



Boxborough Select Board
Meeting Minutes
April 12, 2021

APPROVED: August 16, 2021

PRESENT: Wes Fowlks, Chair; John Markiewicz, Clerk; Maria Neyland, Member; Les Fox, Member and

ABSENT: Bob Stemple, Member

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

At 6:30 PM Chair Fowlks called the meeting to order.

EXECUTIVE SESSION

At 6:31 PM, Chair Fowlks moved to adjourn to conduct an Executive Session via a separate ZOOM event, to conduct a review of Executive Materials (1/25/21 Executive Session Minutes) per C30A §21 (a) subsection 3; to conduct strategy sessions in preparation for negotiations with nonunion personnel (Fire Chief), per C30A §21 (a) subsection 2, 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 on the negotiating position of the Board. Seconded by Member Neyland. **Approved: 4-0, by** Roll Call Neyland "aye," Markiewicz "aye," Fox "aye," and Fowlks "aye."

REGULAR SESSION

At 7:00 PM the Select Board reconvened in Regular Session via ZOOM

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

ALSO PRESENT: Ryan Ferrara, Town Administrator, Rajon Hudson, Assistant Town Administrator; John Fallon, Town Moderator; Liz Markiewicz, Town Clerk.; Cheryl Mahoney, Administrative Assistant; and Kirby Dolak, BXB-TV Supervisor

Along with: Jennifer Campbell, Brian Scales, Barbara, Susan Bak, Diana Lipari, Jeff Glidden, Barbara Salzman, Francie Nolde, Richard Garrison, Larry Grossman, Rita Gibes Grossman, Megan Connor, Chris Delise, and Fred Dushin

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 Fowlks read the announcements

APPROVAL OF PAYROLL AND PAYABLE WARRANTS

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

MINUTES

- Member Neyland moved to accept the January 25, 2021 – Regular Session, as written. Seconded by Member Markiewicz. **Approved: 5-0, by** Roll Call Neyland "aye," Fox "aye," Markiewicz "aye," Stemple "aye," and Fowlks "aye."
- Member Neyland moved to accept the January 25, 2021 – Executive Session, as revised. Seconded by Member Stemple. **Approved: 5-0, by** Roll Call Neyland "aye," Fox "aye," Markiewicz "aye," Stemple "aye," and Fowlks "aye."
- Member Neyland moved to accept the February 8, 2021 – Executive Session, as written. Seconded by Member Fox. **Approved: 5-0, by** Roll Call Neyland "aye," Fox "aye," Markiewicz "aye," Stemple "aye," and Fowlks "aye."

CITIZENS CONCERNS – There were no Citizens Concerns

GENERAL BUSINESS

*The Board took item #6 ci & ii, out of order, as the presenter of #6a was not present.
Fiscal Year 2022 Intermunicipal Agreement(s)*

The Board passed over approval of the FY 2022 Animal Control IMA with Stow pending the Stow Select Board's approval of same.

Member Markiewicz moved to approve the IMA with the Town of Littleton for the provision of Littleton Community Television (LCTV) for FY 2022, as written. Seconded by Member Stemple **Approved: 5-0, by** Roll Call Neyland "aye," Fox "aye," Markiewicz "aye," Stemple "aye," and Fowlks "aye."

Discussion of residential water quality testing program sponsored by Resources for Communities and People (RCAP) Solutions - Brian Scales

Member Fox reviewed the water quality concerns, testing efforts currently underway in Town and introduced Brian Scales from RCAP Solutions; summarizing the testing RCAP intends on offering to residents. This is part of a larger DEP effort that is also being made available to a limited number of private well owners in targeted communities, like Boxborough [6 communities – 40 tests per town]. The Nashoba Associated Boards of Health have been working with RCAP in some of the other identified participating communities. Mr. Scales advised that it is RCAP's intention to build a database to assist with water quality and access research. It is also hoped that it will assist in identifying potential remedial matters. This offering will be published on the website and shared on social media. TA Ferrara advised that the PFAS testing at the Town's public water systems, that was discussed at the last meeting, are pending. Member Markiewicz moved to approve RCAP Solutions materials for posting on our website and Town managed media platforms. Seconded by Member Stemple. **Approved: 5-0, by** Roll Call Neyland "aye," Fox "aye," Stemple "aye," Markiewicz "aye," and Fowlks "aye."

Review of and possible vote on the Sustainability Committee's proposed Sustainability Policy - Francie Nolde & Richard Garrison

There was a review of the input the Select Board had provided. Garrison spoke to the Sustainability Comm.'s desire to have the Select Board champion getting Boxborough into the Green Communities program. This is supported by Sen. Eldridge and Rep. Sena. Over other 40 communities are similarly excluded. It was suggested that these community pool their support by sending a joint statement of support for these efforts. The Sustainability Comm. would also like for the Town to conduct a Green House Gas study and to develop a climate action plan. All of these efforts would be supported with the adoption by the Select Board of a Sustainability Policy. In doing so the Sustainability Comm. would like to Select Board to take ownership of these initiatives. This proposed policy ties directly to their Sense of the Meeting Article. Garrison spoke to efforts in other communities and the costs involved in these undertakings. The Select Board suggested that the Sustainability did outreach to demonstrate support. Realistic, measurable goals and input from the Planning Bd. are needed. It was noted that the proposed Policy would need to be re-formatted to comply with our policy template. Chair Fowlks moved to adopt the Sustainability Policy, pending revisions to adjust it to follow the Policy Template of the Select Board. Seconded by Member Markiewicz. **Approved: 5-0, by** Roll Call Markiewicz "aye," Fox "aye," Neyland "aye," Stemple "aye," and Fowlks "aye."

Youth Sports - Field Use Fee Waiver Requests - Follow up Discussion

Members of the Recreation Commission were present for this discussion. Chair Fowlks referred the Board to the table developed by ATA Hudson regarding field use fee practices in surrounding communities. The Board discussed the history of these requests including the cost questions/concerns previously submitted to these organizations with their previous submissions. The application specifies as to when that these organizations need to notify the Town of their usage request. This timeline was not complied with by these applicants, being as it is this now puts this Board in a difficult position. Further data will be needed to determine the Town's field maintenance expenses, what factors into the fee structures in these other communities and the value of any offsets these organizations provide, going forward. Establishing a final position on this would be helpful to all parties. RecCom members provided input; along with former ABYB Pres. Fred Dushin. Per the request of Kevin Thomas of Acton Boxborough Youth Baseball: Member Markiewicz moved to waive field user fees for Acton Boxborough Youth Baseball for spring/summer 2021 and per the request of Bronson Terry of Acton Boxborough Youth Soccer to waive field user fees for Acton Boxborough Youth Soccer for spring 2021. Seconded by Member Stemple. **Approved: 5-0, by** Roll Call Neyland "aye," Stemple "aye," Markiewicz "aye," Fox "aye," and Fowlks "aye."

Request for Use of the Town Seal by the Veterans' Tribute Committee - Kevin Mahoney

The VTC is developing a database of Boxborough Service Members and they would like to use the image of the Boxborough Seal. Per the request of the Veterans' Tribute Committee, and as required by the Town Seal Policy: Member Stemple moved to allow the Veterans' Tribute Committee to utilize the Town Seal regarding the creation of an online Veterans database/archive. Seconded by Member Markiewicz. **Approved: 5-0, by** Roll Call Neyland "aye," Stemple "aye," Markiewicz "aye," Fox "aye," and Fowlks "aye." Member Stemple also provided an update on the Veteran Tribute site project.

Status concerning the suitability of proposed uses at the Beaver Brook Campus -Fox/ Markiewicz

Members Fox and Markiewicz reported on a proposed statement that was being developed by the advisory group as to their discussions with the proposed site developers of the Beaver Brook Campus.

Relocation of Election Polling back to the Grange Meeting Room-Town Clerk Liz Markiewicz :

This item was previously voted, but it came to Clerk Markiewicz's attention that the State instituted new regulations in 2020 which now requires that certain specific procedural steps be followed. Clerk Markiewicz has now completed these steps and now requires that the Board re-vote this matter to include specific language. Going forward any polling location change will trigger specific procedures including an accessibility study. Pursuant to the request of Town Clerk Liz Markiewicz, following the completion of the Polling Place and Registration Site Access Study, Member Neyland moved to notify and warn the inhabitants of the Town who are qualified to vote in Boxborough's Annual Town Election that voting will occur at the Boxborough Town Hall, 2nd Floor, Grange Meeting Room, 29 Middle Road on Tuesday, May 18, 2021 from 7:00 AM to 8:00 PM. (Note: this is a revote of an earlier BSB vote) Seconded by Member Stemple. **Approved: 5-0, by** Roll Call Neyland "aye," Markiewicz "aye," Stemple "aye," Fox "aye," and Fowlks "aye."

Town Accountant - TA Ferrara

TA Ferrara spoke to his recommendation at the Town retain the services of the accounting firm of Eric Kinsherf, CPA to as consults to provide interim town accounting services. This consultant has recommended their staff member, Andrea Terkelsen to be appointed as Interim Town Accountant and spoke to her experience in municipal finance. He spoke to the scope of Terkelsen's professional background; the scope of her responsibilities; the measures Barrett is taking to bring her up to speed and Terkelsen's intended in person schedule and remote availability. TA Ferrara advised that no submissions had been received for this job posting. Member Markiewicz moved to appoint Andrea Terkelsen, of Eric A. Kinsherf Certified Public Accountants, as Interim Town Accountant from April 19, 2021 through June 14, 2021 Seconded by Member Neyland **Approved: 5-0, by** Roll Call Markiewicz "aye," Fox "aye," Neyland "aye," Stemple "aye," and Fowlks "aye."

MAPC Appointments

Chair Fowlks moved to appoint Les Fox as MAPC Council Member for the term May 1, 2021 through April 30, 2024. Seconded by Member Markiewicz. **Approved: 5-0, by** Roll Call Markiewicz "aye," Neyland "aye," Stemple "aye," Fox "aye," and Fowlks "aye."

Chair Fowlks moved to appoint Cindy Markowitz as MAPC Alternate Council Member for the term May 1, 2021 through April 30, 2024. Seconded by Member Markiewicz. **Approved: 5-0, by** Roll Call Markiewicz "aye," Fox "aye," Neyland "aye," Stemple "aye," and Fowlks "aye."

FISCAL YEAR 2022 BUDGET AND ANNUAL TOWN MEETING

June 12, 2021 Town Meeting Update

TA Ferrara pulled up the Town Meeting ATM webpage to share with the Board. The Warrant is at the printer. He reviewed the preparation timeline and the logistical concerns that are being dealt with. The intention is to take up the Liberty Field articles directly after the budget. It is at the Moderator's discretion to move business items around.

Select Board & Town Administrator's reports/updates

Update - Proposed Memorandum of Understanding with the Planning Board regarding Town Planner responsibilities – Markiewicz
He reported that Planning Bd. Markowitz has informed him that they will not be discussing the MOU proposal at their meeting tonight; putting this matter on hold. Markowitz has further suggested that the Select Board also put on hold. There was discussion as to the Personnel Board's Town Staff Job Description update project; which includes the Town Planner's Job Description, and the concerns voiced by some Planning Board members.

Update on 5G zoning matters - Markiewicz

Additional information has been provided by LELD. With a 5G policy in place, we don't need to make changes, at this time. The proposed "5G" Zoning Bylaw Article dovetails with the policy.

Planning for Joint Biannual [May 2021] Boxborough2030 Master Plan Review with Planning Board

There was a review of previous discussions on this effort. Going forward the Select Board and Planning Board will be a high-level review; making it a more workable process. The intention is that this be a living document. It was noted that there is an issue with the lack of response to the appointed boards' in providing their action updates.

Adjustments to Select Board meeting schedule, possibly adding May 10th, 2021 meeting

The consensus was to approve changes to the Board's meeting schedule – Adding a May 10th meeting and changing re-organization of the Board to May 24th.

Prospective steps to hire an Interim Town Clerk

The Board provided input as TA Ferrara request for definition/clarity as he works to recruit for this position.

REPORTS

Member Markiewicz reported that:

The Recreation Comm. is working on its Town Meeting article presentation.

The Economic Development Comm. continues to discuss Beaverbrook site and on cooperative working groups.

Member Fox reported that:

The Water Resources Comm. will be discussing the water related concerns discussed at this meeting and the previous one.

The Boxborough Building Comm. will be working on their due diligence studies at their next meeting.

Member Stemple reported that the Steele Farm Advisory and Sustainability Committees are meeting this week.

Member Neyland reported on discussions she has had with CoA Chair Bill Litant about conducting a senior survey. Mary Brolin understands the survey and will be providing input.

Chair Fowlks has been working on the Interim TA position. Minor revisions have been made to the posting so it should be ready to get up on the MMA website.

ADJOURN

At 9:08 PM, Member Neyland moved to adjourn. Seconded by Member Stemple. **Approved: 5-0, by** Roll Call Neyland "aye," Fox "aye," Stemple "aye," Markiewicz "aye," and Fowlks "aye."

- | Item# | Exhibits |
|-------|---|
| | Agenda |
| 4. | a. Regular Session Minutes of 1/25/21– Draft |
| | b. Executive Session Minutes of 1/25/21 - CONFIDENTIAL |
| | c. Executive Session Minutes of 2/8/21 - CONFIDENTIAL |
| 6. | a. RECAP Solutions Presentation |
| | b. Sustainability Policy - Draft |
| | c. BXB-TV Intermunicipal Agreement FY22 |
| | d. Memo from ATA Hudson Municipal Field Fees Comparison and Recommendation |
| | Email Chain "Recreation Commission's past and present stance on field use fees within our town entities |
| | e. Request from Kevin Mahoney to use the Town Seal |
| | h. Andrea Terkelsen's professional profile |
| 7. | a. 2021 ATM Website and related information |
| 8. | d. BSB Meeting Schedule |
| | Internal Communications & Outgoing Communications |
| | Minutes, Notices & Updates |
| | Announcements |