



SELECT BOARD
Meeting Minutes
March 21, 2022

APPROVED: (draft)

PRESENT: Wes Fowlks, Chair; Les Fox, Member; Jennifer Campbell, Member
ALSO PRESENT: Kirby Dolak, BXB-TV Supervisor

At 6:30PM, Chair Fowlks called Select Board meeting to order, via ZOOM pursuant to the procedures noted.

EXECUTIVE SESSION – At 6:31 PM, Member Campbell moved to adjourn to conduct an Executive Session via a separate ZOOM event and reconvene in Open Session after completion of the Executive Session – with respect to negotiations with nonunion personnel (ITA and Fire Chief), per C30A §21 (a) subsection 2, Strategy with respect to Collective bargaining negotiations (BPFFA, Local 4061; MassCOPS, Local 200 & MassCOPS, Local 200A; and UPSE, Local 424M, Unit MA Div.125), per C30A §21 (a) subsection 3, and to reconvene in Open Session after completion of the Executive Session; further noting that to discuss in open session may have a detrimental effect the negotiating position of the Board. Seconded by Member Fox.

Approved: 3-0 Roll Call Fox “aye,” Campbell “aye,” and Fowlks “aye.”

OPEN SESSION

The Select Board reconvened in Open Session via ZOOM.

PRESENT: Wes Fowlks, Chair; John Markiewicz, Member; Les Fox, Member; Jennifer Campbell, Member and Diana Lipari, Member
ALSO PRESENT: Carter Terenzini, Interim Town Administrator; Rajon Hudson, Assistant Town Administrator; and Kirby Dolak, BXBTV

Along with: Tracey Sierra, Kim Dee, Maria Neyland, Sheila Bauer, Bill Litant, Keith Lyons, Becky Neville, Chief Fillebrown, Adam Klein, Rich Guzzardi, Liz Markiewicz

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

Without any announcements to make at this time, Chair Fowlks asked for Citizen’s Concerns. There were none at this time.

APPROVAL OF PAYROLL AND PAYABLE WARRANTS

The Board had approved any pending of payroll and payable warrants as a quorum; duly signing electronically.

MINUTES

None at this time.

INTRODUCTIONS AND APPOINTMENTS

a. Introductions of New Staff – none at this time.

b. Action RE: Personnel Board Appointment

Member Lipari moved to appoint Tracey Sierra for a term commencing immediately running through June 30, 2022. Seconded by Member Campbell.

Approved: 5-0 by Roll Call Fox “aye,” Markiewicz “aye,” Campbell “aye,” Lipari “aye,” and Fowlks “aye.”

JOINT MEETING WITH THE PERSONNEL BOARD

a. Action RE: Personnel Plan Amendments

Sheila Bauer called the Personnel Board meeting to order by roll call: Bill Litant, Keith Lyons, and Sheila Bauer.

Ms. Bauer reviewed the proposed amendments to the Personnel Plan.

Member Fox noted that he does not believe this is classified as a public hearing for this item. Interim Town Administrator Terenzini stated that there is no legal obligation to hold a public hearing on this item. The warrant will likely be finalized by next week; the Board could discuss this document during review of the warrant at that meeting, and that meeting could be posted, as such. The proposed changes could also simply be brought to Town Meeting.

In response to a question from Member Lipari, Ms. Bauer stated that it would be very difficult to implement merit-based pay without a reliable review process in place. This would require a much larger discussion.

Ms. Lipari stated that the Town Administrator's role should be strengthened in the Personnel Plan, as the Town is planning for a strong Town Administrator role in the future.

Interim Town Administrator Terenzini stated that he believes there are some language amendments that could be made to the document to allay Board concerns.

Maria Neyland asked if this meeting was noticed as a public hearing, as the Personnel Board asked the question a number of times and received a number of different answers. Interim Town Administrator Terenzini stated that this meeting was not noticed as a public hearing.

Sheila Bauer adjourned the Personnel Board meeting at 8:05pm via roll call vote.

NEW BUSINESS

a. Action RE: Fifer's Day Permit

i. Approval of one-day liquor licenses and waiver of associated licensing fees

Member Campbell moved to approve the one-day liquor-license and common victualler license for Boxborough District Minutemen Company for June 18, 2022 (with a rain date of June 19, 2022). Seconded by Member Lipari.

Approved: 5-0 by Roll Call Fox "aye," Markiewicz "aye," Campbell "aye," Lipari "aye," and Fowlks "aye."

b. Action RE: Field Waiver – Acton/Boxborough Youth Baseball

Member Markiewicz moved to approve the fee waiver for the ABYB for Spring 2022 - (4/22 - 6/20/2022). Seconded by Member Campbell.

Approved: 5-0 by Roll Call Fox "aye," Markiewicz "aye," Campbell "aye," Lipari "aye," and Fowlks "aye."

c. Action RE: ARPA Request – Subsidized Transportation Services – Kim Dee

Ms. Kim Dee, Boxborough Council on Aging Coordinator, stated that there is a request to use \$7,500 worth of ARPA funds to create a subsidized transportation service called Go Boxborough!. This will expand transportation services to medical appointments outside the area, time and availability of the van that is currently operating. The service will partner with three additional transportation providers – Gentle Arms Daily, FLOW Transportation, and Destination Express.

Interim Town Administrator Terenzini noted that this item is already within the Town's approved ARPA program, which will begin on April 1, 2022. This is a simply a presentation of this item for the Board's knowledge.

In response to a question from Member Markiewicz, Ms. Dee explained that there is no formal contract between the Council on Aging and the three transportation firms. This is an at-will agreement between the parties.

d. Action RE: Request from ABRSD for additional ARPA funds

Adam Klein explained that the request contains an overall increase. This specific request deals with improvements to the Town's Hager Well.

Member Lipari noted that the Town has already allocated its ARPA funds and she does not believe additional funds should be expended at this point. She noted that there are some ending fund balances that could be used for the schools.

Member Fox suggested that the Schools speak with Ed Kukkula regarding the proposed cost for improvements to the well.

Member Campbell stated that she believes the Board should honor the request from the schools for all items other than the well, at this time.

Interim Town Administrator Terenzini stated that he believes the only way the Board could allocate additional ARPA funds for this would be to reallocate funds from other approved projects. He asked that the Board decide where to allocate funds, so that staff does not spend time on items that will not be seen to fruition.

Mr. Klein noted that the schools are a municipal service, just like the Town. He explained that the School District is cutting 21 full-time employees for next year. Adding support will help keep the schools afloat until enrollment goes back up in certain programs. The schools do not receive ARPA funding in the same way that the Town does; it must seek them through the Town.

e. Action RE: Request for ATM or ARPA funds for Town Hall PFAS Treatment – Les Fox

Member Fox explained that the Town Hall well is treated as a private well and not a public water supply. He noted that the well was tested and found to have PFAS levels at 54ppt, where the allowable level of PFAS is 20ppt. Bottled water is being provided to anyone in Town Hall. It will cost approximately \$25,000 to install a PFAS treatment system at Town Hall. He suggested using ARPA funds for this item.

Chair Fowlks stated that he would prefer to take this to Town Meeting for a vote.

Member Lipari agreed. She questioned if this is an immediate need at this time. She also asked if there may be funding available for this item in the near future.

Member Fox stated that he would move forward with placing this on the warrant.

f. Action RE: Comments on MBTA Zoning Amendments

Member Markiewicz noted that Boxborough already has a number of affordable units, as required by 40b. The Town also has a number of multi-family units. Member Fox stated that this has no requirement for affordability included.

Member Lipari stated that she would like some information included regarding reference to the State's rules for climate change mitigation.

Member Fox moved, subject to the addition suggested by Member Lipari and agreement by the Planning Board, that the Chair be authorized to sign this letter on behalf of the Select Board. Seconded by Member Lipari.

Approved: 5-0 by Roll Call Fox "aye," Markiewicz "aye," Campbell "aye," Lipari "aye," and Fowlks "aye."

g. Action RE: Economic Development Committee Request to seek grant opportunities

Rich Guzzardi explained that the EDC is seeking grants to advance Town Center and a Village District. MassDevelopment has a new method for accessing State grants – One Stop for Growth. Two project concepts were submitted on March 18th – Advancing Town Center, and Town Center Pop-Up Markets. Feedback will likely be received within the next couple of weeks, and the EDC will then work toward developing a grant proposal in conjunction with other constituent boards/committees.

h. Action RE: Acceptance of A50 Taylor Farm Road, Assessor Map 20-081-000 from Glen Kaufmann, Meridian Homes, Inc.

Interim Town Administrator Terenzini explained that the Board can either approve this acceptance as conservation land, or place this on the warrant and accept it as Town property. The Board previously confirmed the acceptance of land on Depot Road for conservation. Member Fox noted that the Board needs a recommendation from the Conservation Commission regarding this item, if it is to accept it as conservation land. Interim Town Administrator Terenzini suggested tabling this item until this recommendation can be included.

i. Action RE: Grant Acceptance – Safer Grant – Chief Paul Fillebrown

Chief Fillebrown explained that this grant funds the education program for the Department.

Member Lipari moved to approve the two following grants - \$3,675.00 for Student Awareness of Fire Education (S.A.F.E.) and \$2,550.00 for Senior Safe Grant for the Fire Department. Seconded by Member Markiewicz.

Approved: 5-0 by Roll Call Fox "aye," Markiewicz "aye," Campbell "aye," Lipari "aye," and Fowlks "aye."

j. Well-Being Committee Discussion: Upcoming Seminar on Managing Meetings

Liz Markiewicz explained that the Well-Being Committee has been discussing how to make its meetings more efficient. An hour-long Zoom training is being offered to the group. Chair Fowlks suggested holding the training after Town Meeting, to incorporate any new members.

TOWN MEETING

a. Discussion/Action RE: Town Meeting

i. Annual Town Meeting Warrant Articles

Amendment of FinCom By-Law Re: Budget Process - John Fallon

Sense of the Meeting Re: Joining a Vocational Technical RSD - Jennifer Campbell

Chair Fowlks explained that, for next Town Meeting, he would like to have a discussion regarding items to retain and/or incentivize staff to stay on, such as contributions to a retirement vehicle for part-time staff.

John Fallon noted that the Select Board is interested in writing a job description for the new Town Administrator that is in compliance with the Town Government Study Committee report of 2017. In this format, everything is within the Board's purview except for the budget process, as outlined. Section 6 of the FinCom bylaw will thus need to be changed. He has created a warrant article to do so.

Member Lipari stated that the Board wants the new Town Administrator to be the Chief Operating Officer (COO) of the Town. This role prepares the budget for the Town, while working with department heads. She supports the draft amendment.

Member Campbell stated that she has some concerns regarding how this year has gone and that there are some members of the FinCom that are not in support with this item. However, the proposed wording does support the Town Government Study Committee report.

Chair Fowlks stated that he is in favor of this item. He asked how the FinCom can be asked to critique its own budget.

Member Markiewicz stated that this will allow for the desires of the Town Government Study to be fulfilled. This study was approved by two previous Select Boards. It will make the budget process much clearer.

Becky Neville explained that the FinCom will likely not support this item because it does not have faith that the Select Board will not try to amend this article on the floor of Town Meeting. Member Lipari stated that she finds this difficult to understand and somewhat insulting.

Maria Neyland stated that she would like to amend a misrepresentation made earlier that the FinCom approves its own budget that it creates. It approves a budget put together by the Town/Town Administrator. This year the FinCom had to create many of the budgets itself because there was not cooperation from the Town.

John Fallon stated that he would not support this article if it were amended in any significant way.

Board members voiced that they have no intentions to modify this on the floor of Town meeting. They also gave their recommendation to move forward with this draft article.

John Fallon explained that the Board needs to vote at some point on where Town Meeting will be held.

Member Campbell asked if the Board would support a sense of the meeting article regarding the Town becoming part of an agreement with a vocational technical school in the area.

Member Markiewicz supported this proposal. He believes students will be interested in this and that it will be productive for the Town.

OLD BUSINESS – none at this time.

SELECT BOARD & TOWN ADMINISTRATOR'S OFFICE REPORTS/UPDATES

Member Markiewicz stated that Springfest will be held on April 3, 2022, at Liberty Fields.

Member Lipari explained that there is a push to speak with the MBTA about its safety record and future accountability. Boxborough does have some crossings, and so this will be important for the Town to keep up with.

ADJOURN

At 9:44 PM, Chair Lipari moved to adjourn. Seconded by Member Campbell.

Approved: 5-0 by Roll Call Fox “aye,” Markiewicz “aye,” Campbell “aye,” Lipari “aye,” and Fowlks “aye.”

- | Item# | Exhibits |
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| | Agenda |
| 5. | b. Memo from Sheila Bauer, re: appointment to the Personnel Board, March 3, 2022 |
| 7. | a. Memo from Boxborough District Minuteman Company, re: Fifer’s Day Permits – June 18, 2022, March 7, 2022 |
| 7. | b. AB Youth Baseball fee waiver request, March 14, 2022 |
| 7. | c. Boxborough Subsidized Transportation Services April 2022 |
| 7. | d. Memo from Interim Town Administrator Terenzini, re: ABSD Updated ARPA Requests, March 8, 2022 |
| | e. Memo from Lex Fox, re: PFAS remediation at Town Hall well, March 16, 2022 |
| | f. Letter, re: Draft DHCD Multi-family guidelines, March 21, 2022 |
| | g. Memo from Rich Guzzardi, re: One Stop – application and progress, March 16, 2022 |
| | j. Memo from Boxborough Fire Department, re: SAFE Grants, February 28, 2022 |
| 8. | a. Potential layout of Town Meeting |
| 9. | b. Select Board Meeting Schedule January – July 2022 |

Internal Communications & Outgoing Communications
Minutes, Notices & Updates