TOWN OF BOXBOROUGH
NOTICE OF PUBLIC MEETING

Revised 3/16/2020

SELECT BOARD
Meeting Agenda
Monday, March 16, 2020
7:00 PM
2nd Floor, Town Hall, 29 Middle Road, Boxborough, MA

RECEIVED
MAR 16 2020
11:15 AM
TOWN CLERK
TOWN OF BOXBOROUGH

Item #	Estimated Start Time		Action Vote/ Accept & POF
1.	7:00 PM	**Call to Order** 2nd Floor, Town Hall, Boxborough, Massachusetts *Select Board meetings have a number of topics and issues that must be discussed and deliberated by the Board. We ask that residents hold their comments until the Board has had the opportunity to get their questions answered. Due to time constraints, the Board may not be able to accommodate comments from all residents on all topics. Please wait to be recognized by the Chair before addressing the Board. We ask that participants be respectful and civil. We thank you for your understanding.* *[Times are estimated; if you are interested in a particular matter, please plan to arrive 15 minutes earlier]*	
2.	7:00 PM	**Announcements**	
3.	7:05 PM	**Local State of Emergency Declaration** ***Pursuant to the protocols put forth by the Commonwealth of Massachusetts, vote to declare a State of Emergency for the Town of Boxborough.***	**VOTE:**
4.	7:10 PM	**Approval of payroll and payable warrants** Report on approval of payroll and payable warrants (this may not be necessary, depending upon who signs the warrants)	
5.	7:15 PM	**Minutes**	
	a.	Regular session, February 27, 2020	**ACCEPT & POF**
	b.	Executive session, February 27, 2020	**ACCEPT & POF**
~~6.~~	~~7:20 PM~~	~~**Citizen's Concerns**~~	
7.	7:20 PM	**FY 2021 Budget /Annual Town Meeting Preparations - Joint Meeting with Finance Committee**	
	a.	FY 2021 Budget Status Update	
	b.	Review of Warrant - Proposed additional/reconfigured Articles; Recommendations and Funding Sources; Order of warrant	
	i.	*Vote to Re-open Warrant to add Articles:* *1) Sustainability Committee: Join Devens HHW program; 2) Appointment of Town Clerk; 3) Select Board endorsement of changes to the Town Center Zoning District; 4) Discussion of SAFER grant article(s) structure 5) Renewal of Community Center Lease*	**VOTE:**
	ii.	*Vote to Close Warrant*	**VOTE:**
	iii.	*Final Votes on the May 2020 Annual Town Meeting Warrant Article recommendations, if necessary*	**POSSIBLE VOTE:**
	iv.	*Final Votes on the May 2020 Annual Town Meeting Warrant Articles, funding sources* *NB: Warrant to be signed, March 30, 2020*	**VOTE:**

Item #	Estimated Start Time		Action Vote/ Accept & POF
8.	8:00 PM	**Personnel Updates - TA Ferrara**	
	a.	Appointment of Acton-Boxborough District Veteran Services District Officer, James MacRae *Vote to re-appoint, District Veteran Services' Officer, James MacRae, for a term commencing April 1, 2020 and ending March 31, 2021.*	**VOTE:**
9.	8:10 PM	**General Business**	
	a.	Discussion of Community Center Lease with the UCC: Fiscal Year 2021-2023 (three years)	**POSSIBLE VOTE:**
	b.	*Approval of Massachusetts Avenue Order of Taking for 211 Massachusetts Avenue Condominium Trust*	**VOTE:**
10.	8:20 PM	**Update on Town Boards/Committees/Commissions**	
	a.	*Building Committee, Appointment of Members:* *Maria Neyland, Select Board* *Les Fox, Select Board* *Gary Kushner, Finance Committee* *Ling Chen, Finance Committee* *Bryan Lynch, Board of Health* *Bill Litant, Council on Aging* *Becca Edson, Recreation Commission* *Al Murphy, Housing Board* *Owen Neville, Member At-Large* *Than Stuntz, Member At-Large* *Hugh Fortmiller, Member At-Large*	**VOTE:**
11.	8:30 PM	**Select Board & Town Administrator's reports/updates**	
12.	8:45 PM	**Adjourn**	

2020: 3/30/20; 4/13/20; 4/27/20; 6/01/20; 6/15/20; 6/29/20; 7/13/20; 7/27/20

Boxborough Leadership Forum (BLF): 3/17/2020; 4/14/2020 [*Pre-Town Meeting Review*]

2020 ATM Commences: 5/11/20

4a

BOXBOROUGH SELECT BOARD
Meeting Minutes
February 27, 2020

Approved:_____

PRESENT: Maria Neyland Chair; Wes Fowlks, Clerk; and Bob Stemple, Member

ABSENT: Susan Bak, Member; and Les Fox, Member

ALSO PRESENT: Ryan Ferrara, Town Administrator; and Sean Donahue, Assistant Town Administrator

At 7:17 PM Chair Neyland called the meeting to order in the Grange Meeting Room Town Hall 29 Middle Road, and immediately moved to adjourn to executive session in the Grange Room Annex to:
1) Conduct strategy sessions in preparation for negotiations with nonunion personnel (Police Chief and DPW Director), per C30A §21 (a), subsection 2, and to
2) Discuss non-public records MGL Chapter 59, Abatement Applications for Real Estate and/or Personal Property Tax, per MGL C30A §21 (a), subsection 7
3) Discuss strategy with respect to collective bargaining or litigation (984 and 996 Massachusetts Avenue development appeal) if open meeting may have a detrimental effect on the government's bargaining or litigating position, per C30A §21 (a), subsection 3; to re-convene in open session in the Grange Meeting Room at approximately 7:30 PM to continue the business on the agenda and further noting that to discuss in open session may have a detrimental effect on the negotiating position of the Board. Seconded by Member Fowlks. **Approved 3-0, by Roll Call Vote: Stemple "aye;" Fowlks "aye;" and Neyland "aye."**

At 7:55 PM Chair Neyland reconvened the meeting the Grange Meeting Room Town Hall 29 Middle Road.

ALSO PRESENT: Cheryl Mahoney, Department Assistant

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

Announcements
Chair Neyland read the Announcements.

Chair Neyland advised that there is no reason to report on the approval of payroll and payable warrants as a quorum had been available and duly sign pending warrant(s).

Minutes
Member Fowlks moved to approve the FY 2021 Capital Budget Meeting [Joint with Finance Comm.] of February 8, 2020 as written. Seconded by Member Stemple. **Approved 3-0.**

Member Fowlks moved to approve the regular session minutes of February 10, 2020 as revised. Seconded by Member Stemple. **Approved 3-0.**

Member Fowlks moved to approve the executive session minutes of February 10, 2020 as revised. Seconded by Member Stemple. **Approved 3-0.**

Chair Neyland opened the floor for Citizen's Concerns, but there were none.

FY 2021 Budget /Annual Town Meeting Preparations
TA Ferrara noted that, due to the rescheduling, the Finance Committee was not available to attend this meeting to review the FY 2021 Budget related matters. These will be taken up at the March 2, 2020 meeting. The Board reviewed the list of proposed warrant articles. It was clarified that all of items listed are provided as placeholders and may be revised as the warrant is developed. Further, more

expansive information has been provided in the FY 2021 Operating and Capital Budget Books. It is unlikely that a Special Town Meeting will be needed. The dollar amount for the Assessor abatement article will be reviewed and possibly increased. It was confirmed that the Board will continue with the assignment practices (e.g. authorship of recommendations to the respective liaisons). The organizing and ordering of articles will be taken up on March 16th. Members were asked to provide their feedback/queries so responsive information would be provided on March 2nd. The focus of the March 2nd meeting will be the Personnel Board's recommended revisions to the to the Personnel Plan (e.g. Schedules) and the FY 2021 Budget. Member Fowlks moved to close the May 2020 Annual Town Meeting Warrant. Seconded by Member Stemple. **Approved 3-0.**

Town Meeting Process

The Board reviewed the FY 21 Budget calendar and the Town Meeting check list; identifying upcoming tasks.

General Business

The Board took Agenda Item #9b, out of order.

- The Board reviewed DPW Director Kukkula' s memorandum recommending that the Transfer Station fees for FY 2021 remain unchanged from the current year. The Board discussed the Town's handling of our disposal functions, the global recycling disposal costs issues and Dr. Kukkula' s research on the same, and the public feedback that some have received on the Transfer Station processes in general. There was discussion as to the Sustainability Committee's role in the recycling discussions. Member Fowlks moved to approve the FY 2021 Transfer Station fees schedule. Seconded by Member Stemple. There was discussion as to the structure and clarifying providing services to residents. A friendly amendment was put forth and accepted. Member Fowlks moved to approve FY 2021 Transfer Station fees schedule as revised. Seconded by Member Stemple. **Approved 3-0.** This will be revisited in the fall.

- Acton-Boxborough Cultural Council (ABCC) Chair Sharon Garde, was present to request a one-day to serve wine at their Annual Grant Reception and to waive any related fees. Member Fowlks moved to permit the Acton Boxborough Cultural Council to serve wine at its annual grant reception, being held at the Sargent Memorial Library on Tuesday, April 7, 2020, subject to the conditions specified on the license, and further, to waive the fee. Seconded by Member Stemple. **Approved 3-0.**

- TA Ferrara provided an update on the Route 111 sidewalk construction project; the related Order of Taking (easements) for the adjacent properties and that one of the subject properties was sold this week so he will need to re-negotiate with the new owners. As a result, the Board passed over action the Order of Taking agenda item.

Town Personnel

- Agreement with Police Chief Warren Ryder – Chair Neyland reviewed some of the terms in the successor agreement with the Chief, including that the recent salary survey identified that Chief Ryder was earning less than comparable Chiefs so his salary was adjusted accordingly. She reviewed some of the improvements and initiatives that he has been responsible for in our community and the way he was able to promptly fill the recent multiple vacancies with qualified personnel. She also spoke to the IT support he provides and the stipend that compensates him for these services. Chair Neyland moved to ratify and execute the successor agreement for Police Chief Warren B. Ryder, for a term commencing July 1, 2020 and ending on June 30, 2025, and further to re-appoint Warren B. Ryder as Police Chief, Keeper of the Lock Up, Dispatch Center Co-Director, and Deputy Emergency Management Director for terms effective July 1, 2020 and ending on June 30, 2025. Seconded by Member Fowlks. **Approved: 3-0.**

- Agreement with DPW Director Edward Kukkula - Chair Neyland reviewed some of the terms of this first renewal of Kukkula' s contract with the Town. She spoke to his hard work and creative initiatives in improving the new DPW facility, which resulted in significant cost savings for the Town. Morale has been good as he guided the DPW through numerous changes. Member Stemple moved to ratify and execute the successor agreement for Department of Public Works (DPW) Director, Edward Kukkula, for a term commencing July 1, 2020 and ending on June 30, 2023, and further to re-appoint Edward Kukkula, as DPW Director, Tree Warden, Moth Superintendent, and Cemetery Co-Superintendent for terms effective July 1, 2020 and ending on June 30, 2023. Seconded by Member Fowlks. **Approved: 3-0.**

Update on Town Boards/Committees/Commissions

The Board noted that they would discuss Abby Reip's pending resignation from the Planning Board and the requisite actions necessary for the May election on Monday.

Select Board & Town Administrator's reports/updates

- TA Ferrara updated the Board on the Economic Development Committee/UMass Study. The UMass Contract is awaiting execution and the team has agreed to modify the original terms to now include two charette sessions.

- Member Stemple reported that the Sustainability Committee continues to research Carbon pricing and hopes to have a position to present to the Select Board in the future.

- Chair Neyland summarized the findings of Town Administrator's Performance Review; noting that TA Ferrara received an overall Proficient rating for this year.

- Chair Neyland reported on the status of the Select Board's portion of the 2019 Annual Town Report. She further noted that there may have to be a larger discussion as to the efficiency of continuing to generate this booklet; the information that needs to be provided and ecological concerns in printing these booklets.

Reports

- TA Ferrara reported that DPW's Larry Roche has passed his Commercial Driver (CDL) license test and several of the new DPW employees have also indicated they would like to pursue this licensing.

- Member Stemple reported that Veterans Tribute project has run into a small snag with the latest bid submissions. The Veterans Tribute Comm. Will be reviewing the situation at their upcoming Saturday meeting. TA Ferrara further advised that he is meeting with some of the VTC officers to discuss these concerns.

- Chair Neyland reported that the School Building project is moving along. The Building Comm. is entering the informal site plan approval phase with Acton. The Bond is going out to bid. Thanks to the efforts of Bonding Working group they anticipate a low rate and they will be able to invest these funds and anticipate making $300,000 in FY 2020 and in FY 2021 over $1,000,000 on interest.

Citizen Concern – John Neyland inquired about the status of pending paving projects; specifically, regarding Sargent Road. This will be reviewed and the information will be provided to him.

Adjourn

At 9:01 PM, Chair Neyland moved to adjourn. Seconded by Member Stemple. **Approved 3-0.**

Exhibits

Item#		
	Agenda	
6	a.	Minutes of FY 21 Capital Budget Meeting w/FinCom – February 8, 2020 – Proposed
	b.	Minutes of Regular Session of February 10, 2020 – Proposed
	c.	Minutes of Executive Session of February 10, 2020 – Proposed /Confidential
8	b.	Warrant Article/Budget Calendar
		FY 2021 Proposed Articles List
	c.	Town Meeting Check-list
9	a.	ABCC Annual Reception wine service permit request packet
	b.	DPW Dir. Kukkula email RE: FY 2021 Transfer Station Fees
	c.	Order of Taking [passed over]
11	a.	Resignation notification from Abby Reip [passed over]
12	b.	TA Annual Review summary - discussed
	Internal Communication & Outgoing Communications List	
	Minutes, Notices and Updates	
	General Correspondence	
	Announcements	

6b

BOXBOROUGH STRETCH CODE FAQ – GENERAL

1. ***What is the stretch energy code appendix?***
2. ***How is the stretch energy code different than the existing energy code?***
3. ***Why did the Commonwealth add the stretch energy code option to the state building code?***
4. ***How would it be adopted by Boxborough?***
5. ***Why is Boxborough considering adoption of the code?***
6. ***If Boxborough adopts the stretch energy code, when does it go into effect?***
7. ***If the state is making the statewide energy code more stringent, why should Boxborough adopt the stretch energy code?***
8. ***What are some of the expected benefits to a municipality of a more stringent energy code?***

STRETCH CODE FAQ – RESIDENTIAL

1. ***What is the anticipated cost to the property owner of complying with the code?***
2. ***Will implementing the stretch code save me money on utilities?***
3. ***What low-cost interventions can I do to meet the stretch energy code?***
4. ***What kinds of projects trigger the stretch energy code?***
5. ***What is the HERS Rating?***
6. ***What are the prescriptive measures that can satisfy the stretch energy code?***
7. ***Can I limit a remodeling project to items of my own choosing?***
8. ***If I'm doing a small remodeling project, like a kitchen or bathroom renovation, will I have to meet the stretch energy code?***
9. ***Do I have to achieve a HERS rating if my project is only a renovation of an existing building?***
10. **Would Existing buildings or Historic buildings have to be upgraded to comply with the stretch code appendix?**
11. ***As a residential property owner, how would I comply with the stretch energy code?***
12. ***What categories do multi-family residential buildings fall into?***
13. ***What training do HERS raters undergo?***
14. ***How do I find a HERS rater?***
15. ***How could my contractor know how to meet the stretch energy code?***
16. ***What kinds of technical and financial help are available to property owners and contractors?***
17. ***How would the stretch energy code be enforced?***

STRETCH CODE FAQ – COMMERCIAL

1. ***How is the stretch energy code different than the existing energy code?***
2. ***What is the anticipated cost of implementing a more stringent energy code?***
3. ***What kinds of technical and financial help are available to property owners and contractors?***
4. ***What building types does the stretch energy code apply to?***

5. ***Does the stretch code apply to major renovation projects as well as new construction?***
6. ***Does the stretch code apply to minor additions to existing buildings?***
7. ***What happens to buildings not covered by the 'stretch' energy code?***
8. ***What standards are the stretch code appendix based on?***
9. ***What is required for large new commercial buildings above 100,000 square feet?***
10. ***What is required for new commercial buildings between 5,000 and 100,000 square feet?***
11. ***What would be required of small new commercial buildings, below 5,000 square feet?***
12. ***How are new commercial buildings with special energy needs handled?***
13. ***How do the benefits and costs from the commercial stretch code standards compare to the baseline code?***
14. ***What categories do multi-family residential buildings fall into?***
15. ***What training and materials are available on these standards?***
16. ***How would the stretch code be implemented and enforced?***
17. ***How does the stretch code work with LEED buildings?***
18. ***Does the stretch code require 3% renewable electricity or solar panels?***
19. ***Where can I find and read more about the stretch code appendix?***

Stretch Energy Code
General FAQ

1. What is the stretch energy code appendix?
It is an appendix to the state energy code, created by the Massachusetts Board of Building Regulations and Standards (BBRS) that provides the option for cities and towns that wish to have an energy code for buildings that results in more energy efficient buildings than the base code that is otherwise mandatory for municipalities across the state.

2. How is the stretch energy code different than the existing energy code?
The stretch energy code is more stringent than the state's base building code. For residential buildings it is roughly equivalent to meeting the Massachusetts requirements of the National Energy Star for Homes (Tier 2) standard for new buildings and the Energy Star base standard for building renovations, and includes provisions for third party testing and rating of building energy performance.

3. Why did the Commonwealth add the stretch energy code option to the state building code?
In Massachusetts, cities and towns are legally required to follow the state building and energy codes. Local codes are not permitted. However as concerns mount about rising energy costs, climate change, and national dependence on foreign energy sources, many municipalities have asked the state for a stronger state energy code or the right to adopt stronger codes at the local level. On the other hand, the state and the development community are concerned about having multiple inconsistent building and energy standards at the local level. In balancing these tensions, the BBRS decided to adopt one alternative energy code, based on national standards, expert analysis and cost effectiveness to give communities an option to require stronger energy performance in buildings.

4. How would it be adopted by Boxborough?
In accordance with the BBRS rules, the adoption of the stretch energy code must be considered at a public hearing, subject to normal public notification, and approved by Town Meeting.

5. Why is Boxborough considering adoption of the code?
In Boxborough, over ??% of greenhouse gases emitted result from energy use in buildings. A stronger energy code would require buildings to be more energy efficient, thereby reducing the amount of electricity, natural gas, and fuel oil used and the emission of greenhouse gases.

In recent years, energy costs have risen significantly for residents and commercial property owners. While it usually makes financial sense for a property owner to take steps to improve the energy efficiency of homes and buildings, these improvements often are not implemented for a wide array of reasons. Standards can be an effective means of spurring the consideration and implementation of energy efficiency measures, reducing costs for current and future owners and renters, and mitigating energy costs for residents and the costs of doing business.

6. If Boxborough adopts the stretch energy code, when does it go into effect?
The BBRS regulations require a six-month concurrency period between adoption and implementation. In order for the stretch energy code to go into effect on January 1 of any year, it must have been adopted by the Town by July 1 of the previous year. Similarly, to go into effect by July 1, adoption must take place by January 1 of that same year. The BBRS is limiting adoption dates to two a year to avoid confusion in the development community. Property

owners may voluntarily choose to follow the stretch energy code during the concurrency period, but building inspectors would allow compliance through either the base code or the stretch code during that period.

7. If the state is making the statewide energy code more stringent, why should Boxborough adopt the stretch energy code?

The state's base code is a minimum standard. Technology is readily available to achieve significantly greater levels of efficiency. The stretch energy code would be about 20% more efficient than the state's base code, so it would save more energy and further reduce greenhouse gas emissions. For new residential construction, third party verification would be required (optional for renovations), which would provide building owners and contractors with a way to ensure quality control of energy efficiency installations and ease the administration of the code for inspectors.

Codes also "even the playing field" for property owners and developers. Some choose to take advantage of short term savings by avoiding initial costs or passing on building operating costs to renters and lessees. If codes set a low standard, owners and developers that implement energy efficiency measures that have initially higher costs but later payoff with operating savings are put at a disadvantage relative to others.

8. What are some of the expected benefits to a municipality of a more stringent energy code?

In addition to allowing municipalities to take meaningful action on energy use and climate change, the adoption of the more stringent and more performance based stretch energy code is anticipated to result in significant energy cost savings for local residents and businesses, and increase design and construction firm competitiveness in the growing green building marketplace.

Stretch Energy Code
Residential Buildings FAQ

1. What is the anticipated cost to the property owner of complying with the code?
In almost all cases, expected energy savings from complying with the stretch energy code will exceed the cost. New construction projects that are designed to meet the HERS rating targets can do so cost effectively, as many builders have already demonstrated through the voluntary Energy Star Homes program. In the case of building renovations, there are more design constraints, but lower standards to meet. Typical projects involve adding insulation and air sealing and will see relatively rapid paybacks. If major equipment upgrades are selected, then the payback could be longer. However, for renovations, equipment such as boilers and furnaces would not be required to be replaced, although the owner may have other reasons to do so.

The City of Cambridge hired the Vermont Energy Investment Corp., a non-profit energy organization that the Commonwealth of Massachusetts has used for energy expertise, to assess the impact on a triple decker building undergoing a major renovation. Using plans from an actual triple decker located on Magazine Street and assuming the project follows the performance path, the modeling indicates that it is relatively easy (e.g., add insulation and conduct air sealing) for the triple decker to achieve a HERS rating of 85. The energy savings each year exceed the cost of financing the improvements. The savings estimate was conservative and did not include any utility energy efficiency incentives or tax incentives in the cost of meeting the code requirements. A copy of the modeling results is available from Cambridge's Community Development Department.

2. Will implementing the stretch code save me money on utilities?
Yes. The stretch energy code is designed to tighten the building envelope and utilize efficient lighting, appliances, and equipment. As a result, the cost of heating, cooling, and electricity will decrease.

3. What low-cost interventions can I do to meet the stretch energy code?
For renovation projects, most projects will be able to meet the stretch energy code by adding insulation and performing air sealing, and measures such as applying caulk and adding storm windows. For new construction, the stretch energy code would require incremental improvements in measures and equipment installed, the cost of which will be quickly paid back in energy savings.

4. What kinds of projects trigger the stretch energy code?
New construction and renovations of residential buildings three stories or less would be subject to the residential portion of the stretch energy code. New construction projects would be required to use the Home Energy Rating System (HERS) and achieve an index level of 65 if the building is over 3,000 square feet in area or 70 if the building is smaller (see attached table).

Renovation projects would have two options. The ***performance*** approach requires achieving a HERS rating of 80 for homes over 2,000 square feet and 85 for those under 2,000 square feet. The ***prescriptive*** approach requires measures listed by the Energy Star for Homes program, such as more efficient equipment, plus insulation at least equal to that required by the IECC 2009 code.

5. What is the HERS Rating?
HERS is the acronym for Home Energy Rating System. It is a scoring system established by the Residential Energy Services Network (RESNET), a national non-profit organization

recognized as a national standard by such organizations as the Federal IRS, EPA, and the mortgage industry. The scoring index is a scale from 0 up to around 200, with 100 representing the score for a 2006 code standard new home of the same size and type compared to the new home being evaluated. A score of zero would represent a home that uses zero net energy (e.g., a zero net energy home). Each 1 point decrease in the HERS index corresponds approximately to a 1% reduction in energy consumption. For example, a home that achieves a HERS rating of 85 would be 15% more energy efficient than the standard new code built home in 2006. Older, unimproved homes typically have ratings well over 100. The lower the score, the more efficient it is. The score is determined by energy modeling of the buildings structure and systems by a certified HERS rater.

6. What are the prescriptive measures that can satisfy the stretch energy code?
For residential projects, the prescriptive measures consist of the Energy Star Builders Option Package (BOP), which includes the Energy Star Thermal Bypass Checklist. The BOP describes the insulation and air sealing to cut infiltration for an efficient building envelope, efficiency standards for cooling and heating equipment, allowable leakage rates for ductwork, and standards for windows, water heaters, lighting appliances, and thermostats. Energy Star-rated equipment, appliances, windows, and lighting meet the standards. The thermal bypass checklist involves visual inspection of areas in the building where air leakage could take place to ensure that sealing is effective. Copies of the Energy Star for Homes BOP and Thermal Bypass Checklist can be found at
http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.homes_guidelns.

7. Can I limit a remodeling project to items of my own choosing?
Applicability of the stretch energy code to renovation projects is limited to the extent of the work. For example, if windows are being replaced, then the windows must meet the code's standards and any exposed wall cavity must be filled with insulation to the required level. But the remainder of the building would not be required to be upgraded. Similarly, if a ceiling or wall cavity is opened, then the required level of insulation must be installed, but the remainder of the building's ceiling and wall cavities are not required to be upgraded with insulation. If you are replacing your boiler, you would be required to install one that meets the stretch code standard, but you would not be required to upgrade the building insulation. Also, certain work is exempt, including re-roofing, installation of storm windows, and alterations involving less than 50% of light fixtures in a space.

8. If I'm doing a small remodeling project, like a kitchen or bathroom renovation, will I have to meet the stretch energy code?
If the work would normally trigger the base energy code, then it would trigger the stretch energy code. But only those elements that are being changed would have to meet the code requirements.

9. Do I have to achieve a HERS rating if my project is only a renovation of an existing building?
For a renovation, a HERS rating would be an option, not a requirement. The project could satisfy the stretch energy code through the performance track, which would involve a HERS rating, or the prescriptive track, which would require installing specified measures. Because the HERS rating is based on the performance of the whole building, in most cases it is expected that renovation projects will use the prescriptive track.

10. Would existing buildings or historic buildings have to be upgraded to comply with the stretch code appendix?

The stretch code appendix does not change the sections of the state base building code that apply to existing buildings and historic buildings. These sections have also remained unchanged in the base code between the 8th edition and the proposed 9th edition of the Massachusetts energy code. Specifically historic buildings listed in state or national registers, or designated as a historic property under local or state designation law or survey, or with an opinion or certification that the property is eligible to be listed, are exempt from both the base and the stretch appendix to the energy code.

11. As a residential property owner, how would I comply with the stretch energy code?If the project involves new construction, then it must follow the performance track which is based on a HERS rating. If the project involves a renovation, it can comply by following either the performance or prescriptive track.

12. What categories do multi-family residential buildings fall into?
Residential multi-family buildings that are above 100,000 square feet and at least four stories tall have to follow the same performance path (20% better than the ASHRAE standard 90.1-2007) as other commercial buildings larger than 100,000 square feet. Residential buildings between 5,000 and 100,000 square feet and at least four stories tall would be classified with commercial buildings between 5,000 and 100,000 square feet. Multi-family buildings with one to three stories of any size fall under the residential stretch code standards. In the rare case of a multi-family building of three stories or less that is larger than 100,000 square feet, the developer may elect to be treated either as a residential or as a commercial building.

13. What training do HERS raters undergo?
HERS raters are typically experienced building design professionals who additionally undergo an intensive one to two week training course and must rate 5 homes under the supervision of an existing certified HERS rater in order to be certified by RESNET. They must also be part of a HERS rating agency or organization that provides quality assurance, liability insurance and ensures that raters meet ongoing continuing education requirements.

14. How do I find a HERS rater?
NSTAR can assist contractors and owners in finding a HERS rater. They are also listed at http://www.natresnet.org/directory/raters.aspx.

15. How could my contractor know how to meet the stretch energy code?
The state will hold trainings for contractors and municipal inspectors. We expect trade groups will also hold their own trainings. The town's Building Department would provide information to all permit seekers about the need to comply with the stretch energy code.

16. What kinds of technical and financial help are available to property owners and contractors?
In addition to the trainings that will be offered by the state, owners and contractors will have access to the energy efficiency services, including financial incentives and loan programs, accessible through NSTAR.

17. How would the stretch energy code be enforced?
The Town of Boxborough Building Department will be responsible for enforcement of the stretch energy code in the same manner that it currently enforces the existing building and energy codes.

Stretch Energy Code
Commercial Buildings FAQ

1. How is the stretch energy code different than the existing energy code?
The stretch energy code is more stringent than the state's base building code. For commercial buildings, it is similar to the latest International Energy Conservation Code (IECC 2009), with enhancements that require about 20% greater building energy efficiency.

2. What is the anticipated cost of implementing a more stringent energy code?
Initial adoption of a higher performance standard for buildings is likely to result in slightly higher first costs for construction, estimated to be approximately in the 1% to 3% range for commercial buildings. However, after energy cost savings on heating and electricity are included, these higher performance standards save money. In addition, the electric and gas utilities in the state provide financial incentives that further reduce the upfront costs of high performance buildings, and allow for faster returns on the investment in energy saving measures. Case studies of commercial buildings following the energy efficiency recommendations on which the commercial code changes are based have shown paybacks of 1 to 2 years, when standard incentives from electric utilities are included on the benefits side.

3. What kinds of technical and financial help are available to property owners and contractors?
Trainings will be offered by the state.

4. What building types does the stretch energy code apply to?
The stretch code appendix applies to both residential and commercial buildings. The commercial parts of the stretch energy code apply only to new construction. Renovations of existing commercial buildings do not trigger the application of the stretch energy code.

The stretch energy code would apply to the construction of new commercial buildings over 5,000 square feet in size, including multi-family residential buildings over 3 stories. Specialized facilities with unusual energy usage requirements such as supermarkets, laboratories, and warehouses up to 40,000 square feet are excluded; they are covered by the base code. Specialized facilities over 40,000 square feet are covered by the stretch code unless a waiver is obtained from the BBRS. Other building types with unusual energy usage profiles can also apply for a waiver from the stretch code from the BBRS.

5. Does the stretch code apply to major renovation projects as well as new construction?
It does not apply to renovation projects in commercial buildings. Due to the wide variety in types and conditions of commercial buildings, at this time there are no widely-accepted standards for renovating such buildings, so only new commercial buildings are covered by the stretch code requirements.

6. Does the stretch code apply to minor additions to existing buildings?
Additions to existing buildings that are large enough to require code compliance are treated in the same way as new construction for commercial buildings. Addition projects can elect to follow the performance approach to code compliance or a simplified prescriptive path.

7. What happens to buildings not covered by the stretch energy code?

Building types that do not fall under the stretch energy code scope, such as small commercial buildings less than 5,000 sq ft, or specialized use buildings like small laboratories, will follow the existing base code requirements, which are also changing to the 8th edition of the MA building code in 2010.

8. What standards are the stretch code appendix based on?

The Commercial stretch code for buildings from 5,000 square feet to 100,000 square feet is based on a comparison to the current edition of the International Energy Conservation Code (IECC 2009), developed by the International Code Council[1] (ICC), which will also be the new base energy code for Massachusetts. The energy saving improvements above the commercial IECC code are based on the New Buildings Institute (NBI) Core Performance program for commercial buildings, recently revised and published as the Core energy code.[2] Commercial buildings above 100,000 square feet are required to show a percentage improvement below ASHRAE 90.1-2007 energy standards.[3] This performance approach is also an option for smaller commercial buildings.

1 The ICC website is: http://www.iccsafe.org/

2 The Core energy code is available online at: http://www.newbuildings.org/codes.htm

3 The ASHRAE 90.1-2007 standard is readable online in a Java enabled browser at: http://openpub.realread.com/rrserver/browser?title=/ASHRAE_1/ashrae_90_1_2007_IP_1280

9. What is required for large new commercial buildings above 100,000 square feet?

The designed energy use in large commercial buildings is required to be at least 20% below the use expected based on the building code energy modeling standards contained in ASHRAE 90.1 2007,[4] which is the latest version of the national model code for commercial buildings. This would be determined by computer modeling of the building, taking into account factors such as air sealing, insulation, and efficiency of the cooling and heating systems, ventilation, and lighting design. Builders have the flexibility to choose the set of energy efficiency features they prefer, as long as modeling shows that overall they yield the 20% reduction relative to the base ASHRAE 90.1-2007 requirements for the same building.

4 Specifically: ASHRAE Standard 90.1-2007 Energy Standard for Buildings Except Low-Rise Residential Buildings, Appendix G.

10. What is required for new commercial buildings between 5,000 and 100,000 square feet?

Builders of such buildings have two choices. First, they can use the same modeling as for buildings above 100,000 square feet, and meet the same standard of 20% below ASHRAE 90.1 2007. Alternatively, they can choose a set of “prescriptive” requirements for particular efficiency measures, based on the new base energy code for commercial buildings (International Energy Conservation Code 2009), supplemented by cost-effective energy saving enhancements taken from the Core Performance program developed by the New Buildings Institute.[5] The Core Performance program and the newly updated Core Energy Code are nationally-recognized standards already in use by Massachusetts gas and electric utility companies as the basis for providing financial incentives to commercial building developers.

5 For more information please see the New Buildings Institute press release available here: http://www.newbuildings.org/downloads/press/MAAdoptsStretchCode.pdf

11. What would be required of small new commercial buildings, below 5,000 square feet?

Such buildings would be exempt from the stretch code requirements.

12. How are new commercial buildings with special energy needs handled?

Supermarkets, laboratories, and warehouses above 40,000 square feet in size must meet the performance modeling requirements of the stretch code that apply to regular commercial buildings greater than 100,000 square feet. Since these buildings often have large and unusual

energy loads, they are likely to be energy modeled, so meeting the standard of 20% below ASHRAE 90.1-2007 via energy modeling should be a straightforward compliance approach.

Supermarkets, laboratories, and warehouses below 40,000 square feet are exempt from the stretch code requirements, but must still meet the base energy code. Other specialty buildings could apply for waivers based on evidence that they have unusual energy loads, and that they are not typically built using energy modeling.

13. How do the benefits and costs from the commercial stretch code standards compare to the baseline code?

Case studies of specific buildings by Massachusetts utility companies National Grid and NSTAR show that the savings in reduced energy costs far exceed the greater initial construction costs. If the costs are included in a mortgage, then owners would see immediate cash-flow savings. Moreover, Littleton Electric offers some incentives that make the efficiency improvements even more profitable. For example, on one mid-sized office building in Warwick, Rhode Island, the additional cost was $91,000, while the annual energy savings were $29,500, for a three year payback. Unlike Littleton Electric, in this case, NGRID provided a rebate of $63,100, reducing the initial cost to $28,000, which is covered by the first year's energy savings.

14. What categories do multi-family residential buildings fall into?

Residential multi-family buildings that are above 100,000 square feet and at least four stories tall have to follow the same performance path (20% better than the ASHRAE standard 90.1-2007) as other commercial buildings larger than 100,000 square feet. Residential buildings between 5,000 and 100,000 square feet and at least four stories tall would be classified with commercial buildings between 5,000 and 100,000 square feet. Multi-family buildings with one to three stories of any size fall under the residential stretch code standards. In the rare case of a multi-family building of three stories or less that is larger than 100,000 square feet, the developer may elect to be treated either as a residential or as a commercial building.

15. What training and materials are available on these standards?

In addition to the websites referenced, the state will provide training on the IECC 2009 base energy code and an introduction to the stretch code appendix to all municipal code officials (at no cost), as well as to interested building professionals (at a cost). In addition, the major Massachusetts electric and gas utilities offer training on NBI Core Performance for commercial buildings.

16. How would the stretch code be implemented and enforced?

Once the stretch energy code is adopted by a town or city, it supplements the base energy code language and becomes the binding energy code language for building projects in that municipality. Implementation and enforcement of the code is similar to existing code, where the developer is responsible for submitting documentation of compliance to the Building Department for review, and the building inspector conducts a site review.

17. How does the stretch code work with LEED buildings?

The commercial stretch code has two code compliance pathways. Both of these qualify for LEED new construction points, and require no additional work because of the stretch code. If pursuing the performance approach, then achieving the stretch code standard of 20% below ASHRAE 90.1-2007 uses the same baseline and modeling as the 2009 LEED program and qualifies for 5 out of 19 LEED energy and atmosphere points. Many LEED buildings will go

significantly beyond these energy efficiency requirements, in order to obtain additional LEED points. Similarly, meeting the stretch code through the Core Performance-based prescriptive approach qualifies for LEED points.

18. Does the stretch code require 3% renewable electricity or solar panels?

This question has come up because there is an option under the prescriptive path of the stretch code to meet the requirements of one section of the code with onsite renewable electricity generation. However, this is not a requirement, it is merely one of three options under this code approach, and there is also the alternative to meet the commercial stretch code requirements using the 20% better than ASHRAE 90.1-2007 modeling approach. The three options which appear in section 507 of the prescriptive code option for buildings between 5,000 and 100,000 square feet are:

☐ More efficient heating and cooling equipment– widely available and with utility rebates available to offset much of the incremental cost.

☐ More efficient lighting– also widely available and eligible for significant utility rebates.

☐ Providing at least 3% of the onsite electric load from onsite renewable generation– which qualifies for both large federal tax incentives and significant state renewable energy incentives from the Massachusetts Renewable Energy Trust (MRET).

19. Where can I find and read more about the stretch code appendix?

The stretch code appendix language is freely available on the Massachusetts BBRS website.[6] Also available on the BBRS website is a 2-page summary[7] of the code. In addition, the stretch code appendix 120.aa can be found with the rest of the Massachusetts energy code in the state bookstore. Because the stretch code is an appendix to the base energy code, it is best read together with the new base energy code document published as the International Energy Conservation Code, 2009 edition (IECC2009) available from the ICC website[8] and other online bookstores.

6 Stretch code language: http://www.mass.gov/Eeops/docs/dps/inf/appendix_120_aa_jul09_09_final.pdf

7 Stretch code 2-page summary: http://www.mass.gov/Eeops/docs/dps/inf/stretch_code_overview_jun05_09.pdf

8 The IECC 2009 code book is available for purchase from the ICC website at: http://www.iccsafe.org/e/prodshow.html?prodid=3800S09&stateInfo=fEadjxjbnWjcdbaj1729|5

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THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES
DEPARTMENT OF VETERANS' SERVICES
600 WASHINGTON STREET, 7TH FLOOR
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SECRETARY, EOHHS

FRANCISCO A. UREÑA
SECRETARY, DVS

received 3-4-2020

Town of Acton
c/o John S. Mangiaratti
Town Manager
472 Main Street,
Acton, MA 01720

Town of Boxborough
c/o Brain Ryan J. Ferrara
Town Administrator
29, Middle Road
Boxborough, MA. 01719-1402

Gentlemen:

March 2, 2020

On February 13, 2020, The Department of Veterans' Services (DVS) received Acton / Boxborough's re-application for continued operation of a veterans' services district for the Towns of Acton and Boxborough. DVS has completed its sufficiency review of the re-application. Acton / Boxborough hereby is granted approval for a period of three years commencing on July 1, 2020, to operate the Acton / Boxborough's Veterans' Services District under the terms presented in its re-application, and in compliance with all applicable laws, regulations, and directives of DVS.

This approval is effective for three years and shall expire on June 30, 2023. If you wish to continue to operate the district after this expiration date, then you should submit your re-application for continued veterans' services district status not later than 30 days prior to expiration date.

Congratulations, again! We look forward to continuing the work with you and your team to provide the nation's best veterans' benefits and services to Massachusetts veterans and their families.

Very truly yours,

Evan Makrinikolas
Director of Benefits

Cc: James MacRae, District Director

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COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. TOWN OF BOXBOROUGH

ORDER OF TAKING

At a regularly convened meeting of the SELECT BOARD of the TOWN OF BOXBOROUGH held this ____ day of _____, 2020, it was voted and ordered as follows:

The SELECT BOARD of the TOWN OF BOXBOROUGH, duly elected, qualified, and acting on behalf of the Town, in accordance with the provisions of Massachusetts General Laws, Chapter 79, and the vote under Article 4 of the December 10, 2019 Annual Town Meeting of the Town of Boxborough, and of any and every other power and authority which is hereunto in any way enabling, does hereby take, on behalf of the Town, a **permanent easement** for all purposes for which public ways are used in the Town of Boxborough, which purposes shall include, without limitation, surveying, constructing, reconstructing, installing, supporting, inspecting, using (including public use), maintaining, repairing, replacing, removing or abandoning in place a roadway, curbing, sidewalks, guardrails, support structures, landscaping, utilities, drains, and related improvements, and the right to enter upon the easement premises, from time to time, by foot, vehicle, or heavy equipment, for all purposes stated herein and uses incidental thereto, over, in, through, under and upon the lands lying within or abutting Massachusetts Avenue and Liberty Square Road in the Town of Boxborough, Massachusetts, depicted as "Parcel T-1, 2043± SF" on that plan entitled: "Taking Plan, Massachusetts Ave/Route 111, Town: Boxborough, Massachusetts, Prepared for: Town of Boxborough", dated November, 2019, prepared by Places Associates, Inc., a copy of which is attached hereto and incorporated herein.

This taking does not include any structures presently situated on the easement premises, but does include the right of the Town to remove such structures whenever their removal shall be required for said easement purposes. This taking further includes trees, shrubs, and other vegetation within the easement premises whose removal is necessary to carry out the purposes of the easements taken herein, but shall not include private utility lines and structures.

The lands affected by this taking are owned, or supposedly owned, by the owners listed in Schedule A, attached hereto and incorporated within. If in any instance the name of any owner is not correctly stated in Schedule A, it is understood that in such instance the land referred to is owned by an owner or owners unknown to the Town.

The owners listed in **Schedule A** have waived damages and a right of appraisal of said damages, and we therefore award no damages to those persons for the herein taking, all in accordance with the provision of General Laws, Chapter 79, Section 6, as amended.

No betterments are to be assessed under this taking.

[*signatures on following page*]

IN WITNESS WHEREOF, we, the duly elected and qualified Select Board for the Town of Boxborough have hereunto set our hands and seal on the date set forth above.

TOWN OF BOXBOROUGH
SELECT BOARD

_____
Maria Neyland, Chair

_____
Wes Fowlks

_____
Susan Bak

_____
Leslie Fox

_____
Robert Stemple

THE COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss _____, 2020

Then personally appeared the above-named member of the Select Board for the Town of Boxborough, as aforesaid, and proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the foregoing instrument in my presence, and further acknowledged the foregoing instrument as his/her free act and deed, and the free act and deed of the Town of Boxborough, before me.

_____
Notary Public
My Commission Expires:

712099/BOXB/0001

SCHEDULE A

Property Address	Owner	Book	Page
211 Massachusetts Ave. Boxborough, MA	The 211 Massachusetts Avenue Condominium (The 211 Massachusetts Avenue Condominium Trust, u/d/t recorded in Book 65064, Page 102)	65064	81

Internal Communications and Outgoing Communications
March 16, 2020

1. Communication regarding the Commonwealth's Chapter 90 Funding
   a. Letter from Gov. Baker and Lt. Gov. Polito dated February 28, 2020, to Town Administrator Ryan Ferrara
   b. Email communication regarding same between DPW Director Kukkula and TA Ferrara dated March 3, 2020, clarifying actual funding amounts statewide and allotted to the Town.

2. Communications from xfinity [Comcast] from Greg Franks, Sr. Mgr. of Gov't Affairs to the Select Board:
   a. Letter dated March 3, 2020, advising of upcoming changes to TV services.
   b. Letter dated March 10, 2020, accompanying their Annual Notice & related materials in accordance with Mass. Cable Regulations providing a copy of Comcast's policies & procedures, sample subscriber bill, work order and rate & channel line-up information for Boxborough.

3. Cover letter from TA Ferrara, dated March 4, 2020, to MassWorks Infrastructure Grant Program Sr. Planning & Project Mgr. Jacqueline Furtado accompanying the MWIP Standard Contract [Rte. 111/Mass. Ave. Sidewalk Project] Copy of communications from Building Commissioner, Bentley Herget, dated March 11, 2019, to Ken Carroll and Bud Manning, respectively.

Minutes, Notices and Updates
March 16 2020

Minutes

1. Recreation Committee minutes for this meeting of January 16, 2020
2. Finance Committee minutes for their meetings of: 01/27/2020; 02/06/2020; 02/08/2020; 02/27/2020; and 03/02/2020
3. Water Resources Committee minutes for their meeting of January 29, 2020

Notices

1. Notice of Finance Committee meetings:
    a. Held March 5, 2020
    b. Held March 12, 2020
    c. Joint Select Board/FinCom Capital Budget Review FY 21 to be held March 16, 2020

2. Notice of a Personnel Board meeting held March 6, 2020 [Amended]

3. Notice of a Recreation Committee meeting held March 10, 2020

4. Notice of a Sustainability Committee meeting to be held March 11, 2020

5. Notice of a Water Resources Committee meetings:
    a. Held March 11, 2020
    b. To be held March 17, 2020

6. Notice of a Boxborough Leadership Forum meeting to be held March 17, 2020

7. Notice of an Agricultural Commission meeting to be held March 17, 2020

8. Notice of a Library Trustees meeting to be held March 18, 2020

9. Notice of a Steele Farm Advisory Committee meeting to be held March 25, 2020

10. Notice from the Council on Aging/Community Services Office suspending activities effective 3/13/2020

11. ***Notices from surrounding communities [e.g.Public Hearing Notices/Decisions]:***

    Acton – Select Board. – Hearing Notice for May 4, 2020 for Site Plan Special Permit for the proposed No. Acton Fire Station to be located at 66 Harris Street
    ZBA – Hearing Notices for April 14, 2020 for:
    A Comprehensive Permit application by the Apartments at Powder Mill, LLC of 230 units [59 Affordable] to be located 12 Powder Mill Road
    Variance application of Christian Lanciaux to reconstruct a garage at 3 Wood Lane.
    Planning Board Decision, Approved with Conditions, on Definitive Subdivision Decision Permit #19-10 filed by Property Acquisitions Group, LLC for the property located at 66 Maple Street aka Diplatzi Place

    Stow - ZBA – Legal Hearings to be held April 6, 2020:
    Filed by Aaron & Morgan Hillman for the property located at 64 Crescent Street – 1. Variance on set back requirements 2. Special Permit to construct a shed within set back
    Marco Coppola for the property located at 230 Hudson Street – 1. Variance on set back requirements 2. Special Permit to construct a garage within set back.