

**BOARD OF SELECTMEN
MEETING MINUTES – January 9, 2023**

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

Chair Cohen stated that this Open Meeting of the Board of Selectmen was being conducted remotely consistent with the July 16, 2022 Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency and that all members of the Board of Selectmen are allowed and encouraged to participate remotely.

Chair Cohen noted that the Order allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. He added that ensuring public access does not ensure public participation unless such participation is required by law. Chair Cohen noted that this meeting will allow for Public Comment throughout the agenda. He indicated the various ways that the public may view or participate in this meeting as listed on the posted agenda.

Chair Cohen confirmed that the following members and persons anticipated on the agenda were remotely present and could be heard.

Board of Selectmen

Mitch Cohen
Julianne Hirsh
Kristen Wixted
Jason Perreault
T. Scott Rogers

Others

John Coderre, Town Administrator
Becca Meekins, Assistant Town Administrator
David Parenti, Fire Chief
William Lyver, Police Chief
Scott Charpentier, DPW Director

Any votes taken this evening will be by roll call.

PUBLIC COMMENT

Suzy Cieslica of 8 Emerson Road called on behalf of the Community Affairs Committee and asked if there can be more flexibility with the date of the annual Tree Lighting Event and the closing of Blake Street in the event of inclement weather.

APPROVAL OF MINUTES – DECEMBER 15, 2022 MEETING

Chair Cohen noted that an amendment was made to the December 15, 2022 meeting minutes to reflect that Selectman Hirsh was not in attendance at the joint meeting with the Appropriations Committee, Financial Planning Committee and the School Committee.

Selectman Rogers moved the Board vote to approve the December 15, 2022 meeting minutes as amended; Selectman Perreault seconded the motion; the roll call vote was taken as follows:

Perreault	“aye”	Hirsh	“abstain”
Rogers	“aye”	Cohen	“aye”
Wixted	“aye”		

APPROVAL OF MINUTES – DECEMBER 19, 2022 MEETING

Selectman Hirsh moved the Board vote to approve the December 19, 2022 meeting minutes as presented; Selectman Perreault seconded the motion; the roll call vote was taken as follows:

Perreault	“aye”	Hirsh	“aye”
Rogers	“aye”	Cohen	“aye”
Wixted	“aye”		

APPOINTMENT OF JAMES ANDERSON AND MATTHEW YORK AS FULL-TIME POLICE OFFICERS

Chief Lyver introduced James Anderson and Matthew York as candidates for appointment as fulltime police officers. He noted that both candidates have secured seats in the Municipal Police Training Committee (MPTC) Lynnfield academy commencing on January 30, 2023. Both possess the requisite educational requirements and have successfully completed their physical and psychological exams, drug testing, State administered physical abilities test (PAT) and background investigations.

Mr. Anderson resides in Medway. He attended Lasell University where he earned a Bachelor of Science in criminal justice. He was a four semester Dean’s list student in 2021 and 2022. As a member of the men’s lacrosse team, he was awarded Rookie of the Year in the Great Northeast Athletic Conference. While studying at Lasell, he interned with the Waltham Police Department.

Mr. York resides in Southampton. He attended Nichols College where he earned a Bachelor of Science in criminal justice. He played four years of NCAA Division II baseball while at Nichols. He was instrumental in establishing the Nichols College Fishing Club. He spent a great deal of his youth at his grandparent’s farm in Southampton assisting with their business of boarding horses and holding horse trials.

Members of the Board welcomed Mr. Anderson and Mr. York to Northborough. Both Mr. Anderson and Mr. York thanked the Board for the opportunity to serve Northborough.

Selectman Perreault moved the Board vote to appoint James Anderson and Matthew York as full-time Police Officers effective January 10, 2023; Selectman Hirsh seconded the motion; the roll call vote was taken as follows:

Perreault	“aye”	Hirsh	“aye”
Rogers	“aye”	Cohen	“aye”
Wixted	“aye”		

ACCEPTANCE OF MASSACHUSETTS OFFICE ON DISABILITY GRANT FOR ADA SELF-EVALUATION AND TRANSITION PLAN

DPW Director Scott Charpentier informed the Board that the Town has been awarded grant funds in the amount of \$49,600.00 from the Massachusetts Office on Disability to support preparation of an ADA self-evaluation and transition plan. The work will include accessibility evaluations of town buildings, grounds, and parks to identify where accessibility barriers exist at town facilities. A comprehensive plan will then be developed to address these concerns.

Mr. Charpentier added that once the planning phase is complete, the Town will be eligible to apply for construction funding through the ADA Improvement Grant program. This will assist the Town in funding projects identified through the plan.

In response to a question, Mr. Charpentier explained that the self-evaluation will be conducted by a professional architectural consultant with the involvement of staff from the Public Works Department and Town Administration. He does not expect that the self-evaluation and transition plan will involve input from the public. He added that public input might be helpful on prioritizing the transition plan once it is completed.

Nicole Lomerson of 64 Fernbrook Road stated that she is a full-time wheelchair user and stressed the importance of allowing public input from disabled people on priorities that affect their everyday living. She also requested that the Town consider working with an architectural firm that is staffed with disabled architects. Chair Cohen thanked Ms. Lomerson for her feedback and suggested that she email her contact information to the Board through the Town website, adding that Mr. Charpentier can reach out to her directly. Ms. Meekins mentioned that a goal of the former Diversity, Equity & Inclusion Committee was to pursue and receive the Massachusetts Office on Disability grant. She expects that the Diversity, Equity, Inclusion & Belonging (DEIB) Committee will be involved in the self-evaluation and transition plan and would provide an opportunity for public input.

Selectman Rogers moved the Board vote to accept the Massachusetts Office on Disability grant as presented by Public Works Director Scott Charpentier and to approve expenditure of such grant by the Public Works Department pursuant to Massachusetts General Law, Chapter 44, Section 53A; Selectman Wixted seconded the motion; the roll call vote was taken as follows:

Perreault	“aye”	Hirsh	“aye”
Rogers	“aye”	Cohen	“aye”
Wixted	“aye”		

DISCUSSION ON POSSIBLE DISSOLUTION OF THE GROUNDWATER ADVISORY COMMITTEE

Chair Cohen noted that Selectman Rogers had asked that this item be placed on the agenda for discussion purposes, adding that the initiative to dissolve the Groundwater Advisory Committee (GAC) is currently working its way through the Planning Board and related land use boards.

Town Engineer Fred Litchfield stated that the GAC was created to assist with reviewing projects that are proposed within the Groundwater Protection Overlay Districts. He provided an overview regarding the creation of the GAC and the bylaw that established the Groundwater Protection Overlay Districts at the May 19, 1986 Annual Town Meeting. Since the membership of the GAC is specifically outlined in the zoning bylaw, any modification to the membership or to the bylaw itself will need to be approved by a two-thirds vote at a Town Meeting.

Mr. Litchfield indicated that the Planning Board has discussed the GAC’s role on a number of occasions and it feels that there is some duplication of efforts and that the process of applying for special permits could be streamlined by eliminating the GAC and allowing him, as Town Engineer, to work directly with the Special Permit Granting Authority. He recommended that comments be provided by each of the Boards and Commissions currently represented on the GAC (Board of

Selectmen, Conservation Commission, Board of Health, Planning Board and Water & Sewer Commission).

Mr. Litchfield noted that the Planning Board has scheduled a public hearing on January 17th to discuss zoning amendments. More specifically, the Planning Board will hold a public hearing on February 7th that will include a discussion regarding the dissolution of the GAC.

Selectman Rogers stated that he is affiliated in some way with four of the six Boards, Committees and Commissions (BCC) that are associated with the GAC and wants to be sure that any potential impact to these BCCs is understood and considered. He added that the composition of the GAC provides for connectiveness, collaboration, coordination and communication between the Special Permit Granting Authority and the land-use BCCs. He wants to make sure that the possible dissolution of the GAC does not unduly erode or separate the connectiveness and collaboration between these municipal bodies.

Mr. Litchfield reminded the Board that the GAC is an advisory committee that makes recommendations to the Special Permit Granting Authority, which may be either the Planning Board or Zoning Board of Appeals (ZBA). Members of the GAC bring each of their own expertise and experience from the BCCs that they represent. Mr. Litchfield indicated that some members of the Planning Board have indicated that they conducted research and found that only one other community has a GAC, but since he did not conduct the research himself, he cannot say for sure.

In response to questions, Selectman Rogers noted that there is consensus among members of the Planning Board and the ZBA to move forward with the dissolution of the GAC, the Water & Sewer Commission met and was also in agreement. The GAC will discuss this item at their meeting on January 10th. It will also be discussed by the Board of Health and Conservation Commission at future meetings. All affected BCCs will have weighed in before the Planning Board's public hearing on February 7th, at which time this zoning bylaw amendment will be considered.

In response to another question, Selectman Rogers added that the current language in the proposed bylaw amendment to dissolve the GAC implies that rather than a peer review by the GAC, applications will be forwarded to each of the BCCs that represent the GAC separately to maintain their ability to make comments and recommendations. He believes that this language needs further discussion on what it actually means in terms of continuing to forward applications. Chair Cohen suggested that the Board discuss this item again once the Planning Board completes their process.

Lisa Maselli of 13 Maple Street asked if the purview of the GAC falls under the Planning Board or the Board of Selectmen? Selectman Perreault responded that the groundwater protection bylaw itself established the GAC. Mr. Charpentier added that the GAC falls under the purview of the zoning bylaw and therefore Town Meeting.

Kerri Martinek of 16 Hemlock Drive stated that the GAC is under the purview of the Planning Board, adding that zoning bylaw amendments are voted on at Town Meeting, but the Planning Board is the only Board that brings zoning recommendations to Town Meeting. She asked that the Town clarify this with Town Counsel.

DISCUSSION AND VOTE ON CHANGING THE NAME OF THE BOARD FROM BOARD OF SELECTMEN TO SELECT BOARD

Chair Cohen indicated that he scheduled this agenda item as a result of recent discussions regarding a formal name change of the Board of Selectmen to Select Board.

Mr. Coderre noted that he has looked into the process for legally changing the name of the Board of Selectmen to Select Board. Town Counsel recommends that the operative action would be an amendment to the Town Charter to adopt the new name. He added that a special act of the Legislature can grant authority for the Board to make the name change to Select Board as an administrative action. These special acts typically include an “effective upon passage” provision, so that the Town Charter change takes effect upon enactment and does not require further authorizing action at Town Meeting.

Mr. Coderre stated that if the Board wishes to move forward with the name change, he suggested that the Board vote to place an article on the Town Meeting warrant to petition the Legislature for a special act amending the Town Charter. He added that Town staff is seeking an estimate of the expenses associated with updating the Town Charter, Bylaws and other legal documents of the Town. He stated that this would be done through the Town’s codification company with some degree of review by Town Counsel.

Members of the Board shared their support of the name change to Select Board.

Selectman Hirsh moved the Board vote include on the 2023 Annual Town Meeting Warrant an article proposing authorization of a petition to the Legislature for a special act amending the Town Charter to make the Board of Selectmen gender neutral by changing the term Board of Selectmen to Select Board and to authorize the amendment of town bylaws to reflect this change; Selectman Rogers seconded the motion.

Carter Brannon of 22 Cherlyn Drive noted his appreciation to the Board for their action to make the Board of Selectmen gender neutral. He suggested that the Town consider a name such as Board of Select that would keep some of the history of the name and make it unique to Northborough. Chair Cohen responded that the term Select Board has become the standard throughout the Commonwealth.

The roll call vote was taken as follows:

Perreault	“aye”	Hirsh	“aye”
Rogers	“aye”	Cohen	“aye”
Wixted	“aye”		

REVIEW OF UPDATED BOARD, COMMITTEE OR COMMISSION APPLICATION FORM

At the Board’s December 19, 2022 meeting, at the request of the Interview Subcommittee, the Board discussed updating the Board, Committee or Commission (BCC) application form to make it more inviting and not so intimidating. At that meeting, a discussion ensued in regard to whether or not applicants should be asked if they regularly attend Town Meeting. It was suggested to update that question on the application by adding a note indicating that the applicant will still be considered and not be disqualified if they do not regularly attend Town Meeting.

In addition to the amended Town Meeting question, Selectmen Wixted and Hirsh reviewed additional changes that were made to the BCC application form. Board members agreed that the updates to the application have made it more friendly and inviting and will hopefully attract a wider variety of applicants.

Selectman Wixted moved the Board vote to update the Board, Committee or Commission application form as presented this evening; Selectman Rogers seconded the motion; the roll call vote was taken as follows:

Perreault	“aye”	Hirsh	“aye”
Rogers	“aye”	Cohen	“aye”
Wixted	“aye”		

Residents looking to volunteer were encouraged to visit the Boards and Committees Information page on the Town website.

REPORTS

Kristen Wixted

- Requested a status update on the post occupancy study for Amazon. Mr. Charpentier responded that the post occupancy study was completed in December 2021 and was presented to the Board of Selectmen in February 2022. It is also posted on the Public Works page of the Town website under the Traffic Safety link
- Noted the receipt of a letter from Wayne Cardwell who lives at 6 Leland Drive and travels wheelchair bound on many of the sidewalks and crosswalks around downtown, Main Street and Maple Street. Mr. Cardwell asked that his letter expressing concerns with bumps, irregular curbs, broken and/or undulated surfaces, parked vehicles in the public way and crosswalks, pooled water, ice, snow removal and speeding vehicles be shared with the Board of Selectmen, DPW Director, Police Chief, Temporary Traffic Safety Committee and the Town Planner.
- Read an article in the Boston Globe about a new law that requires drivers to stay at least 4 feet away from vulnerable users when passing, requires cyclists to use rear red lights, and the use of backup cameras and other safety features on municipal vehicles. The law also gives municipalities the ability to petition for speed limit changes on State-owned roads. Chief Lyver stated that this statute supplements existing laws and defines vulnerable users, adding that it is expected to part of the driving school’s curriculum.

Jason Perreault

- Participated in the recent tour of the Zeh School, Peaslee Elementary School and the sports complex at the Algonquin High School. Thanked the respective facility managers for pointing out the needed capital improvements.
- Noted the passing of Gerry Bourque who was a member of Post 234 and served as the Master of Ceremonies for the annual Memorial Day parade. Extended his condolences to his family and to Post 234 for their recent losses.

Julianne Hirsh

- Reported on the recent meeting of the White Cliffs Committee. Noted that the next meeting will be in-person at the Town Hall on January 12th at 9am to discuss the two reuse proposals that were chosen by the Committee.

- Noted that the dog park community meeting will be held via Zoom on January 10th at 6pm.
- Noted that the Master Plan Implementation Committee community meeting will be held on January 26th at the Algonquin High School library.

T. Scott Rogers

- Encouraged those that are interested in the dog park to attend the community meeting on January 10th, at which time the preliminary design will be presented.

Mitch Cohen

- Noted that the Library Trustees will be holding an Open House at the Library on January 10th from 4:30pm – 6:30pm to formally welcome Library Director Jenn Bruneau who was hired two years ago during the pandemic. Also, Librarian Deborah Hirsh will be recognized as she retires after 17 years of service. Other new staff members will be introduced as well.
- Thanked Finance Director Jason Little for meeting with him and for agreeing to provide the Board with monthly financial reports.
- Noted that the Temporary Traffic Safety Committee held its first meeting and will begin gathering data from other communities to see what they have for similar committees. The next meeting is scheduled for January 24th.

John Coderre

- Announced that Northborough was approved for a \$491,000 earmark in the Federal Omnibus Bill that will fund the final phase of the Water and Sewer Supervisory Control and Data Acquisition (SCADA) system. He noted that the fully encompassing SCADA system is used to monitor and efficiently manage the Town's water and sewer infrastructure. The phase 2 of this project includes migration of the remaining facilities to current cybersecurity and technology standards for emergency alarms and communication infrastructure. He added that there is a 20% match, which will come from the Water and Sewer Fund balance. He thanked Mr. Charpentier for pursuing this opportunity.

OTHER BUSINESS

None.

PUBLIC COMMENT

Kerri Martinek of 16 Hemlock Drive questioned why Northborough did not participate in the Municipal Electric Aggregation Program negotiations that would have saved residents money on their electric bill. Mr. Coderre responded that the Municipal Aggregation Program was accepted and approved at the 2016 Town Meeting. Most communities at that time found their contracts underwater, providing little, if any, cost savings. As a result of the uncertainty in the market at that time, the Town chose not to move forward with community aggregation. He understands that given the increase in energy costs due to global conflict, there is a renewed interest in this program. The Department of Public Utilities (DPU) is required to review and approve all aggregation plans and currently has an average turnaround time of up to 2 years. He stated that he will continue to monitor changes at the DPU and with respect to the market.

Ms. Martinek stated that the projected tax bill increases for FY2024 and FY2025 that was presented at the Joint Financial Trend Monitoring System (FTMS) meeting in December seem very high and at a time when the Fire Station debt kicks in. Questioned if there is an expected delay in implementation of the Master Plan Implementation project? Mr. Coderre responded that

the presentation included projects that are included in the Capital Plan. He added that if ARPA funds are considered for the Proctor School roof purchase, the fire engine and DPW tight tank compliance, it would lessen the projected tax impact. He encouraged Ms. Martinek to view the FTMS presentation for more detail.

In answer to a question from Selectman Hirsh, Chair Cohen suggested that the topic of pursuing electric aggregation be scheduled as a future agenda item rather than being discussed in detail this evening. Mr. Coderre referred to a recent memorandum that he submitted to the Board on the subject of electric aggregation, adding that he would be happy to provide an update to that memorandum for the Board.

8:45pm - EXECUTIVE SESSION

Selectman Perreault moved the Board vote to enter into Executive Session pursuant to M.G.L., Chapter 30A, Section 21, Subsection 3 (Collective Bargaining – update on negotiations with Firefighter and Police Officer Unions) due to the Chair's determination that a discussion regarding these matters in an open meeting may have a detrimental effect on the position of the Board; Selectman Rogers seconded the motion; the roll call vote was taken as follows:

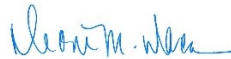
Perreault	“aye”	Hirsh	“aye”
Rogers	“aye”	Cohen	“aye”
Wixted	“aye”		

ADJOURNMENT

Chair Cohen announced that the Board will enter into Executive Session and will not return to the open meeting.

The open meeting ended at 8:45pm.

Respectfully submitted,



Diane M. Wackell
Executive Assistant to the
Board of Selectmen

Documents used during meeting:

1. January 9, 2023 Meeting Agenda
2. December 15, 2022 Meeting Minutes
3. December 19, 2022 Meeting Minutes
4. Memorandum – Appointment of Police Officers
5. Memorandum – Disability Grant
6. Memorandum – Possible Dissolution of Groundwater Advisory of Committee
7. Information packet – Board of Selectmen Name Change
8. Updated BCC Application Form
9. Existing BCC Application Form