



SELECT BOARD MEETING  
Meeting Minutes  
November 13, 2023  
6:30 P.M.

APPROVED: **November 27, 2023**

**PRESENT:** Kristin Hilberg, Chair; Wesley Fowlks, Member; David McKiernan, Member

**ALSO PRESENT:** Town Administrator Mike Johns; 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.*

**Executive Session**

- a. Discuss strategy with respect to litigation per MGL Ch. 30A §21 (a) (3) (244 Adams Place)
- b. Review and/or approve the release of executive session minutes: 10/23/23

At 6:33 PM, Chair Hilberg called Select Board meeting to order, via a hybrid meeting pursuant to the procedures noted.

Chair Hilberg moved to enter into Executive Session

- a. Discuss strategy with respect to litigation per MGL Ch. 30A §21 (a) (3) (244 Adams Place)

Noting that discussion in Open Session would be detrimental to the litigating position of the Town and to reconvene in Open Session at 7:00 PM. Seconded by Member Fowlks.

**Approved: 3-0-0** by Roll Call: Fowlks “aye,” McKiernan “aye,” Hilberg “aye,”

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

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

**OPEN SESSION:**

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

At 7:09 PM, the Board moved into its Regular Session.

**2. Announcements**

Chief Szewczyk introduced Officer Zachary Stillman to the Board.

Chair Hilberg read through the announcements.

**3. Select Board and Town Administrator’s Office Reports & Updates**

Town Administrator Johns noted that part of the agreement with the Town accepting the roads at Boxborough Meadows was regarding enforcing no parking on the three streets. The Police Department has been knocking on doors in the area to try to alert citizens. Warnings will be handed out for another couple of weeks before cars begin being ticketed.

Member McKiernan noted that he has been holding office hours and will continue to do so on the first Wednesday of the month from 10am-11am, and on the second Wednesday of the month from 7pm-8pm for December and January.

Town Administrator Johns stated that Citizens Academy has been very well attended. Graduation will occur on December 11<sup>th</sup> during the Board meeting.

#### 4. Public Input

Cindy Markowitz stated that she reviewed a KP Law memo regarding Open Meeting Law and agendas. She reiterated to the Board that meeting agendas need to be clear in identifying agenda topics, such as appointments and spelled out abbreviations. This should apply to all other boards/committees in Town as well. The Board heard an introduction of a new officer this evening and she did not see that listed on the agenda.

Town Administrator Johns noted that Officer Stillman was listed on a previous agenda, but he was not on duty that evening. It was noted at that time that the Board would introduce him at a later time. This was an announcement. Ms. Markowitz explained that she used this as an example of how to keep agendas clear.

Ms. Markowitz stated that she would like the Town to consider in its contract with BXBTv to post other committee recordings. As meeting minutes seem to be falling behind for many committees, recordings are quite important. She noted that the Board could remind other groups that meeting minutes need to be kept up to date. Town Administrator Johns stated that he would review the contract and encourage other committees to be recorded if they so choose. Ms. Markowitz asked that the Board require other meetings to be recorded for the public's sake. Mr. Dolak stated that the new contract allows for 7-8 more boards to be recorded. He is currently working with the recently damaged and new equipment to allow for additional meetings.

#### 7. New Business

##### a. Presentation: Sustainability Proposal for 2024 Annual Town Meeting (ATM) – *The Board addressed this item at this time.*

Francie Nolde presented to the Board on the Sustainability Committee. She explained that the intention is to bring the Specified Building Code to Town Meeting for approval, likely a year from now. Prior to that, a description of the code will be brought to the Board for discussion and potential support. New construction houses that are greater than 4,000 s.f. will need to be either all electric or Net Zero if they proposed to use fossil fuel. Multi-family buildings larger than 12,000 s.f. will be built to the highly efficient passive house standard. New buildings that choose to use fossil fuels will be prewired for all electric and must install solar panels, where feasible.

The Board discussed a timely item that needed to be addressed.

Maria Neyland stated that the Finance Committee received a letter regarding the Acton Health Insurance Trust that she forwarded along to the Board. The Trust was having solvency issues and was only able to pay some of its claims for the month of November. The Trust agreement is requesting a \$2M cash infusion to get by at this time. As of January 1<sup>st</sup>, the Health Trust will complete a mid-year adjustment of approximately 23% to health insurance rates. The Trust will also be seeking approximately a 24% increase for next year. Of the \$2M being requested, the District share is \$1.5M. Between that and the rate increase, the District must come up with \$2.75M this year to deal with the Trust's budget shortfall. The Town owns approximately 18% of this total, or approximately \$1.5M. There is a funding mechanism proposed to remove money from the OPEB Trust and other funds. The Acton Leadership Group (ALG) will vote on Monday regarding an override for this year. In this is the case, the total \$9M deficit would lead to a 10% increase in the assessment to get to a level service budget for the District. Whatever happens in Acton will have a direct effect on Boxborough's budget.

The Board discussed how it would best like to stay updated on this item. The Board agreed to continue to receive updates from the Fi Com.

#### 5. Approval of Minutes: October 23, 2023

Chair Hilberg moved to approve the meeting minutes of October 23, 2023, as presented. Seconded by Member Fowlks.  
**Approved: 4-0-0** by Roll Call: Fowlks "aye," Sundaram "aye," McKiernan "aye," Hilberg, "aye."

#### 6. Old Business

##### a. Action: Economic Development Committee - appointment reconsideration

The Board passed over this item.

#### 7. New Business

##### a. Appointments

- i. Steele Farm Advisory Committee – Andreas Bauer
- ii. Boxborough Housing Board – Korinne Stephens

Chair Hilberg moved to appoint Andreas Bauer to the Steele Farm Advisory Committee for a term ending June 30, 2026. Seconded by Member Fowlks.

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

Chair Hilberg moved to reappoint Korinne Stephens to the Boxborough Housing Board for a term ending June 30, 2026. Seconded by Member Sundaram.

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

**b. Action: Metropolitan Area Planning Council authorization**

The Board tabled discussion on this item to a later date.

**c. Action: Approval for the use of the Town Seal for signage (Boxborough Historical Commission)**

Member McKiernan stated that the Historical Commission would like to place a sign at the home of Luther Blanchard and would like to use the Town Seal on the sign.

Chair Hilberg moved to approve the use of the Boxborough Town Seal for signage on the property at 69 Depot Road per the use of the Boxborough Historical Commission. Seconded by Member Sundaram.

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

**d. Presentation: Sustainability Proposal for 2024 Annual Town Meeting (ATM)**

*This item was previously addressed.*

**e. Action: Annual Town Meeting (ATM) target calendar 2024**

The Board discussed its target calendar for 2024 ATM. Chair Hilberg suggested that the Board add meetings in February and March, in order to best complete the business at hand. The Board agreed to add a meeting in March.

Chair Hilberg moved to accept the Annual Town Meeting target calendar for 2024, as amended. Seconded by Member McKiernan.

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

**f. Action: Open Annual Town Meeting (ATM) 2024 Warrant**

Chair Hilberg moved to move to inform all department, boards, committees, commissions, and the public that the warrant for the 2024 Annual Town Meeting shall open for such submissions at this date of November 13, 2023 and shall close by the end of the business day December 18, 2023. Seconded by Member Sundaram.

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

Member Fowlks moved to adjourn at 8:37pm. Seconded by Chair Hilberg.

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

Item#

**Exhibits**

Agenda November 13, 2023

Resident Interest Form, A. Bauer

M. Barbadoro resume

Draft Meeting Minutes 10/23/23

Emails re: Boxborough Historical Commission request

Boxborough Sustainability Committee background for 10-minute discussion

Draft Schedule ATM

Memo from Town Administrator Johns, re: 2024 ATM Warrant, November 14, 2023