



BOARD OF SELECTMEN
Meeting Minutes
September 29, 2014
Boxborough Town Hall
Grange Meeting Room

Approved: October 20, 2014

PRESENT: Vincent Amoroso, Chair; Robert Stemple, Clerk; Susan Bak, Member; Les Fox, 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 7:00 P.M. in the Grange Meeting Room of Town Hall.

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

APPOINTMENTS

- Chris Habersaat, ABYS President was present to provide a report on participants in Boston Breakers clinic. Kevin Lehner, Boxborough Recreation Commission Chair was also present. Habersaat referred to his email provided in the packet; providing background on the ABYS's relationship with the Boston Breakers Soccer Clinic, specifically the 2014 session. He also discussed the field usage fees charged for the AB Lower Fields and those in Boxborough. Habersaat clarified that though Boxborough's field, usage fees mirror those of Acton Recreation the AB Lower fields are managed by the "Friends of the Lower Fields" not Acton Rec. and the "Friends" have a different fee structure. The intention is that the "Friends" will continue to manage these facilities until the borrowing is paid down, at which time management will revert to AB Community Education. RecCom Chair Lehner provided input. It was determined that the Selectmen will conduct a more in-depth review of the Town's field usage policy at a later date.
- No one asked to speak under the Citizens concerns.

ANNOUNCEMENTS

- Chair Amoroso read the announcements.

MINUTES

- The Selectmen passed over approval of the regular session minutes of September 22, 2014.

SELECTMEN REPORTS

- Member Gorman reported on a conversation he had at the Employee Appreciation event with Rick Barrett about possibly creating a Veterans Council, which could provide services to veterans and promote patriotic causes. Member Gorman will be following up with Veterans Agent Donnie Morse on this.

He also reported that Chief White will be taking some time off in the near future for a minor medical procedure.

- Member Fox reported that he, along with BHB Chair Al Murphy & Town Planner Duchesneau, participated in a phone conference with Town Counsel concerning the Stow Road proposal. Based on this discussion, pending a review of the final form of the RFP, the proposed concept is doable and no there should be roadblocks going forward.

He also report on the latest town facilities' phone issues. It has been determined that this time it was not a Verizon line issue rather an internal program "hiccup." The auto-alert did not alarm the IT support vendor of a system failure. Chief Ryder is working with the phone vendor on this. In the meantime TA Shaw is working out a scope of work for our IT Vendor to integrate support of the phone system into the Town's overall computer systems.

- Member Bak reported that she met with the Acton Recreation Director today and was advised that Acton Rec. is reconfiguring the Grady Skating Park. As part of this project they are seeking public input. Residents can provide their input by contacting Acton Rec. ABYS or her personally.

NEW BUSINESS

- There was a brief discussion regarding the Warrant for November 4th State Election, including a solicitation letter from the Committee for Safer Roads & Bridges seeking support of a No Vote on Ballot Question One. Member Gorman moved *to notify and warn the inhabitants of the Town of Boxborough who are qualified to vote in the State Election to vote at Boxborough Town Hall, 29 Middle Road, Boxborough on Tuesday, the fourth day of November, 2014 from 7:00 AM to 8:00 PM to cast their votes in the State Election for the candidates for the following offices and questions:*

OFFICES:

SENATOR IN CONGRESS FOR THIS COMMONWEALTH
 GOVERNOR AND LIEUTENANT GOVERNOR FOR THIS COMMONWEALTH
 ATTORNEY GENERAL FOR THIS COMMONWEALTH
 SECRETARY OF STATE FOR THIS COMMONWEALTH
 TREASURER FOR THIS COMMONWEALTH
 AUDITOR FOR THIS COMMONWEALTH
 REPRESENTATIVE IN CONGRESS. THIRD DISTRICT
 COUNCILLOR THIRD DISTRICT
 SENATOR IN GENERAL COURT MIDDLESEX & WORCESTER DISTRICT
 REPRESENTATIVE IN GENERAL COURT 37TH MIDDLESEX DISTRICT
 REGISTER OF PROBATE. MIDDLESEX COUNTY
 DISTRICT ATTORNEY NORTHERN DISTRICT

QUESTIONS:

1. LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

This proposed law would eliminate the requirement that the state’s gasoline tax, which was 24 cents per gallon as of September 2013, (1) be adjusted every year by the percentage change in the Consumer Price Index over the preceding year, but (2) not be adjusted below 21.5 cents per gallon.

2. LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

The proposed law would expand the state’s beverage container deposit law to require deposits on containers for all non-alcoholic, non-carbonated drinks with certain exceptions, increase the associated handling fees, and make other changes to the law.

3. LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

The proposed law would prohibit casinos, any gaming establishment with slot machines, and wagering on simulcast greyhound races.

4. LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

This proposed law would entitle employees in Massachusetts to earn and use sick time according to certain conditions.

5. CPA

Shall this Town accept sections 3 to 7, inclusive of chapter 44B of the General Laws, as approved by its legislative body, a summary of which appears below?

This question involves the Town's acceptance of the Community Preservation Act ("Act"), approving a surcharge of 1% of the tax levy on real property and also providing an exemption under Section 3(e) of the Act for property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the Town.

*The complete summaries of these questions are listed in the State Election Warrant, which is included in its entirety in the agenda packet under item 7a). Seconded by Member Stemple. **Approved 5-0.***

- Member Stemple moved to authorize Vincent M. Amoroso, Chair of the Boxborough Board of Selectmen to designate Les Fox, Selectman and MAPC representative, to vote in the MPO elections being held on October 29, 2014. Seconded by Chair Amoroso. **Approved 5-0.**
- The Selectmen took up Hugh Fortmiller's resignation from the Board of Registrars. Chair Amoroso thanked him for his service over the years. Member Stemple moved to accept with regrets the resignation of Hugh Fortmiller as a member of the Board of Registrars, effective immediately. Seconded by Member Fox. **Approved 5-0.**
- The Selectmen took up the Energy Committee request for support of their initiative to provide information on solar PV. Chair Amoroso, as EnCom liaison, provided background on this request along with the EnCom's efforts to provide outreach and educate to residents on this initiative. There was also discussion on recent changes to the Green Communities Act and we may now be eligible under specific conditions. Chair Amoroso moved to support the Energy Committee's plan to move forward to explore solar initiatives for the Town residents and businesses. Seconded by Member Fox. **Approved 5-0.**
- The Selectmen discussed recent developments in the [public] regional transportation efforts and a new grant proposal. Though Boxborough is not included in this proposed pilot program the participants are seeking a show of support from us. Eligible (Seniors and disabled) Boxborough residents currently have access to transportation to medical appointments through our CoA van. Member Fox moved to authorize Vincent M. Amoroso, Chair of the Boxborough Board of Selectmen, to provide a letter on behalf of the Board in support of the Community Innovation Challenge Grant being submitted by the towns of Acton and Maynard, Emerson Hospital and Clock Tower Place to provide a pilot medical appointment shuttle. Seconded by Member Gorman. **Approved 5-0.**

CORRESPONDENCE

- Referring to a letter discussed earlier in the evening soliciting a No vote on Question 1, Chair Amoroso asked residents to educate themselves on this and the other ballot questions.

CONCERNS OF THE BOARD

- Member Gorman asked that a discussion about returning an employee representative the on personnel board could be an upcoming agenda item. There was a brief discussion among the Board as to the background on this matter.
- As we have recently had several new public safety [Fire, Police & Dispatch] staff members join the Town – it was suggested that these new staff members could provide a summary of their experience and qualifications. The respective liaisons will work with the Chiefs on this.

EXECUTIVE SESSION

- The Board determined that an Executive Session was not necessary, at this time.

ADJOURN

- The meeting was adjourned at 7:50 PM.

SELECTMEN'S ANNOUNCEMENTS

SEPTEMBER 29, 2014

The necessary contact information is available on the Town's website.

- A reminder to our viewing audience - **Selectmen Agenda packets are available** from a link on the Town's website from meeting calendar or on the Selectmen's webpage.
- You will notice many **improvements at Town Hall**. Most recently new carpeting has been installed in the older portion of the 1st floor. A multitude of thanks to Inspector of Buildings, David Lindberg for spearheading these improvements and to him and his son, Joe for going above and beyond this past weekend when they came in to put everything back in place so that we were open for business as usual 1st thing on Monday morning.
- The recent resignation of Jim Faulkner from the **Boxborough Planning Board** has left a vacancy on the Board. Massachusetts General Law provides that such a vacancy be filled by joint appointment of the Planning Board and Board of Selectmen until the next annual municipal election, which will be held on May 18, 2015. The Planning Board and Selectmen will interview interested candidates and jointly appoint Jim's successor on Monday, November 3rd at 7:00 p.m. at Town Hall. Interested candidates should submit a letter of interest and qualifications to the Planning Board, Boxborough Town Hall, 29 Middle Road, Boxborough, MA 01719, or by email to Town Planner, Adam Duchesneau. Letters must be received no later than Monday, October 27th, 2014, at 12 noon. Please contact to Town Planner, Adam Duchesneau, by email from a link on his webpage; emailing him directly at aduchesneau@boxborough-ma.gov or phone (978-264-1723) with any questions.
- The Nashoba Boards of Health will be conducting a **Seasonal Flu Clinic** on Wednesday, October 8th, from 10:00 AM to 12:00 PM in the Vestry of the Boxborough UCC Church. This clinic is free and open to Boxborough residents. Additional information is available on the Town's website.
- The Town is beginning the process of **updating its Master Plan**. A Master Plan serves as a decision-making guide for land use, open space, housing, economic development, and other areas. Boxborough's current Master Plan is over 12 years old, it is no longer relevant or effective. Therefore, Town personnel, with the assistance of the Metropolitan Area Planning Council will be producing an updated Master Plan. **Public Kickoff and Visioning Forum** will be held **Wednesday, November 19, 2014 @ 7:00 PM** here in the Grange

Meeting Room, at Town Hall. This Forum is a critical part of the update process. Participants will be able to provide input on materials to formulate a vision for the town that will guide our community into the future and give direction to this Master Plan Update process. We encourage all to attend and ask you to spread the word to others who may be interested. For more information please go the Planning Board's webpage or contact Town Planner Adam Duchesneau directly at aduchesneau@boxborough-ma.gov or 978-264-1723 for more information or to sign up for the Master Plan Update email list.

- The **2014 Deer Hunting opens on October 20th**. It begins with Archery Season which runs through November 29th. Archery is followed by Shot Gun Season (December 1st through December 13th). Deer Hunting ends with Muzzle or Primitive Firearms season (December 15th through December 31st). Please be aware that, in Boxborough, hunting is only allowed on private land with permission of the owner and not allowed on any town-owned property. For everyone's safety and enjoyment please remember to exercise some trail safety commonsense during Hunting Season. A list of suggested Trail Safety Rules and other resources may be found in Links to "Helpful Information" on the Conservation Commission's webpage.
- **Please be sure that you have an FY 2015 sticker, so that you will be able to access the Transfer Station.** Applications are still being accepted; however effective August 1st a \$30.00 late fee is being assessed. For more information please visit the Transfer Station webpage or call the DPW for more information.
- Residents also need to purchase a voucher for the **disposal of bulk items** at the Transfer Station. Fees range from \$5.00 to \$50.00 depending on the item. 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 for more information.
- **Save the Date....**
The DPW **Hazardous Waste Day** is Saturday, October 25th from 9:00am-1:00pm at the DPW barn. The informational flyer has been posted on the Town's website and will be provided with your upcoming tax bill.
- **Also**
The Boxborough Energy Committee will be holding "**BoxGoSolar**" a **Solar Informational Townwide meeting**, at 7:30 PM on December 3rd at the Sargent Memorial Library. More information will be provided in the coming months.

- As part of the Town's expanded ability to provide information on our new website information and links to **Transportation options** available for those living or working in Boxborough has been posted on the Homepage under News and Announcements and under Resources.

- The **Acton-Boxborough Farmers' Market** is located on Pearl Street just off of Mass Ave./Route 111 in West Acton Village and will be open on Sundays from 10 AM to 1 PM through October.

- Come see Boxborough's Treasures at the **Boxborough Museum** at 575 Middle Road from 2:00 pm to 4:00 pm Sunday, October 12th. 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.

- **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 Board of Selectmen continues to look for volunteers willing to serve on the various **Town boards and committees**, many of which have openings: ZBA (1 alternate member), Housing Board (1), Design Review Board (1 at-large member), Public Celebrations & Ceremonies Committee (2), Recreation Commission (2), the Steele Farm Advisory Committee (2), and the Conservation Commission has one vacancy for an unexpired term which runs until June 30, 2015. 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.

- 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.

- Contact information is available on the town's website: <http://www.boxborough-ma.gov> or you may call Town Hall at 978-264-1700 if you have any questions.
- The Selectmen can be contacted directly at: selectmen@boxborough-ma.gov.
- If you wish to find out more about **volunteer opportunities** on Town boards or committees contact Town Administrator Selina Shaw at: sshaw@boxborough-ma.gov
- Board of Selectmen **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.
- For more information on **Roadway paving repairs, FY 15 Transfer Station Applications, Bulk Item Disposal Vouchers and Hazardous Waste Day** please go to the DPW's or Transfer Station's webpage or contact the DPW at 978-264-1790.
- For more information regarding the vacancy on the Planning Board or on Updating the Master Plan please go the Planning Board's webpage or contact Town Planner Adam Duchesneau directly at ADuchesneau@Boxborough-MA.gov or 978-264-1723.
- Please contact John Fallon, of the Boxborough Historical Society, at 978-264-0069 if you wish to arrange a private tour of the **Boxborough's Historic Town Center.**



BOARD OF SELECTMEN
Meeting Agenda
September 29, 2014
Boxborough Town Hall
Grange Meeting Room

1. CALL TO ORDER, 7:00 PM

2. ANNOUNCEMENTS

3. APPOINTMENTS

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

- a) Chris Habersaat, ABYS President, to provide report on participants in Boston Breakers clinic and Kevin Lehner, Boxborough Recreation Commission Chair to discuss field permitting issues, 7:00 PM
- b) Citizens' concerns

4. MINUTES

- a) Regular session, September 22, 2014

ACCEPT & POF

5. SELECTMEN REPORTS

6. OLD BUSINESS

7. NEW BUSINESS

- a) Warrant for State Election

Move to notify and warn the inhabitants of the Town of Boxborough who are qualified to vote in the State Election to vote at Boxborough Town Hall, 29 Middle Road, Boxborough on Tuesday, the fourth day of November, 2014 from 7:00 AM to 8:00 PM to cast their votes in the State Election for the candidates for the following offices and questions:

[Read list from attached]

VOTE:

- b) MPO Delegation

Move to authorize Vincent M. Amoroso, Chair of the Boxborough Board of Selectmen to designate Les Fox, Selectman and MAPC representative, to vote in the MPO elections being held on October 29, 2014

VOTE:

- c) Resignation of Hugh Fortmiller as a member of the Board of Registrars, effective immediately

Move to accept with regrets the resignation of Hugh Fortmiller as a member of the Board of Registrars, effective immediately

ACCEPT & POF

- d) Energy Committee initiative to provide solar PV to town residents and local businesses

Move to support the Energy Committee's plan to move forward to explore solar initiatives for the Town residents and businesses

e) Community Innovation Challenge Grant

Move to authorize Vincent M. Amoroso, Chair of the Boxborough Board of Selectmen, to provide a letter on behalf of the Board in support of the Community Innovation Challenge Grant being submitted by the towns of Acton and Maynard, Emerson Hospital and Clock Tower Place to provide a pilot medical appointment shuttle

VOTE:

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 convene in executive session in the Town Administrator's office to discuss strategy with respect to collective bargaining (all CBU's) and to adjourn immediately thereafter without reconvening in open session

**ROLL CALL
VOTE:**

12. ADJOURN

STATE ELECTION
November 4, 2014

OFFICES:

SENATOR IN CONGRESS	FOR THIS COMMONWEALTH
GOVERNOR AND LIEUTENANT GOVERNOR	FOR THIS COMMONWEALTH
ATTORNEY GENERAL	FOR THIS COMMONWEALTH
SECRETARY OF STATE	FOR THIS COMMONWEALTH
TREASURER	FOR THIS COMMONWEALTH
AUDITOR	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.	THIRD DISTRICT
COUNCILLOR	THIRD DISTRICT
SENATOR IN GENERAL COURT	MIDDLESEX & WORCESTER DISTRICT
REPRESENTATIVE IN GENERAL COURT	37 TH MIDDLESEX DISTRICT
REGISTER OF PROBATE.	MIDDLESEX COUNTY
DISTRICT ATTORNEY	NORTHERN DISTRICT

QUESTIONS:

1. LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

This proposed law would eliminate the requirement that the state's gasoline tax, which was 24 cents per gallon as of September 2013, (1) be adjusted every year by the percentage change in the Consumer Price Index over the preceding year, but (2) not be adjusted below 21.5 cents per gallon.

2. LAW PROPOSED BY INITIATIVE PETITION

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The proposed law would expand the state's beverage container deposit law to require deposits on containers for all non-alcoholic, non-carbonated drinks with certain exceptions, increase the associated handling fees, and make other changes to the law.

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This proposed law would entitle employees in Massachusetts to earn and use sick time according to certain conditions.

5. CPA

Shall this Town accept sections 3 to 7, inclusive of chapter 44B of the General Laws, as approved by its legislative body, a summary of which appears below?

This question involves the Town's acceptance of the Community Preservation Act ("Act"), approving a surcharge of 1% of the tax levy on real property and also providing an exemption under Section 3(e) of the Act for property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the Town.

The complete summaries of these questions are listed in the State Election Warrant, which is included in its entirety in the agenda packet under item 7a).

From: Chris Habersaat [mailto:]
Sent: Thursday, September 25, 2014 11:33 AM
To: sshaw@boxborough-ma.gov
Subject: Re: Attendance at BoS Meeting

Hi Selina -

Here is a breakdown of the information that I believe was requested in connection with the Breakers Academy 4-day Sessions this past July at Liberty. If I have neglected to include any information sought please let me know. I will be happy to answer questions that the BoS may have either before or at Monday's BoS meeting:

Boston Breakers Academy Session @ Liberty Field

- 31 girls attended the 4 day session
- 16 girls from Acton
- 6 girls from Boxborough
- 9 girls from other towns (Carlisle, Concord, Lynnfield, Maynard, Somerville, Westford)

- 4 day event fee was \$160
- 1 needs based scholarship

- \$4,800 session revenue
- \$3,450 fee for Boston Breaker Academy coaches for 4 day session
- \$675 fee for ABYS coach for 4 day session
- \$675 to ABYS

Chris



Chris Habersaat
President
Acton Boxborough Youth Soccer
P.O. Box 745, Acton, MA 01720



Town of Boxborough
29 Middle Road
Boxborough, MA 01719
978-263-1116

Schedule of Field Permit Fees
Effective January 1, 2012

Field Fee (per field)	Boxborough Resident [Exclusive-use for organized activity]		Non-Boxborough Resident	
	(up to 2 hours)	(2 + hours)	(up to 2 hours)	(2+ hours)
Per Field	\$60	\$120	\$120	\$240
Multiple Day Use (10 Consecutive Days)	\$200	\$400	\$250	\$500
Multiple Day Use (11-20 Days)	\$250	\$500	\$300	\$600
Multiple Week Use (10 consecutive weeks/same day, same time)	\$200	\$400	\$250	\$500
Camps/Clinics	\$240 per field/day		\$240 per field/day	

Fees may be waived for certain permitted uses as specified in the *Boxborough Field Use Permit Policy*.

Boxborough Field Use Permit Policy **Effective January 1, 2012**

All Boxborough residents, businesses and organizations may enjoy the non-exclusive use of the town's recreation fields free of charge, and without a permit, during posted hours unless a permit has been issued pursuant to the *Boxborough Field Use Permit Policy*.

Scheduling of Fields

Town-owned fields (Flerra, Liberty, Fifer's) will be scheduled with the following priority:

1. Town festivities, e.g. Fifers Day
2. Organized youth sports organizations affiliated with Boxborough, e.g. ABYS, ABYB, etc., at the bi-annual (January/June) Field Scheduling Meeting
3. Boxborough Residents/Organizations/Businesses seeking exclusive use of the fields
4. Other Acton-Boxborough Youth Sports Groups (not covered in 2. above)
5. Private Youth and Adult Sports Groups
6. Other

Application Process

1. Regardless of the season, any organized group or individual requesting exclusive use of the fields must apply for a field permit in the Boxborough Town Hall.
2. Requester must provide a designated contact person for all communications.
3. Businesses and organizations must provide a copy of insurance, naming the town as an additional insured, which the town will maintain on file for each season.
4. The town will provide indemnification and hold harmless agreement forms to permit applicants. Groups and individuals shall be responsible for submitting completed forms for each of their participants to the town.
5. Each Acton-Boxborough Youth Sports Organization must submit a written copy of their field needs to Town Hall two weeks prior to the scheduled bi-annual seasonal meeting. Please inquire with the Town of Boxborough Recreation Commission for more details on date and time of the bi-annual meeting.
6. All permits must be approved by the Town Administrator or her designee, who will forward copies to the Recreation Commission and other departments as needed: DPW, police, fire, etc.
7. The Town will grant permits on a first come, first served basis, in accordance with the priorities established above. Once a permit has been granted, the field will not be re-assigned regardless of the priorities above, e.g., if a permit has been granted to an adult league, a Boxborough resident seeking exclusive use of the field will not bump the already permitted user.
8. Field permit shall not be in force until all information has been provided, fees paid (if applicable), the permit is signed, and the applicant has acknowledged receipt of the Boxborough Field Use Permit Policy by authorized signature below.

Waiver/Reduction of Fees

Requests for waiver or reduction of fees shall be submitted in writing to the Town Administrator along with the Field Permit Application. Town Administrator will forward all fee wiver/reduction requests to the Board of Selectmen for action.

The Town may waive/reduce fees for the following permitted uses, including but not limited to:

1. Festivities organized or sponsored by the Town of Boxborough
2. Programs initiated and sponsored by the Boxborough Recreation Commission
3. Acton-Boxborough Youth Sports Groups' practices and games

Fees will be **NOT** be waived for clinics and camps conducted by any groups which charge an additional registration fee to its participants. These groups must request field space and pay the appropriate permit fee even within the allotted time of the town youth sports groups.

Subletting of fields

Subletting is defined as:

1. Granting access to town fields by a permit holder under their permitted time to another individual or organization to conduct camps, clinics and tournaments with an outside agency. Permit holder shall refer outside agency to Town for issuance of a permit.
2. Granting access to town fields by a permit holder under their permitted time to any individual, sporting organization, camps and businesses, with or without compensation. Permit holder shall refer entity to Town for issuance of a permit.

Subletting of field permit is strictly prohibited. Use of fields is authorized only for the permit holder. Violators will be subject to permit revocation.

Cancellation Policy

1. The Town of Boxborough reserves the right to cancel any permit, whenever in its discretion, such cancellation is advisable. If the permit is cancelled, the permit holder has the right to reschedule on a mutually agreed upon date or entitled to a full refund.
2. If the permit holder cancels a field reservation, the town will issue a 100% refund if a reservation is cancelled more than 60 days prior to the event; 50% if cancelled 30 or more days prior to the event; no refund will be issued with less than 30 days notice of the event.

Field Closure and Inclement Weather Field Use

1. When a field has been ordered to be closed, for whatever reason, the field shall **NOT** be used under any circumstances until it has been determined by the DPW, if on weekdays, or by group users, in consultation with Recreation Commission designee on the weekend, that the field may re-open. Users shall make such determination responsibly and pursuant to paragraph 4 of this section.
2. On weekdays, the DPW or the Recreation Commission designee will communicate field closings to the permitted organizations. On weekends and after hours, the group users will make the determination and handle all communication. Communication may be made by phone but must be followed up by e-mail.

3. Each organization shall be responsible for communicating field closings to the referees, umpires, parents, participants and coaches in a timely fashion to avoid unnecessary inconvenience or improper use of closed fields.
4. Regardless of whether the field is officially closed or not, a practice or a game must not commence or continue on a field if:
 - a. The field has standing water on it (i.e. puddles).
 - b. Base paths on softball and baseball fields have any standing water.
 - c. The field is saturated with water. Saturation is when you step on the field and water seeps up into your footprint, like a sponge.
 - d. Lightning is present. There is no exception to this rule.
 - e. By playing on the field, the players would be damaging the field beyond normal wear and tear (e.g. tearing up the turf, creating muddy areas, etc.).
5. Once a game or practice begins, the referee, umpire or coach shall be responsible for a decision to suspend a game due to the above-mentioned or other conditions.
6. If the Town of Boxborough closes the field, the permit holder will be entitled to change field locations if an alternate field is available, reschedule the date or request a full refund for that day.

Removal of Trash

Carry in-carry out! It is the permit holder's responsibility to assure that fields are policed after use and no trash is left behind.

The permit is being issued for the exclusive use of the field only. Conditions of play such as lines and equipment are not part of the permitting process.

Failure to abide by the policy may result in suspension of the field permit or loss of field use privileges. By signing below, Organization Coordinator and his/her group agrees to abide by the *Boxborough Field Use Permit Policy*.

 Representative's Name and Organization

 Representative's Signature & Date

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

WARRANT FOR STATE ELECTION

SS.

To the Constables of the City/Town of **BOXBOROUGH**

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in the State Election to vote at

**BOXBOROUGH TOWN HALL
29 MIDDLE ROAD**

on **TUESDAY, THE FOURTH DAY OF NOVEMBER, 2014**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices and questions:

- SENATOR IN CONGRESS FOR THIS COMMONWEALTH
- GOVERNOR AND LIEUTENANT GOVERNOR FOR THIS COMMONWEALTH
- ATTORNEY GENERAL FOR THIS COMMONWEALTH
- SECRETARY OF STATE FOR THIS COMMONWEALTH
- TREASURER FOR THIS COMMONWEALTH
- AUDITOR FOR THIS COMMONWEALTH
- REPRESENTATIVE IN CONGRESS. THIRD DISTRICT
- COUNCILLOR THIRD DISTRICT
- SENATOR IN GENERAL COURT MIDDLESEX & WORCESTER DISTRICT
- REPRESENTATIVE IN GENERAL COURT 37TH MIDDLESEX DISTRICT
- REGISTER OF PROBATE. MIDDLESEX COUNTY
- DISTRICT ATTORNEY NORTHERN DISTRICT

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

SUMMARY

This proposed law would eliminate the requirement that the state's gasoline tax, which was 24 cents per gallon as of September 2013, (1) be adjusted every year by the percentage change in the Consumer Price Index over the preceding year, but (2) not be adjusted below 21.5 cents per gallon.

A YES VOTE would eliminate the requirement that the state's gas tax be adjusted annually based on the Consumer Price Index.

A NO VOTE would make no change in the laws regarding the gas tax.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

SUMMARY

This proposed law would expand the state's beverage container deposit law, also known as the Bottle Bill, to require deposits on containers for all non-alcoholic non-carbonated drinks in liquid form intended for human consumption, except beverages primarily derived from dairy products, infant formula, and FDA approved medicines. The proposed law would not cover containers made of paper-based biodegradable material and aseptic multi-material packages such as juice boxes or pouches.

The proposed law would require the state Secretary of Energy and Environmental Affairs (EEA) to adjust the container deposit amount every five years to reflect (to the nearest whole cent) changes in the consumer price index, but the value could not be set below five cents.

The proposed law would increase the minimum handling fee that beverage distributors must pay dealers for each properly returned empty beverage container, which was 2¼ cents as of September 2013, to 3½ cents. It would also increase the minimum handling fee that bottlers must pay distributors and dealers for each properly returned empty reusable beverage container, which was 1 cent as of September 2013, to 3½ cents. The Secretary of EEA would review the fee amounts every five years and make appropriate adjustments to reflect changes in the consumer price index as well as changes in the costs incurred by redemption centers. The proposed law defines a redemption center as any business whose primary purpose is the redemption of beverage containers and that is not ancillary to any other business.

The proposed law would direct the Secretary of EEA to issue regulations allowing small dealers to seek exemptions from accepting empty deposit containers. The proposed law would define small dealer as any person or business, including the operator of a vending machine, who sells beverages in beverage containers to consumers, with a contiguous retail space of 3,000 square feet or less, excluding office and stock room space; and fewer than four locations under the same ownership in the Commonwealth. The proposed law would require that the regulations consider at least the health, safety, and convenience of the public, including the distribution of dealers and redemption centers by population or by distance or both.

The proposed law would set up a state Clean Environment Fund to receive certain unclaimed container deposits. The Fund would be used, subject to appropriation by the state Legislature, to support programs such as the proper management of solid waste, water resource protection, parkland, urban forestry, air quality and climate protection.

The proposed law would allow a dealer, distributor, redemption center or bottler to refuse to accept any beverage container that is not marked as being refundable in Massachusetts.

The proposed law would take effect on April 22, 2015.

A YES VOTE would expand the state's beverage container deposit law to require deposits on containers for all non-alcoholic, non-carbonated drinks with certain exceptions, increase the associated handling fees, and make other changes to the law.

A NO VOTE would make no change in the laws regarding beverage container deposits.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

SUMMARY

This proposed law would (1) prohibit the Massachusetts Gaming Commission from issuing any license for a casino or other gaming establishment with table games and slot machines, or any license for a gaming establishment with slot machines; (2) prohibit any such casino or slots gaming under any such licenses that the Commission might have issued before the proposed law took effect; and (3) prohibit wagering on the simulcasting of live greyhound races.

The proposed law would change the definition of “illegal gaming” under Massachusetts law to include wagering on the simulcasting of live greyhound races, as well as table games and slot machines at Commission-licensed casinos, and slot machines at other Commission-licensed gaming establishments. This would make those types of gaming subject to existing state laws providing criminal penalties for, or otherwise regulating or prohibiting, activities involving illegal gaming.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would prohibit casinos, any gaming establishment with slot machines, and wagering on simulcast greyhound races.

A NO VOTE would make no change in the current laws regarding gaming.

QUESTION 4: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

SUMMARY

This proposed law would entitle employees in Massachusetts to earn and use sick time according to certain conditions.

Employees who work for employers having eleven or more employees could earn and use up to 40 hours of paid sick time per calendar year, while employees working for smaller employers could earn and use up to 40 hours of unpaid sick time per calendar year.

An employee could use earned sick time if required to miss work in order (1) to care for a physical or mental illness, injury or medical condition affecting the employee or the employee’s child, spouse, parent, or parent of a spouse; (2) to attend routine medical appointments of the employee or the employee’s child, spouse, parent, or parent of a spouse; or (3) to address the effects of domestic violence on the employee or the employee’s dependent child. Employees would earn one hour of sick time for every 30 hours worked, and would begin accruing those hours on the date of hire or on July 1, 2015, whichever is later. Employees could begin to use earned sick time on the 90th day after hire.

The proposed law would cover both private and public employers, except that employees of a particular city or town would be covered only if, as required by the state constitution, the proposed law were made applicable by local or state legislative vote or by appropriation of sufficient funds to pay for the benefit. Earned paid sick time would be compensated at the same hourly rate paid to the employee when the sick time is used.

Employees could carry over up to 40 hours of unused sick time to the next calendar year, but could not use more than 40 hours in a calendar year. Employers would not have to pay employees for unused sick time at the end of their employment. If an employee missed work for a reason eligible for earned sick time, but agreed with the employer to work the same number of hours or shifts in the same or next pay period, the employee would not have to use earned sick time for the missed time, and the employer would not have to pay for that missed time. Employers would be prohibited from requiring such an employee to work additional hours to make up for missed time, or to find a replacement employee.

Employers could require certification of the need for sick time if an employee used sick time for more than 24 consecutively scheduled work hours. Employers could not delay the taking of or payment for earned sick time because they have not received the certification. Employees would have to make a good faith effort to notify the employer in advance if the need for earned sick time is foreseeable.

Employers would be prohibited from interfering with or retaliating based on an employee’s exercise of earned sick time rights, and from retaliating based on an employee’s support of another employee’s exercise of such rights.

The proposed law would not override employers’ obligations under any contract or benefit plan with more generous provisions than those in the proposed law. Employers that have their own policies providing as much paid time off, usable for the same purposes and under the same conditions, as the proposed law would not be required to provide additional

paid sick time.

The Attorney General would enforce the proposed law, using the same enforcement procedures applicable to other state wage laws, and employees could file suits in court to enforce their earned sick time rights. The Attorney General would have to prepare a multilingual notice regarding the right to earned sick time, and employers would be required to post the notice in a conspicuous location and to provide a copy to employees. The state Executive Office of Health and Human Services, in consultation with the Attorney General, would develop a multilingual outreach program to inform the public of the availability of earned sick time.

The proposed law would take effect on July 1, 2015, and states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would entitle employees in Massachusetts to earn and use sick time according to certain conditions.

A NO VOTE would make no change in the laws regarding earned sick time.

Question #5: CPA

Shall this Town accept sections 3 to 7, inclusive of chapter 44B of the General Laws, as approved by its legislative body, a summary of which appears below?

Summary

This question involves the Town's acceptance of G.L. c.44B, §§3-7, also known as the Community Preservation Act ("Act"), approving a surcharge of 1% of the tax levy on real property. The May 12, 2014 Annual Town Meeting voted to accept the Act and impose a surcharge in the amount of 1% of the annual tax levy, effective July 1, 2014, and further to provide an exemption under Section 3(e) of the Act for property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the Town.

The Act allows municipalities to impose a surcharge on real property to establish a dedicated source of funds for open space, historic resources and community housing purposes, and entitles the Town to receive a percentage of matching funds from the state. The Community Preservation Committee makes recommendations to Town Meeting on the use of such funds, and at least 10% of the funds to be collected through the surcharge, any other annual revenues appropriated to the fund, and the state match, must be spent or reserved for later spending on each of the Act's three community preservation purposes. All expenditures pursuant to the Act are subject to an annual audit.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of _____, 2014.
(month)

City Council or Selectmen of: _____
(City or Town)

(Indicate method of service of warrant.)

_____, 2014.
Constable (month and day)

Warrant must be posted by **October 28, 2014**, (at least *seven days prior* to the **November 4, 2014** State Election).



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BOXBOROUGH BOARD OF SELECTMEN
29 Middle Road, Boxborough, Massachusetts 01719
Phone: (978) 264-1712 · Fax: (978) 264-3127
www.boxborough-ma.gov

Vincent M. Amoroso, Chair Robert T. Stemple, Clerk Susan M. Bak Leslie R. Fox James J. Gorman

September 29, 2014

BOSTON REGION MPO ELECTIONS
Metropolitan Area Planning Council
60 Temple Place, 6th Floor
Boston, MA 02111

To whom it may concern:

As Chief Elected Official in the town of Boxborough, I hereby designate Boxborough Selectman and MAPC representative Les Fox to vote in the MPO elections being held October 29, 2014.

Sincerely,

Vincent M. Amoroso
Chair, Boxborough Board of Selectmen

Selina S. Shaw, Town Administrator
sshaw@boxborough-ma.gov

7c

ElizabethMarkiewicz

From: Hugh Fortmiller <[REDACTED]>
Sent: Friday, September 19, 2014 11:47 AM
To: Liz Markiewicz
Cc: Susan Bak; Anne Canfield
Subject: Reluctant Resignation

RECEIVED

SEP 22 2014

TOWN CLERK
TOWN OF BOXBOROUGH

Dear Liz:

I just talked with "Jason" at the Office of Campaign and Political Finance, and he agrees with you.

Therefore, because I am a political activist and very apt to stumble over the issue of "directly or indirectly" soliciting contributions or "anything else of value" for "a ballot question or candidate," I must reluctantly resign my position on the Board of Registrars. (I should add that any office holder on a political committee - e.g., Tammy - and probably any active DTC members should not take an appointment to the Board of Registrars.)

I'm sending a copy of this to Susan Bak, because I assume you'll be looking for a registered Dem to replace me. I'm also sending a copy to Anne Canfield, as she expressed interest, not only as an election day volunteer, but also as Chair of Personnel. In that regard, I assume I may continue to serve on the Personnel Committee, because although we are appointed, we receive no compensation.

Sorry for the hitch, Liz. I hope your Republican board members don't have similar issues.

If I can help you in other ways, please let me know.

Yours,

Hugh

On Sep 17, 2014, at 10:37 AM, Elizabeth Markiewicz <emarkiewicz@boxborough-ma.gov> wrote:

Hi Hugh,
Thanks for bringing this to my attention. As an appointed compensated employee you are indeed barred from soliciting donations on behalf of a ballot question or candidate. Nor can you be a principal officer of a political committee. As an elected official, I don't have those restrictions. I totally understand if you choose to resign—just let me know your decision as soon as possible.

Liz

From: Hugh Fortmiller [mailto:[REDACTED]]
Sent: Tuesday, September 16, 2014 1:40 PM
To: Liz Markiewicz
Subject: Re: State Ethics Training

Hi, Liz:

I'll mail you the Certificate of Completion.

Energy Committee Solar PV initiative for town residents and businesses

The Energy Committee is seeking to provide a solar PV program to Boxborough residents and businesses modeled on the Solarize Mass program. The Committee would like the support of the Selectmen and Town Administrator, which they believe will be instrumental in helping other key individuals and groups in town understand the purpose and goals of their plan. The Committee will bring forward further information after their next meeting on October 8.

By way of introduction to the matter, Francie Nolde, Chair of the Energy Committee has provided the summary below:

As you know, we are not eligible for the Solarize Mass program. But we can follow their template by adapting their documents, such as their RFP, outlined organizational plan, steps and schedule. We would get help directly from MassCEC (Elizabeth Youngblood), which administers Solarize Mass, and from MAPC (Ani Krishnan and Cammy Peterson). They have instructions on how to solicit and select solar installers, and a description of a tiered structure for the number of households that can support solar in order to get a good price.

Many towns surrounding us have successfully installed solar PV. Right now, we're linking with the towns of Harvard and Stow for their expertise as they are both munis.

We plan to hold a town-wide meeting on December 3, 2014, with two presenters to explain how it works: Elizabeth Youngblood from MassCEC will give "solar 101" and Jim Elkind from New England Clean Energy will explain how it works for a town such as ours. Jim ran the town of Harvard's solar initiative about a year ago and has lots of "on the ground" experience. He was the solar coach for Harvard and then joined, afterward, the company who became the installer. (He's come once to give EnCom a presentation on the program.) He'll explain solar electricity, the players needed for the effort, how to solicit bids and select a solar vendor, and then the process of site assessment done by the installer for those who apply. He'll explain the pricing structure and how to lower costs with more subscribers. He'll also discuss the ROI factor.

We used Survey Monkey for our questionnaire, handed out at Town Meeting and a notice sent out with the June tax bill to ask residents to go on line and fill out the questionnaire. We have a total of 176 respondents, with an amalgamation of 118 saying they are either "extremely or very" interesting in solar.

8a



**Minutes, Notices and Updates
September 29, 2014**

Minutes

None

Notices

1. Notice of a Finance Committee meeting to be held October 6, 2014

