



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING

Revised
10/2/2020

SELECT BOARD
Meeting Agenda
Monday, October 5, 2020
7:00 PM
Conducted via a ZOOM Event

Item # Estimated
Start Time

Action
Vote/ Accept &
POF

This meeting is being conducted via Remote Participation, pursuant to the Current Executive Order. See the end of this Agenda for remote participation instructions for the Regular Session portion of this meeting

1. 7:00 PM Call to Order via ZOOM pursuant to the procedures noted above.

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. 7:01 PM Announcements

3. 7:10 PM Approval of payroll and payable warrants

4. 7:15 PM Minutes

a. September 2, 2020 - Open Session

ACCEPT & POF

b. September 21, 2020 - Open Session

ACCEPT & POF

5. 7:30 PM Update on Town Boards/Committees/Commissions

a. Vote to approve revisions to the Boxborough Building Committee Charter - Fox

VOTE

b. Update Boxborough 2030 - November 9th Joint Planning Board Review - Fowlks

c. Follow up discussion - Sustainability Committee request to support Massachusetts HB 2010 - Carbon Pricing Bill - Stemple

Possible Vote

6. 7:45 PM Select Board Goals and Objectives in the year ahead

Action Items - Review

i. Communication and Marketing Plan Update - M. Neyland

ii. Inclusivity and equity update - Fowlks

e.g. Diversity Task Force, Dept. Heads input-diversity in hiring, diversity in boards/committees

7. 8:00 PM Personnel Updates

a. Follow up discussion - Town Clerk's pending retirement, scheduled for June 2021, and steps to fill this position - Ferrara

b. Status of personnel vacancies/recruitment - Ferrara

8. 8:15 PM Select Board & Town Administrator's reports/updates

- a. FY 21 Goals
- b. COVID-19 Status Update
- c. Reports

9. 8:30 PM Executive Session

Vote to adjourn to conduct an executive session via a separate ZOOM event, and not to reconvene in Open Session after completion of the Executive Session:

- i. *To consider the possible settlement, purchase, exchange, lease or value of real property (200 Beaver Brook Rd.) and prospective Tax Increment Financing (TIF) agreement, Per C30A §21 (a),*
- ii. *to conduct strategy sessions in preparation for negotiations with nonunion personnel (Town Administrator), per C30A §21 (a), subsection 2, and*

not to reconvene in Open Session after completion of the Executive Session.

Note: *The Chair shall note that to discuss in open session may have a detrimental effect on the negotiating position of the Board.*

**ROLL CALL
VOTE**

10. 8:30 PM Adjourn

2020: 10/19; 11/2; 11/16; 11/30; 12/14

2021: 1/4; 1/25

Joint [Planning Bd] Boxborough 2030 Review: 11/9

FY 22 Budget Saturday: 1/9/2021

Boxborough Leadership Forum (BLF): 10/6

Join Zoom Meeting

<https://us02web.zoom.us/j/82475119948?pwd=VzVMdTNPUmZLVmRJbGNzNW50aIRUQT09>

Meeting ID: 824 7511 9948

Passcode: 300626

One tap mobile

+19292056099,,82475119948# US (New York)

+13017158592,,82475119948# US (Germantown)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 824 7511 9948

Find your local number: <https://us02web.zoom.us/j/82475119948?pwd=VzVMdTNPUmZLVmRJbGNzNW50aIRUQT09>



BOXBOROUGH SELECT BOARD
Meeting Minutes
September 2, 2020

Approved: _____

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

ABSENT: Les Fox, Member

ALSO PRESENT: Administrative Assistant, Cheryl Mahoney and BXB-TV Coordinator, Kirby Dolak

At 7:50 AM Chair Fowlks called the meeting to order, noting that this meeting is being conducted via Remote Participation, pursuant to the Current Executive Order.

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Executive Session

At 7:51 AM Chair Fowlks moved to adjourn to executive session to conduct strategy sessions in preparation for negotiations with nonunion personnel (Town Administrator), per C30A §21 (a), subsection 2, and not to reconvene in Open Session after completion of the Executive Session further noting that note that to discuss in open session may have a detrimental effect on the negotiating position of the Board. Seconded by: Member Stemple. **APPROVED 4-0 by ROLL CALL VOTE:** Member Markiewicz, Member Stemple, Member Neyland and Chair Fowlks

Exhibits

Agenda

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BOXBOROUGH SELECT BOARD
(Town Administrator Contract Subcommittee)
Meeting Minutes
September 21, 2020
8:00 AM

Approved: _____

At 8:01 AM Chair Fowlks moved to adjourn to Executive Session to conduct strategy session in preparation for negotiations with nonunion personnel (Town Administrator), per C30A §21 (a), subsection 2, Chair Fowlks and Member Neyland will be the only Select Board members participating in this session and they shall not reconvene in Open Session after completion of the Executive Session, further noting that to discuss in open session may have a detrimental effect on the negotiating position of the Board. Seconded by: Member Neyland. Approved by Roll Call 3-0. Fox "aye," Neyland "aye," and Fowlks "aye."

5a

Boxborough Building Committee

CHARGE

A. BACKGROUND

In light of several key developments, this revised charge to the Boxborough Building Committee is adopted to supersede that approved by the Boxborough Select Board in September, 2016; namely:

- a. Upon recommendation of the Building Committee, in February 2018, Town Meeting did vote to approve funds to purchase and renovate the building and property at 873 Massachusetts Avenue to serve as a new DPW facility, which is now occupied and in service. The Building Committee has completed its work for a DPW facility.
- b. After diligent search and evaluation of potential sites for Police and Fire Department facilities along Massachusetts Avenue the Building Committee concluded there were no suitable or viable candidates to pursue in timely fashion with acceptable economics.
- c. The Boxborough Housing Board has indicated it would support development of the parcel(s) at 72 Stow Road for municipal purposes, including public safety facilities, provided the town's strategic interests and Trust Fund for affordable housing are protected.
- d. There is a perceived need for an expanded community center, meeting rooms and recreational facilities.

The committee shall continue to be named as the Boxborough Building Committee, but will operate under this revised charge.

B. MEMBERSHIP

The Boxborough Select Board ("Board") shall expand the existing Boxborough Building Committee (hereinafter referred to as the "BBC") to be comprised of a minimum of eleven (11) members who shall be individuals residing in and being registered voters of the Town of Boxborough. A quorum shall consist of half the appointed voting members plus one (1). As before, the Board shall appoint two (2) members each from the Select Board and the Finance Committee (FinCom). The BBC shall elect a Board member as chair, and FinCom member as vice-chair. The chair shall be responsible for scheduling and conducting meetings, setting the agenda, and ensuring that minutes are taken. If the chair is absent or unable, the vice-chair shall perform these duties.

Currently serving voting members shall have the option for re-appointment. Upon recommendation of the respective board, the Select Board shall appoint one member from each of the Planning Board, Board of Health, Council on Aging, Recreation Committee, Housing Board, and Sustainability Committee. The Select Board shall also appoint at least two Boxborough residents as Members at-Large, provided that no town board other than the Select Board and Finance Committee shall have two votes. Each voting member shall have one vote.

The Select Board shall consider, but is not required, to appoint individuals who, by reason of their current or prior background in such fields as construction, architecture, engineering, or other relevant experience, have special knowledge and skills to assist the BBC in consulting with architects, obtaining plans, specifications, costs and project oversight for the construction of municipal buildings.

The Building Inspector, The Town Administrator, Police Chief, Fire Chief, and other non-residents may, at the discretion of the Board, serve as non-voting advisors to the BBC. Members of the BBC shall serve for the duration of the project.

BBC Charge Approved 1.19.2020

Draft Revisions 10.05.2020

C. CHARGE

The BBC shall work with the Town Administrator to solicit designs and oversee the construction of a Fire Station, Police Station, and Dispatch Center, or combined public safety facility. The committee shall focus first on the town property at 72 Stow Road, but may consider other suitable property that may become timely available. The overall site plan and facility designs shall anticipate and allow for the eventual inclusion of space for a community center, town meeting rooms and selected recreational facilities that is well integrated within an overall site plan for water, septic, parking, traffic flow and landscaping.

The BBC shall report to the Select Board and shall manage and oversee the performance of consultants, contractors and project managers, providing progress reports monthly or more frequently as warranted. The BBC shall recommend the best path to execution and construction taking into account the economics (cost) and schedule of possible alternatives. If economics or other factors favor a phased construction approach, the first priority shall be for a fire station with space for an emergency operations center. The second priority shall be a Police Station. The BBC shall make specific, detailed recommendations to the Select Board and Town Meeting including cost projections for new municipal facilities to meet the needs of the Town of Boxborough.

The BBC shall be responsible for reviewing previous studies for a public safety facility, and gathering input from the Fire and Police Chiefs, citizens, boards, stakeholders and potential users to assess and document needs. The committee shall work with the Town Administrator to hire consultants to advise on the development of Request for Qualifications for Owner's Project Manager (OPM) and Project Designer (Architect). The BBC shall review conceptual and finished designs; acting in an advisory capacity to the Select Board.

D. CONDUCT

All meetings are to be held in a public location, properly posted and open to the public in accordance with the Massachusetts Open Meeting Law. In accordance with guidance from the Attorney General, minutes of each meeting shall be approved by the BBC within three meetings or 30 days, whichever is later, and posted on the Town's website. Members are individually responsible for complying with the Conflict of Interest Law.

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

Wesley Fowlks, Chair

John Markiewicz, Clerk

Leslie Fox

Maria Neyland

Robert Stemple

Cindy Luppi, Coordinator
Massachusetts Campaign for a Clean Energy Future
cluppi@CampaignForCleanEnergyFuture.org

Ms. Luppi:

Thank you for sending a copy of the Municipal Leader Carbon Pricing Support Letter (H2810) for our review and considered support. In an effort to learn more about the proposed legislation, at our invitation, State Senator Jamie Eldridge and State Representative Dan Sena kindly attended our Boxborough Select Board (BSB) July 13 meeting and presented information about H2810. After additional research and further discussion, the BSB continues to have significant reservations about H2810. Our reservations are summarized below.

- Low and fixed income households will have to front the costs of higher fuels in the beginning of the program.
- Many small businesses have tight margins and will be hurt by paying more to heat/cool their buildings and operate their cars and trucks. The added tax may be the same \$ that would have gone to hire a new employee or to benefit an existing one.
- The subsidy paid to the lower three quintiles is a transfer of wealth from one segment of society to another. The majority of the households in Boxborough fall in the highest quintile and would be paying the subsidy.
- We are not convinced that an increased price for carbon fuels will substantially affect demand. Will higher costs for gasoline stop people from commuting and going about their daily business using cars? In New England, we have to heat our houses. Will we substantially reduce our heating?
- There needs to be more definition regarding the specific green infrastructure programs that would be funded by the 30% portion of the tax and clarity on the annual administrative costs to implement this program.

The BSB supports action to counter the negative effects of climate change. However, we have significant reservations about H2810's approach and effectiveness. We are open to other approaches and would be willing to consider support for alternative legislation that avoids some or all of the problems as outlined above.

The BSB welcomes feedback from Massachusetts Clean Energy Future regarding ways to accomplish our common goal – minimizing the impacts of a warming planet.

Sincerely,

Town of Boxborough Select Board

Ryan Ferrara, Town Administrator
rferrara@boxborough-ma.gov

To: Governor Charles Baker, Speaker of the House Robert DeLeo, Senate President Karen Spilka, & Members of the 191st General Court of the Commonwealth of Massachusetts

Subject: Local Officials Supporting Massachusetts Carbon Pricing Legislation

We, the undersigned elected and appointed officials of municipalities from across the Commonwealth, write in support of carbon pollution pricing being implemented in our state. We ask that you pass *An Act to promote green infrastructure and reduce carbon emissions* (H.2810) before the end of the current legislative session (2019-2020).

Massachusetts has a history of leadership on the issues of national importance, from healthcare to public education to marriage equality to clean water. Now we should step up to meaningfully addressing one of the most pressing challenges we face: climate change.

As local officials, we are already facing the impacts of climate change first hand in our communities. Coastal cities and towns have experienced record flooding and damage from more powerful storms – but impacts are not only limited to our sea shore. Inland communities are facing extreme heat, drought, and inland flooding that threatens small businesses, stable municipal budgets, and the health of our most vulnerable citizens.

If we are to counteract these issues, we need comprehensive funding that invests where it matters: fossil fuel use in our buildings (to increase energy efficiencies and access cost savings from heating with renewables), clean transportation (to electrify our bus fleets and increase access to regional mass transit), and climate adaptation (to fund innovative solutions to local climate threats). *An Act to promote green infrastructure and reduce carbon emissions* (H.2810) is a key policy that will allow us to achieve this. It invests up to \$6 billion every 10 years in green infrastructure like local clean transportation, climate adaptation, renewable energy, and electrification for municipal fleets.

Among the local benefits of this legislation are:

- Funding clean transportation options like local electric charging stations and the electrification of municipal vehicles fleets (e.g. school buses).
- Dedicated funding for local clean energy and climate adaptation. This includes microgrids, modern seawall upgrades, and planning that builds upon the state's existing MVP program.
- Monies directed towards investments that reduce energy costs for municipalities and school districts.

At the same time, it has 1) a net beneficial impact on statewide economic growth (predicted to increase Gross State Product by \$600 million), 2) creates over ten thousand local jobs, and 3) is one of the best climate policies when it comes to creating predictability for small businesses.

We respectfully ask that you pass H.2810 in the current legislative session (2019-2020). This is an important step in beginning to make the critical investments in our local communities that protect us from worsening climate change impacts, save money for our municipalities, and increase the wellbeing of all our constituents.

The undersigned,



**Internal Communications and Outgoing Communications
October 5, 2020**

1. Letter from xfinity [Comcast] from Greg Franks, Sr. Mgr. of Gov't Affairs, dated September 28, 2020, to the Select Board regarding efforts to recover sport channel fees during lockdown



**Minutes, Notices and Updates
October 5, 2020**

Minutes

None

Notices – ALL MEETINGS CONDUCTED VIA ZOOM

1. Notice of an Acton-Boxborough Cultural Council meeting to be held October 5, 2020
2. Notice of a Personnel Board meeting to be held October 6, 2020
3. Notice of a Boxborough Leadership Forum to be held October 6, 2020
4. **Notices from surrounding communities [e.g. Public Hearing Notices/Decisions]:**

Harvard ZBA – Legal Notices hearings October 14, 2020 to consider applications of:

- Pablo Carbonell, Special Permit to demolish and reconstruct a pre-existing non-conforming structure at 45 Pine Ridge Dr.
- Peitao Deng, Variance to allow a common driveway with slopes greater than 8% to serve 4 new house lots to be off of 214 Littleton Road.

Planning Board – Legal Notice hearing “Balloon Trials” October 9, 2020 & October 10, 2020 [Raindates: 10/16/20 & 10/17/20] for application of Cello Partnership d/b/a VERIZON WIRELESS, Special Permit/Site Plan Approval premises located at 12 Woodchuck Hill Rd.

Stow – ZBA – Notices/Decisions

- David Quinn Special Permit application demo existing garage/office and construct addition at 129 Red Acre Rd, Special Permit Granted w/conditions
- Christopher & Jennifer Rodstrom 1. Special Permit and 2. Variance applications to construct shed and addition at 9 Assabet St. Granted w/conditions
- David & Rose Baird 1. Special Permit and 2. Variance applications to replace & expand deck at 26 Pine Point Rd. Granted w/conditions