

**SELECT BOARD  
MEETING MINUTES –January 22, 2024**

7:00 p.m. - Chair's Introduction to Remote Meeting

Chair Cohen read the current remote meeting notice and confirmed the following Select Board members and others could hear and be heard.

Select Board (SB)

Mitch Cohen, Chair

Kristen Wixted, Vice Chair

Laura Ziton, Clerk

Julianne Hirsh

Lisa Maselli

Others

Timothy McInerney, Town Administrator

Diane Wackell, Assistant Town Administrator

**PUBLIC COMMENT**

Chair Cohen invited comments from the public. The following residents made comments:

Jorge Ruiz, 268 Whitney Street – expressed support for the police department hiring more officers and asked the Board to do the same.

Ginny Lemmerman, 176 Howard St – asked when the warrant will be available. Chair Cohen replied that the Town Administrator is putting the articles together and anticipates a draft should be available by the second meeting in February.

**APPROVAL OF MINUTES – DECEMBER 18, 2023**

Postponed to next meeting.

**7:01 PM PUBLIC HEARING**

To consider the Town's right of first refusal pursuant to G.L. c. 61A, s. 14 to purchase the property located at 432 Whitney Street, described in a deed recorded with the Worcester South District Registry of Deeds in Book 44712, Page 129, and being shown as Assessors Map 15, Lot 22.

The Chair added context to the purpose of the public hearing. He explained that if the board decides to move forward with this process this would initiate the next steps, which include determining funding options and placing the matter on the warrant for town meeting. The Chair highlighted that town meeting would likely have the final say on any funding decisions, including the potential use of Community Preservation Act funds or most other town revenue sources, emphasizing the community's role in the decision-making process. Ms. Connors was invited to provide further details on the matter.

Ms. Connors provided a PowerPoint presentation to the Board. In summary, Ms. Connors reviewed the Chapter 61A Right of First Refusal process. This property is currently enrolled within the Chapter 61A Tax Abatement Program for just under 10 years. In early December 2023, the town received a notice of intent from the owner to sell and convert the property to other use, which includes a purchase and sales agreement for Howland Development Corporation to purchase the property for \$1.7 million, to construct a 40,000-60,000 sq ft building and convert the parcel to commercial/industrial/warehouse/distribution purposes to be potentially served by freight rail line. As a result of early withdrawal from the program (acquisition less than 10 years) the town is expected to make \$98,963.51 in rollback taxes. The Town's option of right of first refusal was triggered upon receipt of the notice of intent to sell the property. The Town has the right to match a bona fide offer to purchase or assign that right to an eligible conservation organization.

Ms. Connors reviewed potential funding sources. If acquired for undesignated municipal purposes:

- Town Meeting appropriation
- Overlay appropriations
- ARPA funds

If acquired for open space/recreation/affordable housing purposes (restricted uses), the funding source would be Community Preservation Act:

- New revenue: \$820,000
- Conservation fund open space reserves: \$664,073
- Affordable Housing reserve funds: \$279,863
- Unreserved funds: \$1,060,714
- Bonding with future years' CPA revenue

Following the presentation, Ms. Connors referred to the letters of support from the Planning Board, Open Space Committee and Conservation Commission that were provided in the Board's meeting packet, adding that all three voted unanimously in support of acting on the Right of First Refusal.

Board members thanked Ms. Connors for the presentation. Members discussed revenue options, expanding open space, affordable housing, environmental challenges and rail transport.

Atty. Katherine Klein, Town Counsel with K-P Law, indicated that if using CPA funds for any designated purpose, it needs to be supported by an appraisal. The property has to be worth \$1.7M, or if split, that portion allocated to CPA use must be appraised at that amount. Atty Klein noted that if CPA funds are used to acquire the property for open space, the law requires that a conservation restriction is placed on it, which would make that land unable to be converted to another use.

The Chair asked for Public Comment.

The following residents provided public comments in opposition of the right of first refusal based on concerns with reducing the tax base and paying a premium for industrial land for open space.

Michael Hogan, 17 Reservoir Street

Douglas Stone, 33 Birch Hill Road

The following residents provided comments in support of the right of first refusal based on concerns about the neighbors who have had to deal with the odor issues caused by SA Farm, environmental challenges, environmental assessment, affordable housing, increased open space, including expanding a connection between the aqueduct and the town of Berlin, it was also stressed that if the town passes on this piece of property, they will never get it back.

Jorge Ruiz, 268 Whitney Street

Bill Pierce, 367 Whitney Street

Fran Bakstran, 76 Cedar Hill Rd

Michael Tietjen, 30 Auger Ave

Ginny Lemmerman, 176 Howard Street

Jeanne Cahill, 1 Thayer Street

Amy Porestky, 47 Indian Meadow Drive

John Rapa, 105 Wesson Terrace

John Campbell, 29 Spruce Hill Drive, member of Open Space Committee – the committee voted unanimously in favor of the right of first refusal.

Rick Leif, 30 Wiles Farm Road, member of Northborough Affordable Housing Corp (NAHC) – indicated that NAHC is always in favor of affordable housing projects, however, they currently have two affordable housing projects, one on Boundary Street and the other on Village Drive.

Seeing as there were no more public comments, Hirsh moved that the Board vote to close the public hearing; Wixted seconded the motion; the roll call vote was taken as follows:

Hirsh	“aye”	Maselli	“aye”
Wixted	“aye”	Cohen	“aye”
Ziton	“aye”		

Ziton moved the Board recommend that the Town exercise its Right of First Refusal pursuant to G.L. Chapter 61A, Section 14 to purchase the property located at 432 Whitney Street, described in a Deed recorded with the Worcester South District Registry of Deeds in Book 44712, Page 129, and being shown as Assessors Map 15, Lot 22, and that this matter be referred to the 2024 Annual Town Meeting for approval of the acquisition and an appropriation of funds to purchase the property; Wixted seconded the motion; the roll call vote was taken as follows:

Hirsh	“aye”	Maselli	“aye”
Wixted	“aye”	Cohen	“aye”
Ziton	“aye”		

### **PLANNING DIRECTOR, LAURIE CONNORS**

Consideration of request for ARPA funding for Design of Phase I Downtown Streetscape Project.

Town Planner, Laurie Connors was present for this discussion. She noted that there was a joint meeting held on Thursday, January 11<sup>th</sup> with the Master Plan Implementation Committee (MPIC) and the Select Board, where she provided a presentation on her concept for the Downtown Revitalization Phase I Streetscape Project.

Ms. Connors anticipated the design costs for the project, which would include permitting and preparation of construction ready bid documents, to be approximately \$250,000. Potential funding options were to seek a municipal appropriation at Town Meeting, to use ARPA funds (a swifter option), apply for grants (the slowest option). She asked the board if they would be interested in funding the project with ARPA funds or if they would prefer her to ask for municipal appropriation.

At Maselli’s request, Ms. Connors presented a quick run-through of the PowerPoint presentation she made at the joint meeting.

The Board thanked Ms. Connors for providing the presentation again for this meeting.

The Chair asked for Public Comment.

Rick Leif, 30 Wiles Farm Road, and Chair of Master Plan Implementation Committee – strongly encouraged support for this proposal.

Maselli moved the Board vote to approve the use of ARPA funds in the amount of \$250,000 for the estimated cost of design, community outreach and permitting services relative to the Phase I Downtown Revitalization Project, and for expenditure of such sum by the Planning Director pursuant to Massachusetts General Law Chapter 44, Section 53A; Hirsh seconded the motion; The roll call vote was taken as follows:

Hirsh	“aye”	Maselli	“aye”
Wixted	“aye”	Cohen	“aye”
Ziton	“aye”		

### **PLANNING DIRECTOR, LAURIE CONNORS**

Consideration of request for ARPA funding for the White Cliffs Reuse/Redevelopment Community Outreach and Engagement Project.

Planning Director Laurie Connors reviewed the submittals she received relative to community outreach for White Cliffs:

- Proposal for Support Services and Community Outreach for the Town of Northborough – White Cliffs, submitted by Capital Strategic Solutions (\$18,740)
- Schedule of Hourly Rates and Terms and Project Fee & Staffing Workshop submitted by DBVW Architects (\$4,620)
- TOTAL COST: \$23,360

Following discussion by the members, the Chair noted that there was a consensus by the Board to hold off on this request for ARPA funds since the Town Offices Feasibility Study just got underway and White Cliffs is on the list as one of the options for the new Town Offices location. This needs to go through that process first and if it gets eliminated as an option, then come back and ask the Board to reconsider the request.

### **TOWN CLERK, ANDREW DOWD**

Demonstration and consideration of electronic voting devices for Town Meeting.

Andrew Dowd and Town Moderator, Fred George were present for the demonstration of the electronic voting devices, and review the transition process for using these electronic voting devices at Town Meeting.

Before he introduced Mr. Babel, Mr. Dowd noted the benefits and challenges of these devices.

Benefits are: the system eliminates the need to hand count votes or have a secret ballot; may increase voter participation; quickly calculates the required majority votes (simple, 2/3, 4/5); produces a permanent record of each warrant vote.

Challenges could be: not having enough devices for large crowds which would require the town to revert to traditional voting methods (the thought is to purchase 500 devices); voters may

question the integrity and security of the technology; technology seems to go against the basic concept of Town Meeting; technical support needed to manage the systems; routine maintenance requires thoroughly checking the devices batteries before each use; there is a significant cost associated with the purchase, approximately \$15,000 depending on the vendor and number of units purchased; several of our neighboring towns use the Meridia system, which, we may have the option of borrowing units from if we anticipate a larger than normal crowd.

Mr. Babel provided a PowerPoint demonstration of the clicker devices, which showed what the device looks like, how the device operated, and what the process would look like at Town Meeting from residents' point of view.

Mr. George's recommendation to the Board is to identify why do you want to improve the current system and does this system address that.

Mr. Dowd agreed with Mr. George and he is open to this idea.

The Chair indicated that there was no action required from the Board. Mr. Dowd confirmed that he was just looking for their thoughts and general consensus. If favorable, his staff will start the procurement process and he will come back to the Board to request funding.

The Chair confirmed that there was a consensus to move forward with the electronic voting devices for Town Meeting. He thanked Mr. Dowd, Mr. George and Mr. Babel for the information and demonstration provided.

### **EXECUTION OF ALGONQUIN REGIONAL HIGH SCHOOL ATHLETIC COMPLEX INTERMUNICIPAL AGREEMENT**

Mr. McInerney indicated that the agreement is part of the ARHS Athletic Complex funding plan. The Town of Southborough's CPC accepted the proposal to fund their portion of the project, which allowed them to make a lump sum payment. The Town of Northborough's CPC declined the proposal and the project was approved at the 2023 Annual Town Meeting for borrowing authorization by the Regional School District. The IMA is the agreement developed by the District's Bond Counsel and requires approval by the Select Boards in each town.

Wixted moved the Board vote to approve and execute the Intermunicipal Agreement between the Town and the Northborough Southborough Regional School District for the funding of the Algonquin Regional High School Athletic Complex Project as presented by School Superintendent Gregory Martineau; Ziton seconded the motion; the roll call vote was taken as follows:

Hirsh	"aye"	Maselli	"abstain"
Wixted	"aye"	Cohen	"aye"
Ziton	"aye"		

### **REPORTS**

#### Laura Ziton

- Attended the joint MPIC meeting and the Fire Station Building Committee meeting.

Lisa Maselli

- Spent some time with Capt. Pat Doucimo and the fire station crew, last Wednesday. A great learning experience and I'm impressed with their diverse knowledge and participation.
- Attended my first Traffic Safety Committee as Liaison and learned of request for 2.5 ton HCVR on Summer Street and Rice Avenue and other requests for guard rail installation on Crawford and Church Streets. The Committee will send their recommendations to the Select Board for
- a Board decision on how to facilitate the requests. The Committee spent a lot of time and thoughtful discussion on the merits.
- Participated at the third public input session for the Fire Station Building Committee held at the library. It was far better attended than the last two (2) input sessions with 22 residents in the audience. Several expressed concern over the height of the retaining wall and it's wrap around on 3 sides of the building. The next meeting will be at Design Review on Thursday 1/25/24 at 8:30 AM where the public is invited.
- The Board received a letter of concern about the Fire Station Plans and site plan on West Main Street by resident Mark McMenemy that addressed the potential damage caused to the land, neighboring homes and Duncan Donuts. (See attached)
- Friday I toured 4 West Main Street, again, and still feel this is where we should have our town offices. The next meeting of the Town Hall Feasibility Committee is Wednesday 1/24/24 at 6:30 PM.

Julianne Hirsh

- Expressed concerns about the Ellsworth tree on Blake Street and asked if we can we get information on treatment or a plan as there are a lot of emotions regarding this tree.
- Noted that the Garden Club is sponsoring a Legacy Tree Program on Saturday February 10<sup>th</sup> at the Library at 1:00 pm.

Kristen Wixted

- Announced that she will not be running for reelection.

Mitch Cohen

- Attended a goodbye gathering for Katrina Ireland, who has been the Children's Librarian for the last 9 years.
- Attended the Massachusetts Municipal Association's annual conference. He noted some presentations he attended: negotiating residential trash pickup; municipal cyber security; and using AI to build better communities. He encouraged members to attend the conference next year.
- Has been asked many questions regarding the start of hybrid meetings so wanted to mention that equipment is being installed now, and there may be a chance that their first hybrid meeting could be as early as February 12<sup>th</sup>.

Tim McNerney

- Reported that the Senior Center will be closed tomorrow due to a pipe that burst. They are hoping to get the building up and running by Thursday.

Diane Wackell

- Regarding the hybrid technology, installation is scheduled for Conference Room B this Friday. They are awaiting delivery of materials for the Select Board's meeting room so we may not have the hybrid meeting as early as February.

### **OTHER BUSINESS**

None.

### **PUBLIC COMMENT**

Chair Cohen invited comments from the public. There were none.

### **ADJOURNMENT**

Hirsh moved the Board vote to adjourn; Wixted seconded the motion; the roll call vote was taken as follows:

Hirsh	“aye”	Maselli	“aye”
Wixted	“aye”	Cohen	“aye”
Ziton	“aye”		

The meeting adjourned at 11:46 pm.

Respectfully submitted,

Lynda LePoer  
Executive Assistant to the  
Board of Selectmen

A recording of this meeting is available at:

<https://www.youtube.com/watch?v=B7nOGGoGR4lM&list=PL2mWMhvXDP2jbO2c8kLs09TR8zry9oUyV&index=4>

Documents used for the meeting:

1/22/2024 Meeting Agenda

12/18/2023 Meeting Minutes

Public Hearing Notice dated 1/12/2024

Notice of Intent to Sell Property at 432 Whitney St signed 12/5/2023

P&S Agreement dated 11/28/2023

Maps and photos of the 432 Whitney Street property

Memo from Town Clerk regarding electronic voting devices

Memo from School Superintendent regarding Athletic Complex IMA