



**BOARD OF SELECTMEN**  
**Meeting Minutes**  
**February 22, 2010**

**Approved: March 8, 2010**

**PRESENT:** Rebecca Neville, Chair; Frank Powers, Clerk; Raid Suleiman, Member; and Les Fox, Member

**ALSO PRESENT:** Selina Shaw, Town Administrator and Cheryl Mahoney, Department Assistant.

Chair Neville called the meeting to order at 7:00 p.m. in the Grange Meeting Room of Town Hall.

**APPOINTMENTS**

- Police Chief Richard G. Vance, Jr., as well as numerous well wishers, were present as the Selectmen recognized the Chief's years of service to Boxborough. Chair Neville provided a summary of the Chief's time in town, and the Selectmen offered their thanks and good wishes. The Selectmen presented Chief Vance with a mantle clock with the Town Seal commemorating his years of service to the Town. The Chief Vance provided his final police department status report to the Selectmen; he then thanked the members of his department and made a few remarks. There was a pause in the regular business of the Board as cake was served.
- The Selectmen took up the Appointment of an Acting Chief. Both Sergeants were considered for this position. It was determined that Sergeant DiMauro would be offered this position, and he has accepted. Member Powers moved that Sergeant Nicholas DiMauro be appointed as Acting Chief of the Boxborough Police Department, until such time as permanent new Police Chief can be appointed. Seconded by Member Suleiman. **Approved 4-0.**
- Town Clerk Liz Markiewicz was present to discuss proposed revisions to the Dog Control Bylaw. The Dog Officer has requested these changes to allow for more enforceability, dog owner accountability, and to bring these bylaws more into alignment with relevant statutes and other communities' practices. Among these changes would be to have the fines escalate by each violation. Currently fines can only be escalated for violations within a calendar year and then the fine schedule resets. Another proposed revision would be that owners would be cited per dog, not per "incident." The Selectmen suggested that a mandatory dog hearing requirement be automatically triggered after the third offense. There was also a discussion about possibly combining both of these bylaws. The Selectmen provided comments and suggested revisions. Clerk Markiewicz advised that she would look into incorporating these suggestions into the articles.

**ANNOUNCEMENTS**

- Chair Neville read announcements

**MINUTES**

- Member Fox moved to accept the minutes for the regular sessions of January 25, 2010 and February 1, 2010, as revised, and executive session of February 1, 2010, as written. Seconded by Member Powers. **Approved 4-0.**

**SELECTMEN REPORTS**

- Member Fox reported on various BITcom activities. BITcom is working at School on issues with the WAN and soon hopes to have them resolved. They have been informed that the Police Dept. would like to explore giving up their independent ISP service and switch over to the Town system. BITcom is researching off-site services that would provide remote backup for our systems. The last Boxborough School Committee meeting was broadcast on the Boxborough Channel. There were some problems, but they are working to resolve them and the quality should continue to improve. BITcom is also looking for a videographer to record meetings and work on editing content.
- Member Suleiman reported that ConsCom has submitted an article to amend the Town's current Wetlands Bylaw and has advised him about the proposed changes.

- Member Powers reported that he met with the Stow Town Administrator, Bill Wrigley, to discuss mutual aid options. These discussions are part of the investigation into the sharing of services and aid options. The intention is to continue these discussions once a new police chief is appointed.

He reported that he and Chair Neville met with Fincom Chair Ham to discuss concerns with the police budget.

He also reported he met with the Chief Vance and the Sergeants to discuss appointment of an Acting Chief. He and Chair Neville also met with Sgt. DiMauro to offer him the position of Acting Chief, which he accepted.

Member Powers reported that the primary topic at last week's CoA meeting was the Senior Center Taskforce. The Taskforce's 2007 ATM presentation has been reviewed and one of their charges was to investigate finding lease space. The CoA has determined that this existing Taskforce will be re-charged and the CoA intends to present the Taskforce's new charge to the Selectmen at an upcoming meeting.

- Chair Neville reported that she attended her first Cemetery Commission meeting. They discussed the history of cemeteries, possible revisions to the cemetery rules and flag policy rules. She advised the Board that the Cemetery Commission was looking for the Selectmen's authorization to designate four new "pauper" lots. Member Suleiman moved to authorize four new "pauper" burial lots. Seconded by Member Powers. **Approved 4-0.**

She also reported on the Boxborough School Committee. Director of Pupil Services, Sandy Daigneault, is leaving for a job at the Concord Coop. School and Principal Maryellen Driscoll is retiring. Next year's 4<sup>th</sup> grade will be restructured down to two classrooms.

## OLD BUSINESS

- The Cemetery Commission's proposed changes to the Town's Flag Flying Policy were discussed. The Selectmen had some comments and additional revisions so approval was put off until the Cemetery Commission could review these items. TA Shaw will seek clarification that the Governor's Executive Orders regarding Flag Flying only apply to municipal buildings. The Selectmen intend to revisit this in March.
- Discussion on the Devens Regional Hazardous products Collection Facility Program and its Memorandum of Agreement was re-opened. LELWD Board is voting tonight on whether to provide the program's start-up and 1<sup>st</sup> year operating fees for Littleton and Boxborough. The Selectmen's last vote on this matter was to support Boxborough's membership in this program contingent upon the LELWD decision. The Selectmen discussed their issues and concerns with the current draft of the MOA. TA Shaw will advise the representatives for the Devens Regional Household Hazardous Waste program about the Selectmen's concerns, and they will be invited back to discuss them with the Selectmen.
- Discussion was re-opened on setting Transfer Station fees for FY 11. Member Suleiman has researched these fees and presented his findings to the Selectmen. He recommended that the fees remain the same for FY 11. He further recommended this should be researched further and expanded to include factors such as increasing recycling revenues and regionalizing of services. Further to the recommendation of the Public Works Director, Member Suleiman moved to maintain transfer station fees at the FY 2010 level; i.e. \$150 for the 1<sup>st</sup> vehicle and \$50 for the second vehicle if sticker is purchased by July 31, 2010, as well as on any date for new residents; \$180 for the 1<sup>st</sup> vehicle and \$80 for the second vehicle if sticker is purchased after July 31, 2010; no charge for residents aged 65 or older as of July 1, 2010 and \$15 for replacement stickers. Seconded by Member Powers. **Approved 4-0.**
- Annual Town Meeting and proposed warrant articles were discussed. There have some additional articles since the last Selectmen's meeting - revisions to the dog control bylaw and a placeholder by the Planning Board for a request from the Acton Water District for a change to the zoning bylaw - map to amend the aquifer district's boundaries. There was discussion on Police Capital Improvement article the value of water tank replacement would be reduced to \$2,500. There was concern about the WRC's water supply borrowing article. There seemed to be confusion when this was presented at a previous Town Meeting and voted down. It was suggested that public input should be sought so the public can understand the intention of this article. There was discussion on the two GASB related articles. An article on the local meals tax option may be reintroduced. More information is now available and other communities have approved this since Boxborough voted it down at the November 2009 STM. The Wetlands Bylaw article is to change the abutter notification requirement, bringing it more in line with related bylaws. Public hearing requirements were discussed. There will be an article changing the Recreation Commission's appointing authority to the Selectmen. The ordering of articles will not be addressed until after final language and recommendations are received. The ordering is last thing done before the warrant goes to print. Member Powers moved to close the warrant for the Annual Town Meeting (and the Special Town Meeting within the Annual Town Meeting) to be held beginning May 10, 2010. Seconded by Member Fox. **Approved 4-0.**

- There was discussion on the FY 11 budget. It was noted that the A-B Regional Assessment is up in the current version. Rep. Benson has advised that we should still factor in a 5% reduction in state aid. TA Shaw advised this budget already factors in a 10% reduction. Chair Neville noted that the school is still looking at reductions. The Police budget is still a work in progress.

#### **NEW BUSINESS**

- TA Shaw informed that Board that she recently attended a meeting where there was a discussion on Regional dispatch grant opportunities. She has requested information on this and will provide the Selectmen with this data when received.

#### **CORRESPONDENCE**

- There was discussion on the Dog Officer's report about an incident on Feb. 7, 2010. The Dog Officer has discussed the incident with the injured party and the offending dog's owner, and the injured party does not want to file a complaint. The Board considered how to proceed.

#### **CONCERNS OF THE BOARD**

- Sergeant DiMauro's responsibilities as Acting Chief and his compensation were discussed. He has asked that he be allowed to continue to work the night shift. He has advised that he will be able complete the necessary administrative responsibilities if allowed to work this shift. Member Powers moved to provide a stipend of \$700.00 per month, i.e. \$350.00 per pay period to Sergeant Nicholas DiMauro to compensate him for fulfilling the duties of Acting Police Chief. Seconded by Member Suleiman. **Approved 4-0.**
- The second round of police chief interviews should take place in mid March, but this is dependent on the completion of the state police's background checks.
- There was discussion about the scheduling of public hearings for certain Town Meeting articles.

#### **EXECUTIVE SESSION**

- At 9:37 p.m. Member Powers moved to adjourn to executive session to discuss strategy with respect to litigation and to adjourn immediately upon completion. Seconded by Member Suleiman. **Approved 4-0 by Roll Call Vote: Powers "aye," Suleiman "aye," Neville "aye," and Fox "aye,"**