



SELECT BOARD MEETING
Meeting Minutes
February 27, 2023
6:00 P.M.

APPROVED:

PRESENT: Diana Lipari, Chair; Wesley Fowlks, Member; Les Fox, Clerk; and John Markiewicz, Member

ALSO PRESENT: Town Administrator Mike Johns; Rajon Hudson, Assistant Town Administrator; Kelley Price, Administrative Assistant; and Kirby Dolak, BXBTV

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.

1. Call the Meeting to Order Noting the Time & Presence of the Quorum

At 6:00 PM, Chair Lipari called Select Board meeting to order, via ZOOM pursuant to the procedures noted.

ANNOUNCEMENTS

Chair Lipari read through the announcements.

APPROVAL OF MINUTES

- a. Regular Session Minutes: 2/04/23 & 2/13/23

Chair Lipari moved to approve the meeting minutes of February 4, 2023, as presented. Seconded by Member Markiewicz.

Approved: 3-0-1 by Roll Call Markiewicz, "aye," Fox "abstain," Fowlks "aye," Lipari "aye."

Chair Lipari moved to approve the meeting minutes of February 13, 2023, as presented. Seconded by Member Markiewicz.

Approved: 4-0-0 by Roll Call Markiewicz, "aye," Fox "aye," Fowlks "aye," Lipari "aye."

COMMUNITY CONCERNS

None at this time.

NEW BUSINESS

- a. Discussion & Possible Vote: Citizens' Academy

The Board tabled this item to later in the meeting.

- b. Action: Memorandum of Understanding Between Conservation Commission & Agricultural Commission

Town Administrator Johns explained that this is an MOU between the Conservation Commission and the Agricultural Commission regarding land acquired at 95/105 Sargent Road. Part of the agreement is that this property will be held in conservation restriction by the Sudbury Valley Trustees, with a restriction that a memorandum of agreement be made between the Conservation Commission and the Agricultural Commission. This clearly delineates the respective responsibilities of the commissions in exercising rights and responding to potential violations of the conservation restriction. This agreement is acceptable to both him and the Town Clerk and has been reviewed by Town Counsel.

Chair Lipari moved to accept the Memorandum of Understanding between the Conservation Commission and the Agricultural Commission regarding the monitoring and management of the 95/105 Sargent Road property. Seconded by Member Fox.

Approved: 3-0-1 by Roll Call Markiewicz, "abstain," Fox "aye," Fowlks "aye," Lipari "aye."

- a. Discussion & Possible Vote: Citizens' Academy

The Board retook this item at this time.

Assistant Town Administrator Hudson explained that Citizen's Academy is a response to increasing community engagement. The goal is to encourage new volunteers in Town and reach out to members of the community who may not currently be engaged to give them an opportunity to learn more about what's going on in Town. This is projected to be a ten-week program, which each session typically ranging from 1.5-2 hours long. The intention is for this to run from September to December. It is hoped that between 25-35 residents

will participate. One must be a Boxborough resident to be able to participate. To close out the program, there will likely be a graduation, where the participants have an opportunity to come to a Board meeting to share their experiences.

There was discussion regarding getting students in Town involved with this program as well. Town Administrator Johns agreed that there could be a separate Student Academy that could focus more on shadowing and mentoring.

Chair Lipari moved to accept the concept of the Citizen's Academy and authorize the Town Administrator's Office to proceed with the implementation of the program. Seconded by Member Fowlks.

Discussion:

The Board discussed possible age limits for the program. The Board agreed for the program to be for those 16+ years.

Chair Lipari amended her motion to accept the concept of the Citizen's Academy, for those 16+ years of age, and to authorize the Town Administrator's Office to proceed with the implementation of the program. Seconded by Member Fox.

Approved: 4-0-0 by Roll Call Markiewicz, "aye," Fox "aye," Fowlks "aye," Lipari "aye."

Susan Reuther noted that, due to a mislabeled time on the Town website, she missed the Community Concerns portion of the meeting. Chair Lipari allowed her to make a comment at this time. Ms. Reuther asked for an update on the Police Chief. Town Administrator Johns explained that the investigation conducted by the private investigator for the Town has been completed. The Board will hold an executive session at some point in the future to discuss this.

c. Action: Amending the Select Board Charge for the Boxborough Building Committee

Member Fox explained that the Building Committee met recently to evaluate where and under what conditions new public safety facilities could be developed, and the possible need for an assessment of new and existing sites. One member believed that the current charge of the Committee prohibits it from looking at existing buildings, as the focus was on new buildings. He suggested amending the charge to the original charge from 2016, in order to allow the Committee to examine all possibilities.

The Board discussed other potential changes to the charge. The following language was proposed, "Review conditions of existing public safety facilities in order to assess their present condition and ability to meet current and anticipated needs, taking into consideration all relevant regulatory requirements as well as anticipated demands."

Chair Lipari moved to approve the revision of the charter of the Boxborough Building Committee as presented and amended. Seconded by Member Fowlks.

Approved: 4-0-0 by Roll Call Markiewicz, "aye," Fox "aye," Fowlks "aye," Lipari "aye."

d. Action: Boxborough Field Permit Application Fee Waiver (AB Youth Soccer) & RE: Town Administrator Authority

Chair Lipari moved to waive the field permit fee for the Acton Boxborough Youth Soccer, as presented. Seconded by Member Markiewicz.

Approved: 4-0-0 by Roll Call Markiewicz, "aye," Fox "aye," Fowlks "aye," Lipari "aye."

Chair Lipari asked the Board to discuss if it wants to give the Town Administration authority to waive these fees in the future. Member Markiewicz stated that there were previous concerns from Ed Kukkula that he would like to hear first. Member Fox stated that he believes there were concerns regarding the true maintenance costs for the fields and if these were being somewhat recouped through the fees. The Board agreed to allow the Town Administrator to follow up with Ed Kukkula and bring information back to the Board.

e. Discussion & Possible Vote: Adoption of Local Option MGL Ch 269, Acts 2022

Chair Lipari moved to accept Chapter 269 of the Acts of 2022, the one-time COLA adjustment for retirees, as presented. Seconded by Member Fowlks.

Discussion:

Town Administrator Johns explained that Chapter 269 of the Acts of 2022 is a piece of legislature passed last year in regard to a one time increase in the cost-of-living allowance (COLA) for retirees. The COLA for retirees is 3%, based on the first \$16,000 of their salary. This proposal would increase that COLA from 3% in 2022, to 5%; a 2% one-time only increase. There are approximately 6,500 retirees currently getting their pensions from the Middlesex County Retirement System, of which 47 are Boxborough residents. To implement this proposal, the Middlesex County Retirement Board voted in favor, and now 2/3 of the municipalities within that County Retirement System also have to vote in favor.

Chair Lipari noted that 5% is higher than what the Town employees are receiving, however employees are receiving steps where retirees are not. Also, while only a one-time increase, COLAs continue to build on amounts from prior years, so this will be built in for the lifetime.

Member Fox asked what this means for the contribution requirement from the Town budget. Town Administrator Johns explained that the County will decide when the increase is actuarially determined, and it appears the increase may begin in 2026.

Member Fowlks stated that he attended the School Committee meeting where the budget was discussed. The initial agreement gradually shifted the onus from Acton to Boxborough to take its fair share, based on the percentage of students attending. The current projections put Boxborough in assessment in the next few years up \$2M, which will be close to the levy limit. Maria Neyland noted that this is being proposed on a three-year rolling average, based on actual attendance.

Town Administrator Johns stated that it appears other communities have been approving this.

Maria Neyland noted that there was a recent presentation that within the next few years pensions will be the largest budget driver for towns.

Approved: 3-0-1 by Roll Call Markiewicz, “abstain,” Fox “aye,” Fowlks “aye,” Lipari “aye.”

h. Discussion & Possible Vote: Authorize Chair to Send Remote Meeting Letter to State Reps
The Board took up this item at this time.

Chair Lipari stated that she has heard there is lobbying in the State to continue the emergency order to allow for a remote meeting option. The Senate has adopted permanent remote meetings for their use in voting, but the House has not. She would like to send a letter on behalf of the Select Board asking the State representatives to address the issue and consider extending the remote meeting option. Most towns are interested in maintaining the option for remote meetings.

Chair Lipari moved to authorize the Chair to send a letter to State reps on behalf of the Board to extend the current option for remote meetings. Seconded by Member Markiewicz.

Discussion:

Member Fox stated that he would like for there to be the option, while still encouraging people to meet in person.

There was discussion regarding how multiple in person meetings occurring at the same time for the Town would work. Chair Lipari stated that remote meeting have increased citizen and volunteer participation. She stated that she will send a draft of the letter to Town Administrator Johns for distribution. If there are any questions or comments, the Board can discuss it at their Wednesday meeting.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.”

f. Discussion & Possible Vote: Town Administrator & Select Board Goals

Town Administrator Johns explained that there were some additions proposed to the Board goals. Some of the goals proposed by Board members include an ARPA spending plan, water agreement/project/options, employee wellbeing/professional development, communication strategies, sustainability, and a Capital Committee/financial policies.

Chair Lipari stated that she would like to add a goal for developing a new Town center, especially in light of the EDC’s recent grant funding.

Member Markiewicz noted that the goals likely can be split into short-term and long-term items. He suggested an additional goal for Town resources and infrastructure in the future as a long-term goal. He stated that he also believes a separate fall Town Meeting should be built into the budget process, as voting is needed nowadays more than once a year. He noted that this is one of the only towns around that does not have its own Post Office. This could help to create an environment for a Town center.

Town Administrator Johns stated that he would come back to the Board with a more succinct list of goals at a future meeting for a vote.

g. Discussion & Possible Vote: Annual Town Meeting Draft Warrant

The Board reviewed Article 1: Sargent Road Bond. This will be addressed as part of the Special Town Meeting.

Member Fowlks moved to recommend the Sargent Road bond anticipation note repayment. Seconded by Member Fox.
Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.”

The Board reviewed Article 2: Water Line extension consultant fees and services. Town Administrator Johns stated that he does not believe this estimate will change between now and Town Meeting.

Member Fox moved to recommend Article 2. Seconded by Member Markiewicz.
Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.”

The Board reviewed Article 3: Information Technology Email and Network Files Cloud Migration. This is specific to email and workspace services, such as Google Drive and Google Docs.

Member Markiewicz moved to recommend Article 3. Seconded by Member Fowlks.
Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.”

The Board delayed a vote on Article 4: Payment of Prior Year Fiscal Bills until the next meeting.

The Board reviewed Article 1: Choose Town Officers.

Member Markiewicz moved to recommend Article 1 of Annual Town Meeting. Seconded by Member Fox.
Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.”

The Board reviewed Article 2: Receive Reports.

Chair Lipari moved to recommend Article 2. Seconded by Member Fox.
Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.”

The Board reviewed Article 3: Set Salaries and Compensation of Elected Officials.

Chair Lipari moved to recommend Article 3 at Annual Town Meeting. Seconded by Member Markiewicz.

Discussion:

Member Fowlks stated that he would be voting against recommending this Article. He stated that he is unclear why a \$400 stipend is needed for these positions, aside from the Constable and Town Clerk. He noted that these positions receive a W-2, which is then taxed both locally and federally. Chair Lipari noted that the Select Board members have regularly voted not to take their \$400 stipends. This should be removed from the budget. Maria Neyland noted that the Select Board salaries were moved to an Event line. All others were included in the budget. Chair Lipari stated that the Board could agree to recommend this Article, subject to an amendment made later on, or wait to vote until a later date.

The Board agreed to wait to vote on this item to a later date. Member Fowlks noted that he plans to amend this item on the floor of Town Meeting for all positions, except the Constable and Town Clerk.

The Board reviewed Article 4: Amend FY2024 Personnel Plan.

Chair Lipari moved to recommend Article 4. Seconded by Member Markiewicz.

Discussion:

The Board discussed the compensation schedule. Town Administrator Johns explained that this includes a 2.9% COLA into the wage schedule. It also includes increases to two other positions, part-time dispatcher, and reserve police officer. Those positions went through a regrading process with the Personnel Board.

There was a discussion regarding stipends for some of the positions proposed. The Board agreed to table a vote on this Article to a future meeting.

The Board reviewed Article 6: Establishment of a Fall Town Meeting.

Discussion:

The Board discussed the proposed budget for this item, \$19,542. Member Fox stated that he does not understand how a budget line item can be included in the bylaws for this item. Maria Neyland stated that the Finance Committee would recommend including a

number to raise and appropriate, in order to properly budget for the first-time item. Town Administrator Johns amended the price to reflect the number of nights fall Town Meeting would need to run to \$5,900.

Member Markiewicz moved to recommend Article 6; Fall Town Meeting establishment and general bylaws and to raise and appropriate \$5,900 for this item. Seconded by Member Fox.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.

The Board reviewed the Article regarding the Fire Department addition to staff, including benefits.

Member Fox moved to recommend the Article regarding the Fire Department addition to staff, including benefits. Seconded by Member Markiewicz.

Approved: 3-1-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “nay.

The Board reviewed the Article regarding the Upgrade and Redesign of the Town website.

Discussion:

In response to a question from Member Markiewicz regarding how this item fits with the Article in the Special Town Meeting for the cloud upgrade, Member Fowlks stated that the two articles are complimentary.

Member Markiewicz moved to recommend the Article regarding the Upgrade and Redesign of the Town website. Seconded by Member Fox.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.

The Board reviewed the Article regarding the Transfer to Other Post-Employment Benefits (OPEB) Trust Fund.

Chair Lipari moved to recommend the Article regarding the Transfer to Other Post-Employment Benefits (OPEB) Trust Fund, \$3,000 from Free Cash. Seconded by Member Fox.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.

The Board reviewed the Article regarding the Assessor’s Cyclical Revaluation.

Chair Lipari moved to raise and appropriate \$30,000 and recommend the Article regarding the Assessor’s Cyclical Revaluation. Seconded by Member Markiewicz.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.

The Board reviewed the Article regarding the Survey of Recreation Commission property – Summer Road.

Chair Lipari moved to raise and appropriate \$13,727 from Free Cash and recommend the Article regarding the Survey of Recreation Commission property – Summer Road. Seconded by Member Fox.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.

The Board reviewed the Article regarding the MS-4 Permitting, Year 5.

Chair Lipari moved to recommend the Article regarding the MS-4 Permitting, Year 5 and raise and appropriate \$30,000 for that purpose. Seconded by Member Markiewicz.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.

The Board reviewed the Article regarding the DPW backhoe.

Chair Lipari moved to recommend the Article regarding the DPW backhoe, with the appropriation of \$150,000 from free cash. Seconded by Member Markiewicz.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.

The Board reviewed the Article regarding the DPW leaf vacuum.

Chair Lipari moved to recommend the Article regarding the DPW leaf vacuum, with the appropriation of \$12,000 from free cash. Seconded by Member Markiewicz.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.

The Board reviewed the Article regarding the DPW Hager Well permanent chlorine system.

Chair Lipari moved to recommend the Article regarding the DPW Hager Well permanent chlorine system, with the appropriation of \$20,000 from free cash. Seconded by Member Fox.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.”

The Board reviewed the Article regarding the DPW Tree Health Survey.

Chair Lipari moved to recommend the Article regarding the DPW Tree Health Survey, with the appropriation of \$3,000 from free cash. Seconded by Member Markiewicz.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.”

The Board agreed to try to take a number of the Articles as a consent approval. The Board reviewed the Articles regarding the Police Department Bulletproof Vests; Police Vehicle Marked Cruiser; Replacement of the Fire Department Command Vehicle; Replacement of Personal Protective Equipment (PPE); CPC Report and Establish FY24 Reserves; CPC Open Space Conservation Trust Fund; CPC – Community Housing; Regional Housing Services, CPC – Community Housing; Boxborough Rental Assistance Program, CPC – Historic Resources; Cemetery Restorations; Evaluation of Future Uses of the Boxborough Museum, Steele Farm House, and Steele Farm Barn; CPC – Historic Resources; Preservation of the Steele Farm House; and Green Community Renewable Energy Trust Fund Surcharge.

Member Fowlks moved to recommend the Articles regarding the Police Department Bulletproof Vests; Police Vehicle Marked Cruiser; Replacement of the Fire Department Command Vehicle; Replacement of Personal Protective Equipment (PPE); CPC Report and Establish FY24 Reserves; CPC Open Space Conservation Trust Fund; CPC – Community Housing; Regional Housing Services, CPC – Community Housing; Boxborough Rental Assistance Program, CPC – Historic Resources; Cemetery Restorations; Evaluation of Future Uses of the Boxborough Museum, Steele Farm House, and Steele Farm Barn; CPC – Historic Resources; Preservation of the Steele Farm House; Green Community Renewable Energy Trust Fund Surcharge. Seconded by Member Fox.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.”

The Board agreed that all other articles will be taken up at the March 13th meeting.

h. Discussion & Possible Vote: Authorize Chair to Send Remote Meeting Letter to State Reps
This item was previously discussed.

BOARD & ADMINISTRATOR COMMENTS & REPORTS

Member Fox stated that the Building Committee has spoken to Context Architecture regarding reviewing the existing Police Station for its structural limitations in order to potentially reuse it. He noted that he will not be applying to be reelected to the Select Board for the first time since 1999.

ADJOURN

Member Fox moved to adjourn the meeting at 9:18 p.m. Seconded by Member Markiewicz.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.”

Item#

Exhibits

Agenda

Draft Meeting Minutes February 4, 2023; and February 13, 2023

MOU between the Conservation Commission and the Agricultural Commission, RE:
95/105 Sargent Road

Memo from Bronson Terry, Field Manager, Acton-Boxborough Youth Soccer, RE:
Waiver Request, February 9, 2023

Memo from Middlesex County Retirement Board, RE: Approval of One-Time COLA
Adjustment for Retirees, February 13, 2023, and associated documents
Boxborough Annual Town Meeting warrant, draft February 21, 2023