



SELECT BOARD MEETING

Meeting Minutes

August 7, 2023

7:00 P.M.

APPROVED: 8/28/23

PRESENT: Kristin Hilberg, Chair; Wesley Fowlks, Member; Priya Sundaram, Clerk; David McKiernan, Member

ALSO PRESENT: Town Administrator Mike Johns; Rajon Hudson, Assistant Town Administrator; Kelley Price, Administrative Assistant; Alec Wade, Town Planner; 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 & Roll Call

At 7:02 PM, Chair Hilberg called Select Board meeting to order, via an in-person meeting pursuant to the procedures noted.

ANNOUNCEMENTS

Chair Hilberg read the announcements.

BOARD & ADMINISTRATOR COMMENTS AND REPORTS

Town Administrator Johns noted that the Select Board Operating Policy was last updated in 2019. This policy is currently under revision but has not yet been taken up by the Select Board. This will likely occur in the fall. He explained that, on August 20th around 9am, the American Diabetes Association's *Tour the Cure* will be coming through Boxborough. This will not require road closures or police details.

Assistant Town Administrator Hudson stated that the Town's first citizen's academy will occur this fall. This will be a 10-week program in which citizens will get to meet with many of the towns departments and boards/committees. The goal is to educate the public regarding the Town's local government and also create openings for some people to potentially join local government. There are nine attendees at this time.

Member Fowlks noted that he previously suggested showing appreciation to Town employees and staff. He will come back with an initial proposal for this at a future meeting.

In response to a question from Member Sundaram, Assistant Town Administrator Hudson explained that interviews for the Associate Town Planner have just completed, and this process will continue to move forward.

Chair Hilberg explained that she has suggested adding times to certain agenda items in order to better bracket time during the meetings and better allow people to attend to hear certain items. Member Fowlks noted that the Board used to use this process, but it may be helpful to include language that these times are approximate, and attendees may wish to enter earlier.

PUBLIC INPUT

None at this time.

APPROVAL OF MINUTES

- Regular Session minutes – 7/24/2023

Chair Hilberg moved to accept the regular session minutes of July 24, 2023, as amended. Seconded by Member Fowlks.

Approved: 4-0-0 by Roll Call Hilberg, "aye," Sundaram "aye," McKiernan "aye," Fowlks "aye."

RESIGNATIONS

- Conservation Commission - Norm Hanover

Chair Hilberg moved to accept the resignation of Norm Hanover from the Conservation Commission with a letter of appreciation for his service. Seconded by Member McKiernan.

Approved: 4-0-0 by Roll Call Hilberg, “aye,” Sundaram “aye,” McKiernan “aye,” Fowlks “aye.”

NEW BUSINESS

- Action: Execute the Taking of Joyce Lane, Loring Avenue, and Macleod Way

Alec Wade, Town Planner, explained that the order of taking was prepared by KP Law. This order references the easement plan, as prepared by Stamski & McNary. This will give the Town enough land to care and maintain the space. This also provides drainage easements between lots to allow water to flow to nearby detention basins. The developers also tucked in a 15’ strip along Loring Avenue and MacLeod Way which will allow for emergency maintenance and construction activities, as needed.

Mr. Wade explained that the developer originally applied for road acceptance in 2005. The homeowner’s association subsequently picked up this process and ran with it. A taking is when there is a direct need or need via the will of the people for the Town to take control of an area. Ultimately, this taking process in question assures for a clean transition of the easement and complete ownership over the easement. He usually does not recommend a taking, especially not within a 40b project. This is left to the discretion of developers or property owners. The issue with a taking many years later is that ways may be undersized and not adequately maintained.

Town Administrator Johns explained that the Town has no intention to widen these roads. There is agreement between all property owners and the homeowner’s association that cars will not be parked along these ways. The Police are not looking to ticket in this area, but it is a safety hazard to have cars in the street. There can be a grace period until this begins. Member Fowlks suggested using the Town’s mobile sign in order to notify the neighborhood.

Regarding a tax bill assessed to the developer that is outstanding, Mr. Wade suggested that the Town petition DOR to file the taxes as uncollectible at this time.

Chair Hilberg moved to adopt an order of taking in the form presented to acquire easements in Joyce Lane, Loring Avenue, and MacLeod Way and abutting lands and thereby complete the layout and acceptance of those ways as public ways in the Town, and to award \$0 in damages to the affected property owners for the taking. The Town Administrator is authorized, in consultation with Town Counsel, to make non-substantive changes to the form of the order as may be required to provide for its recording. Seconded by Member Fowlks.

Approved: 4-0-0 by Roll Call Hilberg, “aye,” Sundaram “aye,” McKiernan “aye,” Fowlks “aye.”

Chair Hilberg noted that ticketing for those parking in these streets shall begin immediately, with written warnings through September 30, 2023, and fines commencing October 1, 2023. Town Administrator Johns stated that he will take this up with the Police Chief.

- Discussion: Select Board Liaison Role

Chair Hilberg stated that she believes the Board recently discussed moving away from liaisons attending meetings and being heavily involved in each meeting, and instead allowing liaisons to be conduits for information back to the Board. Member McKiernan suggested including a definition and description of roles for liaisons.

- Action: Select Board Liaison Assignments

The Board reviewed the proposed liaison assignments. There was discussion regarding eliminating liaisons to elected boards at this time, with the ability to review this in the future.

Chair Hilberg moved to accept the Select Board Liaison Assignments as discussed. Seconded by Member McKiernan.

Approved: 4-0-0 by Roll Call Hilberg, “aye,” Sundaram “aye,” McKiernan “aye,” Fowlks “aye.”

**Select Board Committee/Liaison List
FY24**

Voting Representation	P. Sundaram	D. McKiernan	W. Fowlks	K. Hilberg
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Internal				
B'boro Affordable Housing Trust (BAHT)	V			
Boxborough Building Committee (BBC)	V			V
Capital Committee	V	V		
Design Review Board			V	
Diversity, Inclusion & Equity Committee			V	
Water Resources Committee		V		

External				
5G Small Cell Committee			V	
MAGIC			V	V
MAPC*				
I-495**				
MBTA*				
MART***				

Board & and Committee Liaisons				
Acton-Boxborough Cultural Council	L			
Acton-Boxborough Regional Schools				
ABRSD Building Committee				L
Agricultural Commission		L		
Board of Health				
Cemetery Commission		L		
Community Preservation Committee	L			
Conservation Commission				L
Council on Aging (COA)		L		
Economic Development Committee				L
Finance Committee				
Historical Commission		L		
Housing Board (BHB)				L
Library Trustees				
Personnel Board			L	
Planning Board				
Public Celebrations & Ceremonies			L	
Recreation Commission			L	
Steele Farm Advisory Committee		L		
Sustainability Committee	L			
Veterans Tribute Committee		L		
Well-Being Committee			L	
Zoning Board of Appeals				L

Notes

The orange highlight indicates boards/committees/commissions that have been removed for Select Board liaisons

*The liaison role will be delegated to the Town Planner/Director of Land Use & Permitting

**The liaison role will be delegated to the Town Administrator and Town Planner/Director of Land Use & Permitting

*** The liaison role will be delegated to the Town Administrator and Council on Aging Coordinator

L - Liaison V - Voting Member

- Action: Field Use Policy Revision

Town Administrator Johns explained that the Board previously discussed delegating to the Town Administrator the authority to waive fees for festivities organized by the Town, organized by the Recreation Commission, and Acton/Boxborough Youth events.

Member Fowlks noted that there are a few categories of people who regularly requested field use fee waivers: soccer, baseball, and Flerra summer camp/At Bats. Baseball requires greater upkeep and investment by the Town than soccer did. These were items that the Board became stuck on during past discussions.

Chair Hilberg stated that she is not inclined to create additional fees for families at this time. She wants to encourage kids to be outside exercising and playing. This maintenance has already been budgeted for by the Town. She is inclined to continue providing a fee waiver for anything that encourages kids getting outside, even if this is a for-profit business. Any item outside of the three categories initially mentioned could be brought before the Board for discussion.

The Board agreed to allow Town Administrator Johns to work on amendments to the document to bring before the Board for discussion at a future meeting.

- Action: Select Board Support Letter for Cable Access Legislation (H74 & S34)

Town Administrator Johns explained that, in 2022, cable subscriptions were down nationwide by 10%. Since 2013, the overall subscriptions have decreased by 30%. The request is for Board support to send a letter from BXBTV to the legislation to gain funding for cable stations.

Chair Hilberg moved to authorize the Town Administrator to send the Select Board Support Letter on behalf of the Select Board for Cable Access Legislation (H74 & S34) as presented. Seconded by Member McKiernan.

Approved: 4-0-0 by Roll Call Hilberg, “aye,” Sundaram “aye,” McKiernan “aye,” Fowlks “aye.”

ADJOURNMENT

Member Fowlks moved to adjourn at 8:38pm. Seconded by Chair Hilberg.

Approved: 4-0-0 by Roll Call Hilberg, “aye,” Sundaram “aye,” McKiernan “aye,” Fowlks “aye.”

Item#

Exhibits

Agenda August 7, 2023

Draft Meeting Minutes 7/24/23

Resignation letter – N. Hanover

Commonwealth of Massachusetts, Order of Taking, RE: “Joyce Lane”, “Loring Avenue”, and “Macleod Way”

Responsibilities of a Board liaison documents

Field Use Permit Policy

Memo from Town Administrator Johns, RE: Joint Committee on Advanced IT, Internet, and Cybersecurity

Select Board Committee/Liaison list FY24