



Approved February 24, 2003

**Town of Boxborough
Board of Selectmen
Meeting Minutes
February 10, 2003**

CALL TO ORDER

The meeting was called to order in the Grange Meeting Room, Town Hall at 7:30 p.m. by Chair David L. Birt.

PRESENT: Chair David L. Birt; Donald R. Wheeler, Clerk; Simon C. Bunyard, Member; Kristin Hilberg, Member; Les Fox, Member

ALSO PRESENT: Natalie T. Lashmit, Town Administrator; Selina S. Shaw, Assistant Town Administrator

EXECUTIVE SESSION

At 7:32 p.m. Member Wheeler moved to adjourn to executive session to discuss strategy with respect to collective bargaining (reason #3) and to return to regular session to complete the business on the agenda. Seconded by Member Bunyard. **Approved 5 – 0** by roll call vote: Wheeler “aye,” Birt “aye,” Bunyard “aye,” Fox “aye,” and Hilberg “aye.” Returned to regular session at 7:40 p.m.

APPOINTMENTS

- Scott Coleman, Employee Representative of Boxborough Firefighters’ Union re: ratification of Boxborough Professional Firefighters Association PFFM Local 1904B Contract. The union, department and negotiating team were thanked for their efforts and the dept was praised for their fine work. Member Bunyard moved to ratify the Agreement between the Town of Boxborough and Boxborough Professional Firefighters Association PFFM Local 1904B for the period July 1, 2002 through June 30, 2005 (version dated 1/31/03). Seconded by Member Hilberg. **Approved 5 – 0.**

ANNOUNCEMENTS

- The Boxborough Grange #131 will be hosting a Valentine’s Day event featuring the Yankee Stompers at 8 p.m. on February 14
- Cable channel changes effective March 3 were announced: ABC Family will move from Channel 58 to Channel 26, WMFP will move from Channel 26 to Channel 28, and the TV Guide Channel will air on Channel 58. Any questions should be directed to Rob Travers, AT&T Broadband at 978-692-1906, ext 2052
- Representative James Eldridge will be holding office hours at Town Hall from 7 – 9 p.m. on February 24 in the Hilberg Meeting Room
- The Boxborough Garden Club will be holding its plant sale on May 10 from 8:30 – 11:30 a.m. at the UCC Church, across from Town Hall
- The Town is looking for lock-up attendants at the rate of \$11.36/hour, part-time dispatchers to be paid at the rate of \$12.66/hour and one full-time dispatcher.
- The Town continues to seek volunteers on Acton-Boxborough Cultural Council, Housing Board, Permanent Building Committee and Cable Advisory Committee. Contact the TA for more information about the opportunities.
- Municipal elections will be held on May 19 from 7 a.m. to 8 p.m. for the following offices: Moderator (1 year term), Town Clerk (1 year term), Tax Collector (3 year term), 2 Selectmen (3 year terms, each), Board of Health member (3 year term), 2 Library Board of Trustees members (3 year terms, each), Planning Board member (3 year term), Regional & Local School Committee member (3 year term) and Local School Committee member (3 year term). The last day for filing nomination papers is Monday, March 31, no later than 5:00 p.m. Deadline for registering to vote is Tuesday, April 22. Registration will be held from 9:00 a.m. - 8:00 p.m. at the Town Hall.
- Nashoba Boards of Health has new Town Hall hours: Fridays from noon to 1 p.m. (instead of 8 – 9 a.m.)
- Information regarding Boxborough Neighborhood Networks is available by calling TA’s office at 978-263-1116.
- Plugged website located at: town.boxborough.ma.us
- Member Wheeler announced a public meeting with local legislators Pat Walrath, Cory Atkins, Jamie Eldridge and Pam Resor at the Stow Library on February 11 at 7 p.m.
- MAGIC’s Legislative Breakfast will be held on Thursday, February 13 at 7:45 a.m. at the Boxborough Holiday Inn.

- Brief discussion regarding Governor's proposal to allow towns post legal notices on the web, and not to require posting in paper. It was clarified that this is currently pending. Resident Pam Collins expressed concern for those folks without internet access.

APPOINTMENTS (continued)

- Housing Board members Channing Wagg (Chair) and Jeff Handler were present to discuss the FHLBB Affordable Housing Program Agreement for Owner Occupied Project, as summarized in Channing's memo to the BoS, dated February 7, 2003, and included in the agenda packet. The issue before the BoS was the signatory authority for the agreement. Member Fox reviewed the section of the Housing Board Bylaw that stipulates approval by the BoS to enter into agreements with any federal, state or other governmental agency and since FHLBB is basically a quasi-public agency of the federal government, BoS approval to enter into the AHP Agreement was being sought. Member Fox moved to authorize the Housing Board Chair to execute said agreement, subject to approval by Town Counsel. Seconded by Member Wheeler. Member Bunyard offered a friendly amendment to include reference to the Agreement document [Affordable Housing Program Agreement with the Federal Home Loan Bank of Boston (FHLBoFB) and Community National Bank (CNB) pursuant to the Award for A20022-018, the Boxborough Condominium Exchange Program] and added that the final version be substantially consistent with the documents already drafted and currently being reviewed by Town Counsel. Mover and seconder approved as friendly. **Approved 5 – 0.** TA/ATA will draft letter to BHB for Chair Birt's signature.

MINUTES

- Member Bunyard moved to accept and place on file the minutes of the regular session of January 27 as written. Seconded by Member Fox. **Approved 5 – 0.**

TOWN ADMINISTRATOR REPORT

- Member Wheeler moved to accept and place on file; seconded by Member Bunyard. It was clarified that negotiating team would be meeting on its own at 9 am on February 27, not 8 a.m. as stated in report.

OLD BUSINESS

- ATM articles – Member Wheeler suggested that the article currently noted as #14 on rev 3 of *Potential ATM Articles – 2003*, dated 02.07.03 and included in agenda packet should not be a consent article, that articles currently listed on above referenced document as #s22, 23, 24, 28, 29, 33 and 37 should be considered as consent items, and that article currently listed as #39 should be moved to STM within ATM. Brief discussion on closing off of Cunningham Road. Member Fox expressed concern that there be secondary access for fire and police. It was commented that Steele Farm Committee had not yet met to discuss proposal for use of barn and fields at Steele Farm.
- Acton-Boxborough Cultural Council's proposed Jazz Evening – discussed conditions noted in ATA's memo of February 7, 2003, and included in the agenda packet. Discussed proposed 2 drink limit and how it would be monitored and controlled... Agreed that special police officer was unnecessary and excessive; police would be close at hand and could be called quickly... It was commented that alcohol must not be purchased at a package store but from a distributor and that applicant could purchase from distributor used by Boxborough Liquors... Member Hilberg moved to permit the Acton-Boxborough Cultural Council to sell/serve wine at its Jazz evening subject to first, second and third conditions recommended in the Assistant Town Administrator's memo dated February 7, 2003 (included in the agenda packet); further that fees be waived. Seconded by Member Bunyard. It was also noted that it is not a legal requirement that Acton BoS approve, but rather an insurance recommendation because alcohol would be served; also that insurance company would issue a special policy for the liability relating to alcohol for only \$50K. **Approved 5 – 0.**

NEW BUSINESS

- Member Fox moved to accept with regrets and place on file the resignation of Interim Assistant Building Inspector Christe G. Leoleis, effective January 24, 2003. Seconded by Member Bunyard. **Approved 5 – 0.**
- Non-payment of liquor license – Apple Country Market – general agreement that manager should be invited in to next BoS meeting to explain what had transpired. Member Wheeler moved to table further discussion until next meeting. Seconded by Member Fox. **Approved 5 – 0.**
- Statements of Disclosure from Assessor Colleen Whitcomb and request for exemption:
 - 1) Request for exemption under MGL c.268A § 19(b)(1) – A copy of the disclosure signed by Colleen Whitcomb on January 29, 2003 is included in the agenda packet. Member Wheeler moved that as appointing officials, and as required by Section 19 (b) (1) of MGL Chapter 268A, we have reviewed the matter and the financial interest described in the "Disclosure of Financial Interest," signed by Assessor Colleen Whitcomb on January 29, 2003, and have determined that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee under MGL c.268A § 19(b)(1), and further to forward said determination in writing to her. Seconded by Member Bunyard. **Approved 4 – 0**, Member Hilberg abstaining. It was explained that if there were a disagreement on an application to abate, the applicant could seek remedy through the ATB.

- 2) Disclosure pursuant to MGL c 268A § 23(b)(3) - A copy of the disclosure signed by Colleen Whitcomb on February 3, 2003 is included in the agenda packet. Member Wheeler moved to accept and place on file. Seconded by Member Fox. **Approved 4 – 0**, Member Hilberg abstaining.
- Reverse 911-Littleton Light – Not enough information was provided to TA in order for her to make a recommendation to the selectmen. Concerns voiced regarding the fairness of the proposed split of costs since Boxborough has fewer residents, no information regarding the properties of the system, nor the details about the operation. General agreement that the issue should be referred to the LEPC, which is meeting on February 11.
- MIIA Loss Control Credit Program - Member Bunyard moved to support Town Administrator in pursuing loss control program with Town departments and boards. Seconded by Member Fox for purposes of discussion. It was commented that the savings to the town were not worth the efforts to pursue. **Not Approved: 0 – 5.**

CORRESPONDENCE

- Member Wheeler applauded the coordinated efforts of Police Chief Vance and Superintendent Bergeron in arranging a meeting of 6th grade students to discuss the DARE program.

SELECTMEN REPORTS

- Member Bunyard reported on library project... It is expected that bid docs will go out at end of month... pursuing likelihood of proposed changes in sub-bid laws having enough of an effect to delay the bidding process... It was noted that legislature did approve a borrowing authorization of \$75 million for library projects as well as approving the issuance of \$35 million in bonds.
- Member Fox updated on 40B letter drafted by Member Hilberg, which he has revised. Will send soft copy to ATA to send to BoH, Planning Board, ConsComm and ZBA for review and comment. Will be brought forward on Feb 24 for final “approval” and signature.
- Member Hilberg reported on PDAPS progress. Group, which is comprised of Selectmen Hilberg and Bunyard, TA Lashmit, and reps from ConsComm, Planning, ZBA and BoH met to discuss process and goals. Boards will bring back staffing needs; BoH/ Inspectional Services secretary and ConsComm/ZBA/Planning secretary will submit input via job descriptions. Intent is for staffing phase to be completed in first couple of weeks to be ready for any necessary town meeting action; streamlined permitting is the 2nd phase
- Member Bunyard reported on Hammond Scholarship award presentation; he had pleasure of presenting in 2002, when his son graduated. ABRHS seeking information on presenter for 2003. Member Hilberg agreed to present on behalf of the BoS.

EXECUTIVE SESSION

At 8:55 p.m., Member Bunyard moved to adjourn to executive session for purpose of discussing strategy with respect to collective bargaining and contract negotiations with non-union personnel (#3) only to return to regular session to adjourn. Seconded by Member Wheeler. **Approved 5 – 0** by roll call vote: Birt “aye,” Hilberg “aye,” Wheeler “aye,” Bunyard “aye” and Fox “aye.”

ADJOURN

Member Bunyard moved to adjourn at 9:35 p.m. Seconded by Member Fox. **Approved 5 – 0.**