



BOARD OF SELECTMEN
Meeting Minutes
December 2, 2013

Approved: December 16, 2013

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

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

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

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

ANNOUNCEMENTS

Chair Amoroso read the announcements and requested a moment of silence for Michael Clark.

APPOINTMENTS

- Inspector of Buildings/Code Administration Officer, David Lindberg, was present to brief the Selectmen on various matters. He opened with a discussion of the capital management asset plan. The current document known as the “Capital Plan” is actually a capital spending plan. It shares financial data and DOR metrics such as “usable life”, but it doesn’t provide a full perspective as to the rationale and need behind a capital expenditure. He would like to create a report that would provide both descriptive narratives and empirical data on proposed capital expenditures. This is still a work in progress and he hopes to have something to present in the next few months. Lindberg also spoke to conditions at Town Hall; specifically the Grange Meeting Room. Space is at a premium and IT resources need a proper area in order to best serve the Town. The Grange Room stage is currently unusable as it is not ADA compliant and is being used just for storage. Before IT Coord. Frost left he had proposed that this area be converted to house the Town’s IT resources. Lindberg distributed drawings illustrating this proposal. This design would maintain the stage’s façade, preserving its historic appearance. This would be a more efficient use of the space and allow for additional IT functions and resources. There were concerns regarding this proposal. Lindberg was asked to gather information on the costs involved in bringing the stage back into ADA compliance. Also others should be consulted on this proposal such as the Historical Commission, the Boxborough Grange and other relative boards/committees. Lindberg also discussed the general condition of the Grange Room – i.e. the flooring and possible restoration of the Grange’s plaster ceiling. There was discussion as to current fire sprinkler system specifications. Lindberg updated the Selectmen on the Museum’s moisture issues. The DPW repaired/re-connected the drainage piping this summer. DPW has not detected moisture in the building since this repair. He was up at the Museum today and it seems to be dry. There was discussion on retaining a consultant to measure the moisture levels with an eye towards using the lower floor for storage. Lindberg reported on the status of the noise concerns raised regarding Kaizen Tuning. Kaizen’s owner has been very cooperative. He has spent a significant amount of money on noise mitigating equipment, and he has instituted noise control protocols. The residents that initiated this concern have advised that they still have concerns. Town does not have equipment to measure noise levels. TA Shaw reported that Town Counsel has been consulted and has advised that the onus is on the complaining party to prove that these noise issues still exist and they have the responsibility to provide empirical evidence to support this. It was also noted that persons complaining about these types of issues need to be communicating directly with the Building Inspector. Member Fox will relay this to the resident.
- Al Murphy, Chair of Boxborough Housing Board and member of Stow Road Concept Development Committee (SRCDC) was present to update the Selectmen on Stow Road project. Member Fox (& SRCDC Chair) also provide his input. Murphy referred to a memorandum outlining the SRCDC efforts & findings and their recommendations. Though not in the memorandum the SRCDC intends to encourage the development to use green technologies. The Mass. Housing Partnership rep. is working with Murphy, Fox and Planner Hughes on the draft RFP. Tonight’s recommendations and sample concept drawing are just for discussion purposes. The chosen developer will be the one providing the actual designs. There was also general discussion on well locations; allowable usage and impact zones - private well vs. public well service. The Town needs

to maintain oversight and control moving forward. Murphy asked for the Selectmen's support concerning the direction that the SRCDC is recommending so they can proceed with drafting a RFP. There was discussion regarding the intention to present articles concerning the development of the property at the 2014 ATM. The timeline and steps that would need to be met to have it ready for Town Meeting were also discussed. Planner Hughes came in and provided additional input and updates on developing the RFP. Chair Amoroso moved to issue a statement supporting the SRCDC recommendations. Seconded by Member Stemple. **Approved 5-0.**

- Phyllis Tower, Animal Control Officer - Dogs and Cats, was present provide the Selectmen with a recommendation regarding Walker Royce's concerns in regards to Rosemary & Iz Singer's dog, Bruni. Walker Royce was present. Tower referred to Mr. Royce's communications and reviewed the history of the Selectmen's previous determinations regarding Bruni. Specifically, the 2009 ruling that Bruni be on-leash and under the owners' control when off of the Singers' property. Tower advised that, at this time, no further incidents have been reported. Tower requested that the Selectmen send a certified letter to Mrs. Singer reminding her of the Selectmen's standing order; and possible repercussions. The Selectmen determined that just such a letter would be drafted. Mr. Royce stated he was satisfied with how this matter is being handled and he had nothing further to add.
- All audience members left after this discussion so no one was present for Citizens' Concerns.

MINUTES

- Member Fox moved to accept the minutes for the regular session of November 4, 2013, & Goals workshop of November 16, 2013, as written and the regular session of November 18, 2013, as revised. Seconded by Member Suleiman. **Approved 5-0.**

SELECTMEN REPORTS

- Member Gorman expanded on some of BICAO Lindberg's earlier comments concerning capital items. He further reported that Lindberg will be adding a computer tablet to the FY 15 Building Dept. budget, for record keeping at site visits.

Member Gorman reported on several Fire Department related items:

- ◇ He met with Chief White and discussed the status of the town's cisterns. Chief has a specific inspection, general maintenance and cleaning schedule in place. The Selectmen discussed the condition of some of the older cisterns/fireponds. It was suggested that Chief White provide BICAO Lindberg with periodic updates.
 - ◇ He reported on the status of the LEPC, and the concern that interest had been waning. As it turns out most issues previously being addressed by this group have subsequently been resolved. There has been discussion about continuing on with the group but decreasing the frequency of meetings.
 - ◇ Chief White has advised that there are several potential capital article items that he may be bringing forward in the next two years. There was discussion on some of these potential capital items.
- Chair Amoroso reported on the recent tree falls and resulting power outage on Liberty Square Rd. This year there has been extensive tree cutting & clearing done by DPW and LELWD, however he is concerned that there may be dead or damaged trees along the Town's roadways that could come down. He will speak to DPW Director Garmon on this.
 - Member Stemple reported that he, John Fallon (BHSI) and Bruce Hager (SFAC) met with the Conway School representative at Steele Farm. The Conway School rep. will be contacting TA Shaw to get on an upcoming agenda regarding a management plan.
 - Member Suleiman reported that the Personnel Board is continuing their work on personnel survey results.
 - Member Fox reported on the various IT issues he has dealt with over the last week:
 - ◇ He was able to restore the video system. The manufacturer provided him with phone support and remotely dialed in. They were able to diagnosis a bad video card.
 - ◇ Some of the Town's stakeholders came together earlier today to brainstorm on the Town's IT needs. He discussed his memorandum outlining these discussions and a proposed Interim IT support plan. There was also discussion regarding funding for IT functions; compliance with current laws; and constituting an oversight group made up of stakeholders and some volunteers, similar to BITcom.
 - ◇ There have been discussions with Guardian Technologies and they have been asked to come back with proposal for long-term coverage.

He also reported that he, BICAO Lindberg, and TA Shaw have had discussions with the Town Counsel on "noise" pollution, as part of the continuing research into concerns raised regarding Kaizen Tuning.

OLD BUSINESS

- Though not on the agenda, TA Shaw presented a request to appoint a designate and alternate to act for the Town in matters related to the recently ratified Transportation service IMA. Chair Amoroso moved pursuant to the intermunicipal agreement (IMA) by and between the Towns of Acton, Boxborough, Concord, Maynard, Stow, and Westford for the provision of transportation management services, being executed tonight in accordance with the authorization approved by vote of the Board of Selectmen on September 9, 2013, to designate Selina Shaw, Town Administrator, as the Representative, duly authorized to act for the Town in all matters pertaining to this Agreement, and Elizabeth Hughes, Town Planner, as the Alternate Representative. Seconded by Member Gorman. **Approved 5-0.**

NEW BUSINESS

- The Selectmen took up the request from Steele Farm Advisory Committee Chair Bruce Hager to use the Town seal on “Protected Forever” sign to be placed at Steele Farm. Member Fox moved to authorize the use of the Town seal on The Trustees of Reservation “Protected Forever” sign to be placed at Steele Farm. Seconded by Member Stemple. **Approved 5-0.**
- Chair Amoroso moved to accept with regrets and place on file the resignation of Todd Davis from the Acton-Boxborough Cultural Council effective immediately Seconded by Member Stemple. **Approved 5-0.**
- Chair Amoroso moved to accept with regrets and place on file the resignation of Karim Raad from the Boxborough Affordable Housing Trust effective November 18, 2013. Seconded by Member Gorman. **Approved 5-0.**
- Chair Amoroso moved to appoint Eric Romaniak to the Boxborough Affordable Housing Trust as the Finance Committee ex-officio member effective immediately to complete the unexpired term of Karim Raad until June 30, 2014. Seconded by Member Stemple. **Approved 5-0.**

CORRESPONDENCE

- Chair Amoroso reviewed the list of materials received.

EXECUTIVE SESSION

- At 9:16 PM, Chair Amoroso moved to adjourn to executive session to conduct strategy session in preparation for negotiations with non-union personnel and to adjourn immediately thereafter. Seconded by Member Stemple. **Approved 5-0 by a roll call vote: Gorman, aye; Amoroso, aye; Stemple, aye; Suleiman, aye; and Fox, aye.**

SELECTMEN'S ANNOUNCEMENTS

DECEMBER 2, 2013

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

- **The Transfer Station will be closed Wednesday, December 25th - Christmas Day and January 1st - New Year's Day.** They will be open as usual on the respective Saturdays.
- A **new phone system** has been implemented at many of Boxborough's town departments. You will no longer be able to reach many of Town's facilities by dialing their old numbers. A Town Phone Directory, with these new numbers, is posted on the Town's website under "NEWS."

The Holiday Season is quickly approaching.....

- **There is a TOYS FOR TOTS drop off box at the Fire Station.** If anyone wishes to donate a toy to help underprivileged children they may drop it off at the Fire Station located across from the Blanchard School, at 502 Mass. Ave. They are looking for new, non-violent, unwrapped toys for boys and girls of all ages. Residents are asked to have their donations in by December 13th.
- The Boxborough **Friends of the Council on Aging's Annual Holiday Party** and luncheon will be held on Wednesday, December 4th from 12:00 to 2:00 P.M. at the Boxborough Community Center, 30 Middle Road. There will be a performance by an ensemble of the award-winning Blanchard School Band. All are Boxborough Seniors are welcome, admission is free, however this event is always well attended and we request that you call the COA office in advance, at their new number 978-264-1717 for reservations.
- The **Boxborough Museum** at 575 Middle Road will be open from 2:00 pm to 4:00 pm also be opened on SATURDAY, December 7th. Stop by before heading up the Tree Lighting to explore their various exhibits and to get a head start on your holiday shopping. Items include Lucie Hager's book, *Portrait of a Town* and the Boxborough Afghan. Admission is free and all are welcome. Members of the Boxborough Historical Society will be on hand to help you and to discuss the exhibits. Contact John Fallon for more information or to arrange for a private tour.

- Then head on up to the Annual **Holiday Tree Lighting** taking place at 4:30 PM on Saturday, December 7th at the Old Town Center, located at the intersection of Hill and Middle Road with parking available at the Boxborough Museum, just down the hill. Please come and join in the celebration singing along with the Blanchard's own Brass Ensemble and Chorus. The Spirit of Giving Award recipient will be announced and they will have the honor of lighting the tree. You are asked to bring donations for the food pantry and you are invited to bring your baked goods and other treats to the tree lighting to share with others, however we ask that you provide your treats in individual bags for sharing.
- The **2013 Deer Hunting Shotgun Season opened today** and will run through December 14th. Shotgun will be followed by Muzzle or Primitive Firearms season. For everyone's safety and enjoyment please remember to exercise some trail safety commonsense during Hunting Season. A listing of suggested Trail Safety Rules may be found on the Town's website.
- Residents now need to obtain a voucher and pay additional fees for the **disposal of bulk items** at the Transfer Station. Vouchers can be purchased only at the Town Hall from the Tax Collector's office. Checks or exact amount in cash, please. Please refer to the Transfer Station webpage or call the DPW at 978-264-1790 for more information.
- **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), the Steele Farm Advisory Committee (1), and the Conservation Commission has one vacancy for an unexpired term which runs until June 30, 2015. Also, the Town Moderator is seeking one volunteer to serve on the Finance Committee for an unexpired term which runs until June 30, 2014. 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.
- 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.
- Please call Laura Arsenault at the COA office (978-264-1717) to make a reservation for the Boxborough **Friends of the Council on Aging's Annual Holiday Party** and luncheon.



BOARD OF SELECTMEN

Meeting Agenda

December 2, 2013

Boxborough Town Hall

Grange Meeting Room

1. CALL TO ORDER, 7:30 PM

2. ANNOUNCEMENTS

3. APPOINTMENTS

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

- a) David Lindberg, Inspector of Buildings/Code Administration Officer, to brief BoS on capital management asset plan, town hall update options (Grange Meeting Room), resolution of museum moisture issues, Kaizen Tuning noise concern, other ongoing projects, 7:35 AM
- b) Al Murphy, Chair of Boxborough Housing Board and member of Stow Road Concept Development Committee, to provide update on Stow Road project, 8:00 PM
- c) Phyllis Tower, Animal Control Officer - Dogs and Cats, to provide recommendation to BoS re: concern from Walker Royce regarding Bruni, 8:30 PM [Rosemary and Iz Singer may also be present]
- d) Citizens' Concerns

4. MINUTES

- a) Regular session, November 4, 2013
- b) Goals workshop, November 16, 2013
- c) Regular session, November 18, 2013

ACCEPT & POF
ACCEPT & POF
ACCEPT & POF

5. SELECTMEN REPORTS

6. OLD BUSINESS

7. NEW BUSINESS

- a) Request from Bruce Hager, Steele Farm, Advisory Committee Chair, for use of Town seal on "Protected Forever" sign to be placed at Steele Farm
Move to authorize the use of the Town seal on The Trustees of Reservation "Protected Forever" sign to be placed at Steele Farm
- b) Resignation of Todd Davis from the Acton-Boxborough Cultural Council (ABCC)
Move to accept with regrets and place on file the resignation of Todd Davis from the Acton-Boxborough Cultural Council effective immediately
- c) Resignation of Karim Raad from the Boxborough Affordable Housing Trust
Move to accept with regrets and place on file the resignation of Karim Raad from the Boxborough Affordable Housing Trust effective November 18, 2013

VOTE:

ACCEPT & POF

ACCEPT & POF

- d) Appointment of Eric Romaniak, ad hoc Finance Committee member to the Boxborough Affordable Housing Trust
Move to appoint Eric Romaniak to the Boxborough Affordable Housing Trust as the ad hoc Finance Committee member effective immediately to complete the unexpired term of Karim Raad until June 30, 2014

8. CORRESPONDENCE

ACCEPT & POF

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

9. PRESS TIME

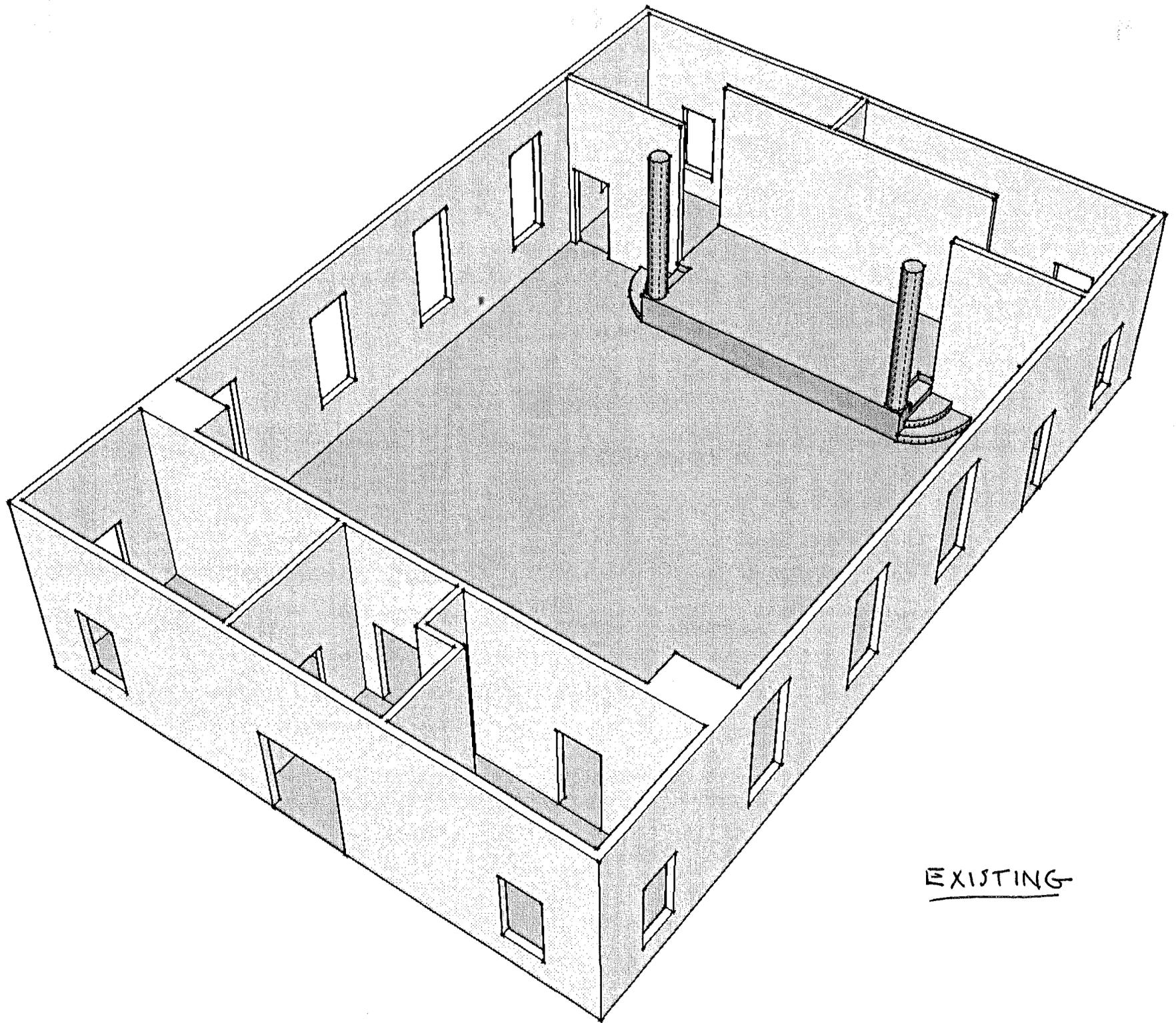
10. CONCERNS OF THE BOARD

11. EXECUTIVE SESSION

Move to adjourn to executive session to conduct strategy session in preparation for negotiations with non-union personnel

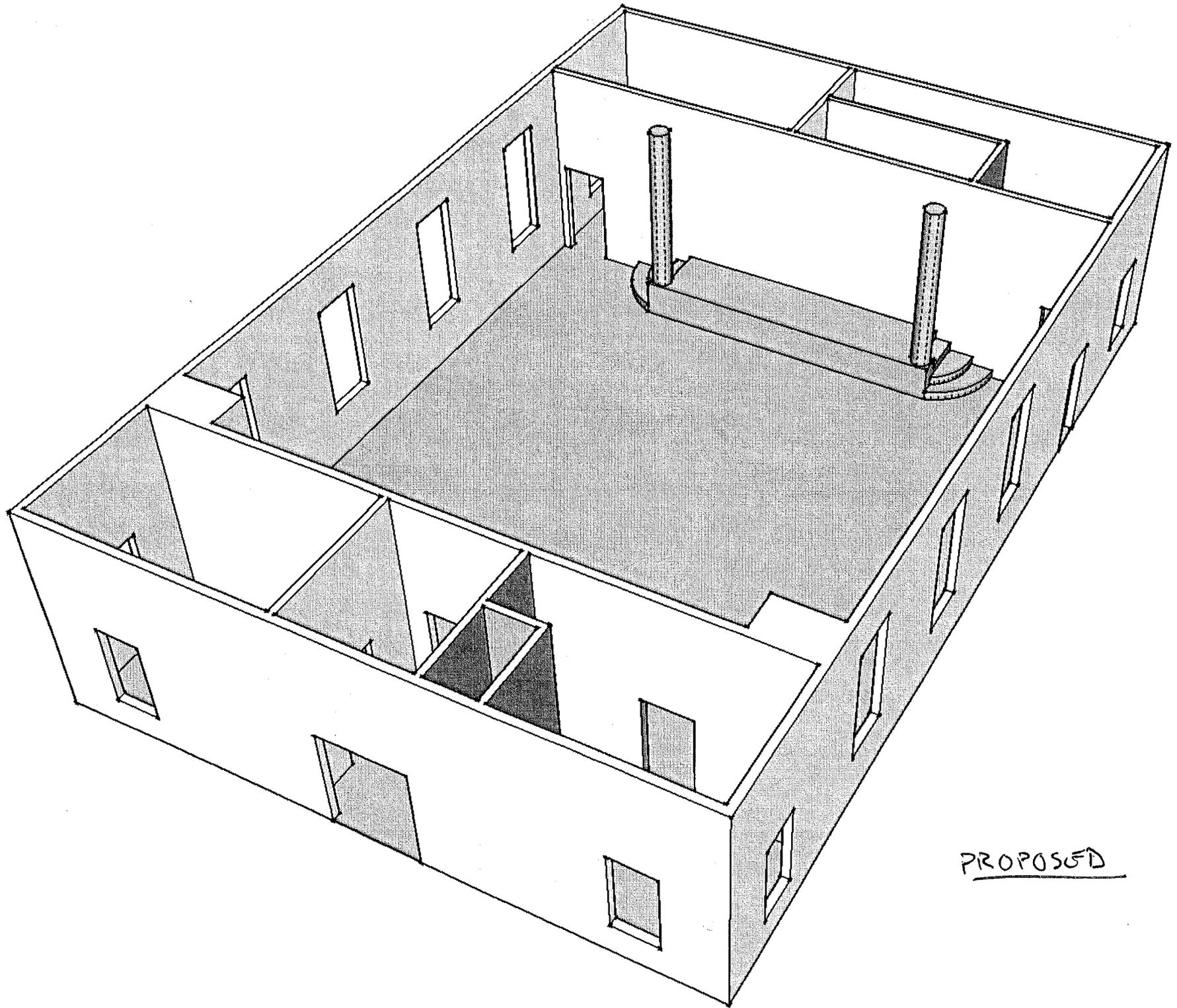
**ROLL CALL
VOTE:**

12. ADJOURN

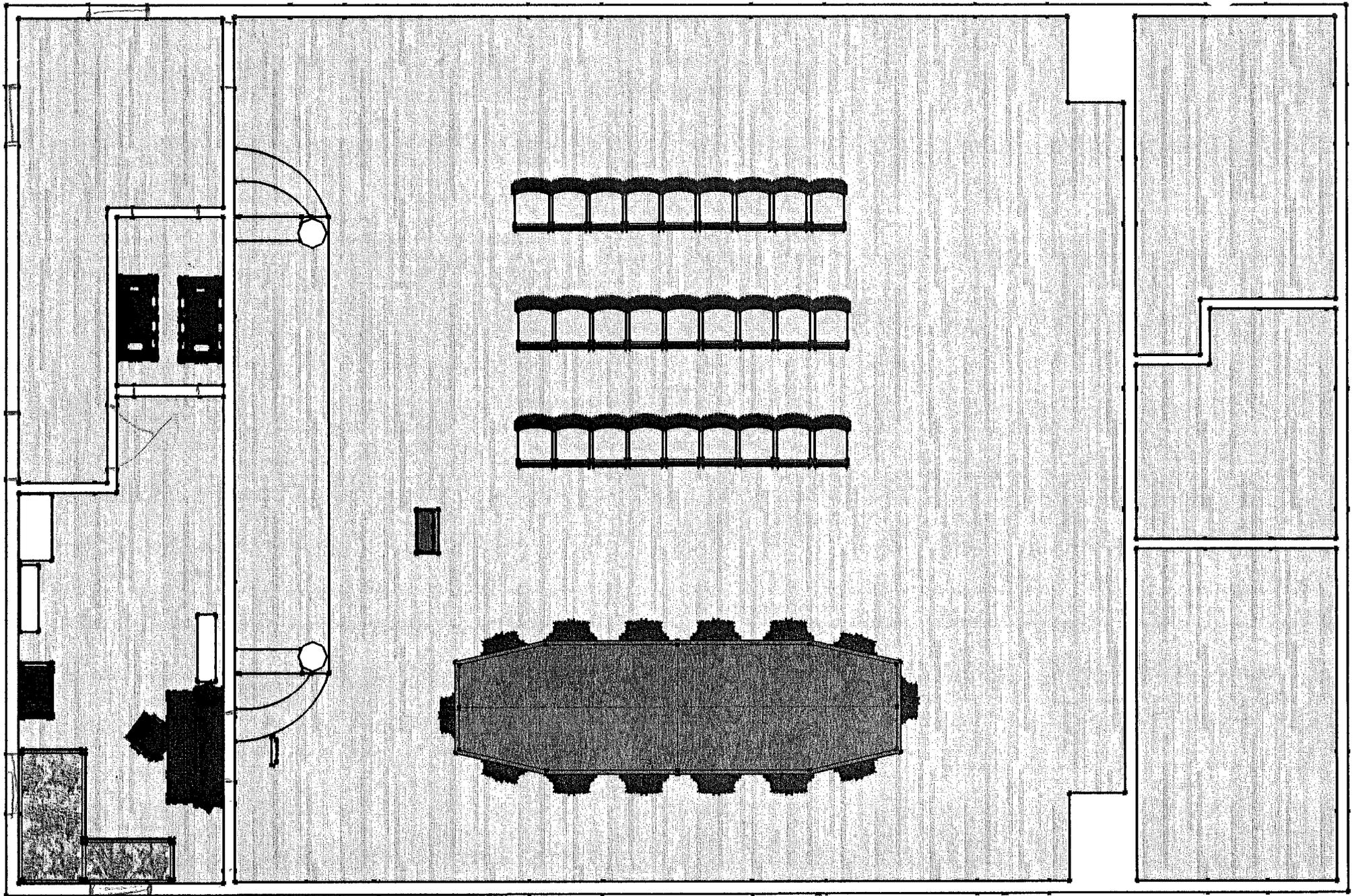


3a

EXISTING



PROPOSED



36

Selina S. Shaw

From: Les Fox [lesfox@comcast.net]
Sent: Monday, November 18, 2013 10:58 AM
To: amorosovm@gmail.com
Cc: Selina S. Shaw; Cheryl.Mahoney@town.boxborough.ma.us; 'Elizabeth Hughes'; Al Murphy
Subject: Stow Road - change of announcements

Vince,

As I mentioned on Saturday, the Stow Road Concept Development Committee has established a direction and authorized me and Al to finalize details of an RFP for review and approval by the committee and BOS when we are ready to do so. Although public input will be welcome during the review process, we no longer need to solicit public input for the concept development phase. So, we should drop that part of our regular BOS announcements.

Elizabeth has already notified the Beacon to stop running that notice, sent the attached press release for background.

I will mention this under Selectmen's reports tonight, and Al and I would like to be on the agenda for our December 2 meeting to present some details and address any questions of the board.

Selina – note above request for Dec 2 agenda.

Les

Press Release Nov 14, 2013

Stow Road Concept Development Committee

The Stow Road Development Committee thanks everyone for their helpful comments and suggestions. The committee has received enough community input to date to initiate work on an RFP to Developers for a community that will provide accessible housing to seniors and affordable housing to first-time home buyers, among others. The Committee will be presenting the broad outlines of the concepts to the Board of Selectmen within the next few weeks to solicit their endorsement and support for further advancement. Many details remain undefined, but there will be a number of opportunities for public review and input during the RFP development and final selection process. We will of course continue to welcome suggestions from Boxborough Residents. Please keep the comments coming.

Recommendation for Utilization of Property on 70- 72 Stow Road

I. Introduction

The Stow Road Concept Development Committee has received considerable public input and discussed a number of alternatives for development of the property that is consistent with an overarching goal to provide for some affordable housing suitable for Boxborough and agreeable to the sensibilities of our community. Among the many factors and constraints reviewed by the SRCDC, we note the following key points:

A. Characteristics of the Development

1. Rental housing is not preferred for this development. The rental market is reasonably well-served at this time, and the Stow Road property does not have sufficient scale to make a rental operation economically attractive.
2. The preferred style is home-ownership units of mixed types, without age restriction. The housing blend will target reasonably priced starter homes for young families, as well as down-sizing independent seniors. A proportion of the units will be single-level "zero-access" ADA-compliant housing.
3. Since the property was acquired with Affordable Housing Trust funds, at least 25% of the units must be deed-restricted to be affordable to home buyers/families with income levels not more than 80% of AMI. The remaining 75% can be market-rate units.
4. Given statutory and by-law constraints on the use of AHT funds, we cannot feasibly provide for a non-housing feature, such as a town hall annex, community center or public access recreational facility. A number of other practical considerations, such as liability, real-estate consumption, and resource demands also argue against such a feature.
5. Boxborough should not be the developer of the property. That would entail enormous complexity and management burden we don't want, and significant additional construction costs due to prevailing wage requirements under MGL Ch. 30B.
6. Since the development will exceed the density allowed under current zoning, a comprehensive permit process will be used.

B. Procurement Process

1. Susan Connelly of the Massachusetts Housing Partnership (MHP) has been working with the committee and will draft the RFP. Susan is providing on-going support as part of MHP's mandate to offer technical assistance to communities free of charge.
2. We recommend that the town issue an RFP for development of the property that meets our broad requirements, without overly specifying the design details. Overly specifying the details may trigger State Procurement Laws and inhibit the creativity of the responders.
3. The RFP will require agreeable aesthetics, e.g., "The final appearance of the proposed development should be harmonious with existing traditional norms for single family detached and attached dwellings." In accordance with example RFP's supplied by Susan, we will provide sufficient design guidance and define a review/selection process that includes design issues, so that a pleasing design appropriate to Boxborough results.
4. The town's equity (purchase price of \$800K) is fungible and can be used to negotiate with developers to achieve the best outcome for the town. For example, this could result in a greater proportion of affordability (home prices), or energy-efficient, low maintenance designs and construction, or other desirable attributes. We'll have the leverage to do so. We don't necessarily need to provide 100% land subsidy to the developers. Depending on the outcome of our negotiations, some portion of the town's land purchase price could be recovered and returned to the AHT.
5. We should not develop large DEP-permitted public water supply wells to serve the development. The wellhead protection zones would be so large as to encroach upon neighboring properties and overly constrain the development options. We should divide and conquer by having several condominium

associations each served by a single private well but possibly all sharing a common septic or advanced treatment system. A conceptual plan for such a development is shown below.

6. The condominium master deed will be designed to properly and fairly address common area management and maintenance issues from the outset (wells, septic, grounds, plowing, etc.).

II. Request for immediate action

On November 6, the SRCDC met and reviewed the course of action outlined above, and authorized the co-chairs to wrap up any technical loose ends and work with MHP to draft a development RFP for review by the committee and Selectmen at a future date. We request that the Board of Selectmen support the action of the SRCDC so that the RFP development work can proceed.

III. Anticipated future actions

- A. We will need town meeting approval to dispose of the property to a developer. There are many unknowns, but we should prepare a proper enabling article for the 2014 town meeting.
- B. The Selectmen will need to establish a mechanism to ensure the attainment of any performance standards of the developer's contract, in concert with normal processes for ZBA permits. Again, the Town must refrain from exercising too much control, so that we avoid MGL Ch. 30B issues. This is new territory for Boxborough. We need to give the matter some thought and devise a means of having some control without causing problems.

IV. Example Development

A. Private Wells

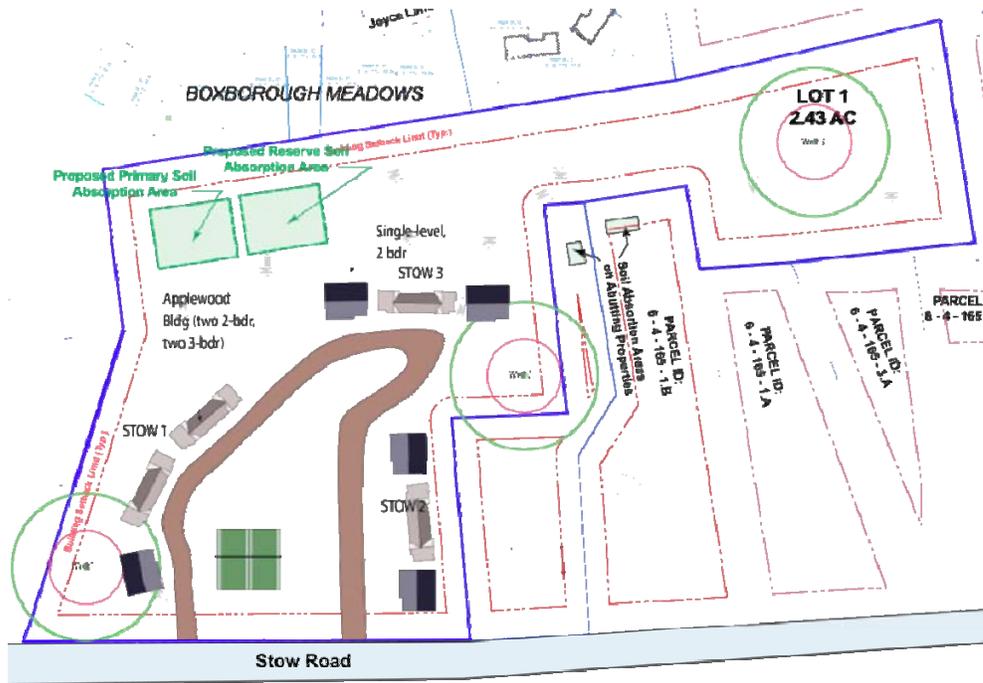
A private water supply provides water for human consumption and consists of a system that has less than fifteen service connections and either (1) serves less than twenty-five individuals or (2) serves an average of twenty-five or more individuals daily for less than sixty days of the year. The applicable rules that govern the placement of private wells are that no well should be installed closer than:

1. 50 ft. from any lot line
2. 50 ft. from any septic tank
3. 100 ft. from any cesspool or leaching facility
4. 25 ft. from the driving surface of a road or 15 ft. from the right-of-way, whichever is greater.

In addition, the separation between two operational wells must be greater than 100 ft.

B. Possible Development

A sketch of a possible development is below. It includes three home groups, Stow 1, Stow 2, and Stow 3, that are serviced by three private wells. The red circle around each well has a radius of 50 ft., and the green circle has radius of 100 ft. The three groups share a common waste-disposal system.



In all, the development contains four Applewood-style townhouse buildings, and four single level two-bedroom dwellings. Each Applewood-style building contains two 3-bdr and two 2-bdr condos. Taking into account all Applewood-style dwellings and single-level homes, the development contains 44 bedrooms. A pair of private tennis courts is also included. A similar area could be reserved as common area for gardens. These would be for use by members of the condominium association(s), who may wish to allow public access, at their discretion.

Selina S. Shaw

From: Walker E Royce [REDACTED]
Sent: Thursday, November 14, 2013 2:45 PM
To: selectmen@town.boxborough.ma.us; [REDACTED]
Cc: jennifer.royce [REDACTED]
Subject: Dog challenges at Patch Hill

To: Boxborough Selectmen and Dog officer

We walk our dog daily in the Boxborough conservation lands and a few times a week at Patch Hill. A few years ago, we had an incident with Brunni, a german shephard female owned by Rosemary Singer. Brunni confronted our dog Corey aggressively and chomped a piece of his ear. After that incident, and previous incidents with Brunni, We were assured that Brunni would be on-leash whenever on town property.

In the last 3 months, we have had 3 additional confrontations with Brunni, none of them serious. In August, while walking on Patch Hill, Brunni showed up all alone and confronted our dog aggressively. We quickly grabbed her collar, avoided an incident and then walked her back home. I notified Rosemary in writing and asked for her assurance that Brunni would not leave her property. That letter is attached below. Evidently, there was some issue with the fence or Brunni's collar. Rosemary assured us it would not happen again.

Last week, on Nov 8th, while walking Corey on the Patch Hill land with Simon Bunyard and his dog Tucker, we encountered Rosemary and Brunni. Brunni was not on-leash. We talked with Rosemary and she assured us (again) that she would control Brunni on-leash whenever she was on town property. This morning Nov 14th, while walking at Patch Hill, we encountered Rosemary, Brunni, Kristen Hilberg and her 2 dogs. Brunni was off leash once again.

This is strike three. We have done our best to resolve the situation as neighbors without town intervention. Unfortunately, we believe that without town intervention, we will continue to be at-risk to Brunni's aggression whenever we are walking at Patch Hill. That fear is not desirable and impinges on our freedom to enjoy Boxboro conservation lands. We hope the selectmen can send a message to Rosemary that she is risking the well-being of other citizen's dogs and that she must keep Brunni on-leash whenever she is on Boxborough conservation land with NO exceptions.

Thank you for your consideration.

Jennifer and Walker Royce

[REDACTED]
Boxboro MA 01719
[REDACTED]

Walker Royce

[REDACTED]
[REDACTED]

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Rosemary,

Aug 12, 2013

We were out walking our dog Corey last Thursday morning (Aug 8) at Patch Hill when we had a minor encounter with Brunie. As we were returning to our car parked on Hill road, Brunie came up from behind us and confronted Corey. It startled us at first since we know Brunie's history and she sort of snuck up on us with no owner in sight. Brunie started growling and lunged for Corey, but we grabbed her collar and avoided an attack. We are lucky that Corey was close to us.

Jen walked Corey on to the car and I walked Brunie by the collar back up trail toward your property. She had her fence collar on but there was no sign of you on the trail. Then I heard you calling in the distance and Brunie was responding so I let her go and she ran back home. I could just barely see you off in the distance, and I saw her run back to you so I knew you had her.

We thought you should know about her unescorted escape to Patch Hill. I saw Kristen today and asked her for your email. She said snail mail was better so we thought we would drop you a note to make sure you are aware. Needless to say, Brunie scares us. She took a chunk out of Corey's ear a few years ago, and we are aware of her aggressive behavior on other occasions. Please let us know what you are doing to keep Brunie off the trails.

You can reach us at [REDACTED]
Walker and Jennifer Royce



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

Rebecca R. Neville, Chair

Francis J. Powers, Clerk

Leslie R. Fox

Raid M. Suleiman

Sent by certified mail return receipt requested: 7005 0390 0001 8472 6578

March 5, 2010

Mrs. Rosemary Singer
989 Hill Road
Boxborough, MA 01719

Dear Mrs. Singer,

As you are aware, on December 21, 2009, the Boxborough Board of Selectmen held a dog hearing pursuant to the provisions of M.G. L. Chapter 140 § 157, to consider a complaint received by Boxborough's Dog Officer, Phyllis Tower, from Sarah J. Briones of 229 Picnic Street, dated November 1, 2009, regarding an incident involving your dog, Brunie, on October 29, 2009. This letter will serve to provide a brief record of those proceedings and of the Selectmen's Findings on the matter.

The hearing was opened at 7:40 p.m. and testimony was presented by the complainant, Ms. Briones, you, the Dog Officer and other concerned citizens. On October 29th, it was reported that Ms. Briones was walking with her dog, on leash, along Hill Road. When she was walking by the meadow between the Singer and Hilberg properties, Brunie charged them, attacking her dog. She had to kick Brunie to get Brunie to release her dog. Brunie was not on a leash and you were not nearby. This was the 2nd incident in less than a week that Brunie was allegedly off leash and had charged Ms. Briones and her dog, but during this earlier incident Brunie did not attack.

The Selectmen noted that there had been previous complaints about Brunie's behavior. On February 12, 2007, the Board of Selectmen held a dog hearing and deemed Brunie's behavior to be a public nuisance and ordered that Brunie was to be kept on a lead when off your property until such time as you came back with written options on how you intended to control Brunie's behavior. Since 2007, there have been approximately four additional reported incidents of Brunie acting in a vicious or aggressive manner when off lead or otherwise not under your control. The Selectmen commented that given the testimony presented at the December 21st hearing, there was concern that the conditions set forth at the previous hearing of February 12, 2007 were not being complied with and that you have not been able to maintain control of Brunie. At the December 21st hearing you agreed that Brunie would be kept on a lead when on public property. You also informed the Board that an "electric fence" had been installed on your property and that, subsequent to this incident, you had moved this boundary further back, away from the street. The complainant, Ms. Briones, stated that these actions would be acceptable to her. The Selectmen then closed the dog hearing and approved 4-0 to continue to require Brunie to

be kept on leash on any town property, and that you [the Singers] were to maintain control of the dog at all times.

Since the time of the hearing, another incident has been reported to the Dog Officer and myself, which in turn was reported to the Selectmen. The incident occurred on February 7, when Brunie was reported to have run off of your property onto town property where she "grabbed" the ear of Jennifer Royce's dog. We understand that you have spoken to the Dog Officer as well as to the owner of the dog who was the subject of Brunie's attack.

The Selectmen have been very patient in these matters and were extremely displeased to learn of yet another incident. This continued disregard to the Board's rulings is unacceptable. The mere presence of an electric fence on your property is inadequate to protect others from Brunie. You must not only ensure that Brunie is on a lead at all times when off your property, but you must be able to maintain control of her so she is not a menace and danger to others.

Any additional complaints will trigger another hearing before the Board of Selectmen. If you are again found in violation of the dog control bylaw, the Selectmen will be forced to take more severe action.

We look forward to your cooperation.

Sincerely,



Selina S. Shaw
Town Administrator

cc. Sarah Briones
Jennifer Royce
Dog Officer

February 13, 2010

Singer/ Royce

On Sunday, February 7, 2010 Mrs. Singer phoned me at 4:15 pm. She stated there had just been an incident with her dog behind her house in the woods. After speaking with Jennifer Royce of 60 Barteau Lane who called me on Tuesday the 9th I put the following together:

Mrs. Gorman with her two dogs and Mrs. Singer with her dog were in the wooded area belonging to the Singer's. Mrs. Gorman was showing how the electronic training collars she had purchased were working for her dogs. The three dogs took off for the main trail. A yelp could be heard. Mrs. Gorman used the electronic control and her dogs returned. Mrs. Singer went to the trail to find two men holding her dog. The men said the Singer dog had grabbed their dog by the neck and pushed him to the ground. Jennifer said Mrs. Singer's dog had grabbed one of her dog's ears. The owner of the dog was not known until Jennifer Royce called me on the 9th. Jennifer had been at Steele farm that day. Someone told her there had been past incidents and she should contact the dog officer and the town administrator, which she did. She said she did not want anything done, just please talk to Mrs. Singer and ask her to do more to control the dog. I made sure Mrs. Royce was aware there had been a hearing and she had options of requesting a hearing or writing a complaint letter. She did not want to take me up on either of those options. Mrs. Singer spoke to Jennifer's husband by phone to apologize for the incident. As Mrs. Royce requested I have spoken to Mrs. Singer. She has already order an electronic training collar for her dog.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mrs. Rosemary Singer
 989 Hill Road
 Boxborough, MA 01719

2. Article Number
(Transfer from service label)

7005 0390 0001 8472 6578

COMPLETE THIS SECTION ON DELIVERYA. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.4. Restricted Delivery? (Extra Fee) Yes

**Synopsis of Reported Prior Incidents Involving Brunie
December 21, 2009***

1/12/2007	Complaint filed by John Schoenfeld	Vicious behavior toward Schoenfeld dog
2/12/2007	Letter from John Markiewicz submitted to BoS for hearing on Schoenfeld complaint	2005-2006 Markiewicz dog attacked twice by Brunie. No complaint filed.
2/12/2007	BoS hold dog hearing	BoS voted to deem Brunie's behavior a public nuisance and that Brunie shall be kept on a lead when off of Singers' property until such time as the Singers come back to BoS with written options on how they intend to modify and/or control Brunie's behavior. To-date, no plan has been received from the Singers.
8/19/2008	Complaint filed by Janice Baldrate	While walking leashed dog on Picnic Street, Brunie broke free of leash and attacked Baldrate dog.
9/8/2008	Dog Officer Phyllis Tower reported on incident at BoS meeting	A fight ensued between Baldrate dog and Brunie; both dogs were bitten.
		BoS directed Dog Officer to discuss options to better control the dogs with Singers and complainant and, using her best judgment, that the dog Officer should come up with a mutually agreeable solution.
9/29/2008	Dog Officer Phyllis Tower reported by e-mail on Baldrate/Singer resolution	Baldrates agreed to use a gentle leader while dog is on public roads and will look into basket muzzle. Family also intends to sign dog up for obedience classes. Mrs. Singer agreed to use gentle leader until she purchases a basket muzzle.
12/1/2008	Dog officer reported incident of 11/27/08	2 men walking at Patch Hill came upon Brunie off leash. Mrs. Singer got hold of Brunie and leashed her. Seemed to have a difficult time restraining Brunie. No request for a hearing.

* These incidents occurred prior to the most recently reported incident on October 29, 2009. There may well have been others that went unreported.

From: Kristin Hilberg [mailto:
Sent: Monday, December 02, 2013 4:30 PM
To: Selina S. Shaw
Subject: Singer Agenda Item, letter to the BoS

Dear Board of Selectmen,

I really wanted to be at the meeting for this discussion, but have a client appointment I need to be at. I'd like to add my comments to the mix, please accept this note in lieu of my attendance tonight.

I understand that Jen and Walker feel very strongly about Brunni being contained on her own property both because their dog has had a few terrible incidents with other dogs and also because of a Selectmen order that she do so (I was on the board at the time, it feels like ages ago!). However, I think it's important to note a few things:

- We saw Jen, Walker and Corey before they saw us and tried to turn around so we wouldn't cross paths
- Corey ran down the hill towards us, well ahead of his people, at which point our dogs saw him
- My dogs ran to Jen and Walker in hopes of treats and some attention
- There was no altercation between the dogs, not even barking.
- Rosemarie had Brunni under her verbal and manual control, immediately put her on leash and turned around on the path to avoid any potential confrontation

It seems to me that all of the town rules for controlling our dogs were followed, with the exception of the fact that we were walking on town land. I'd like to ask that the Selectmen lift this ban on Brunni, its time has passed.

Brunni is older and although still a dominant female, has been socialized to interact with other dogs. Her dog walker, Bill, takes her to the South Acton dog park every Sunday where she plays off leash with literally over a hundred different dogs without any issues. Brunni also wears an electric shock collar controlled by a remote that Rosemary always carries with her, more to prevent her from chasing deer and coyotes than anything else! When Rosemarie and I walk the dogs we go at daybreak and always take the less popular trails. We don't look for any trouble, our intent is to spend some time together, get some exercise and let the dogs visit. This is important to us.

In terms of Walker, Jen and Corey, perhaps we can work out a compromise? Rosemary and I like to walk before 7am so I can be home to go to work by 8am. Could we all agree that Rosemarie and I stay on the side path that runs from Tokatowan and behind Avebury Circle (they know which one I mean) and Jen, Walker and Corey can have their choice of any other path in town if they choose to walk at the same time? It would be nice if we could make this win-win for everyone.

Thanks for your consideration. I truly appreciate it!!

Kristin

Kristin Hilberg, Associate Broker
Keller Williams Boston North West
200 Baker Ave., Suite 205
Concord, MA 01742




BOARD OF SELECTMEN
Meeting Minutes
November 4, 2013

Approved: _____

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

ABSENT: Jim Gorman

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.

The Selectmen took Agenda Item # 3a, out of order.

APPOINTMENTS

- Jennifer Barrett was present for appointment as Town Accountant. Barrett described her efforts over the past week to familiarize herself with the accounting records and systems. Further to the unanimous recommendation of the Accountant Search Committee, Member Stemple moved to recommend the appointment of Jennifer B. Barrett for a term effective immediately through June 30, 2014. Seconded by Member Suleiman. **Approved 4-0.**

PUBLIC HEARING

- At 7:35 PM, Chair Amoroso opened the FY 2014 Tax Classification Public Hearing. A list of those present for this hearing is attached and incorporated by reference. Chair Amoroso provided an overview as to the purpose of this hearing and recent history regarding the setting of this annual rate. Town Assessor, Ruth Anderson, spoke to the material provided. There was discussion on a "split rate" tax-base breakdown - residential (75%) versus business (25%) taxpayers; the impact on the respective classes and lack of firm data on the impact of multi-rate tax classifications in other communities. At this time, no compelling reason has been identified that would support moving away from a single rate. Multi-class tax rates could discourage businesses from coming to Boxborough. No member of the public asked to speak. The hearing was closed. Member Fox moved to adopt a residential factor of one, i.e. a single tax rate. Seconded by Member Stemple. **Approved 4-0.**

Though not on the agenda as its own item, Assessor Anderson referred to the material provided at the end her presentation packet - adopting a Residential Exemption. This option has not previously been presented to the Selectmen for consideration. In the other communities where she has worked, this option was addressed at the same time as the tax factor set. This exemption benefits owners of lower valued properties. It does not alter the tax levy; it simply shifts a portion of the tax burden onto higher valued homes. The consensus was that there is an issue of fairness; all residential property owners have the same access to the services provided by the Town. Member Fox moved not to adopt a residential exemption. Seconded by Member Stemple. **Approved 4-0.**

Assessor Anderson also asked that the Selectmen authorize her to electronically submit tonight's Selectmen determinations to the Dept. of Revenue. Member Suleiman moved for the Selectmen to authorize Town Assessor, Ruth Anderson, to digitally sign the Dept. of Revenue's electronic submission. Seconded by Member Stemple. **Approved 4-0.**

APPOINTMENTS (Continued)

- Though there was an audience, no one asked to speak when Chair Amoroso opened the floor for Citizens' Concerns.

ANNOUNCEMENTS

- Chair Amoroso read the announcements.

MINUTES

- Member Fox moved to accept the minutes for the regular session, October 21, 2013, as revised. Seconded by Member Stemple. **Approved 4-0.**
- Member Fox moved to accept the minutes for the executive session, October 24, 2013, as revised. Seconded by Member Stemple. **Approved 4-0.**

The Selectmen took Agenda Items # 8d and c, out of order.

NEW BUSINESS

- The Selectmen took up designating Boxborough as a “Purple Heart Town.” Veterans Agent, Donnie Morse, was present. Chair Amoroso provided background on this request. With Veterans Day coming up this is a good way to show our appreciation to those who served. Chair Amoroso read the proclamation. Member Fox moved to recognize November 4, 2013 as “Purple Heart Day” in Boxborough and to proclaim the Town of Boxborough, Massachusetts as a “Purple Heart Town”. Seconded by Member Stemple. **Approved 4-0.**
- The Selectmen took up a Police Dept. Reserve Fund Transfer (RFT) Request for Vehicle Repair & Maintenance. Members of the Finance Committee were present for this discussion. The Town’s insurer deemed a cruiser a total loss, due to an accident in May. They paid \$28,000 to the Town to cover this loss, which was duly credited to the *Insurance Proceeds* account. The cost to replace the vehicle was \$31,471. Because MGL allows for an appropriation of only \$20,000 from the *Insurance Proceeds* account absent town meeting authorization, and there was an unanticipated shortfall of \$11,471 in the Dept.’s FY 14 budget, a transfer from the reserve fund was necessary to meet the full cost of the replacement vehicle. It was explained that the balance of the insurance proceeds (\$8,000) must remain in the special fund until town meeting authorizes the transfer of these funds. Member Fox moved to forward to the Finance Committee for approval the request to transfer \$11,471 from the Reserve Fund to account #001-210-5200-5246, Police Dept Repair and Maint.– Vehicles. Seconded by Member Stemple. **Approved 3-0-1 (Suleiman abstained)**

SELECTMEN REPORTS

- Member Fox reported on the Open Space Forum and the Planning Workshop recently held. Some good feedback was received at the Open Space Forum and there should be a draft report forthcoming. Housing needs and potential development of the Stow Road property were among the matters discussed at the planning workshop.
- He also reported that he, TA Shaw and Chief Ryder are continuing their efforts to look at the Town’s IT infrastructure and needs. The IT consultant has provided feedback which this group is reviewing. The group will be providing recommendations.
- Member Suleiman reported that the Personnel Board continues its preparations for the personnel survey presentation for a joint Selectmen and Finance Committee discussion.
- Member Stemple reported on the A-B Supt. Search Committee. They will be meeting through the spring and they intend hold forums so public input can be gathered.
- Chair Amoroso reported that the Boxborough IMA Negotiating Team is preparing to meet with the A-B District representatives. An Outline is complete and available dates shall be reviewed.

OLD BUSINESS

- TA Shaw reviewed the efforts to update the Town’s web site. She has compiled the comments and input that she has received. She would like to form a team. She reviewed the tasks to be addressed and the group’s composition. They would prepare recommendations for Selectmen. Member Fox offered to work on this team and Member Gorman will also be asked to participate. Virtual Town Hall will be invited in after the team’s recommendations are reviewed. Member Fox moved to establish of a team, to be comprised of the Town Clerk, Town Administrator, a member of the Town Hall staff (Town Assessor) and one (or two) selectmen, to bring back a recommendation on the design of the Town’s new website to the Selectmen on November 18th. Seconded by Member Stemple. **Approved 4-0.**

NEW BUSINESS (Continued)

- Member Suleiman moved to accept with regrets and place on file the resignation of Recreation Commission member Carol Zeroual effective immediately. Seconded by Member Stemple. **Approved 4-0.**
- Member Fox moved to accept with regrets and place on file the resignation of Police Patrol Officer Edward Pokornicki, effective November 6, 2013. Seconded by Member Stemple. **Approved 3-0-1 (Suleiman abstained)**
- Former Selectman, Frank Powers, has agreed to continue to serve as the town's representative to the Montachusett Regional Transportation Authority Board. Member Fox moved to designate Francis J. Powers as the town's representative to the Montachusett Regional Transportation Authority for a term effective immediately through June 30, 2014. Seconded by Member Suleiman. **Approved 4-0.**

CORRESPONDENCE

- Chair Amoroso reviewed the list of materials received.
There was discussion on the joint letters to Senator Eldridge and Representative Benson regarding facilitating a meeting with the DESE Commissioner and supporting Senate Bill 228.
Fire Chief White's Stow Road abutters' notice was reviewed.

ADJOURN

- At 8:30 PM, it was moved and seconded to adjourn. **Approved 4-0.**



Approved: _____

**Town of Boxborough
Board of Selectmen
Goals Workshop Minutes
November 16, 2013**

PRESENT: Vince Amoroso, Chair; Bob Stemple, Clerk; Les Fox, Member; Jim Gorman, Member; Raid Suleiman, Member

ALSO PRESENT: Selina Shaw, Town Administrator

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.

Call to Order

Chair Amoroso called the meeting to order at 8:05 AM in the Fern Room of the Boxborough Holiday Inn, 242 Adams Place.

The Board reviewed the items in the packet: the "Goals and Projects List", which is prefaced by the overarching goals and followed by a number of specific projects and the minutes from the goals workshop held on November 3, 2012.

Goals and Project List

- **Goals:** The Board agreed that the status of the goals should be reviewed on a quarterly basis at a regular selectmen's meeting.
- **Appreciation Event:** Selectmen were concerned about decreased attendance. After May ATM, Board will review and compare 2013 attendance with that of prior years and will brainstorm ideas for increasing attendance.
- **Website:** Town has contracted with Virtual Town and Schools (VTS) to design and implement a new town website. Board would like representative of VTS to attend December 16 selectmen's meeting to review design mock-up and commit to go live date of no later than April 1, 2014.
- **Information Technology:** BoS discussed status of IT support and need to develop approach to deal with immediate needs as well as long-term strategy for networks (including servers), email, desktops, security, licensing and cable. Long-term plan may be a hybrid approach utilizing services of consultant as well as in-house support.
- **Capital Plan:** Owned by FinCom. Selectmen discussed need for a capital asset management plan to be developed by the Inspector of Buildings (BI), in his role as facilities manager. Plan should include a narrative describing each of the assets, the life cycle and current overall status of the town's infrastructure as well as plans for managing the replacement/repair of those assets. BI should provide BoS with a semi-annual update. Capital management plan should feed into capital plan.
- **5-Year Personnel Plan:** Selectmen commented that an impartial body such as the Personnel Board would likely provide a more objective picture of the town's personnel needs over the next five years than

the department heads. The build out analysis currently being conducted will be a useful tool in the development of the plan. TA noted that Personnel Board is charged with administering the Personnel Plan; tasking the Board with developing a comprehensive integrated plan of personnel resource utilization is not in their current scope. Selectmen plan to take up matter with Personnel Board at December 16th BoS meeting.

- **Fire Cistern Replacement:** Selectman Gorman will follow up with the Chief on status of inspections. Cisterns should be included in capital management plan.
- **Town Hall Improvements:** BoS would like the BI to inspect the stage and assess feasibility of making it handicapped accessible. Would also like the BI to inspect the drop ceiling and provide recommendations on replacing.
- **LEPC:** Selectman Gorman will follow up with Fire Chief on emergency management issues. Board discussed use of cooling center this past summer and determined that since it served only a minimal number of residents, it did not seem reasonable to continue opening town facility for this purpose. Fire Chief should confirm availability of Holiday Inn. For other emergency needs, the Blanchard should be available after the generator is installed this winter (by February vacation). For the short-term, Chief should confirm availability of Holiday Inn.
- **Master Plan:** Planning Board has hired consultants to update the town's build-out analysis and the Open Space and Recreation Plan. TA will check with Planner on estimated completion date.
- **Economic Development Committee:** TA brought up establishment of EDC for consideration. (Selectman Fox) will coordinate with Town Planner. Will start to announce at BoS meetings.
- **Collective Bargaining Agreements:** CBA's with Dispatch and Fire in place. Negotiated a mediated settlement with Police, subject to town meeting appropriation. BoS is ready to ratify and execute. Awaiting further input from CBU on incorporation of agreed upon terms; in hands of their counsel. Selectman Fox will follow up with CBU president, now Jeff Landgren.
- **Alternative Health Insurance Providers:** TA and Selectman Stemple updated Board on exploration and evaluation of alternative health care providers. Neither MIIA nor a health care broker could offer a more beneficial plan than that currently offered by MNHG due to the employee demographics and existing claims.
- **Department Head Negotiations:** Selectman Fox moved that the TA send out letters to the Police and Fire Chiefs and DPW Director to notify each of them of the Board's intent to negotiate successor agreements. Seconded by Selectman Gorman. **Approved 5-0**, except for notification to Police Chief, which was approved **4-0-1**, Selectman Suleiman abstaining. Successor agreement with TA was ratified and executed in May 2013. Board will set an executive session for December 2 to discuss parameters for negotiations.
- **Department Head Reviews:** Selectmen set target date of January 15 for completion and assigned reviews to liaisons as follows: DPW Director - Selectmen Amoroso and Fox; Fire Chief – Selectman Gorman; Police Chief – Selectman Fox. Selectmen Fox and Suleiman commented upon TA's review which had been completed over a year ago, but had not been provided to TA.
- **Water Exploration:** Selectmen discussed the disbanding of the Water Resources Committee (WRC) by the Board of Health. Had not been any notification to BoS who indirectly learned of action. Selectmen discussed importance of protecting future water supply and tying this in to economic development. Chair Amoroso will reach out to resident Frank Hubley, who showed an enthusiastic interest in the matter of the emergency generators, and see if he is interested in spearheading the effort and rounding up other interested members for a new WRC.

- **OPEB – GASB 45:** Will be part of budget discussion. The BoS will continue to review liability and funding with FinCom (and Town Treasurer).
- **Regional Transfer Station:** Selectman Amoroso reported that although a Stow selectman had initially approached him regarding the possible use of Boxborough's transfer station, there was never any follow through by Stow in providing potential number of Stow users. No further discussions were held beyond the initial meeting. Selectmen discussed need for civility at Transfer Station and possibility of installing signs to remind residents to wait their turn.
- **Disposition of Tax Title Properties:** TA noted that she needs to revisit matter with the Treasurer.
- **Stow Road Task Force:** Selectman Fox updated BoS. Committee has been working with a consultant, who will be preparing RFP for development of property. A warrant article authorizing BoS to dispose of a certain portion of the property is expected to be brought forward.
- **Code of conduct/values for Board of Selectmen and town committees:** Selectman Suleiman said that he would work with Selectman Stemple over the next couple of months and bring forward to the Board at a January meeting.

Selectman Suleiman asked the Board to consider making the Building Department an autonomous unit. He agreed to provide further information to be discussed at a future BOS meeting.

Adjourn

At 11:10 AM, it was moved and seconded to adjourn. **Approved 5 – 0.**



BOARD OF SELECTMEN
Meeting Minutes
November 18, 2013

Approved: _____

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

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

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

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

APPOINTMENTS

- The Board opened discussion on establishing the Boxborough Well-Being Committee, the approval of its charter and appointment of members. Channing Wagg provided background on this working group and data that led to a determination that there is a measurable need in our community that supports the establishment of this Committee. Police Chief Ryder and Liz Markiewicz were also present. The charter was reviewed and the Selectmen provided suggestions for possible revisions/additions. One specific edit was made.
 - ◊ Member Fox moved to strike "*(or corresponding Regional School Representative)*" from the Charter approved by a majority of the ad hoc committee on November 13, 2013. Seconded by Member Suleiman. **Approved 5-0.** The Selectmen will forward further suggested revisions to Liz Markiewicz for consideration.
 - ◊ Member Fox moved to establish a standing committee to be known as the "Boxborough Well-Being Committee," whose primary goal shall be to strive to improve the health and welfare of all of the town's residents pursuant to the Charter approved by a majority of the ad hoc committee on November 13, 2013, and as revised; and further to appoint members as follows for terms effective immediately and ending as noted below:
 - At-large members: Kate Smyers, Liz Markiewicz, Channing Wagg, Susie Allen (3 year terms ending on 6/30/16)
 - Designated representatives from the: Housing Board – Al Murphy; Board of Health – Pam Follett; Pastor at United Church of Christ, Congregational of Boxborough - Cindy Worthington-Berry (2 year terms ending on 6/30/15)
 - Ex officio members: Blanchard Memorial School Guidance Counselor - Gail Kessler-Walsh; Board of Selectmen - Jim Gorman; Council on Aging Coordinator – Laura Arsenaault; Fire Chief - Randolph T. White; Police Chief – Warren Ryder; Town Administrator - Selina Shaw; and Nashoba Board of Health Public Health Nurse – Tamara Bedard (1 year terms ending on 6/30/14). Seconded by Member Stemple. **Approved 5-0.**

The Selectmen took Agenda Item # 6a, out of order.

OLD BUSINESS

- The Selectmen re-opened discussion on updating the Town's web site. Town Clerk Markiewicz and Police Chief Ryder remained for this discussion. The purpose tonight is to determine the general look and options for the new website which will be presented to the consultant so they can begin building the new website. Chief Ryder and Clerk Markiewicz discussed some of the "content" options available. Websites of other towns; a sample/mock-up page and the 2011 beta-site were reviewed and discussed. Favorable options and options that were not wanted were identified.
- Though not on the agenda, Chief Ryder provided preliminary information on the traffic control measures for the Annual Tree Lighting event on December 7th.
- There was no one in the audience, when Chair Amoroso opened the floor for Citizens' Concerns.

ANNOUNCEMENTS

- Announcements were not read as there was no audience present and no broadcast due to technical difficulties.
- There was discussion about the issues begin experienced with the video equipment.

MINUTES

- The Selectmen reviewed the regular session minutes of November 4, 2013, revisions were discussed. The revised draft will be brought forward at the next meeting.

SELECTMEN REPORTS

- Member Fox reported on his recent discussions with Chief Ryder. Supt. Bates had sent a letter thanking the Chief and his department for providing "ALICE" training for the Blanchard School staff. This training is designed to give school staff the skills to get students and themselves out of hostile situations.
- He also reported that the Stow Rd. Concept Development Comm. has voted on a direction for the concept of this development. The Mass. Housing Partnership assisted in this process. He and Al Murphy have been charged with drafting a RFP.
- Member Fox reported that the analysis of the Town's IT needs and the discussion of what consulting services are available continues. The current track is that a consultant be retained for general IT services and a lower-level, in-house, technician could be employed to manage the day-to-day computer & media issues, and to interface with the IT consultant. Resumes have been received in response to the IT Coordinator advertisement and have been reviewed, but as the situation is influx no further action has been taken. There will be a further review of the current IT consulting costs and pricing for other services.
- Member Fox also reported that Frank Powers has been elected Chair of the CoA. The CoA will be budgeting for the BCC lease renewal for FY 15. Powers will be entering into renewal discussions with the UCC. This renewal will likely require town meeting approval. The bocce courts are significantly under utilized so the CoA voted to turn control of this area back over to the Recreation Comm.
- Member Stemple reported on SFAC activities. BICAO Lindberg is working on getting quotes to fix-up the barn at Steele Farm. There was discussion on the arrangements for the Conway School's site visit. Member Stemple plans on attending; he will coordinate with SFAC to set this up, and advise the other Selectmen of the date, so they can attend if they wish.
- Chair Amoroso reported that the IMA Negotiation Team met with A-B Supt. Mills on Thursday. He reviewed the meeting notes. There is general agreement on the principal areas of interest. The one issue that needs further work is the breakdown of the fiscal responsibilities for the communal water supply and septic system's construction debt service and projected maintenance costs. These costs were not broken out at the time of the town meetings. He also reviewed the items being discussed as the Region and the Town work on a Memorandum of Understanding (MoU) concerning the Blanchard school facility.

NEW BUSINESS

- The Selectmen reviewed the Disclosure of appearance of conflict of interest statements filed by the Acton-Boxborough Cultural Council (ABCC) members from Boxborough. These disclosures have been submitted because ABCC members review grant applications that may include submittals by former or current members or from groups with which the members may have or have had other associations. Member Fox moved to accept and place on file the disclosures of conflict of interest filed pursuant to c. 268A §23(b)(3) by Acton-Boxborough Cultural Council members - Nancy C. Evans, Nancy Kumaraswami, Marion Powers and Alexis M. Presti-Simpson Seconded by Member Stemple. **Approved 5-0.**
- Though not on the agenda, the Selectmen took up a request, received this afternoon, to ratify the Community Innovation Challenge Grant for FY 14. Member Fox moved to support the submission of the Community Innovation Challenge Grant for FY14, as outlined in the email of November 18, 2013. Seconded by Member Gorman. **Approved 5-0.**

CONCERNS OF THE BOARD

- Member Fox opened discussion on a noise complaint that a resident had sent to all of the Selectmen. He noted that BICAO Lindberg has been in touch with the business owner. The Town does not have the equipment to measure sound levels. There was discussion as to how to address legitimate complaints. Lindberg has suggested specific steps/processes to follow if a resident has a complaint. There was a general discussion regarding the BICAO's enforcement ability.
- A complaint has been received on a dog that has previously been before the Board for a vicious dog hearing. Animal Control Officer Tower is scheduled to come in on December 2nd to discuss this incident. The dog owner and complaining party will also be invited.

- Chair Amoroso re-opened citizen's concerns when Owen Neville asked to if he could speak regarding war memorials. Neville suggested that a plan be put in that would address the maintenance of existing memorials and encompass the creation of memorials for other military conflicts.

ADJOURN

- At 9:20 PM, it was moved and seconded to adjourn. **Approved 5-0.**

From: Selina S. Shaw [mailto:selina.shaw@town.boxborough.ma.us]
Sent: Monday, December 02, 2013 4:41 PM
To: Vincent Amoroso
Cc: Cheryl.Mahoney@town.boxborough.ma.us
Subject: A vote, please
Importance: High

Dear Vince,

In September, the BoS authorized the execution of the IMA relating to the provision of transportation management services. We were awaiting final version of the agreement to be provided for signature by the BoS. We now have that in hand and I would respectfully ask the Board to execute this evening, so that I may return to Acton prior to the expected "go-live" dispatch date for Boxborough (Dec 16). In addition to the execution, the Board needs to designate a representative, an alternate representative and point of contact. I had had forgotten about the need for the Board to so designate, thinking only of the need to execute. Motion:

Pursuant to the intermunicipal agreement (IMA) by and between the Towns of Acton, Boxborough, Concord, Maynard, Stow, and Westford for the provision of transportation management services, being executed tonight in accordance with the authorization approved by vote of the Board of Selectmen on September 9, 2013, move to designate:

*Selina Shaw, Town Administrator, as the Representative, duly authorized to act for the Town in all matters pertaining to this Agreement,
Elizabeth Hughes, Town Planner, as the Alternate Representative, and
Laura Arsenaault, Council on Aging Coordinator, as the Point of Contact for the Town.*

Thanks,
Selina

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

Please note that our numbers have changed.

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

7a

Selina S. Shaw

From: Bruce Hager [REDACTED]
Sent: Thursday, November 21, 2013 11:43 PM
To: Selina S. Shaw
Subject: Fw: Steele Farm PROTECTED FOREVER sign

Hi Selina,

Per the attached message, TToR is wondering about adding the Town Seal to the sign, and Alan thought we should get permission before doing so. Hence, this missive to you. Is there any formal procedure, and assuming permission is granted, should I just send along the stationery version, or do we have a higher resolution version that Sally could use?

Sorry about the questions, but I spent a few hours doing the budget package, and now I want payback!

Best,

Bruce

— Original Message —

From: Sally Naser
To: alan.rohwer [REDACTED]
Cc: bruce [REDACTED]; johnfallon [REDACTED]
Sent: Thursday, November 21, 2013 5:03 PM
Subject: Steele Farm PROTECTED FOREVER sign

Alan et al:

We haven't forgotten about your sign. We've just been super busy trying to get as much field work done as possible before the snow flies.

Andrew and I were just wondering if you also wanted to add the seal for the Town of Boxborough. I thought that might help balance things out visually in the white space at the bottom with the Boxborough Historical Society's logo in the middle sandwiched by TToR's logo and the Town of Boxborough's logo.

I'm going to ask our graphic design volunteer to play with the layout a little but I wanted check with you on adding the Boxborough logo first. Let me know

Sally

PS: Any luck on finding a higher resolution Historical Society logo.

From: Alan Rohwer [REDACTED]
Sent: Thursday, October 31, 2013 10:44 AM
To: Sally Naser; alan.rohwer [REDACTED]
Cc: bruce [REDACTED]; johnfallon [REDACTED]
Subject: Re: CR Sign_March2013

Attached are my suggestions for the sign.

I'm also attaching my best copy of the BHS logo. Will see if I can get a better one but this is the best I have.

I am sure the BHS would be glad to help with whatever the costs for the new sign is.

11/25/2013

- Alan

—
Alan Billingsley Rohwer
Boxborough, MA, U.S.A 01719

[REDACTED]
"You can learn not to want what you want, to recognize desires but not be controlled by them"
- The Buddha

On 10/25/13, Sally Naser [REDACTED] wrote:

Hi Alan:

If you want to send me your edited wording for the Protected Forever sign and the Boxborough logo, I can have our graphic design volunteer mock something up for you

Sally

PROTECTED FOREVER

This PROPERTY is conserved forever with a land protection agreement thanks to the cooperation of the citizens of Boxborough, The Boxborough Historical Society and The Trustees of Reservation.



Selina S. Shaw

From: Todd Davis [REDACTED]
Sent: Monday, November 25, 2013 10:52 AM
To: selina.shaw@town.boxborough.ma.us
Cc: Cheryl.Mahoney@town.boxborough.ma.us
Subject: RE: Boxborough Selectmen - 2014 Meeting Dates with Attachment

Hi Selina,

This is to inform you that I have resigned from the Acton-Boxborough Cultural Council. All future email should be sent to Kristie Rampton [REDACTED]

Thank you,
Todd Davis
[REDACTED]

Selina S. Shaw

From: Karim Raad [REDACTED]
Sent: Sunday, November 17, 2013 4:41 PM
To: 'Selina S. Shaw'; 'James Gorman'; 'Les Fox'; 'Raid Suleiman'; 'Raid Suleiman'; 'Robert Stemple'; 'Vincent Amoroso'
Cc: 'Chief White'; 'Chief Warren B. Ryder (BPD)'; DPW@town.boxborough.ma.us; 'Margaret Dennehy'; 'Liz -work'; 'Elizabeth Hughes (E-mail)'; 'Bridid Bieber'; 'John Fallon'; Cheryl.Mahoney@town.boxborough.ma.us; 'Maureen Strapko'; 'Al Murphy'; 'Mary Brolin'; 'Maria Neyland'; 'Kushner, Gary'
Subject: Stepping down from FinCom

Hi Everyone

I thought you should hear it from me first.

I know this is going to come as a surprise to many of you, but I have decided to resign from FinCom as I can no longer dedicate the time it needs to be an effective member. My new job, with 80+% traveling across the US, has taken a lot of my time, and I need to re-balance my commitments to work, family and volunteering. Please believe me, this decision has taken a lot of thought and effort to come to, but it is something unfortunately I need to do at this time.

I appreciate everyone's dedication to our Town, and although we might have had some disagreements, or did not see eye to eye on some issues, please know I always worked hard to stay focused on the financial well being of our Town, which was my role as a FinCom member. I will miss working for the Town as it has been a big part of my life for the past 13 years, and hope to come back one day to do more ;-)

I made John aware of my decision a few days ago, as well as the current members of FinCom. Monday November 18th will be my last meeting.

Thanks for all your support and see you soon.

Regards,

Karim

Selina S. Shaw

From: Les Fox [lesfox@comcast.net]
Sent: Friday, November 22, 2013 7:17 AM
To: 'Karim Raad'; 'Eric Romaniak'
Cc: 'Chan Wagg'; 'Al Murphy'; 'Ron Vogel'; jennifer.barrett@town.boxborough.ma.us; 'Dilip Subramanyam'; Selina S. Shaw
Subject: RE: Housing Production Plan PPT

Thanks Karim,

Eric – Welcome! I assume Karim meant to say that you will be the FinCom ex-officio member of the BAHT (not a liaison), per the BAHT ByLaw? This is in the general Bylaws which you can find at <http://www.town.boxborough.ma.us/boxborough/GeneralBylaws.pdf>. The BAHT works in coordination with the Boxborough Housing Board, essentially serving as a source of funds for housing board capital initiatives and certain administrative expenses related to affordable housing activities. I will be calling a meeting of the BAHT in the next few weeks to address some funding requests of the Housing Board. That will be a good opportunity to meet the other BAHT members, and to review some history and current projects – I'll make that part of the agenda. If you would like a briefing before our next meeting, I'm sure Al Murphy, chair of the Housing Board, and myself can find a convenient time for us to meet with you. Feel free to contact me at the number below.

Since Karim is resigning from FinCom, I think this means his current seat on BAHT is now open, so, following standard process, I believe you would fill his unexpired term and then be eligible for re-appointment, when his term ends June 30, 2014. The Selectmen will need to appoint you to fill the current term, which we could do at our Dec 2 meeting.

Selina – if I've not stated this correctly, please make any corrections or clarifications, and have Eric put on the Dec 2 agenda.

Les


From: Karim Raad 
Sent: Thursday, November 21, 2013 11:00 PM
To: F CHANNING WAGG
Cc: Chan Wagg; Les Fox; Al Murphy; Ron Vogel; <jennifer.barrett@town.boxborough.ma.us>; Eric Romaniak; Dilip Subramanyam
Subject: Re: Housing Production Plan PPT

Hi Al, Channing,

I resigned from Fincom this week. Dilip is going to become chair. I discussed BAHT during my last meeting and Eric Romaniak has volunteered to become the liaison for Fincom and the Trust.

Thanks

Karim

Sent from a mobile platform
Excuse any typos

11/22/2013



Internal Communications and Outgoing Communications
December 2, 2013

1. Email communication, PEG Grant Report 3rd Quarter 2013, and check for their 3rd Quarter PEG payment of \$15,211.51 from Kathy Booker, Verizon New England, Inc., dated November 15, 2013, to Town Administrator Selina Shaw.
2. Letter from TA Shaw, dated November 22, 2013, to Mass. Exec. Office for Admin. And Finance's CIC Grant Program Manager, Timothy Dodd, supporting the application for Round 3 of the Community Innovation Challenge Grant being submitted by the *CrossTown Connect* group.
3. Letter from TA Shaw, dated November 27, 2013, to Roche Bros.'s Janet O'Connor, thanking them for their donation to the Selectmen's annual appreciation event.
4. Letter from TA Shaw, dated November 27, 2013, to Boxborough Holiday Inn's Manager, Howard Sobel, thanking him and his catering staff for their assistance with the Selectmen's workshop meeting.

8b



Minutes, Notices and Updates
December 2, 2013

Minutes

1. Conservation Commission minutes for the meetings held October 16, 2013 and November 6, 2013.
2. Zoning Board of Appeals minutes for the meetings held June 4, 2013; September 16, 2013; and October 1, 2013.
3. Personnel Board minutes for the meeting held November 14, 2013.
4. Finance Committee minutes for the meeting held November 18, 2013.

Notices

1. Notice/Memorandum 2014 Board of Selectmen meeting schedule.#
2. Notice of a Finance Committee meeting held November 25, 2013.
3. Notice of a Personnel Board meeting to be held December 3, 2013.
4. Notice of an Acton-Boxborough Cultural Council meeting to be held December 2, 2013.
5. Notice of a Library Board of Trustees meeting to be held December 3, 2013.
6. Notice of a Public Celebrations and Ceremonies Committee meeting to be held December 3, 2013.
7. Notice of a Boxborough Leadership Forum meeting to be held December 4, 2013.
8. Notice of a Finance Committee meeting to be held December 9, 2013.
9. Decision No. 2013-02 from the Zoning Board of Appeals, dated November 19, 2013, granting, Walter Eriksen, Manager for Flagg Hill Road, LLC.'s application for a Special Permit for work in the Wetland & Watershed Overlay Zone District (W-District) at the subject property located on the east side of Flagg Hill Road and currently identified Assessor's Parcel #09-4-332-0.B, subject to the listed conditions.

8c



**General Correspondence
December 2, 2013**

1. Fall 2013 Newsletter, *Comcast Connections*, from Comcast Cable Communication.
2. November 2013 Newsletter, *Stay Connected*, from the Minuteman School District.

