/IMA Negotiating Team</i> | X | | | | |
| Library | | | | L | |
| Municipal Affordable Housing | | X | | | |
| Personnel Board | | | | | L |
| Planning Board (including Master Plan Steering) | | L | | | |
| Public Celebrations & Ceremonies | | | L | | |
| Recreation Commission | | | | | L |
| School Committee | | | | L | |
| Steele Farm | | | | L | |
| Water Resources | | | | | X |
| Well-Being Committee | | | L | | |
| 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 | | | | X |
| MBTA | | | | X | |
| MART | | | | | |

**Board of Selectmen Meeting Schedule
June 3, 2013 - January 6, 2014**

Proposed Revision for discussion 7/15/13

| Date | Business |
|-------------------------------------|--|
| June | |
| 3rd, 6:15, Holiday Inn, Parade Room | Meeting (prior to STM) |
| 10th, 7 PM | Meeting- Appoint-a-thon, part 1 |
| 17th, 7 PM | No meeting |
| 24th, 7 PM (Morse-Hilberg) | Meeting- Appoint-a-thon, part 2 |
| July | |
| 1st | No meeting |
| 8th | No meeting |
| 15th | Meeting |
| 22nd | No meeting |
| 29th | Meeting |
| August | |
| 5th | No meeting [L. Fox away 8/3- 8/17; B. Stemple away 8/5; TA away 7/31 - 8/17] |
| 12th | Meeting [L. Fox away 8/3- 8/17; TA away 7/31 - 8/17] |
| 19th | No meeting |
| 26th | Meeting |
| September | |
| 2nd | No meeting [Labor Day] |
| 9th | Meeting |
| 16th | No meeting |
| 23rd | Meeting [TA - ICMA] |
| 30th | No meeting |
| October | |
| 7th | Meeting |
| 14th | No meeting [Columbus Day] |
| 21st | Meeting |
| 28th | No meeting |
| November | |
| 4th | Meeting |
| 11th | No meeting [Veterans Day Holiday] |
| 18th | Meeting - Public hearing - FY 14 Min Res Factor; Tax Rate Setting |
| 25th | No meeting |
| December | |
| 2nd | Meeting |
| 9th | No meeting |
| 16th | Meeting - Renewal of Licenses (alcohol, used car, common victuallers, etc.) |
| 23rd | No meeting [TA out December 23 through January 1] |
| 30th | No meeting |
| January | |
| 6th | Meeting |

7a
GRAHAM & GRAHAM, P.C.
ATTORNEYS AT LAW
EXCHANGE HALL • 6 SCHOOL STREET
ACTON, MA 01720

STEVEN R. GRAHAM
LAURA B. GRAHAM

Tel: (978) 264-0695
Fax: (978) 264-0517
www.graham-grahamlaw.com

sgraham@graham-grahamlaw.com
lgraham@graham-grahamlaw.com

July 3, 2013

RECEIVED

Board of Selectmen
c/o Town Clerk
Town of Boxborough
29 Middle Road
Boxborough, MA 01719

JUL 08 2013
@ 1:48 pm
TOWN CLERK
TOWN OF BOXBOROUGH

Re: Notice of Sale and Conversion of a Portion of 94 Chester Road, Boxborough

Dear Board Members:

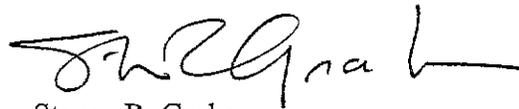
I represent Patrick T. Moran and Harriet M. Moran, the owners of the above-noted property. Enclosed in connection with the said property is a Notice of Sale and Conversion Pursuant to M.G.L. c.61, §8, together with the enclosures referred to therein.

The small portion of the land being removed from the provisions of M.G.L. c.61 is being done so to be added to the owners' current house lot which no longer meets the dimensional requirements of your Zoning Bylaw. My clients have entered into a Purchase and Sale Agreement for the sale of their home and it is scheduled to close on July 26, 2013. We would greatly appreciate it if you would expedite consideration of this matter.

Mr. and Mrs. Moran may be reached at 100 Chester Road, Boxborough, MA 01719, telephone 978-263-1552.

Very truly yours,

GRAHAM & GRAHAM, P.C.



Steven R. Graham

SRG/jm

Enclosures

cc: Boxborough Town Assessor
Boxborough Planning Board
Boxborough Conservation Commission
Jack Murray, Commissioner of the
Dept. of Conservation and Recreation

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

NOTICE OF SALE AND CONVERSION
PURSUANT TO M.G.L. CHAPTER 61, §8

94 Chester Road, Boxborough, Massachusetts

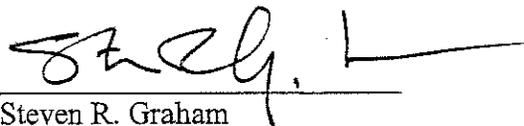
Pursuant to the provisions of Massachusetts General Laws Chapter 61, §8, notice is hereby given of the intent by the owners of the above-noted property, Patrick T. Moran and Harriet M. Moran (the "Owners") to remove a portion of land owned by them at 94 Chester Road, Boxborough, Massachusetts and being a portion of the land shown on the Boxborough Assessor's Map 6-2, Parcel 180-0.0 (the "Parcel").

Said Parcel is subject to a Land Tax Lien pursuant to Chapter 61.

A portion of the above-noted Parcel shown as Parcel A (19,380 square feet) on a plan of land entitled, "Plan of Land of 94 and 100 Chester Road, Boxborough, MA 01719, prepared for Patrick and Harriet Moran, Being a Subdivision of Lot 31 and 36 Shown on Land Court Plan 2714-F and 2714-H" dated May 24, 2013 (the "Plan"), a copy of which Plan is attached hereto and incorporated herein by reference, is to be combined with other land owned by Patrick T. Moran and Harriet M. Moran located at 100 Chester Road, Boxborough, Massachusetts and being shown on the Boxborough Assessor's Map 6-2, Parcel 179-0.0.

Parcel A is being combined with Lot 31 as shown on the Plan to bring Lot 31 into compliance and to meet the current dimensional requirements of the Boxborough Zoning Bylaw. At the time of the acquisition of Lot 31 by the Owners, Lot 31 complied with the zoning requirements of the Town of Boxborough. The subsequent acquisition of Lot 36 by the Owners created a "merger" of the land owned by the Owners thereby requiring that the land on which there home is located at 100 Chester Road meet the current requirements of the Boxborough Zoning Bylaw.

Notice is also hereby given that the Owners intend to leave the remaining land subject to the provisions of Chapter 61. The Owners hereby request that the Town waive any right of first refusal with respect to Parcel A in light of the requirement that it be combined with Lot 31 to bring the combined parcel into compliance with the Boxborough Zoning Bylaw.



Steven R. Graham
Attorney for Patrick T. Moran and
Harriet M. Moran
Graham & Graham, P.C.
6 School Street
Acton, MA 01720
978-264-0695

July 3, 2013



Reserve Fund Transfer Request

Date: June 30, 2013

It is requested by the undersigned that the sum of \$5,500 be transferred from the Reserve Fund to:
UMAS Acct. # 001-122-5700-5004

(Fund # - Dept. # - Object - Detail)

Description (i.e. Selectmen's expenses) DPW Generator

The balance in the line item as of 07/01/13 (Date) is \$ 50,000. An amount of \$ 50,000 was originally budgeted/appropriated. Additional funds are now requested for the reasons explained below. (Detailed explanation should include reasons for lack of funds, breakdown of known or estimated costs to be expended prior to June 30th, and any other pertinent information). Also, please list any previous requests for transfer during the fiscal year for this line item.

When the funding request for a 50 kw generator for the DPW facility to support the fuel tanks, operation of the liquid magnesium system, external yard lighting and to supply emergency power to the building was brought forward to Town Meeting in May 2012, it had been anticipated that construction administration services for the project would be provided "in-house." The Town Administrator (TA) reviewed procurement options with town counsel, other towns and an electrical contractor and sought input on potential economies of scale that might be accomplished by bundling the DPW generator with the generators that were being procured through the FEMA HMGP grant. Additionally, it was determined that designer services would be the most prudent course of action to ensure that the town would get the best equipment consistent with the town's needs and to ensure proper installation. The TA issued a Request for Qualifications in early May 2013. Applications were received in mid-May, finalists were selected in June and on June 24th a price proposal was requested from the top finalist. The TA sought input from others who had previously procured such services as well as from LELD, and assured that the proposal was reasonable, the TA issued a notice to proceed.

The design services were not budgeted as part of the original appropriation request to Town Meeting. If construction comes in under budget, and there are monies remaining after the transfer from the reserve fund, the excess will be returned to the general fund.

This request is for extraordinary or unforeseen expense and has been voted upon and approved by the majority of board or commission members, or in the case of a department, by the department head and Town Administrator, as indicated by the signatures below. Please also indicate name of board or commission.

| | | | |
|--------------------|-------------|---------------------------|---------|
| <u>[Signature]</u> | (Signature) | <u>Town Administrator</u> | (Title) |
| _____ | (Signature) | _____ | (Title) |
| _____ | (Signature) | _____ | (Title) |
| _____ | (Signature) | _____ | (Title) |

On the dates listed below, it was voted by the Board of Selectmen/Finance Committee to transfer the sum of \$5,500 from the Reserve Fund to UMAS Acct. # 001-122-5700-5004 to be used for the purposes and in the amounts indicated above.

| | | | |
|---------------------------|-------|--------------------------|-------|
| <u>Board of Selectmen</u> | Date: | <u>Finance Committee</u> | Date: |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

| Copy to: | Initial Distribution Date Sent: | Notification of Finance Committee Action Date Sent: |
|--------------------|------------------------------------|--|
| Finance Committee | _____ | _____ |
| Department Head | _____ | _____ |
| Board of Selectmen | _____ | _____ |
| Town Administrator | _____ | _____ |
| Town Treasurer | _____ | _____ |
| Town Accountant | _____ | _____ |



GARCIA • GALUSKA • DESOUSA
Consulting Engineers Inc.

370 Faunce Corner Road, Dartmouth, MA 02747-1217

L#40863r
Proposal

June 24, 2013
Revised July 1, 2013

Town of Boxborough
29 Middle Road
Boxborough, MA 01719

Attn: Ms. Selina S. Shaw, Town Administrator

Re: Blanchard Memorial School, Well Pump Station and the Department of Public Works
Generator Upgrades
Boxborough, MA

Dear Ms. Shaw:

We are pleased to submit our proposal for professional services including Electrical and associated Mechanical and Architectural for the above referenced project. Our proposal scope is as outlined in the request for proposal dated May 17, 2013.

THE PROJECT:

Projective Objectives:

- Panels: Replace main normal/emergency panels.
- Generators and Automatic Transfer Switches: Install new generators and new automatic transfer switches.
- Out-of-Scope: Replacement of sub-panels is not part of this design effort. Sub-panels should be reviewed by a licensed electrician and updated where necessary, but not as part of this project.

Services:

- Design Documentation and Specifications: Preparation of all design documentation and specifications to enable the Town of Boxborough to complete a public bid for the construction and equipment (installation of new panels and generators).
- Bidding and Award Phase Services: Support during entire bid cycle including pre-bid walk through, answering of all pre-bid questions from prospective bidders, and providing clarifying sketches, where required. Also included is attendance at the bid opening and consultation on negotiation approach.
- Construction Administration Services: Attendance at pre-construction kick-off meeting, answering contractor questions, providing clarifying sketches, answering questions and addressing issues during construction to resolve any unforeseen requirements or conditions and to provide workarounds if required, review and approve submittals and payment requisitions. Also included are four electrical on-site visits during construction, one final punch list inspection, and final affidavits.
- As built drawings and materials will be provided by the contractor.

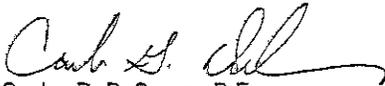
GARCIA • GALUSKA • DESOUSA
Consulting Engineers Inc.

L#40863r
Proposal
Page 3

We provide complete insurance coverage which includes Two Million Dollars (\$2,000,000) of Professional Liability Insurance. Upon acceptance of this proposal, through our agent, Sylvia Insurance Group of Dartmouth, MA, we will provide you with proper certification.

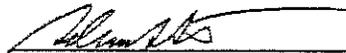
If the above meets with your approval, please return a signed copy to our office. This will act as our agreement and notice to proceed.

Very truly yours,



Carlos D. DeSousa, P.E.
President

CGD:jlf



Town of Boxborough
Ms. Selina S. Shaw, Town Administrator

Date: July 2, 2013



Reserve Fund Transfer Request

Date: June 30, 2013

It is requested by the undersigned that the sum of \$28,250 be transferred from the Reserve Fund to:
UMAS Acct. # 001-122-5700-7059

(Fund # - Dept. # - Object - Detail)

Description (i.e. Selectmen's expenses) Blanchard Hager Generator

The balance in the line item as of 07/01/13 (Date) is \$ 69,808.51. An amount of \$ 70,000 was originally budgeted/appropriated. Additional funds are now requested for the reasons explained below. (Detailed explanation should include reasons for lack of funds, breakdown of known or estimated costs to be expended prior to June 30th, and any other pertinent information). Also, please list any previous requests for transfer during the fiscal year for this line item.

When the FEMA HMGP grant application was prepared in November 2011, it had been anticipated that an earlier generator design that had been procured in 2007 would be utilized. It had been envisioned that the 2007 plan would be reviewed and updated as necessary for code changes. Additionally, it had been expected that Tom Argento would be able to provide construction administration services for the project. After the grant was awarded, the Town Administrator (TA) reviewed procurement options with town counsel, other towns and an electrical contractor. It became evident that the 2007 design could not be used (engineers typically like to start from scratch and are unlikely to sign off on someone else's work product; they need to know that the design proposed is correct and the best solution). Additionally the procurement process for the construction phase was more complex than had been envisioned. It was determined that designer services would be the most prudent course of action to ensure that the town would get the best equipment consistent with the town's needs and to ensure proper installation. The TA issued a Request for Qualifications in early May. Applications were received in mid-May, finalists were selected in June and on June 24th a price proposal was requested from the top finalist. The TA sought input from others who had previously procured such services as well as from LELD, and assured that the proposal was reasonable, the TA issued a notice to proceed. She was also able to negotiate a slightly lesser fee (reducing the fee by just under 10%).

The design services were not budgeted for in the grant. If construction comes in under budget, and there are monies remaining after the transfer from the reserve fund, the excess will be returned to the general fund.

This request is for extraordinary or unforeseen expense and has been voted upon and approved by the majority of board or commission members, or in the case of a department, by the department head and Town Administrator, as indicated by the signatures below. Please also indicate name of board or commission.

| | | | |
|--|-------------|--------------------|---------|
|  | (Signature) | Town Administrator | (Title) |
| _____ | (Signature) | _____ | (Title) |
| _____ | (Signature) | _____ | (Title) |
| _____ | (Signature) | _____ | (Title) |

On the dates listed below, it was voted by the Board of Selectmen/Finance Committee to transfer the sum of \$28,250 from the Reserve Fund to UMAS Acct. # 001-122-5700-7059 to be used for the purposes and in the amounts indicated above.

| | | | |
|---------------------------|-------|--------------------------|-------|
| <u>Board of Selectmen</u> | Date: | <u>Finance Committee</u> | Date: |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

| Copy to: | Initial Distribution Date Sent: | Notification of Finance Committee Action Date Sent: |
|--------------------|---------------------------------|---|
| Finance Committee | _____ | _____ |
| Department Head | _____ | _____ |
| Board of Selectmen | _____ | _____ |
| Town Administrator | _____ | _____ |
| Town Treasurer | _____ | _____ |
| Town Accountant | _____ | _____ |



GARCIA • GALUSKA • DESOUSA
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370 Faunce Corner Road, Dartmouth, MA 02747-1217

L#40863r
Proposal

June 24, 2013
Revised July 1, 2013

Town of Boxborough
29 Middle Road
Boxborough, MA 01719

Attn: Ms. Selina S. Shaw, Town Administrator

Re: Blanchard Memorial School, Well Pump Station and the Department of Public Works
Generator Upgrades
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Dear Ms. Shaw:

We are pleased to submit our proposal for professional services including Electrical and associated Mechanical and Architectural for the above referenced project. Our proposal scope is as outlined in the request for proposal dated May 17, 2013.

THE PROJECT:

Projective Objectives:

- Panels: Replace main normal/emergency panels.
- Generators and Automatic Transfer Switches: Install new generators and new automatic transfer switches.
- Out-of-Scope: Replacement of sub-panels is not part of this design effort. Sub-panels should be reviewed by a licensed electrician and updated where necessary, but not as part of this project.

Services:

- Design Documentation and Specifications: Preparation of all design documentation and specifications to enable the Town of Boxborough to complete a public bid for the construction and equipment (installation of new panels and generators).
- Bidding and Award Phase Services: Support during entire bid cycle including pre-bid walk through, answering of all pre-bid questions from prospective bidders, and providing clarifying sketches, where required. Also included is attendance at the bid opening and consultation on negotiation approach.
- Construction Administration Services: Attendance at pre-construction kick-off meeting, answering contractor questions, providing clarifying sketches, answering questions and addressing issues during construction to resolve any unforeseen requirements or conditions and to provide workarounds if required, review and approve submittals and payment requisitions. Also included are four electrical on-site visits during construction, one final punch list inspection, and final affidavits.
- As built drawings and materials will be provided by the contractor.

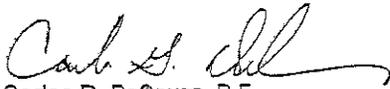
GARCIA • GALUSKA • DESOUSA
Consulting Engineers Inc.

L#40863r
Proposal
Page 3

We provide complete insurance coverage which includes Two Million Dollars (\$2,000,000) of Professional Liability Insurance. Upon acceptance of this proposal, through our agent, Sylvia Insurance Group of Dartmouth, MA, we will provide you with proper certification.

If the above meets with your approval, please return a signed copy to our office. This will act as our agreement and notice to proceed.

Very truly yours,



Carlos D. DeSousa, P.E.
President

CGD:jff



Town of Boxborough
Ms. Selina S. Shaw, Town Administrator

Date: July 2, 2013



Reserve Fund Transfer Request

Date: June 28 2013

It is requested by the undersigned that the sum of \$ 2,238 be transferred from the Reserve Fund to:

UMAS Acct. # 001-145-5200-5304

(Fund # - Dept. # - Object - Detail)

Description (i.e. Selectmen's expenses): Treasurer Tax Title Foreclosure

The balance in the line item as of 06/28/13 (Date) is \$ (2,238.00). An amount of \$ _____ was originally budgeted/appropriated. Additional funds are now requested for the reasons explained below. (Detailed explanation should include reasons for lack of funds, breakdown of known or estimated costs to be expended prior to June 30th, and any other pertinent information). Also, please list any previous requests for transfer during the fiscal year for this line item.

It is extremely difficult to budget for foreclosure. It can take from one to three years from instrument of taking to Foreclosure Decease. This year Land Court required extensive notification to interested parties. The cost of which I failed to anticipate.

This request is for extraordinary or unforeseen expense and has been voted upon and approved by the majority of board or commission members, or in the case of a department, by the department head and Town Administrator, as indicated by the signatures below. Please also indicate name of board or commission:

| | | | |
|---------------------------|-------------|---------------------------|---------|
| <u>Margaret M. Demery</u> | (Signature) | <u>Town Treasurer</u> | (Title) |
| <u>[Signature]</u> | (Signature) | <u>Town Administrator</u> | (Title) |
| _____ | (Signature) | _____ | (Title) |
| _____ | (Signature) | _____ | (Title) |

On the dates listed below, it was voted by the Board of Selectmen/Finance Committee to transfer the sum of \$ 2,238.00 from the Reserve Fund to UMAS Acct. # 001-145-5200-5304 to be used for the purposes and in the amounts indicated above.

| <u>Board of Selectmen</u> | <u>Date:</u> | <u>Finance Committee</u> | <u>Date:</u> |
|---------------------------|--------------|--------------------------|--------------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

| Copy to: | Initial Distribution Date Sent: | Notification of Finance Committee Action Date Sent: |
|--------------------|------------------------------------|--|
| Finance Committee | _____ | _____ |
| Department Head | _____ | _____ |
| Board of Selectmen | _____ | _____ |
| Town Administrator | _____ | _____ |
| Town Treasurer | _____ | _____ |
| Town Accountant | _____ | _____ |

TOWN OF BOXBOROUGH MONTHLY EXPENDITURE REPORT

For the Period 07/01/12 To 06/30/13

| AccountNumber | AccountName | Original Budget | Budget Adjustments | Current Budget | Payments This Period | Payments To Date | Receipts This Period | Receipts To Date | Payments to Date-Net | Ending Balance | Percent Expended |
|------------------|------------------------------------|------------------|--------------------|------------------|----------------------|------------------|----------------------|------------------|----------------------|-----------------|------------------|
| Treasurer | | | | | | | | | | | |
| 01-145-5100-5112 | Treasurer Salary | 69,421.00 | 0.00 | 69,421.00 | 67,551.00 | 67,551.00 | 0.00 | 0.00 | 67,551.00 | 1,870.00 | 97.31% |
| 01-145-5100-5148 | Treasurer Certification Stipend | 1,000.00 | 0.00 | 1,000.00 | 1,000.00 | 1,000.00 | 0.00 | 0.00 | 1,000.00 | 0.00 | 100.00% |
| 01-145-5200-5302 | Treasurer Bank Service Fees | 150.00 | 0.00 | 150.00 | 166.20 | 166.20 | 0.00 | 0.00 | 166.20 | -16.20 | 110.80% |
| 01-145-5200-5303 | Treasurer Payroll Fees | 7,800.00 | 0.00 | 7,800.00 | 7,462.80 | 7,462.80 | 0.00 | 0.00 | 7,462.80 | 337.20 | 95.68% |
| 01-145-5200-5304 | Treasurer Tax Title Foreclosure | 1,000.00 | 0.00 | 1,000.00 | 2,176.77 | 2,176.77 | 235.92 | 235.92 | 1,940.85 | -940.85 | 194.09% |
| 01-145-5200-5305 | Treasurer Loan Certification Fees | 1,500.00 | 0.00 | 1,500.00 | 1,500.00 | 1,500.00 | 0.00 | 0.00 | 1,500.00 | 0.00 | 100.00% |
| 01-145-5200-5380 | Treasurer Performance Bond | 600.00 | 0.00 | 600.00 | 525.00 | 525.00 | 0.00 | 0.00 | 525.00 | 75.00 | 87.50% |
| 01-145-5400-5422 | Treasurer Stationary and Forms | 350.00 | 0.00 | 350.00 | 87.70 | 87.70 | 0.00 | 0.00 | 87.70 | 262.30 | 25.06% |
| 01-145-5700-5524 | Treasurer Subscription | 125.00 | 0.00 | 125.00 | 125.00 | 125.00 | 0.00 | 0.00 | 125.00 | 0.00 | 100.00% |
| 01-145-5700-5711 | Treasurer Travel Expense - Instate | 500.00 | 0.00 | 500.00 | 356.65 | 356.65 | 0.00 | 0.00 | 356.65 | 143.35 | 71.33% |
| 01-145-5700-5715 | Treasurer Conferences | 400.00 | 0.00 | 400.00 | 279.77 | 279.77 | 0.00 | 0.00 | 279.77 | 120.23 | 69.94% |
| 01-145-5700-5730 | Treasurer Dues | 55.00 | 0.00 | 55.00 | 70.00 | 70.00 | 0.00 | 0.00 | 70.00 | -15.00 | 127.27% |
| Sum | Treasurer | 82,901.00 | 0.00 | 82,901.00 | 81,300.89 | 81,300.89 | 235.92 | 235.92 | 81,064.97 | 1,836.03 | 97.79% |

1,870.00
 (33,900)

TREASURER'S BILLS (FY2013)

| | |
|--------|----------|
| Warr # | 2013-210 |
| Date: | 7/1/2013 |

| NAME | ACCOUNT | AMOUNT | TOTAL |
|--|--|----------------------------|--------------------|
| Boston Mutual Life Insurance Co. (life insurance) | 001-915-5700-5752/TWN.SHR 880-940-5151-5150/EMPL.SHR | \$ 226.20 \$ 226.20 | \$ 452.40 |
| Boston Mutual Life Insurance Co. (LTD insurance) | 001-915-5700-5753/TWN.SHR. 880-940-5190-5150/EMPL LTD | \$ 1,030.01 \$ 1,030.01 | \$ 2,060.02 |
| Coppola and Coppola | 001-145-5200-5304/Tax Title | \$ 1,297.15 | \$ 1,297.15 |
| | | TOTAL | \$ 3,809.57 |

7614



Reserve Fund Transfer Request

Date: June 30, 2013

It is requested by the undersigned that the sum of \$ 71.48 be transferred from the Reserve Fund to:

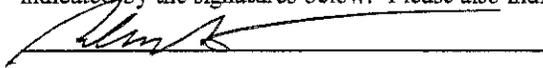
UMAS Acct. # 001-151-5200-5323
(Fund # - Dept. # - Object - Detail)

Description (e.g. Selectmen's expenses) Legal Services - School

The balance in the departmental budget, adjusted as of 6/30/13 (Date) will be \$ 128.52. An amount of \$ 64,000 was originally budgeted/appropriated. Additional funds are now requested for the reasons explained below. (Detailed explanation should include reasons for lack of funds, breakdown of known or estimated costs to be expended prior to June 30th, and any other pertinent information). Also, please list any previous requests for transfer during the fiscal year for this line item.

The legal budget took a toll this year with unexpected and non-reimbursed expenses attributable to the expanded AB Regional School District. After an adjustment to transfer expenses related to the Stow Road Concept Development project (\$162.50), and payment of the bill for legal services rendered on behalf of the town for the latter portion of June (\$1,598.67), there will be a balance remaining of only \$128.52 available to pay a legal bill for the school in the amount of \$200. This will leave a shortfall of \$71.48.

This request is for extraordinary or unforeseen expense and has been voted upon and approved by the majority of board or commission members, or in the case of a department, by the department head and Town Administrator, as indicated by the signatures below. Please also indicate name of board or commission.

| | | | |
|---|-------------|--------------------|---------|
|  | (Signature) | Town Administrator | (Title) |
| _____ | (Signature) | _____ | (Title) |
| _____ | (Signature) | _____ | (Title) |
| _____ | (Signature) | _____ | (Title) |

On the dates listed below, it was voted by the Board of Selectmen/Finance Committee to transfer the sum of \$71.48 from the Reserve Fund to UMAS Acct. # 001-151-5200-5323 to be used for the purposes and in the amounts indicated above.

| <u>Board of Selectmen</u> | <u>Date:</u> | <u>Finance Committee</u> | <u>Date:</u> |
|---------------------------|--------------|--------------------------|--------------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

| Copy to: | Initial Distribution Date Sent: | Notification of Finance Committee Action Date Sent: |
|--------------------|---------------------------------|---|
| Finance Committee | _____ | _____ |
| Department Head | _____ | _____ |
| Board of Selectmen | _____ | _____ |
| Town Administrator | _____ | _____ |
| Town Treasurer | _____ | _____ |
| Town Accountant | _____ | _____ |

TOWN OF BOXBOROUGH MONTHLY EXPENDITURE REPORT

For the Period 07/01/12 To 06/30/13

| AccountNumber | AccountName | Original Budget | Budget Adjustments | Current Budget | Payments This Period | Payments To Date | Receipts This Period | Receipts To Date | Payments to Date-Net | Ending Balance | Percent Expended |
|-------------------------|-------------------------|------------------|--------------------|------------------|----------------------|------------------|----------------------|------------------|----------------------|-----------------|------------------|
| Legal Department | | | | | | | | | | | |
| 001-151-5200-5315 | Legal Services - Town | 60,000.00 | 0.00 | 60,000.00 | 41,104.50 | 41,104.50 | 0.00 | 0.00 | 41,104.50 | 18,895.50 | 68.51% |
| 001-151-5200-5316 | Legal Expenses - Town | 4,000.00 | 0.00 | 4,000.00 | 2,275.83 | 2,275.83 | 0.00 | 0.00 | 2,275.83 | 1,724.17 | 56.90% |
| 001-151-5200-5323 | Legal Services - School | 0.00 | 0.00 | 0.00 | 10,875.00 | 10,875.00 | 0.00 | 0.00 | 10,875.00 | -10,875.00 | N/A |
| 001-151-5200-5324 | Legal Expenses - School | 0.00 | 0.00 | 0.00 | 79.48 | 79.48 | 0.00 | 0.00 | 79.48 | -79.48 | N/A |
| 001-151-5200-5332 | Legal Services - RSC | 0.00 | 0.00 | 0.00 | 8,200.50 | 8,200.50 | 0.00 | 0.00 | 8,200.50 | -8,200.50 | N/A |
| Sum | Legal Department | 64,000.00 | 0.00 | 64,000.00 | 62,535.31 | 62,535.31 | 0.00 | 0.00 | 62,535.31 | 1,464.69 | 97.71% |

Stow RZ Concept Dev \leftarrow 87.50
 175.00
 1727.19
 K + P letter mid June - 1598.67
 128.52
 Strehm, Shandler + Miller - 200.00
 < 71.48 >

STONEMAN, CHANDLER & MILLER LLP

99 HIGH STREET
BOSTON, MASSACHUSETTS 02110

TELEPHONE (617) 542-6789

FACSIMILE (617) 556-8989

WWW.SCMLLP.COM

ALAN S. MILLER
CAROL CHANDLER
KAY H. HODGE
REBECCA L. BRYANT
GEOFFREY R. BOK
NANCY N. NEVILLS
JOAN L. STEIN

JOHN M. SIMON
KATHERINE D. CLARK
ANDREA L. BELL
COLBY C. BRUNT
KATIE L. MEINELT

ROBERT G. FRASIER
MIRIAM K. FREEDMAN
OF COUNSEL

June 27, 2013

Billed through June 27, 2013

Bill Number BOXBOR 00011 37731

Boxborough Public Schools
346 Massachusetts Avenue
Boxborough, MA 01719
Attn: Supt. Curtis Bates

Labor Relations

| <u>PROFESSIONAL SERVICES RENDERED</u> | | | <u>Hours</u> |
|---------------------------------------|----|---|--------------|
| 06/03/13 | RB | Calls to and emails to Superintendent (nonrenewal). | 1.00 |
| 06/10/13 | RB | Email to Bates and research bill. (NO CHARGE) | 0.50 |
| | | Total hours for this matter | <u>1.50</u> |
| | | Total fees for this matter | \$300.00 |

BILLING SUMMARY

| | |
|--------------------------------|-----------------|
| TOTAL CHARGES FOR THIS BILL | <u>\$300.00</u> |
| LESS NO CHARGE AMOUNT | <u>\$100.00</u> |
| TOTAL AMOUNT DUE FOR THIS BILL | <u>\$200.00</u> |

001-151-520-5323

OK @ Bates



Reserve Fund Transfer Request

762

Date: 6/26/13

It is requested by the undersigned that the sum of \$ 714.29 be transferred from the Reserve Fund to:

UMAS Acct # 001-162 5200-5120
(Fund # - Dept # - Object - Detail)

+25⁴³
739.72

Description (i.e. Selectmen's expenses): Elec and Regist Hourly Wkgs

The balance in the line item as of 6/30/13 (Date) is \$ (714.29) 739.72. An amount of \$ 3540 was originally budgeted/appropriated. Additional funds are now requested for the reasons explained below. (Detailed explanation should include reasons for lack of funds, breakdown of known or estimated costs to be expended prior to June 30th, and any other pertinent information). Also, please list any previous requests for transfer during the fiscal year for this line item.

Due to John Kerry's appointment to Sec'y State we had two unexpected and unbudgeted elections.
Ed A. Marten

This request is for extraordinary or unforeseen expense and has been voted upon and approved by the majority of board or commission members, or in the case of a department, by the department head and Town Administrator, as indicated by the signatures below. Please also indicate name of board or commission:

| | | | |
|---------------------|-------------|---------------------------|---------|
| <u>Ed A. Marten</u> | (Signature) | <u>Town Clerk</u> | (Title) |
| <u>[Signature]</u> | (Signature) | <u>Town Administrator</u> | (Title) |
| _____ | (Signature) | _____ | (Title) |
| _____ | (Signature) | _____ | (Title) |

On the dates listed below, it was voted by the Board of Selectmen/Finance Committee to transfer the sum of \$ 714.29 739.72 from the Reserve Fund to UMAS Acct # 001-162-5200-5120 to be used for the purposes and in the amounts indicated above.

| Board of Selectmen | Date: | Finance Committee | Date: |
|--------------------|-------|--------------------|---------------|
| _____ | _____ | <u>[Signature]</u> | <u>7/8/13</u> |
| _____ | _____ | <u>[Signature]</u> | <u>7/8/13</u> |
| _____ | _____ | <u>[Signature]</u> | <u>7/8/13</u> |
| _____ | _____ | <u>[Signature]</u> | <u>7/8/13</u> |
| _____ | _____ | <u>[Signature]</u> | <u>7/8/13</u> |
| _____ | _____ | <u>[Signature]</u> | <u>7/8/13</u> |

| Copy to: | Initial Distribution Date Sent: | Notification of Finance Committee Action Date Sent: |
|--------------------|------------------------------------|--|
| Finance Committee | _____ | _____ |
| Department Head | _____ | _____ |
| Board of Selectmen | _____ | _____ |
| Town Administrator | _____ | _____ |
| Town Treasurer | _____ | _____ |
| Town Accountant | _____ | _____ |

For the Period 07/01/12 To 06/30/13

| AccountNumber | AccountName | Original Budget | Budget Adjustments | Current Budget | Payments This Period | Payments To Date | Receipts This Period | Receipts To Date | Payments to Date-Net | Ending Balance | Perce. Expended |
|-----------------------------------|--|------------------|--------------------|------------------|----------------------|------------------|----------------------|------------------|----------------------|----------------|-----------------|
| Election and Registrations | | | | | | | | | | | |
| 1-162-5100-5119 | Election and Regist Salary | 1,711.00 | 0.00 | 1,711.00 | 1,710.70 | 1,710.70 | 0.00 | 0.00 | 1,710.70 | 0.30 | 99.98% |
| 1-162-5100-5120 | Election and Regist Hourly Wages | 3,540.00 | 0.00 | 3,540.00 | 4,061.22 | 4,061.22 | 633.00 | 633.00 | 3,428.22 | 111.78 | 96.84% |
| 1-162-5200-5290 | Election and Regist Equipment Expense | 275.00 | 0.00 | 275.00 | 759.34 | 759.34 | 0.00 | 0.00 | 759.34 | -484.34 | 276.12% |
| 1-162-5200-5342 | Election and Regist Postage | 1,410.00 | 0.00 | 1,410.00 | 363.09 | 363.09 | 0.00 | 0.00 | 363.09 | 1,046.91 | 25.75% |
| 1-162-5400-5420 | Election and Regist Other Office Expense | 30.00 | 0.00 | 30.00 | 13.97 | 13.97 | 0.00 | 0.00 | 13.97 | 16.03 | 46.57% |
| 1-162-5400-5422 | Election and Regist Stationary and Forms | 1,015.00 | 0.00 | 1,015.00 | 769.43 | 769.43 | 0.00 | 0.00 | 769.43 | 245.57 | 75.81% |
| 1-162-5700-5736 | Election and Regist Refreshments | 90.00 | 0.00 | 90.00 | 67.57 | 67.57 | 0.00 | 0.00 | 67.57 | 22.43 | 75.08% |
| 1-162-5800-5856 | Election and Regist Technology | 3,500.00 | 0.00 | 3,500.00 | 4,004.95 | 4,004.95 | 0.00 | 0.00 | 4,004.95 | -504.95 | 114.43% |
| Sum | Election and Registrations | 11,571.00 | 0.00 | 11,571.00 | 11,760.27 | 11,760.27 | 633.00 | 633.00 | 11,117.27 | 453.73 | 96.08% |

**Town of Boxborough
SCHEDULE OF DEPARTMENTAL BILLS PAYABLE**

To the Accountant:

The Town Clerk has approved the following named bill amounting to **\$826.07** and you are requested to place it on the warrant for payment:


Elizabeth Markiewicz

Date: June 26, 2013

| ACCOUNT NUMBER | VENDOR NAME | ADDRESS | INVOICE | TOTAL |
|-------------------|-------------------|---------|--------------|-----------------|
| 001-162-5100-5120 | See Attached List | | | \$826.07 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | Total | \$826.07 |

ELECTION WORKERS

25-Jun-13

| WORKER | ADDRESS | HOURS | RATE | AMOUNT |
|---------------------|---------------------|-------|--------|--------|
| Barbara Wheeler | 139 Picnic St | 12.75 | 10.17 | 129.67 |
| Ellen Landry | 420 Littlefield Rd | 6.25 | 10.17 | 63.56 |
| Helen Berry | 171 Summer Rd. | 4.00 | 10.17 | 40.68 |
| Lisa St. Amand | 354 Burroughs Rd | 5.25 | 10.17 | 53.39 |
| Kathie Schwarting | 49 Old Orchard Lane | 5.00 | 10.17 | 50.85 |
| Joan Rudenko | 579 Stow Rd | 4.00 | 10.17 | 40.68 |
| Jacqui Crimins | 7 Richardson Road | 5.25 | 10.17 | 53.39 |
| Virginia Richardson | 276 Middle Road | 6.00 | 11.43 | 68.58 |
| Anne Canfield | 628 Stow Road | 4.00 | 10.17 | 40.68 |
| Jackie Cumming | 631 Stow Rd. | 4.00 | 10.17 | 40.68 |
| Charlotte Priest | 151 Flagg Hill Rd. | 5.00 | 10.17 | 50.85 |
| Owen Neville | 317 Middle Rd. | 7.00 | 11.43 | 80.01 |
| Charlene Golden | 657 Hill Rd. | 1.00 | 10.17 | 10.17 |
| Dave Birt | 107 Swanson Rd | 9.00 | 11.43 | 102.87 |
| | | | TOTAL: | 826.07 |

+2543



Reserve Fund Transfer Request

Date: 7/1/13

It is requested by the undersigned that the sum of \$ 94.00 be transferred from the Reserve Fund to:

UMAS Acct. # 001-600-5700-5716
(Fund # - Dept # - Object - Detail)

Description (i.e. Selectmen's expenses): Animal Control - Training & Seminars

The balance in the line item as of 7/1/13 (Date) is \$ (135.00). An amount of \$ _____ was originally budgeted/appropriated. Additional funds are now requested for the reasons explained below. (Detailed explanation should include reasons for lack of funds, breakdown of known or estimated costs to be expended prior to June 30th, and any other pertinent information). Also, please list any previous requests for transfer during the fiscal year for this line item.

Conference that he attended was not planned. Total Other Expenses short to date short (32.50) plus mileage reimbursement of (61.02)

This request is for extraordinary or unforeseen expense and has been voted upon and approved by the majority of board or commission members, or in the case of a department, by the department head and Town Administrator, as indicated by the signatures below. Please also indicate name of board or commission:

| | | | |
|-----------------------|-------------|--------------------------------|---------|
| <u>David C. Moran</u> | (Signature) | <u>Ceremony Superintendent</u> | (Title) |
| <u>[Signature]</u> | (Signature) | <u>Town Administrator</u> | (Title) |
| _____ | (Signature) | _____ | (Title) |
| _____ | (Signature) | _____ | (Title) |

On the dates listed below, it was voted by the Board of Selectmen/Finance Committee to transfer the sum of \$ 94.00 from the Reserve Fund to UMAS Acct. # 001-600-5700-5716 to be used for the purposes and in the amounts indicated above.

| | | | |
|---------------------------|-------|--------------------------|-------|
| <u>Board of Selectmen</u> | Date: | <u>Finance Committee</u> | Date: |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

| Copy to: | Initial Distribution Date Sent: | Notification of Finance Committee Action Date Sent: |
|--------------------|------------------------------------|--|
| Finance Committee | _____ | _____ |
| Department Head | _____ | _____ |
| Board of Selectmen | _____ | _____ |
| Town Administrator | _____ | _____ |
| Town Treasurer | _____ | _____ |
| Town Accountant | _____ | _____ |

TOWN OF BOXBOROUGH MONTHLY EXPENDITURE REPORT

For the Period 07/01/12 To 06/30/13

| AccountNumber | AccountName | Original Budget | Budget Adjustments | Current Budget | Payments This Period | Payments To Date | Receipts This Period | Receipts To Date | Payments to Date-Net | Ending Balance | Percent Expended |
|-------------------------------|---|-----------------|--------------------|-----------------|----------------------|------------------|----------------------|------------------|----------------------|----------------|------------------|
| Animal Control Officer | | | | | | | | | | | |
| 1-600-5100-5119 | Animal Control Officer - Salary | 2,629.00 | 0.00 | 2,629.00 | 2,628.45 | 2,628.45 | 0.00 | 0.00 | 2,628.45 | 0.55 | 99.98% |
| 1-600-5200-5341 | Animal Control Officer Telephone | 250.00 | 0.00 | 250.00 | 245.29 | 245.29 | 0.00 | 0.00 | 245.29 | 4.71 | 98.12% |
| 1-600-5700-5711 | Animal Control Officer - In State Travel | 150.00 | 0.00 | 150.00 | 17.21 | 17.21 | 0.00 | 0.00 | 17.21 | 132.79 | 11.47% |
| 1-600-5700-5716 | Animal Control Officer Training and Semln | 0.00 | 0.00 | 0.00 | 135.00 | 135.00 | 0.00 | 0.00 | 135.00 | -135.00 | N/A |
| 1-600-5700-5730 | Animal Control Officer - Dues Expense | 0.00 | 0.00 | 0.00 | 35.00 | 35.00 | 0.00 | 0.00 | 35.00 | -35.00 | N/A |
| Sum | Animal Control Officer | 3,029.00 | 0.00 | 3,029.00 | 3,060.95 | 3,060.95 | 0.00 | 0.00 | 3,060.95 | -31.95 | 101.05% |

100
 (0.55)
 (32.50)
 6102
 (93.52)

June 30, 2013

Animal Control - 1/1/2013 - 6/30/2013.

Jan. 2013

Feb. 6, 2013 11 Littleton Rd raccoon

Feb. 15 369 Sargent raccoon

Feb. 27 Codman Hill Rd cat

Mar. 28, 2013 350 Burroughs raccoon

Apr. 2, 2013 183 Guggins Ln cat

Apr. 22 Fifers Ln raccoon

Apr. 30 49 Pine Hill Rd raccoon

Apr 30 20 Pine Pasture raccoon

May 12, 2013 7 Osceola animal in chimney

May 17 871 Mass Av roosters

May 21 ¹⁴¹⁴ 1300 Mass Av peacock

May 22 662 Hill Rd fox

May 28 356 Burroughs bear

May 28 60 Pine Hill Rd bear

May 29 662 Old Harvard foxes

May 30 662 Old Harvard foxes

June 3, 2013 81 Cortland Turtle

June 20 Liberty Sq Rd / Guggins ^{dead} deer

June 24 Rt 111 - school dead goose

June 30, 2013

Animal Control

mileage - Jan: 1, 2013 - June 30, 2013

108 miles \times = 61.02

Donald C. Morse

702 Hill Rd.

Boxborough, MA 01719

76vii



Reserve Fund Transfer Request

FY 2014

Date: 7/2/13

It is requested by the undersigned that the sum of \$ 2922.00 be transferred from the Reserve Fund to:

UMAS Acct. # 001-543-5770-5770

(Fund # - Dept. # - Object - Detail)

Description (i.e. Selectmen's expenses): Veteran - Benefits

The balance in the line item as of 7/2/13 (Date) is \$ (974.00). An amount of \$ _____ was originally budgeted/appropriated. Additional funds are now requested for the reasons explained below. (Detailed explanation should include reasons for lack of funds, breakdown of known or estimated costs to be expended prior to June 30th, and any other pertinent information). Also, please list any previous requests for transfer during the fiscal year for this line item.

No veteran benefits were budgeted in FY 2014. LAW requires we pay this. Expected to be three months \$974 X 3 = 2922.00

This request is for extraordinary or unforeseen expense and has been voted upon and approved by the majority of board or commission members, or in the case of a department, by the department head and Town Administrator, as indicated by the signatures below. Please also indicate name of board or commission:

| | | | |
|--------------------|-------------|---------------------------|---------|
| <u>[Signature]</u> | (Signature) | <u>Town Administrator</u> | (Title) |
| _____ | (Signature) | _____ | (Title) |
| _____ | (Signature) | _____ | (Title) |
| _____ | (Signature) | _____ | (Title) |

On the dates listed below, it was voted by the Board of Selectmen/Finance Committee to transfer the sum of \$ _____ from the Reserve Fund to UMAS Acct. # _____ to be used for the purposes and in the amounts indicated above.

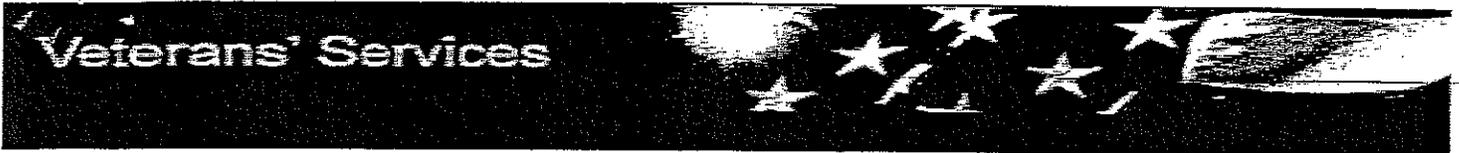
| | | | |
|---------------------------|-------|--------------------------|-------|
| <u>Board of Selectmen</u> | Date: | <u>Finance Committee</u> | Date: |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

| Copy to: | Initial Distribution Date Sent: | Notification of Finance Committee Action Date Sent: |
|--------------------|------------------------------------|--|
| Finance Committee | _____ | _____ |
| Department Head | _____ | _____ |
| Board of Selectmen | _____ | _____ |
| Town Administrator | _____ | _____ |
| Town Treasurer | _____ | _____ |
| Town Accountant | _____ | _____ |

TOWN OF BOXBOROUGH MONTHLY EXPENDITURE REPORT

For the Period 07/01/13 To 07/31/13

| <i>AccountNumber</i> | <i>AccountName</i> | <i>Original Budget</i> | <i>Budget Adjustments</i> | <i>Current Budget</i> | <i>Payments This Period</i> | <i>Payments To Date</i> | <i>Receipts This Period</i> | <i>Receipts To Date</i> | <i>Payments to Date-Net</i> | <i>Ending Balance</i> | <i>Percent Expended</i> |
|----------------------|------------------------------------|------------------------|---------------------------|-----------------------|-----------------------------|-------------------------|-----------------------------|-------------------------|-----------------------------|-----------------------|-------------------------|
| Veterans | | | | | | | | | | | |
| 1-543-5100-5125 | Veteran Agent - Hourly Wages | 670.00 | 0.00 | 670.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 670.00 | 0.00% |
| 1-543-5400-5584 | Veteran - Flags and Gravemarkers | 200.00 | 0.00 | 200.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 200.00 | 0.00% |
| 1-543-5700-5711 | Veteran - Travel Expense -In State | 100.00 | 0.00 | 100.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 100.00 | 0.00% |
| 1-543-5700-5730 | Veteran - Dues | 55.00 | 0.00 | 55.00 | 40.00 | 40.00 | 0.00 | 0.00 | 40.00 | 15.00 | 72.73% |
| 1-543-5770-5770 | Veteran - Veteran Benefits | 0.00 | 0.00 | 0.00 | 974.00 | 974.00 | 0.00 | 0.00 | 974.00 | -974.00 | N/A |
| Sum | Veterans | 1,025.00 | 0.00 | 1,025.00 | 1,014.00 | 1,014.00 | 0.00 | 0.00 | 1,014.00 | 11.00 | 98.93% |



Logged In: Maureen Adema

Case - VS21A

Help Logout

Home Error: No benefits entered in Line No. 1.
Error: Please Provide Misc. Amount in Line No. 1.

| | | | | |
|--------------|----------------|-----------------|----------------------|-------------------------|
| Case | VS21A | | | |
| Close Period | Case # 411-329 | Name [REDACTED] | City/Town Boxborough | VSO Name Adema, Maureen |
| Reports | | | | |

Benefits Docs Demographics Docs Benefit History Report

Benefits Summary

Payable Ord. Ben. \$74.00 Payable Fuel Ben. 0.00
Applicant to receive \$74.00 for O.B. with all medical bills covered.

Calculations Benefits

VS21A Date: 7/1/2013

Amend Open Benefits

VSO Benefits

| Month | OB | Fuel | Doctor | Meds | Hosp. | Dental | Misc. | Description | Del |
|----------|----|------|--------|------|-------|--------|-------|--------------|-----|
| 8/1/2013 | | | | | | | | Rent Arrears | |

Repeat Last Row 1 More Times(s)

Add New Row

VSO Notes

[Empty text area for VSO Notes]

Prev Tab

Validate Save Authorize Deny Cancel Bar Code Document

Form VS21A Form VS21A Ack. Notice Of Action or Intent Go to VS1



Logged In : William A dema

Help Logout

Case -> VET

- Home
- Case
- Close Period
- Reports

Case Maintenance

Case# [REDACTED] Application Date* 5/17/2013 Refund Status: None

Applicant SSN* [REDACTED] Applicant DOB* [REDACTED] Amount: 0.00

City/Town* Boxborough Relation to Vet* Applicant Balance: 0.00

Spouse SSN [REDACTED] Authorizer Reviewed

Last Name* [REDACTED] First Name* [REDACTED] MI [REDACTED] Jr/Sr Sfx. [REDACTED] Lockout VS21A

Demographics Recipients Employment Shelter Autos Obligations Investments Insurance Rec'd Docs

Street* [REDACTED] Apartment [REDACTED] City/Town* Boxborough State* MA Zip* 01719 Phone [REDACTED]

IA-# [REDACTED]

Veteran Information

Copy from Applicant

Last Name* [REDACTED] First Name* [REDACTED] MI [REDACTED] Jr/Sr Sfx. [REDACTED] Date of Birth* [REDACTED]

Branch of Service* Army Service Dates: Start* [REDACTED] End* [REDACTED]

Applicant's Ethnicity/Race : This information is collected to make sure everyone is treated fairly. Your answer is voluntary, and it will not affect eligibility or amount.

Male or Female?* Male Ethnicity: Hispanic or Latino? No

Spoken Language: English Are you a US Citizen?* Yes

Race (Check all that apply)

- American Indian or Alaskan Native
- Asian
- Black or African American
- Native Hawaiian or other Pacific Islander
- White

Special Situation (Check all that apply)

- Physical/Mental Impairment
- Hearing Impaired
- Visually Impaired
- Interpreter Required
- Sign Language Required
- Other Specify [REDACTED]

Prev Tab Next Tab

Save Cancel VS21A Demographics Docs

Last Updated By : William Bennett, 5/20/2013 12:04:06 PM

U.S. Department of Homeland Security
Washington, D.C. 20472



FEMA

Mr. Randolph White
Boxborough Fire Department
502 Massachusetts Avenue
Boxborough, Massachusetts 01720-1520

Re: Grant No.EMW-2012-FO-03032

Dear Mr. White:

On behalf of the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS), I am pleased to inform you that your grant application submitted under the FY 2012 Assistance to Firefighters Grant has been approved. FEMA's Grant Programs Directorate (GPD), in consultation with the U.S. Fire Administration (USFA), carries out the Federal responsibilities of administering your grant. The approved project costs total to \$7,066.00. The Federal share is 95 percent or \$6,713.00 of the approved amount and your share of the costs is 5 percent or \$353.00.

As part of your award package, you will find Grant Agreement Articles. Please make sure you read and understand the Articles as they outline the terms and conditions of your grant award. Maintain a copy of these documents for your official file. **You establish acceptance of the grant and Grant Agreement Articles when you formally receive the award through the AFG online system.** By accepting the grant, you agree not to deviate from the approved scope of work without prior written approval from FEMA.

If your SF 1199A has been reviewed and approved, you will be able to request payments online. Remember, you should request funds when you have an immediate cash need.

If you have any questions or concerns regarding the awards process or how to request your grant funds, please call the helpdesk at 1-866-274-0960.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy W. Manning".

Timothy W. Manning
Deputy Administrator for National Preparedness and Protection

Selina S. Shaw

From: Chief White [rwhite@boxboroughfire.com]
Sent: Friday, June 21, 2013 2:21 PM
To: jgorman@tritonsys.com; lesfox@comcast.net; 'Robert Stemple'; selina.shaw@town.boxborough.ma.us; sraid@yahoo.com; 'Vincent Amoroso'
Cc: raadkarim@gmail.com; jdevoge@verizon.net; jmalinowski@boxboroughfire.com; jwilliams@boxboroughfire.com; mkidd@onecommail.com; sgray@boxboroughfire.com
Subject: FY 2012 Assistance to Firefighters Grant Update

Good afternoon all,

I am pleased to inform you that our grant application submitted under the FY 2012 Assistance to Firefighters Grant has been partially approved / funded. The 2012 AFG Grant was submitted in two separate categories. The first was based on equipment needs, and the second was based on personal protective equipment (PPE) needs. The PPE portion was for the replacement of our existing, self contained breathing apparatus (27 SCBA's) for \$217,224, and the equipment needs were based on, two (2) RIT-Pak's, used in firefighter rescue operations for \$7,066. Unfortunately, FEMA only funded the RIT-Pak's, and not the SCBA replacements. The RIT Pak's that were approved cost a total of \$7,066.00. The federal share is 95 percent or \$6,713.00 of the approved amount, and the town's share of the cost is 5 percent or \$353.00. The necessary funds will be covered from the 2014 ATM warrant article.

The next AFG Grant for 2013 opens in August, and I will be resubmitting again for the unfunded SCBA's. This will be the last time we can apply, because our SCBA's are required by law to be pulled out of service in January 2015, at which time the town most likely will be faced with financial burden. When we start the FY-2015 budget process, (can't believe I just said that) I will be submitting a warrant article for the SCBA's, in case the grant falls through again.

We have not heard anything on the regional radio grant between Littleton, Stow, and Boxborough, but at this time, it's not looking favorable.

That's it for now, take care, and have a good weekend.

Regards,
Randy

rwhite@boxboroughfire.com
Randolph T. White, Fire Chief
Emergency Management Director
Boxborough Fire Department
502 Massachusetts Avenue
Boxborough, MA 01719

978-263-7546 Main
978-263-0038 Fax
www.boxboroughfire.com

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Thank you.

6/24/2013



Internal Communications and Outgoing Communications
July 15, 2013

1. Letter from Nicole Sicard, Program Coordinator, Massachusetts Executive Office of Energy and Environmental Affairs, dated June 19, 2013, to Town Administrator Selina Shaw regarding the conservation restriction status of Steele Farm, Boxborough CR#13.#
2. June 2013 Monthly Construction Activity Report from the Building Department, dated July 3, 2013.*
3. Letter from Building Inspector David Lindberg, dated June 26, 2013, to Les Fox regarding follow-up on a noise complaint at Kaizen Tuning.*
4. Letter from Town Administrator Selina Shaw dated July 8, 2013, to Massachusetts Governor Deval Patrick requesting his support for the District Local Technical Assistance program.
5. Application Review Request received July 1, 2013, from the Boxborough Planning Department regarding the Morrison Scenic Road and Stone Wall project on Hill Road. The package is in the "For Review" slot.#
6. Letter from Jodi Ross, Westford Town Manager, dated June 18, 2013, to Annamarie Kersten, Director of the Massachusetts Economic Development Incentive Program, regarding Westford's application to amend the 495 Regional Technology Center Economic Target Area.
7. Letter from Geoffrey C. Beckwith, Massachusetts Municipal Association Executive Director, dated July 2, 2013, to Town Administrator Selina Shaw regarding Boxborough's FY 2014 membership and the MMA's advocacy on behalf of cities and towns in the Commonwealth.*
8. Letter from Peter W. Teitelbaum, Wareham Board of Selectmen Chairman, dated June 26, 2013, to Boxborough Board of Selectmen Chair Vince Amoroso, requesting the BoS's support for a revised version of House Bill 1115, which relates to the definitions of low and moderate income housing.*
9. Letter from the Central Massachusetts Mosquito Control Project dated June 27, 2013, highlighting the results of a survey of the project's outreach efforts.

Indicates that the item had been previously distributed.

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



②

✱

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: July 3, 2013

RE: Building Department Monthly Construction Activity Report

The Building Department has released the June 2013 Construction Activity Report. A copy is attached.

ma

Building Department Monthly Construction Activity CY 2013

| | January | February | March | April | May | June | July | August | Sept. | October | November | December | Y-T-D Total |
|-----------------------|---------|----------|---------|---------|---------|---------|------|--------|-------|---------|----------|----------|-------------|
| Residential: | | | | | | | | | | | | | |
| Single Family - new | | | | | 1 | 2 | | | | | | | 3 |
| Additions/Alterations | 6 | 2 | 2 | 4 | | 6 | | | | | | | 20 |
| Repair | | 1 | | 1 | 2 | | | | | | | | 4 |
| Foundation Only | | | | | | | | | | | | | 0 |
| Pools/Spa | | | 2 | | 1 | | | | | | | | 3 |
| Windows | | 1 | | 4 | | 2 | | | | | | | 7 |
| Roof | | | | 3 | 2 | 2 | | | | | | | 7 |
| Deck | 1 | 1 | | 2 | 2 | 4 | | | | | | | 10 |
| Void | | | | | | | | | | | | | 0 |
| Accessory Apartment | | | | | | | | | | | | | 0 |
| Business: | | | | | | | | | | | | | 0 |
| New | | | | | | | | | | | | | 0 |
| Additions/Alterations | | | 1 | 2 | 2 | | | | | | | | 5 |
| Other: | | | | | | | | | | | | | 0 |
| Construct. trailers | | | | | | | | | | | | | 0 |
| Tents | | | | | 1 | 1 | | | | | | | 2 |
| Cell Tower Antenna | | | | | | | | | | | | | 0 |
| Demolition | | | | | 1 | | | | | | | | 1 |
| Woodstove | 4 | | | | | | | | | | | | 4 |
| Signs | | | | | 1 | | | | | | | | 1 |
| Shed/Barn | | | | 1 | 1 | 2 | | | | | | | 4 |
| Mechanical | | | | | | | | | | | | | 0 |
| Change of Use | | | | | | | | | | | | | 0 |
| Totals: | | | | | | | | | | | | | 0 |
| Number of Permits | 11 | 5 | 5 | 17 | 14 | 19 | | | | | | | 71 |
| Construction Cost | 228,200 | 31,150 | 356,791 | 230,370 | 548,354 | 638,572 | | | | | | | 2033437 |
| Total Fees | 1,437 | 219 | 3,980 | 3,738 | 5,794 | 6,679 | | | | | | | 21847 |

New House 55 Codman Hill Rd Codman Hill Development , LLC
949 Liberty Square Rd Konkle Teardown rebuild

Permit Listing Report

by District

Printed On: Mon Jul 01, 2013

Date Range: Issued between 06/01/2013 And 06/30/2013

SQL Statement: ([Type of Permit]="Building")

| District | Address (Work Location) | District | Zoning | Owner | Work Category | Est. Cost | Proposed Use And Detail | | |
|-------------|--|------------------|---------------|---|--|---|-------------------------|------------|------|
| Permit Type | Permit No | Online Permit No | Permit Status | Date Issued | Contractor (Phone #) | Work Description | Fees Paid | Check # | |
| Building | 187 HILL RD BP-2013-0130 | | OPEN | Les Fox Jun-04-2013 | Paul Peltier | Windows Windows | \$4,000.00 | \$50.00 | 6026 |
| Building | 440 DEPOT RD BP-2013-0131 | | OPEN | Lisa and Adam Haines Jun-05-2013 | John Mullen (508) 847-2590 | Deck Deck | | | |
| Building | 79 PRESCOTT RD BP-2013-0132 | | OPEN | COOPRIDER, JAY COOPRIDER, KAREN Jun-05-2013 | Christian Party Rental | TENT/TEMP. TRAILER Temporary Tent | \$50.00 | 395 | |
| Building | 66 MORSE LN BP-2013-0133 | | OPEN | WEISSBERG, LORI J & LEAHY, MARIANNE F Jun-10-2013 | Saunders and Sons Roofing Inc (866) 961-7663 | ROOF Strip and reroof | \$4,600.00 | | |
| Building | 949 LIBERTY SQ RD BP-2013-0134 | | OPEN | KONKLE, PHILIP & KONKLE, DEBORAH Jun-10-2013 | Northstone Builders, LLC | NEW SINGLE FAMILY Construction of a Single Family Home | \$270,000.00 | \$2,700.00 | 2533 |
| Building | 100 GUGGINS LN BP-2013-0135 | | OPEN | KERO, JOHN J & CONSTANCE D Jun-10-2013 | KERO, JOHN J & CONSTANCE D | Deck porch | \$4,800.00 | \$50.00 | 6471 |
| Building | 1092 HILL RD (1092 HILL RD C) BP-2013-0136 | | OPEN | MCLW,LLC Jun-17-2013 | Stephen Zindle (508) 481-3435 | Deck Deck | \$16,000.00 | \$160.00 | 1428 |

Permit Listing Report

by District

| District | Address (Work Location) | District | Zoning | Owner | Work Category | Est. Cost | Proposed Use And Detail | | |
|-------------|---|------------------|---------------|--|---|--|-------------------------|--------------|--|
| Permit Type | Permit No | Online Permit No | Permit Status | Date Issued | Contractor (Phone #) | Work Description | Fees Paid | Check # | |
| | 800 DEPOT RD | | | MADDEN, RICHARD B & MADDEN, DONNA A | Alteration | \$12,520.00 | | | |
| Building | BP-2013-0137 | | OPEN | Jun-17-2013 | Jason Foley (978) 423-1233 | Master Bedroom | \$125.00 | 2612 | |
| | 150 BARTEAU LN | | A/R | JOHNSON, THOMAS F | trim replacement | \$60,000.00 | | | |
| Building | BP-2013-0138 | | OPEN | Jun-17-2013 | S and H Construction Inc (617) 876-8286 | remove and replace trim | \$600.00 | 85160 | |
| | 380 BURROUGHS RD | | | CHATEAUNEUF, JOHN E & ALISON A | SHED/BARN | | | | |
| Building | BP-2013-0139 | | OPEN | Jun-17-2013 | Roche Perrine | shed | | | |
| | 55 CODMAN HILL RD | | | CODMAN HILL DEVELOPMENT, LLC | NEW SINGLE FAMILY | \$187,000.00 | | | |
| Building | BP-2013-0140 | | OPEN | Jun-18-2013 | Craftsman Village Boxborough. LLC - Mark O'Hagan (508) 395-1211 | 40B single dwelling/family deattached home | \$1,870.00 | 108 | |
| | 52 MAYFAIR DR | | | GOODNOW, ROBERT W JR & MICHELL E | Bathroom Remodel | \$10,750.00 | | | |
| Building | BP-2013-0141 | | OPEN | Jun-25-2013 | Jason Foley (978) 423-1233 | Bathroom remodel | \$107.00 | 2628 | |
| | 265 LIBERTY SQ RD | | | ROCHELEAU, DAVID & ELIZABETH | SHED/BARN | | | | |
| Building | BP-2013-0142 | | OPEN | Jun-25-2013 | ROCHELEAU, DAVID & ELIZABETH | shed | | | |
| | 47-109 CORTLAND LN (87 CORTLAND LN 3D) | | A/R | GOYKHMEN, ALEXANDER GOYKHMEN, HELEN | Windows | \$4,000.00 | | | |
| Building | BP-2013-0143 | | OPEN | Jun-27-2013 | Pella Windows | Windows | \$50.00 | 8778 | |

Permit Listing Report

by District

| District | Address (Work Location) | District | Zoning | Owner | Work Category | Est. Cost | Proposed Use And Detail | | |
|-----------------------------|---|------------------|---------------|---|-------------------------------|---|-------------------------|---------------------------|-------------------|
| Permit Type | Permit No | Online Permit No | Permit Status | Date Issued | Contractor (Phone #) | Work Description | Fees Paid | Check # | |
| Building | 520 BURROUGHS RD BP-2013-0144 | | | MAZZONE, Jason R Jun-27-2013 | MAZZONE, Jason R | Porch Enclosure Farmers Porch | \$5,000.00 | | |
| Building | 15-69 SPENCER RD (61 SPENCER RD 181) BP-2013-0145 | | | Alex Flores Jun-27-2013 | Alex Flores | Bathroom Remodel Bath Remodel, Kitchen Cabinets, Kitchen Ceiling | \$14,000.00 | | |
| Building | 114 FLAGG HILL RD BP-2013-0146 | | | MURPHY, MICHAEL G. & SETTLE- MURPHY, NANCY M. Jun-27-2013 | Carl Hume | Kitchen Remodel Kitchen Remodel | \$15,000.00 | | |
| Building | 233 MASS AV BP-2013-0147 | | | Cindy Erickson Jun-27-2013 | Cindy Erickson | ROOF Strip and reroof | \$1,200.00 | \$50.00 | |
| | | | | | | | | 1697 | |
| Building | 22 PIERCE LN BP-2013-0148 | | | CHIA WEIJING HSIEH, KATHY Jun-27-2013 | Ronald Maillet (508) 361-7827 | Kitchen Remodel Kitchen Remodel | \$29,702.00 | | |
| District () TOTALS: | | | | | | ESTIMATED COST: | \$638,572.00 | NUMBER OF PERMITS: | 19 |
| | | | | | | FEES INVOICED: | \$6,679.00 | FEES PAID: | \$5,812.00 |
| | | | | | | | | BALANCE: | \$867.00 |
| GRAND TOTALS: | | | | | | ESTIMATED COST: | \$638,572.00 | NUMBER OF PERMITS: | 19 |
| | | | | | | FEES INVOICED: | \$6,679.00 | FEES PAID: | \$5,812.00 |
| | | | | | | | | BALANCE: | \$867.00 |



3

*

BOXBOROUGH BUILDING DEPARTMENT
29 Middle Road, Boxborough, Massachusetts 01719
Phone: (978) 263-1116 · Fax: (978) 264-3127
David Lindberg, Inspector of Buildings

June 26, 2013

Les Fox
Board of Selectmen

Dear Les,

I am writing to provide follow-up on your recent inquiry about a noise complaint and possible bylaw violation regarding same. Please share this information with residents or the Board of Selectmen as you deem appropriate.

On Friday, June 21, I met Scott McIver, owner of Kaizen Tuning at 873 Massachusetts Avenue. The purpose of my visit was to meet the owner, view the operation, and discuss noise complaints from area residents.

According to Mr. McIver, Kaizen has about 8,000 square feet of enclosed space in which they tune high-performance automobile engines. The shop is clean and bright with a painted concrete floor that actually shines. The mechanics wear uniforms, the tool chests appear neat and orderly, and there is safety equipment located throughout the building. Ambient noise allows for easy conversation in one's regular speaking voice.

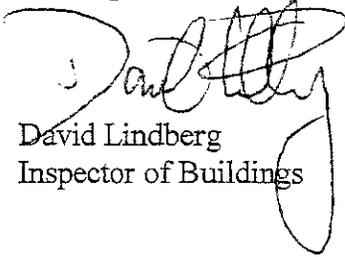
At the rear of the building (essentially facing north) is one garage bay that is closed off from the rest of the shop. There is one overhead door to the exterior that allows the vehicles to enter and exit the bay. Inside that bay, there is one piece of testing equipment- a dyno-meter, that allows engines to be tested at very high RPM. When the dyno is running there are also high powered fans that provide proper air flow to feed these engines. It is critical to the structural integrity of the building that the overhead door be left open during testing. Therefore the noise is blown straight out the back of the building.

To counter this problem, Mr. McIver has been researching sound deadening foam or panels that could be installed opposite the overhead door. He is arranging for a site visit from someone who provides this type of material. We also discussed retractable curtains that could be installed within the roof overhang at the rear of the building.

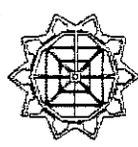
Mr. McIver understands that some people object to the sound of his testing. It is my opinion that the duration of the noise and the sporadic use of the dyno does not rise to the level of a bylaw violation. I will continue to work with Mr. McIver as he identifies and installs a sound absorption system to less the noise leaking from his shop.

Please feel free to contact me with any questions or concerns on this matter.

Best regards,



David Lindberg
Inspector of Buildings



MASSACHUSETTS MUNICIPAL ASSOCIATION

ONE WINTHROP SQUARE, BOSTON, MA 02110 617-426-7272 • 800-882-1498 • fax 617-695-1314 • www.mma.org

July 2, 2013

Selina Shaw
Town Administrator
Town of Boxborough
29 Middle Road
Boxborough, MA 01719

Dear Town Administrator Shaw,

Enclosed with this letter is the invoice for the Town of Boxborough's membership in the Massachusetts Municipal Association for fiscal year 2014, which begins on July 1, 2013.

Your membership in the MMA ensures that cities and towns in Massachusetts have a clear and effective voice fighting for you when municipal issues are being debated on Beacon Hill and in Washington. With your membership for fiscal 2014, the MMA will keep you up to date on key legislative and regulatory activities at the state and federal levels. As an MMA member, you will stay connected to a diverse array of meetings, workshops and professional development activities, and to the special services offered to our member cities and towns.

The enclosed MMA dues invoice reflects a small, below-inflation adjustment of just 1.5%, and we note with pride that in seven of the past eleven years the MMA has had no dues adjustment at all, and follows a small below-inflation adjustment last year, reflecting our commitment to provide high-quality services at very low cost.

The past several years have been extraordinarily challenging for local government, and the value of your membership in the MMA has never been clearer. Working tirelessly with local officials, we have leveraged the strength of cities and towns to engage with the Governor, legislators and state officials on every key issue. The MMA has been successful in protecting millions for cities and towns, although the road to a full fiscal recovery is still a long one.

Since the beginning of the greatest economic recession in eighty years, the MMA has won a number of important victories. The MMA's advocacy efforts have delivered true reform and results:

- The MMA has led the fight to restore municipal aid and education funding, and this month the MMA won the Legislature's support for a \$21 million increase in Unrestricted General Government Aid - in addition to this key municipal aid increase, the MMA's budget victories include \$130 million more for Chapter 70 to guarantee an increase for all communities and school districts through minimum aid and a phase-in of target share aid, passage of a \$10.5 million increase for the special education circuit breaker, and millions in increased funding for major local aid accounts;
• As you know, the MMA led the fight and won municipal health insurance reform two years ago this month, passing the powerful reform law to give town and city leaders plan design authority. The new law will save cities and towns nearly \$200 million this year alone;
• The MMA is leading the fight to secure Chapter 90 funding for local roads, orchestrating the Legislature's unanimous approval of \$300 million a year - the MMA is relentlessly advocating for the Governor to release the full amount now, and we will not stop until this necessary increase in Chapter 90 funding becomes a reality.

The Association's effectiveness has been clear in recent years, too. The MMA has won passage of the first-ever local option meals tax; won the first increase in the local hotel-motel tax in over 20 years; closed the century-old telecom tax loophole on poles and wires; defeated a plan to impose binding arbitration on cities and towns in the area of health insurance; and during the recession years the MMA protected local aid from deeper-than-expected cuts in the final versions of the state budget.

(over, please)

The MMA is your voice leading the fight to protect municipal and Chapter 70 education aid, increase Chapter 90 road monies, boost the payment-in-lieu-of-taxes program, fund regional school transportation reimbursements, allocate special education costs, fix the deeply flawed charter school funding system, and much more. It is clear that the MMA has protected an enormous amount of local aid for your community, as the cuts would have been much deeper without our advocacy. Yet we know that this is not enough. The MMA is devoted to protecting localities, and we know that winning permanent local aid commitments and securing real management tools are essential to our state's economic success, and to your ability to move your community forward.

Listed below are a just a few of the MMA's ongoing activities:

- From Chapter 70 and unrestricted general government aid, PILOT funds, Charter School Reimbursements, Regional and Regular School Transportation, and scores and scores of accounts in between, **the MMA is clearly the dominant advocate for \$5 billion in local aid for cities and towns;**
- The MMA serves as the primary advocate for local control and management rights on civil service, collective bargaining, public retirement and other important labor-management issues, and **is championing real mandate relief;**
- In the midst of a national crisis in insurance, the MMA created the **Massachusetts Interlocal Insurance Association (MIIA), and MIIA has saved its member cities and towns millions of dollars annually** through its health, dental, long-term disability, workers' compensation, and property and casualty programs. MIIA is the strongest and most stable municipal insurer in the state, and has seen record growth in membership because of its well-deserved reputation for value, stability and service;
- The MMA communicates through a **state-of-the-art electronic advocacy system to instantly inform and mobilize thousands of local officials** on key matters and priorities before the Legislature and the Governor, to make sure that the communities of Massachusetts are heard on Beacon Hill;
- The MMA membership services program sponsors **workshops and training sessions for members throughout the year**, and also organizes regular meetings of the MMA affiliate groups as a way for local officials to meet with their colleagues, and **meets with hundreds of local officials in regional legislative breakfast meetings each spring and fall;**
- The MMA has **expanded its member education programs and training and learning opportunities** for local officials at all levels, with a long-range vision of linking our programs with accredited public management and leadership certificate and graduate degree programs;
- MMA publications include its monthly flagship, *The Beacon*, the quarterly *Municipal Advocate* and regular updates on activities on Beacon Hill affecting local government through *Action Alerts* and bulletins;
- The MMA's website (www.mma.org) offers the latest in news and information, as well as a rich array of materials and resources, with a growing state-of-the-art members' section to share important updates and calls for action; and
- Each year in January, the MMA organizes the two-day **MMA Annual Meeting and Trade Show, the largest yearly gathering of local officials in New England**, offering a wide array of workshops and education sessions. The annual achievement awards provide recognition for local leaders who have been innovative in governing or managing their communities.

The MMA is your organization! We consist of you and thousands of your municipal colleagues from hundreds of communities across the state. With your continued membership, active participation and leadership, we will continue to advance the many vital causes of local government in Massachusetts. With the global, national and state economies remaining stagnant, your membership is more important than ever. We look forward to working with you, and as always, remain at your service.

Thank you!

Sincerely,



Geoffrey C. Beckwith
Executive Director

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BOS-IC*
cc Al Murphy, EHB
7/10/11

TOWN OF WAREHAM

54 Marion Road
Wareham, Massachusetts, MA 02571

BOARD OF SELECTMEN

Peter W. Teitelbaum, Chairman
Alan H. Slavin, Clerk
Stephen M. Holmes
Patrick G. Tropeano
Judith Whiteside

Dear President Amoroso:

I am writing to ask that you join the Town of Wareham Board of Selectmen in supporting House Bill 115, an Act relative to the definition of low and moderate income housing. This bill is sponsored by Representative Susan Williams Gifford, and seeks to amend Massachusetts General Laws Chapter 40B, § 20 by adding the following sentence:

Low and moderate income housing shall also include mobile homes and group homes, manufactured homes, in-law apartments and any first-time home buyers participating in any state or federal assistance program.

The bill's legislative webpage may be found at the following link where you can view its current status in committee: <https://malegislature.gov/Bills/188/House/H1115>

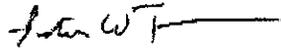
Our town, and others similarly situated across the Commonwealth, currently possesses hundreds of housing units in the form of mobile homes and other types of very affordable property that presently do not count towards the ten percent affordable housing quota required by Chapter 40B. Accordingly, we remain subject to the provisions of Chapter 40B that allow developers of affordable housing to avoid much of our local zoning controls.

Such development has often proven burdensome to abutters, added traffic flow on Town roads, and has increased strain upon police, fire and emergency medical services. At the same time, the minimal requirement that an affordable housing project pursuant to Chapter 40B contain only twenty percent affordable housing creates a situation where municipalities such as ours end up chasing their tails, by adding non-affordable housing to our overall housing stock at four times the rate of affordable units.

The proposed amendment will have negligible effect upon urban communities where affordable housing remains desperately needed, as cities typically do not have large mobile home parks; nor will the proposed amendment stigmatize or economically harm the property values of the proposed subject properties to be included in the definition of affordable housing. Rather, the proposed amendment seeks merely to appropriately classify what is indeed already very affordable housing as such, under the law.

The Wareham Board of Selectmen voted unanimously to authorize me to submit correspondence to you on this issue, as we realize that it will take the effort and support of many to bring the bill into law. Accordingly, we ask that you join us in reaching out to our legislators, particularly those serving on the Joint Committee on Housing, to urge their positive action on H. 1115. To discuss this issue with me, please contact me at the above address and phone number, or my town email at pteitelbaum@wareham.ma.us I look forward to hearing from you.

Very truly yours,



Peter W. Teitelbaum, Esq.
 Chairman, Wareham Board of Selectmen



**Minutes, Notices and Updates
July 15, 2013**

Minutes

1. Conservation Commission minutes of the meeting held May 15, 2013.

Notices

1. Notice of a Recreation Commission meeting held July 9, 2013.
2. Notice of a Boxborough School Committee meeting held July 9, 2013.
3. Notice of Invitation to Bid by July 18, 2013, for an Emergency Medical Vehicle.
4. Notice of Finance Committee meeting held July 8, 2013.
5. Notice of Invitation to Bid by July 18, 2013, for de-leading and painting part of Town Hall.
6. Notice of Personnel Board meeting to be held August 22, 2013.
7. Notice of Boxborough Leadership Forum meeting held June 26, 2013.
8. Notice of a Public Hearing before the Conservation Commission to be held July 17, 2013, to consider a request to Amend an Order of Conditions filed by Goldsmith, Prest & Ringwall, Inc. on behalf of the property owner, Julian D'Agostine, Olympus Realty, for a property located at 34 Massachusetts Avenue, Assessor's Map 11, group 4, parcel 288.



General Correspondence
July 15, 2013

1. The Ten-Year Report 2003-2013 of the 495/Metro West Partnership, *Ten Years of Collaboration Decades of Results* (provided by Rita Grossman).#
2. Letter from Judith G. Salerno, Executive Director, Foundation for Metro West, dated June 18, 2013, to Vincent Amoroso, regarding the foundation's 2012 Annual Report, which is in the "For Review" slot.