



SELECT BOARD
MEETING AGENDA
Monday, February 26, 2024
6:00 p.m.

Pursuant to Chapter 2 of the Acts of 2023, An Act Relative to the Extending Certain COVID-19 Measures, this meeting will be conducted via remote participation. No in person attendance by members of the public will be permitted.

To view or listen

- Live Stream link YouTube:
https://www.youtube.com/channel/UCRdBrw3HeEAMB_KFKasrgXA
- Zoom webinar link: <https://town-northborough-ma-us.zoom.us/j/87991045807>
When prompted, enter Password 097705
- CATV Government Channels: Verizon Channel 30, Charter Channel 192
- Call 1-646-876-9923
When prompted, enter Meeting ID 879 9104 5807 and Password 097705

For Public Comment

Public Comment is allowed and encouraged during any agenda item. To offer comments at any time, please use the “raise hand” button in Zoom, or raise your hand if in person. The Chair will recognize you before any vote or before the agenda item is otherwise concluded.

*** Public comment will be limited to 3 minutes per person ***

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1. Call to Order in Open Session
 2. 6:00 p.m. – Executive Session
 - a. Pursuant to M.G.L., Chapter 30A, Section 21 (a)(3) – Discuss strategy with respect to litigation - SA Farms
 - b. Pursuant to M.G.L., Chapter 30A, Section 21 (a)(7) Review and Consideration of the following Executive Session meeting minutes:
December 18, 2023

The above Executive Session agenda is due to the Chair's determination that a discussion regarding these matters in an open session may have a detrimental effect on the negotiating position of the Town.

3. 7:00 p.m. – Return to Open Session
4. Public Comment
5. Approval of Meeting Minutes:
[January 8, 2024](#)
January 22, 2024
6. [Review of Preliminary Town Meeting Warrant Summary](#)
7. [Review of Draft Legislative Priorities](#)
8. Select Board Member Reports
9. Town Administrator Report
10. Any other business to come before the Board not previously anticipated by the Chair
11. Public Comment
12. Adjourn

**SELECT BOARD
MEETING MINUTES –January 8, 2024**

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

SB 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. There were none.

STATE EMERGENCY SHELTER UPDATE

Isabella Carusso, Interim Health Director, provided the following statistics with the Board:

- 28 of the 29 families have at least one adult with work authorization as a result of the community legal clinic
- 38 of the 57 adults (~67%) have obtained full time employment
- 24 of the 29 families have at least one family member who is employed full time – the Town and CMHA Community Coordinator reached out to the local Chamber along with using the connections the state made with companies
- 15 of the 29 families have two adults in the household who are employed full time
- 22 families have connected with at least one property owner and are applying for [HomeBASE](#)

Ms. Carusso stated that the Town was notified on January 2nd that the families would be moved to a new hotel in Auburn today. As of this evening, the move date was changed to January 18th. The Auburn site will be staffed by a shelter service provider, which will provide shelter service 24/7. This is part of the state’s consolidation plan. Northborough will assist in making this as smooth a transition as possible but the Town is hoping that the 22 families that have applied for the HomeBase program will be allowed to remain in town because they could have an answer about housing as early as February 15th so these families will not have to move twice.

The Board thanked Ms. Caruso for the update.

APPROVAL OF MINUTES

December 18, 2023 - Postponed to the next meeting.

UPDATE OF MUNICIPAL ELECTRIC AGGREGATION PROGRAM

Mr. McInerney began by saying that the Assistant Town Administrator is doing a great job navigating this plan. He added that he did the exact program in Grafton 10 years ago. There is no action required this evening by the board. This is just an update on the process.

The first thing the town needs to do is to have the consultant come to a meeting for a public presentation on January 22nd. This will open a 30-day period for public comment. He reviewed miscellaneous Department of Public Utilities (DPU) program requirements, such as website information, a specific website for energy aggregation only, notifications & mailings. It is only after the Town does all of the steps required by the DPU that it can submit for their approval to move forward with the bid process.

The electricity supply rates will be for a standard rate and a green energy rate. For example, in Grafton, the standard rate is 10.8 cents per kwh and the green energy rate is 11.708 cents per kwh. The town can ask for the terms of contract to be 12, 24, 36 or 48 months. It should be noted that the National Grid service rates change every 6 months for residential and commercial accounts and 3 months for industrial accounts.

SB Chair Cohen mentioned that the current Northborough rate is 18.2 cents per KWH, so we can do better. He added that he attended a webinar in December where they discussed how the DPU is very slow in approving town plans. In 2022 they only approved one town and none in 2023. When we are ready, we will work with our legislators to have them add pressure to the DPU to move forward with the approval process.

Mr. McInerney suggested that when we hold the public presentation, people should take a look at their bills to see what their current electricity supply rate is.

SB Chair Cohen thanked Mr. McInerney and Ms. Wackell for the update and looks forward to the upcoming public presentation.

VOTE TO AFFIRM JASON LITTLE, FINANCE DIRECTOR AS THE TOWN ACCOUNTANT

Mr. McInerney indicated that Jason Little is returning as the Town's Finance Director next week. The Finance Director also serves as Town Accountant, which, per the Charter, is the Select Board's appointment.

After discussion, SB Member Wixted moved the Board vote to affirm the appointment of Jason Little to serve as Town Accountant effective January 15, 2024; SB Member Ziton seconded the motion. The roll call vote was taken as follows:

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

DISCUSSION REGARDING HVAC ISSUES AT THE SENIOR CENTER

Mr. McInerney updated the Board on the HVAC issues at the Senior Center. He began by saying that the systems are up and running, adding that the staff did a great job. He apologized for the inconvenience as this occurred at the worst possible time.

There were 3 mechanical issues – the water heater, a leak in the sprinkler system and no heat. He reviewed the timeline, which started December 22nd, the first day the building was closed. Due to an issues with the parts supplier, they could not get parts until after the supplier's holiday break, which was about 2 weeks.

Chair Cohen expressed his frustration with these issues which caused the closure. He noted that the Senior Center and the Library are the 2 most retail focused municipal buildings and for any of them to be closed for any period of time prevents the town from doing some of its most important work. He would like to see whatever measures can be taken so as to prevent this from happening again.

SB Member Hirsh asked if there is any way that the assessment report can help to prevent this in the future.

Mr. McInerney stated that there is no way that the system can predict this. He will talk to the DPW Director and Facilities Manager to see if there is a way to track this on a regular schedule. The Board thanked Mr. McInerney for the update and asked for updates in the future.

DISCUSSION REGARDING A POSSIBLE SPECIAL TOWN MEETING IN MARCH FOR THE TOWN'S RIGHT OF FIRST REFUSAL FOR 432 WHITNEY STREET

Mr. McInerney referred to the information included in the meeting packet. He explained the Right of First Refusal (ROF) for Chapter 61A. Chapter 61A land is land that is not zoned for the original intent, which requires the owner to give notice to the town to purchase the land. The process is two-fold. It would require a special town meeting, because of the need for an appropriation.

432 Whitney Street, which is proposed to be sold to a private developer for industrial or commercial use, consists of 23 acres of Chapter 61A land. There is a confirmed bonified offer by a third party developer for 1.7 million dollars for the 23 acre lot. This has been confirmed by Attorney Katherine Klein at KP Law. All of the committees that have to opine on this have submitted letters of recommendation in favor of moving forward with the ROF except for Conservation Commission, which met tonight. Memos from the Planning Board, Open Space Committee, and a detailed memo from the Planning Director relative to the recommendation to exercise the ROF are included in the packet. If the Board decides to elect to exercise the ROF, the Board has to hold a hearing and provide notice of said hearing in a newspaper 8 days before the date of the hearing. The hearing could be held on January 22nd. If Board decides to exercise the ROF they would have to hold a special town meeting because the 120 day requirement will be earlier than the scheduled annual town meeting. We did ask our attorney to ask for an extension (45 days) and if approved we would have a lot of options, whereas if not approved, we would have to hold a special town meeting on March 26th.

Chair Cohen wanted to add one thing for the benefit of the public that this ROF under Chapter 61A which is, if the Town wants to purchase the land, they have to match the purchase price. This is dictated by State law and does not allow the town to negotiate the price.

The Chair asked for Public Comment:

Amy Poretsky, 47 Indian Meadow Drive – Mentioned that she just watched the Conservation Committee meeting tonight and they unanimously supported the ROF. She said that Con Com mentioned at their meeting that the Northborough DCR land that abuts this property also connects to Berlin and Hudson DCR land, which would make a nice connection in the future.

After discussion, Chair Cohen indicated that the Board, by consensus will exercise the ROF and hold a public hearing on January 22, 2024.

REPORTS

Laura Ziton

- Attended swearing in ceremony for Police Chief Brian Griffin
- Provided updates on meetings attended as liaison to the following:
Elderly & Disabled Taxation Fund Committee – in need of volunteers; Local Emergency Planning Committee – Hazardous Mitigation Survey is available; CPC; Assessors; noted that she and SB Member Maselli have traded liaison duties where SB Member Maselli now has Traffic Safety and she has Parks & Recreation

Kristen Wixted

- Attended swearing in ceremony for Police Chief Brian Griffin
- Thanked DPW for doing a great job with clearing the roads during the storm today
- Congratulations to Jason Little on his return and Diane Wackell as permanent Assistant Town Administrator

Lisa Maselli

- Thanked the following for their assistance with holiday decorating at the Town Common, the Town tree, 4 West Main Street and for the putting up holiday wreaths at Town buildings: the DPW, Dan Brillhart; Julianne Hirsh, Amy Poretsky, Caroline Harrington; Diane Desposito and Laura Ziton and special thanks to Mitch Cook of Lexus of Northborough for donating the large red bow placed on the tree in the Common
- Food Pantry building has sold – thanked Tim Shea for providing space for the food pantry all these years and added that the Food Pantry needs volunteers
- Congratulated Brian Griffin and Diane Wackell for their promotions
- Asked if the topic of future agenda items could be included on the agenda
- Reminder that we are always looking for volunteers for Boards, Committee and Commissions

Julianne Hirsh

- Added to SB Member Maselli's report regarding tree cutting and referred to the Shade Tree Policy. The Board should look further into this for clarification as this issue has recently come up and since MPIC is looking at the treescape
- Would like to see a calendar of future "big" topics to be included on the agenda so that the board and members of the public are aware that these topics will be discussed by the Board in the future (for example, SB Goals, White Cliffs, ARPA)

Mitch Cohen

- Attended swearing in ceremony for Police Chief Brian Griffin
- Thanked DPW for their work in clearing roads today's first storm of the season
- Mentioned the following Committee meeting dates:
January 17th – Fire Station Building Committee (in person at the Library at 7:00 p.m.)
January 18th – Joint Meeting with MPIC (remote meeting – 7:00 p.m.)

Town Administrator Report

- Thanked DPW for a great job with clearing the roads
- Noted nomination papers are available January 16th with the deadline March 8th for Town Election on May 14th
- Provided updates to the board on the following: Preparing to backfill the position left vacant by Diane Wackell's promotion; Training schedules for staff in the spring for Asher training

and fire extinguisher training; Continuing to meet with Union Presidents and Boards and Committee for introduction; Department monthly meetings are continuing along with developing subcommittee meeting; Budget process is starting; 13 Church Street purchase and sales agreement is underway.

EXECUTION OF CEMETERY DEED 1182

SB Member Maselli moved the Board vote to execute Cemetery Deed 1182; SB Member Wixted seconded the motion; the roll call vote was taken as follows:

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

OTHER BUSINESS

- SB Members Maselli and Wixted wanted to recognize and thank the Fire Chief for providing his monthly report
- SM Member Cohen would like the Board to receive a memo when there are new hires

PUBLIC COMMENT

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

ADJOURNMENT

SB Member Hirsh moved the Board vote to adjourn; SB Member 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 9:12 pm.

A recording of this meeting is available at: <https://youtube.com/live/2VMvcErwkw8>

Respectfully submitted,

Lynda LePoer
Executive Assistant to the
Board of Selectmen

Documents used during meeting:

1. January 8, 2024 Meeting Agenda
2. Meeting Minutes December 18, 2023
3. Memo from Assistant Town Administrator – Municipal Aggregation program update
4. Memo from Facilities Manager regarding Senior Center
5. Packet – ROF 432 Whitney Street
6. Cemetery Deed 1182

ARTICLE 1	Appointing Deputy Moderator
ARTICLE 2	Compensating Balance Agreement
ARTICLE 3	Prior Year's Bills
ARTICLE 4	Town Budget
ARTICLE 5	Water, Sewer and Solid Waste Funds
ARTICLE 6	Northborough K-8 Schools' Budget
ARTICLE 7	Algonquin Regional High School Budget
ARTICLE 8	Assabet Valley Regional Vocational School District Budget
ARTICLE 9	Establishment of Stabilization Fund by Assabet Regional Vocational Technical School District
ARTICLE 10	Revolving Funds Authorization of Expenditure Limits
ARTICLE 11	Appropriations Committee Reserve Fund
ARTICLE 12	Adoption of Provisions of Building Rental Fund for 4 West Main Street
ARTICLE 13	Stabilization Fund Contribution
ARTICLE 14	Appropriation of Funds for Legal Settlement for Marlborough Sewer Case
ARTICLE 15	(CIP) POLICE – Police Cruiser Replacements (2)
ARTICLE 16	(CIP) FIRE – Rescue 1 Replacement
ARTICLE 17	(CIP) DPW/FACILITIES – Facilities HVAC Upgrades/Modernization
ARTICLE 18	(CIP) DPW/FACILITIES – Police Station Siding Replacement
ARTICLE 19	(CIP) DPW/FACILITIES – Fire Station Brick Repointing and Sealing
ARTICLE 20	(CIP) DPW/HIGHWAY – Road Improvements and Maintenance
ARTICLE 21	(CIP) DPW/HIGHWAY – Enclosed Public Health Trailer Replacement
ARTICLE 22	(CIP) DPW/HIGHWAY – Drainage/Sidewalk Improvement Program
ARTICLE 23	(CIP) DPW/HIGHWAY – Bucket Truck Replacement
ARTICLE 24	(CIP) DPW/HIGHWAY – Sidewalk Plow Replacement
ARTICLE 25	(CIP) DPW/HIGHWAY – Hook Lift Truck
ARTICLE 26	(CIP) DPW/WATER – One-Ton Utility Truck with Plow Replacement
ARTICLE 27	(CIP) DPW/SEWER – Inflow & Infiltration (I&I) Mitigation
ARTICLE 28	(CIP): SCHOOL/DISTRICT-WIDE – Used Water/Sewer Plow Truck
ARTICLE 29	(CIP): LINCOLN STREET ELEMENTARY – Camera System Upgrade
ARTICLE 30	(CIP): PEASLEE ELEMENTARY – Asbestos Encapsulation – Chimney

ARTICLE 31	(CIP): PROCTOR ELEMENTARY – Lower Retention Walls, Stairways & Repaving
ARTICLE 32	(CIP): MELICAN MIDDLE – Hot Water System Upgrade
ARTICLE 33	(CIP): MELICAN MIDDLE – Pneumatic Control Repairs
ARTICLE 34	Consolidated Personnel Bylaw
ARTICLE 35	Community Preservation Fund – White Cliffs Debt Service
ARTICLE 36	Community Preservation Fund – Administrative Fund
ARTICLE 37	Community Preservation Fund – Acquisition of 432 Whitney Street
ARTICLE 38	Community Preservation Fund – Restoration of First Parish Church Steeple
ARTICLE 39	Community Preservation Fund – Affordable Housing Reserve
ARTICLE 40	Community Preservation Fund – Soundproofing of Outdoor Pickleball Courts at Ellsworth McAfee Park
ARTICLE 41	Community Preservation Fund – Aqueduct Historic Marker
ARTICLE 42	Authorization to Rescind Unused Borrowing Authority
ARTICLE 43	Amendment to Town Code Chapter 2-28 Earth Removal, Section 2-28-06
ARTICLE 44	Zoning Map – Multi-family Development Overlay District
ARTICLE 45	Zoning Bylaw Section 7-04-010 Classification of districts and Section 7-07-050, Multifamily Development Overlay District
ARTICLE 47	Zoning Map –Re-Zoning Industrial District off of Southwest Connector
ARTICLE 48	Zoning Bylaw Section 7-03-060 Design Review, Section 7-04-010 Classification of Districts, Section 7-05-030, Table of Uses, Table 1, Part B. Commercial and Industrial Districts, Section 7-06-020, Table 2. Table of Density and Dimensional Regulations, Section 7-09-020 Site design standards, Section 7-09-030 Off-street parking and loading, Section 7-09-040 Signs, Section 7-07-030 Major Commercial Development Overlay District
ARTICLE 49	Zoning Bylaw Section 7-03-060, Design Review
ARTICLE 50	Zoning Bylaw Section 7-05-020, Classification of uses and Section 7-05-030, Table 1. Table of Uses. Part B. Commercial and Industrial Districts
ARTICLE 51	Zoning Bylaw Section 7-07-010, Groundwater Protection Overlay District
ARTICLE 52	Zoning Bylaw Section 7-07-010, Groundwater Protection Overlay District
ARTICLE 53	Zoning Bylaw Section 7-09-020, Site design standards
ARTICLE 54	Zoning Bylaw Section 7-09-020, Site design standards
ARTICLE 55	Zoning Bylaw Section 7-09-030, Off-street parking and loading
ARTICLE 56	Zoning Bylaw – Section 7-09-040, Signs

ARTICLE 57

Zoning Bylaw – Sections 7-03-030 and 7-050-010.A Use Variances

ARTICLE 58

To see if the Town will vote to accept as a public way the roadway known as Harrington Lane, situated west of Washburn Street in the central section of the Town of Northborough, as heretofore laid out by the Select Board in the manner shown on a plan entitled: “Roadway Acceptance Plan of Harrington Lane in Northborough, MA”, prepared by Connorstone Engineering Inc., dated December 4, 2023, a copy of which has been placed on file at the Town Clerk’s Office, and to authorize the Select Board to acquire on behalf of the Town, by purchase, gift, eminent domain, or otherwise, interests in property, including drainage and open space easements, sufficient to use said way for all purposes for which public ways are used in the Town of Northborough, or take any action relative thereon.

ARTICLE 59

Reports

DRAFT



TOWN OF NORTHBOROUGH
Office of the Select Board
63 Main Street
Northborough, MA 01532-1994
(508) 393-5040 x1 Phone
town.northborough.ma.us

Mitch Cohen, Chair
Kristen Wixted, Vice Chair
Laura Ziton, Clerk
Julianne Hirsh
Lisa Maselli

February 26, 2024

Governor Maura Healey
Massachusetts State House
Office of the Governor
Room 280
Boston, MA 02133

Dear Governor Healey:

On behalf of the Town of Northborough, I respectfully request your support for the proposed legislative reforms outlined on the following pages. These are the priorities of the Town's Public Officials, as well as the Massachusetts Municipal Managers' Association and the Massachusetts Municipal Association. We believe that your administration's support of these items is in line with your demonstrated commitment to strengthening partnerships with local officials and building stronger communities across the Commonwealth.

The reforms that are highlighted herein would benefit municipal leaders' efforts to mitigate heightened pressures on local resources. Many of the rules, regulations and state laws that are in place today hinder their ability to apply creative and innovative means to effectively manage their organizations, and many may in fact create inefficiencies, redundancies, and waste in the use of the limited financial and human resources that are at a municipal manager's disposal.

We would welcome the opportunity to provide further information or to meet with you or your staff to discuss these reforms in detail. Thank you for considering our request.

Sincerely,

Mitch Cohen, Chair
Northborough Select Board

CC: Select Board
Town Administrator
Asst. Town Administrator
Finance Director
Superintendent of Schools
Appropriations Committee
Financial Planning Committee

Senator Robyn Kennedy
Representative Kate Donaghue
Representative Meghan Kilcoyne

TOWN OF NORTHBOROUGH STATE LEGISLATIVE PRIORITIES

1. Provide a Multi-Year \$340 Million Chapter 90 Authorization

Increased funding of the Chapter 90 program, through which the Commonwealth reimburses municipalities for eligible roadway improvement projects, is critically important as communities across the state seek to maintain safe local roadways and build strong local economies. The program's formula-based funding considers a community's population, road miles and employment. The Legislature authorized a \$300 million Chapter 90 program for FY2015, and ultimately, the full amount was released to cities and towns in January 2015. Since that year there have been several supplemental Chapter 90 allocations, which are greatly appreciated. Their inconsistency makes capital planning for municipalities very difficult. For several years now, the Town has called on state officials to permanently fund Chapter 90 at \$300 million a year, and to release the funds in a timely fashion. Funding in the last five years (FY2020 – FY2024), has remained at \$200 million. We are aware of the Governor's FY2025 budget request to authorize a two-year, \$400 million Chapter 90 bill, authorizing \$200 million per year for the Chapter 90 program. While we appreciate the foresight in submitting for a two-year package, so as not to delay the receipt of funds, it does not address the fundamental issue of underfunding that we have reiterated year after year.

Level funding the Chapter 90 program for FY2025 and FY2026 provides inadequate support to communities seeking to maintain roads in a state of good repair. A biennial state-wide survey by the Massachusetts Municipal Association (MMA) found that municipalities would need to spend more than \$685 million annually to bring roads up to the industry standard for ensuring well-maintained roads in good condition. The purchasing power of the Chapter 90 program has been substantially diminished since FY2012, due to several factors, primarily construction inflation. Construction inflation increased by approximately 68% since 2012, meaning that communities have lost \$136 million in purchasing power during this time. To offset the diminishing power of the current Chapter 90 authorization, Northborough is requesting that the legislature approve a minimum of \$340 million in Chapter 90 funding for FY2025 and FY2026. The increasing costs reflect the overall deterioration of our roadway infrastructure and underscore the detrimental effects of under investment in our aging infrastructure.

2. Local Aid increases that keep pace with state revenues

- **Student Opportunity Act and Minimum Aid** – Passage of the Student Opportunity Act has fixed long-known gaps in the Chapter 70 school aid formula by ensuring adequate weight for special education expenses and the cost of health benefits for school personnel, and the additional resources needed to educate English learners and economically challenged students. These are important changes that will benefit those communities and school districts that have high numbers of low-income students, which is where most of the new money will be targeted. The District supports funding an adequate amount of minimum aid that ensures that all schools receive a meaningful increase in FY2025, which it believes should be at least \$100 per student. While the school aid calculation for next year is not yet known, it is highly likely that the District will again receive only the minimum aid increase (at least \$30 per student), which is simply not adequate to maintain quality school programs. Higher minimum aid is necessary to ensure high-quality programming.

- Special Education Circuit Breaker – Another top priority for the District is increased funding of the state’s special education reimbursement program known as the “Circuit Breaker Program.” The circuit breaker fund has been in existence since 2004 and reimburses local school districts for a portion of their costs above a certain threshold for educating students with severe disabilities. The District asks for full funding of the state’s share of eligible educational and transportation costs. In FY2024, the program was funded at \$498.9 million. It is anticipated that full funding of the Circuit Breaker Program could require a substantial increase above this amount in FY2025, as special education transportation expenses are rising faster than inflation. While the District is grateful for the inclusion of special education extraordinary relief funds in the FY2023 closeout supplemental budget, it is presently unclear what the impact of last year’s 14% rate increase for private special education school tuitions will be on this reimbursement program.
- Student Transportation Reimbursements – Funding to assist cities, towns, and school districts with the cost of transporting school children is another critical priority. The final FY2024 budget funded regional school transportation (7035-0006) at \$97 million, representing a reimbursement rate of 90% of DESE’s estimated costs for FY2024. The FY2024 budget also fully funded the McKinney-Vento account for transportation of homeless students (7035-0008) at \$28.6 million, and funded out-of-district vocational transportation (7035-0007) at \$1 million, a reimbursement of 17% of DESE’s estimated costs. The District hopes to see full funding for these three accounts for FY2025.
- Unrestricted General Government Aid (UGGA)—The Town is aware of and appreciates your support for revenue sharing and the administration’s recommended 3% increase in UGGA for FY2025. We believe that real partnership between the state and local government is in ensuring that future revenue growth is shared with cities and towns so that they can continue providing essential local government services, critical to the residents of the commonwealth. We strongly support the revenue sharing compact that increases UGGA each year by the same rate of growth as state revenues. Over the last several years, the State has seen record tax revenue collections, however, those record collections did not trickle down to local cities and towns. Due to the method by which the state calculated their revenue growth during the budget process, the increased revenue collections were not shared in an equal manner. We strongly encourage the state to increase UGGA by the same percentage as the growth rate in state revenues. Northborough relies on UGGA funds to continue to provide vital services to our residents.

In addition to the top two legislative priorities of Chapter 90 and State Aid, the Town is also including the following bulleted list of additional (secondary) issues and initiatives that we hope you will support.

- **The Massachusetts School Building Authority (MSBA):** The MSBA is limited in funding as stated in MGL Ch.70B Section 7, to \$800,000,000 plus either the rate of growth in the dedicated sales tax revenue amount as defined in Sub-Section a of Section 35B of Chapter 10, or 4.5%. The MSBA declared a pause on its Accelerated Repair Program in 2022 and limits on its core projects due to rising costs and inflation, and the need to stay within the

Annual Cap. Each year the Accelerated Repair Program has delayed results and has increased an application backlog among the Commonwealth's existing backlog of school building needs. The Northborough School Committee calls upon the Massachusetts legislature to amend MGL Ch.70B, Section 7 by removing the 800,000,000 cap and allowing public preschools to be included in the Accelerated Repair Program and Core Program.

- **Continued Support and Funding of the Community Compact Program:** Northborough has been awarded funding through the Community Compact Program in the past, enabling the Town to develop and implement important policies and procedures. This program provides financial resources to communities to implement state determined best practices in a variety of service delivery areas. This program is widely popular and is critical to maintain so that communities across the state can implement important local priorities to improve operations and enhance effective service delivery.
- **An Act Creating a Municipal and Public Safety Building Authority:** S.1489 and H.3802 would establish a new independent state authority, as well as a separate municipal and public safety building fund, to assist municipalities with the construction of or improvements to public safety or municipal office buildings. With property tax and other local revenues strictly limited by state law, municipalities are constantly challenged with obtaining adequate funding to keep up with ongoing maintenance and much needed modern updates to municipal and public safety buildings. This independent state authority would act much like the Massachusetts School Building Authority or the Massachusetts Board of Library Commissions, both of which have available state funding to assist municipalities and school districts with addressing infrastructure needs for schools and libraries. We support bills S.1489 and H.3802 which would assist in addressing public safety and general municipal building needs.
- **An Act to Modernize Funding for Community Media Programming:** H.74 seeks to level the playing field for companies who sell video and audio entertainment services in Massachusetts. For decades, cable companies who distributed products using public rights of way have had to pay up to 5% of their gross annual revenue for that use. These franchise fees make up the entirety of the annual budget for the Northborough Cable Access Television operation. Companies that stream video (like Hulu or Netflix) use the same rights of way but do not pay anything back. CATV has seen a reduction in funding due to cord cutting, as the revenue for CATV relies on the number of cable subscribers in town. To continue to provide valuable coverage for government, school and community events and meetings, the revenue lost from cord cutting should be replaced with streaming companies who utilize the same rights of way and currently do not provide funding for cable access. Support for H.74 would ensure that important funding for cable access services is secured for years to come.
- **Ensure Sustainable OPEB Costs for Cities and Towns:** Legislative action to reform the Other Post-Employment Benefits (OPEB) is necessary to protect not only the financial well-being of municipalities, but to also protect retiree benefits in both the short and long term and to protect municipal jobs. Although Northborough has created a dedicated trust fund and has appropriated over \$500,000 annually in most recent years to address this issue, the Town's actuarial liability has continued to grow. Meaningful OPEB reform at the state level is key to maintaining benefits essential to municipal employees and retirees. We urge the Legislature not to lose sight of OPEB reform for next year, and will support reforming the OPEB commission as proposed in the Municipal Empowerment Act.

legislative session; however, we urge the Legislature not to lose sight of OPEB reform for next year.

- **Oppose Unfunded Mandates:** We continue to seek your support in working with municipalities to comprehensively review and analyze unfunded mandates imposed by state law, regulation, or other action. In addition to seeking full funding for all current mandates, we ask that you require the Executive Office to specify the local impact of any signed legislation.

In addition to the legislative priorities set forth in the letter to Governor Healey dated February 26, 2024, below is a list of specific earmark requests for various infrastructure projects that Northborough anticipates pursuing in the upcoming year. In the last few years, Northborough has witnessed an increase in the number of awarded earmarks in the region. Below is a list of high priority capital projects that we believe are strong candidates for State Earmarks. This list contains a multi-departmental overview of various projects with cost estimates that would otherwise be financially burdensome for the Town to fund.

1. **Fire Station Building Project:** The Town has completed the schematic design phase and is beginning the design development for a new Fire Station in Northborough. The existing station, of which there is only one in Northborough, was built in 1975 and stands at 11,100 SF. The station was built as a volunteer station prior to the paramedic ambulance services that the department currently provides. There are no facilities for female firefighters and inadequate space for full-time personnel. The total cost estimate for the project at this time is approximately \$30M. The Town is aware of legislation that has been put forward to support a Municipal and Public Safety Building Authority, to be operated like the MSBA. The Town is in full support of that legislation but would also welcome any earmarked grants to assist with this critical public safety project.
2. **Sidewalk Repair Project:** As part of its ongoing roadway asset management program, Northborough had all sidewalks and pedestrian curb ramps along Town roads inventoried and assessed. Sidewalks are a critical part of a municipality's infrastructure, providing safety and mobility to pedestrians, and enhancing access to public and private facilities, businesses, and generating community connectivity. Pedestrian curb ramps enable access for pedestrians with mobility altering disabilities. The assessment revealed that Northborough has 32.69 miles of sidewalk and 212 pedestrian curb ramps. The average sidewalk condition is a 72 out of 100, with most sidewalks being in good or fair condition. Eighty out of the 212 existing pedestrian curb ramps are rated as fair or poor. The chart below projects the average sidewalk condition in Northborough under various funding scenarios, with the top option being the minimum funding needed at \$300,000 per year over five years to improve the overall condition of sidewalks in Northborough and to address the backlog of sidewalk infrastructure projects. A permanent increase to Chapter 90 funding in the amount of \$340M, coupled with the town's recent Complete Streets program adoption will help the town maintain sidewalks moving forward and construct additional sidewalks to connect existing routes. Unfortunately, the current backlog of sidewalk improvement work will require significant one-time additional funding to address before new sidewalks are added. The overall backlog of sidewalk improvement work is estimated to cost approximately \$2.1M. We are asking that the Commonwealth support the Town in addressing this backlog with an earmark appropriation of \$300,000 or more.

- 3. Assabet Hill Drainage Repair Project:** Roadway drainage systems are often a forgotten part of a town's infrastructure, until they begin to fail. This is the case in the Assabet Hill neighborhood. Over the past three years several large sinkholes have appeared within these roadways. A full drainage system evaluation was conducted in late 2019 which found there to be systematic pipe failures throughout the neighborhood. The result is causing severe deterioration of the roadway and will likely cause additional sinkholes to appear until thorough repairs are completed. The Town cannot reconstruct the roadways until these repairs are completed, which are estimated to cost \$800,000. Northborough is committed to perform the \$1,000,000 of roadway reconstruction if the Commonwealth can assist by funding the drainage repair work. It is important to note that the one-time drainage issues in the Assabet neighborhood are unique and not the result of deferred maintenance.

Lastly, the Town would like to extend its appreciation for the local options included in the Municipal Empowerment Act to expand on available tools to help municipal leaders generate more local revenue, including:

- Increasing the maximum local option meals tax from .75 percent to 1 percent of the sales price of a meal at a restaurant or local store
- Adding a new 5 percent local option Motor Vehicle Excise surcharge, a fee charged by every city and town on vehicles registered in their communities based on the vehicle's value
- Creating new property tax exemptions for seniors to allow cities and towns to adopt a Senior Means Tested Property Tax Exemption for qualifying seniors and to increase existing senior property tax exemption.
- Addressing long-term benefit funding pressures by establishing a new OPEB Commission to take a fresh look at opportunities to address unfunded liabilities from non-pension employee benefits.
- Creating additional flexibilities in post-retirement employment by expanding the process for seeking exemptions to post-retirement employment rules.
- The flexibility for municipalities that began during the COVID-19 public health emergency to permit outdoor dining and takeaway liquor sales, as well as hosting hybrid public meetings to encourage remote participation, would also be made permanent by this legislation.
- Updating borrowing rules for school projects to increase from 30 years to 40 years the bond term to more closely reflects the life expectancy of the project. This should include all municipal building projects as well.
- Clarifying that cities and towns can award multiple contracts through an RFP process under Chapter 30B and purchase both supplies and services from collectively bid contracts.
- Equalizing 30B thresholds for advertised procurements to \$100 k for all municipal purchasing – not just schools.
- Eliminating the requirement to publish notice of invitations for competitive bids on COMMBUYS.
- Streamlining procurement for electric school buses and charging infrastructure by allowing single procurements for both under Chapter 30B.

On behalf of the Town of Northborough, thank you in advance for your consideration of these important issues and initiatives.