



Approved April 5, 2004

**Town of Boxborough
Board of Selectmen
Meeting Minutes
March 22, 2004**

CALL TO ORDER

Chair Wheeler called the meeting to order at 7:32 p.m. in the Grange Meeting Room, Town Hall.

PRESENT: Donald R. Wheeler, Chair; Les Fox, Clerk; Simon C. Bunyard, Member

ABSENT: David L. Birt, Member; Kristin Hilberg, Member

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

ANNOUNCEMENTS

- Chair Wheeler read the announcements.

PUBLIC HEARINGS

- Chair Wheeler opened the public hearing on the proposed changes to Schedule B. Personnel Board Chair Richard Golden was also present and noted that increase to Step A was based on CPI-U of 3% for year ending 11/30/03 and that % increase between steps was 3.5%. It was noted that salaries for Fence Viewer and Field Driver had been reversed... latter should be \$45... Member Fox moved to close the public hearing. Seconded by Member Bunyard. **Approved 3 – 0.**
- Chair Wheeler opened the public hearing on the laying out and acceptance of Houghton Lane. It was noted that engineering issues had been addressed and all sign-offs made. Member Bunyard moved to close the hearing and approve the layout of Houghton Lane as per the final asphalt plans and place the acceptance on the Annual Town Meeting warrant. Seconded by Member Fox. **Approved 3 – 0.**

MINUTES

- Member Fox moved to accept and place on file the minutes of the regular session of March 8, 2004. Seconded by Member Bunyard. **Approved 3 – 0.** Member Bunyard moved to accept and place on file the minutes of the executive session of March 8, 2004. Seconded by Member Fox. **Approved 3 – 0.**

OLD BUSINESS

- Member Fox reviewed the site eligibility review process under MassHousing's Housing Starts program and moved to authorize the BoS Chairman to sign the BoS response pending further minor non-substantive revisions. Seconded by Member Bunyard. **Approved 3 – 0.**

NEW BUSINESS

- Member Bunyard moved to approve appointments of Donald Morse as the Veterans' Agent and Michael Guzzo as the Assistant Veterans' Agent until March 31, 2005. Seconded by Member Fox. **Approved 3 – 0.**
- Member Bunyard moved to certify the Tax Collector's surety bond in the amount of One Hundred Twenty Thousand Dollars (\$120,000). Seconded by Member Fox. **Approved 3 – 0.**
- TA distributed and reviewed information regarding Senate Bills 262 and 270, related to funding for out-of-district students in voc/tech schools. Member Bunyard moved that Chair Wheeler sign a letter of support for Senate Bills 262 and 270, to be drafted by TA. Seconded by Member Fox. **Approved 3 – 0.**
- TA distributed letter from Boxborough Conservation Trust regarding donation of funds to the Town to purchase a "brush hog" to assist in maintenance of Town's conservation lands. Member Bunyard read the letter, dated March 22, into the record and moved to accept the donation of \$2,099 for the purpose of purchasing one "Billy Goat Out Back Brush Cutter," model #bc2402h, equipped with a 13 HP Honda Engine. Seconded by Member Fox. **Approved 3 – 0.** Thanks were extended to Scott Bundy for his large personal contribution.

- Member Bunyard moved to authorize the issuance of BAN #351 in the amount of \$4,142,000 for a one-year term (3/26/04 to 3/25/05) at a rate of 2.0% for the funding of the conservation land purchases and Liberty Field Construction (rollover of BAN 349 for \$1,606,000), and for library construction (\$2,536,000). Seconded by Member Fox. **Approved 3 – 0.**

PUBLIC HEARINGS (continued)

- At 8:05 p.m., Chair Wheeler opened the public hearing on the proposed Bylaw on the Removal and Disposal of Canine Wastes. Four versions were included in the agenda packet. Two each for town-wide and active recreational fields, difference being in fee structure... Sue Reuther, member of the RecComm spoke in favor of the version of the bylaw that was limited to town-owned active recreation fields. Discussion regarding how to enforce bylaw and how broad an area to cover... whether to also include conservation lands, playgrounds... whether to first try only posting signage before enacting a bylaw... it was generally agreed that bylaw would have greater force. Sue Reuther also suggested having available at sites a box with disposal bags. Owen Neville, Middle Rd. resident, stressed importance of folks establishing good habits and being thoughtful of one another and suggested that playground areas be added. Peter Rudento, Stow Rd. resident, did not think a town-wide bylaw was appropriate but strongly supported one limited to active recreational fields. Also commented that unless fines are substantial, they don't serve as a deterrent. Member Bunyard move to place on the warrant the approval of the Bylaw on the Removal and Disposal of Canine Wastes, to be limited to active recreation areas, playgrounds and other posted areas as determined by BoS... the fine to be set at \$50 for each and every offense. Seconded by Member Fox. **Approved 3 – 0.** The public hearing was closed at 8:30 p.m.
- Chair Wheeler opened the public hearing on the proposed amendments to the dog licensing bylaw and explained that the suggested increase in fees was consistent with other towns. Member Bunyard moved to place on the warrant. Seconded by Member Fox. **Approved 3 – 0.** The public hearing was closed.

APPOINTMENTS

- Christine Sampson and Steve Crane of Interactive Data Corp., Scot Butcher and Mike Derochers of KPMG and Bobby Matthews from the Mass office of Business Development were present to discuss the possibility of a TIF with Interactive Data. Steve Crane presented overview - company delivers financial data electronically to mutual fund companies – very “clean” industry, all tech work force, 1800 employees worldwide, 300 in greater Boston area... looking to occupy 50,000 sq ft; another 50,000 sq ft are available. Scot Butcher explained that they were looking for minimal TIF with town; primary focus is state economic tax credit of 5%... need EDIC and TIF with town... Member Fox moved to proceed with placing article re: TIF on the warrant. Seconded by Member Bunyard. **Approved 3 – 0.**

OLD BUSINESS (continued)

- TA updated BoS on her meeting with FinCom on Town Hall budget and reviewed list of open items. FinCom supported moving the 6 months' operating costs of the old library (\$3,100) to Town Hall... Selectmen agreed ... BoS generally agreed not to budget or place in an article the estimated \$3,000 to partition the downstairs in the old library for Town Hall storage ... also agreed that the legal budget should absorb the costs of petitioning the court for CyPres petition... other legal expenses being paid in FY 04, such as legal bills for the cell tower would not be an issue in FY 05, so level funded legal budget should be able to accommodate... BoS agreed that DPW salaries should be reduced by \$12,570.19 and that amount should be reinstated to Town Hall budget to afford the TA more flexibility given the staffing cuts; also that health insurance should be increased by \$25,000, further to the Treasurer's recommendation.
- Warrant discussion – Library Trustee Greg Ross was present to again advocate for providing townspeople with an option by placing article on warrant for sale of library. Member Bunyard distributed draft language. Discussion regarding need for a separate appropriation to cover the cost of the sale.... Again, further debate regarding need for two articles on warrant... Selectmen expressed sensitivity to honor a request from another board, while considering the best interests of Town. Again, general agreement of BoS not to place second article on warrant, commenting that if article did not pass, then matter would be addressed at a possible fall town meeting...
- Discussion regarding order of articles. General agreement to open 2nd night with TIF, but not knowing number that would be appropriate, could simply request out of order.
- Planning Board member Owen Neville was present and asked BoS to consider the Planning Board articles and whether or not they should be placed on warrant... Discussion on how to place... interweaved or all at once... want to ensure a presence for them to be heard....

CORRESPONDENCE

- Accepted and placed on file.

ADJOURN

- At 10:45 p.m., Chair Wheeler moved to adjourn to executive session for the purpose of discussing strategy with respect to litigation, strategy with respect to negotiations with non-union personnel and strategy with respect to TIF negotiations and to reconvene in open session only for the purpose of adjourning. Seconded by Member Bunyard **Approved 3 – 0** by roll call vote: Bunyard “aye,” Wheeler “aye,” Fox “aye.”
- At 1:00 a.m., March 23, the meeting reconvened in open session only for purpose of adjourning. Moved, seconded and **approved 3 – 0** to adjourn.