



## **BOARD OF SELECTMEN**

### **MEETING AGENDA**

Monday, June 27, 2022

7:00 p.m.

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Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency, signed into law on June 16, 2021, 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](https://www.youtube.com/channel/UCRdBrw3HeEAMB_KFKasrgXA)
- Zoom webinar link: <https://town-northborough-ma-us.zoom.us/j/86314118247>
- When prompted, enter Password 413076
- CATV Government Channels: Verizon Channel 30, Charter Channel 192
- Call 1-646-876-9923  
When prompted, enter Meeting ID 863 1411 8247 and Password 413076

### **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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## **BOARD OF SELECTMEN**

### **MEETING AGENDA**

Monday, June 27, 2022

7:00 p.m.

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#### **PUBLIC COMMENT**

*Revised Agenda*

[\\*Approval of June 13, 2022 Meeting Minutes](#)

[\\*Approval of June 16, 2022 Meeting Minutes](#)

#### **7:00 p.m. - PUBLIC HEARING**

To consider an application from G&I IX FORBES WHITNEY LLC to amend the existing aboveground storage license for premises located at 30 Forbes Road by ~~reducing~~ **increasing** the on-site storage of flammable and combustible liquids, flammable gases and flammable solids.

#### **REPORTS NEW BUSINESS**

1. [Approval of Year-End Transfers.](#)
2. [Town Administrator Review.](#)
3. [ARPA - Discussion on Public Input Session and Next Steps.](#)
4. [Goals – Discussion.](#)
5. Any other business to come before the Board.
6. Public Comment

**BOARD OF SELECTMEN  
MEETING MINUTES – June 13, 2022**

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

Chairman Cohen stated that this Open Meeting of the Board of Selectmen was being conducted remotely consistent with Governor Baker's Executive Order of June 16, 2021, an 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.

Chairman 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. Chairman Cohen noted that this meeting will allow for Public Comment. He indicated the various ways that the public may view or participate in this meeting as listed on the posted agenda.

Chairman 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  
Rebecca Meekins, Assistant Town Administrator  
David Parenti, Fire Chief  
William Lyver, Police Chief

Any votes taken this evening will be done by roll call.

**APPROVAL OF MINUTES – APRIL 25, 2022 MEETING**

Selectman Perreault moved the Board vote to approve the April 25, 2022 meeting minutes as submitted; Selectman Hirsh seconded the motion; the roll call vote was taken as follows:

Perreault	"aye"	Hirsh	"aye"
Rogers	"aye"	Cohen	"abstain"
Wixted	"aye"		

**APPROVAL OF MINUTES – MAY 23, 2022 MEETING**

Selectman Perreault moved the Board vote to approve the May 23, 2022 meeting minutes as submitted; Selectman Rogers seconded the motion; the roll call vote was taken as follows:

Perreault	"aye"	Hirsh	"aye"
Rogers	"aye"	Cohen	"aye"
Wixted	"aye"		

**PUBLIC COMMENT**

Chairman Cohen invited comments from the public.

Lisa Maselli of 13 Maple Street asked if Requests for Proposals are reviewed by the Board of Selectmen before they are posted? She asked if the Board of Selectmen sees monthly reports from Department Heads? She requested a revisit of a department head reporting policy

established on July 18, 2016 relative to the Town Administrator's evaluation of the Police Chief and Fire Chief.

Chairman Cohen responded that answers will be provided to the above questions before the Board's next meeting.

**7:00 p.m. - WILLIAM LYVER – POLICE CHIEF**

Chief Lyver was present to request that the Board ratify the following appointments.

Appointment of Thomas McDonald as Police Sergeant

Chief Lyver indicated that last June three officers elected to participate in a promotional process that consisted of a written exam, an assessment center, and his review of each officer's past performance evaluations. An outside consulting firm specializing in police promotional testing and assessment centers was hired to conduct the testing and assessment center process.

Chief Lyver noted that Officer McDonald is the remaining candidate on the sergeant's promotional list that expires on June 28, 2022. He recommended that he be promoted to Police Sergeant effective June 14, 2022. Officer McDonald is a life-long resident of Northborough and has been employed by the department since 2007, first as a full-time dispatcher, and since 2014, as a patrol officer. Officer McDonald has been an acting sergeant since May 29, 2022.

Selectman Perreault moved the Board vote to appoint Thomas McDonald as Police Sergeant effective June 14, 2022; Selectman Hirsh seconded the motion; the roll call vote was taken as follows:

Perreault	"aye"	Hirsh	"aye"
Rogers	"aye"	Cohen	"aye"
Wixted	"aye"		

Appointment of Joshua Ferreira as Police Officer

Chief Lyver requested that the Board appoint Joshua Ferreira's as Police Officer effective July 5, 2022. Mr. Ferreira is a 2018 graduate of Saint John's High School and a 2022 graduate of Assumption University with a Bachelor of Arts Degree in Sociology and Criminology. He has worked as a part-time dispatcher with the Douglas Police Department. Mr. Ferreira is currently enrolled in the MPTC Training Academy in Boylston with a start date of July 2022 and an anticipated graduation date of January 2023.

Selectman Rogers moved the Board vote to appoint Joshua Ferreira as Police Officer effective July 5, 2022; Selectman Wixted seconded the motion; the roll call vote was taken as follows:

Perreault	"aye"	Hirsh	"aye"
Rogers	"aye"	Cohen	"aye"
Wixted	"aye"		

Appointment of Jacob Tondel as Police Officer

Chief Lyver requested that the Board appoint Jacob Tondel as Police Officer effective July 25, 2022. Mr. Tondel is a graduate of Assumption University with a Bachelor of Arts Degree in Criminology. He has been employed as a public safety officer for the University of Massachusetts Harington Hospital. He is currently enrolled in the MPTC Training Academy in Randolph with a start date of September 2022 and an anticipated graduation date of February 2023. He is also on the waitlist for the Boylston MPTC Academy with a start date of July 25.

Selectman Hirsh moved the Board vote to appoint Jacob Tondel as Police Officer effective July 25, 2022; Selectman Wixted seconded the motion; the roll call vote was taken as follows:

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

**REAPPOINTMENT OF SPECIAL POLICE OFFICERS**

Chief Lyver requested that the Board reappoint James Bruce and Erica Abro as special police officers. Both are helpful to the department and have the necessary training and certifications to serve as special police officers. Special police officer appointments are made on an annual basis effective July 1<sup>st</sup> through June 30<sup>th</sup>.

Selectman Wixted moved the Board vote to reappoint James Bruce and Erica Abro as a Special Police Officers for a one-year period through June 30, 2023; Selectman Hirsh seconded the motion; the roll call vote was taken as follows:

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

**REPORTS**Julianne Hirsh

- Thanked those who organized and attended the beautiful Memorial Day program. Extended her appreciation to all of the service men and women, as well as the Gold Star families for their sacrifices.
- Reported on the recent meeting of the White Cliffs Committee.
- Reported on the recent meeting of the Master Plan Implementation Committee.
- Announced that the Cultural Council will hold their annual Culture Fest on June 18<sup>th</sup>.
- Noted that the Sustainable Northborough Group will hold an informational presentation on June 14<sup>th</sup> at the Library about a Northborough resident who made his home carbon neutral.
- Reminded residents that the ARPA Input Session will be held on June 16<sup>th</sup>.

Kristen Wixted

- Reported on several Central Massachusetts Regional Planning Commission webinars that she attended regarding the environment and sustainability.
- Provided information on the annual Summer Concert Series sponsored by the Community Affairs Committee at the Ellsworth McAfee Park.

- Thanked everyone who has applied to serve on Boards and Committees. Noted that the Cultural Council currently has openings.
- Read an excerpt from a poem by an Algonquin Regional High School graduate.
- Asked if the Board can review and update the Board and Committee application. Chairman Cohen responded in the affirmative.

#### Jason Perreault

- Extended his appreciation to everyone who planned, organized and participated in the Memorial Day program.

#### T. Scott Rogers

- Echoed the sentiments regarding the Memorial Day program. Enjoyed speaking on behalf of the Board.
- Requested that the Fire Chief provide guidance to residents regarding the need for proper working smoke detectors.
- Requested that the Police Chief provide information on the Police Department's Project Child Safe program and his plan to address gun safety at the Be Well Kick-Off event at the Ellsworth McAfee Park on June 22<sup>nd</sup>.
- Encouraged residents to attend the Be Well Kick-Off event on June 22<sup>nd</sup>.
- Thanked the Health Director and supporting staff for the recent vaccination clinic at the Senior Center.
- Noted that information regarding the upcoming ARPA Input Session can be found on the Town website under Town News.
- Noted the receipt of emails regarding the following topics: needed repairs to the White Cliffs chimney; reports of truck traffic and traffic violations; planning professional development days for the schools on the days that Town Elections are held; the interview process for the Diversity, Equity, Inclusion and Belonging Committee; and ARPA funding.

#### Mitch Cohen

- Echoed the sentiments regarding the Memorial Day program and thanked Selectman Rogers for speaking on behalf of the Board.
- Announced that the newly renovated Assabet Park has reopened. Thanked everyone who coordinated the renovations and those who planned the Reopening event.
- Attended an event against gun violence that was held at the Town Common. Thanked the youth members of the community who coordinated this event.
- Noted receipt of emails on the following topics: ARPA funding; traffic concerns; mosquito spraying; location of Town Elections and Board of Selectmen Meetings; and questions and comments regarding the Board and Committee appointment process.
- Encouraged residents to participate in the ARPA Input Session on June 16<sup>th</sup>.
- Attended the Northborough Art Guild's Art Show at the Historical Society. Noted that the Northborough Art Guild is looking for new members.
- Wished everyone a Happy Flag Day on June 14<sup>th</sup>.

**NEW BUSINESS****RECOMMENDATIONS FOR APPOINTMENTS TO THE SCHOLARSHIP COMMITTEE, COUNCIL ON AGING AND BOARD OF LIBRARY TRUSTEES**

Selectman Hirsh moved the Board vote to appoint Fran Bakstran to the Council on Aging for a three-year term as recommended by the Interview Committee; Selectman Wixted seconded the motion. It was noted that the Council on Aging has two openings and that Ms. Bakstran is an extremely qualified candidate. The roll call was taken as follows:

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

Selectman Wixted moved the Board vote to appoint Jocelyn McElhiney to the Board of Library Trustees for a two-year term as recommended by the Interview Committee; Selectman Hirsh seconded the motion. It was noted that Ms. McElhiney has previously served on the Board of Library Trustees and is an extremely qualified candidate. The roll call was taken as follows:

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

Selectman Hirsh moved the Board vote to appoint Bethany Tsamis to the Board of Library Trustees for a three-year term as recommended by the Interview Committee; Selectman Rogers seconded the motion. It was noted that Ms. Tsamis is also extremely qualified as she has years of professional experience working with libraries. The roll call was taken as follows:

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

Selectman Wixted moved the Board vote to appoint Chandra Vora to the Scholarship Committee for a two-year term as recommended by the Interview Committee; Selectman Hirsh seconded the motion; the roll call was taken as follows:

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

Selectman Hirsh moved the Board vote to appoint Christina Renzullo to the Scholarship Committee for a three-year term as recommended by the Interview Committee; Selectman Rogers seconded the motion; the roll call was taken as follows:

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

**APPROVAL OF FY2022 NEDP MEMORANDUM OF UNDERSTANDING**

Mr. Coderre noted that the Northborough Extended Day Program provides aftercare programming for the K-8 schools. He informed the Board that the annual Memorandum of Understanding (MOU) between the Town and Northborough Extended Day Program, Inc. is for the continued use of office space and facilities at the Town Hall. This updated MOA provides for a 3.5% increase in payment to the Town from \$25,748 in FY2022 to \$26,650 in FY2023 to reflect increased costs associated with use of the space, as well as the shared Administrative Assistant position.

Selectman Rogers moved the Board vote to approve the FY2023 annual Memorandum of Understanding between the Town and Northborough Extended Day Program, Inc. for the use of office space and facilities at the Town Hall and to authorize the Town Administrator to execute same; Selectman Hirsh seconded the motion; the roll call vote was taken as follows:

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

**DISCUSSION REGARDING TOWN ADMINISTRATOR REVIEW AND GOALS**

Chairman Cohen stated that Mr. Coderre has suggested that the Board perform his annual review prior to the end of June. He added that this is the year that his contract is up for renewal. He and Mr. Coderre also discussed setting goals annually, which will then become part of the annual review process. Both the Board and Mr. Coderre will agree to goal items, which will be discussed several times throughout the year.

Mr. Coderre recommended a formal GFOA Strategic Plan as one goal and explained why this is an important goal at this time. To assist with the Board’s evaluation, Mr. Coderre provided the Board documentation detailing some of his more significant accomplishments.

Chairman Cohen suggested that goal items be outside of the normal course of business, and should include unique items that the Board sees as priorities. Selectman Perreault added that one of the existing annual goals is to manage the budget process within the confines of Proposition 1½, which should remain a top priority.

Board members agreed to complete Mr. Coderre’s evaluation in time for the June 27<sup>th</sup> meeting. In the meantime, Chairman Cohen will share an MMA webinar link that focuses on evaluations and goal setting. Board members will use the current evaluation form for this year’s review with the expectation that the review process and evaluation form will be revisited and updated as appropriate in time for next year’s evaluation. Chairman Cohen asked that Board members email only him their evaluation forms by Monday, June 20<sup>th</sup>. He will then compile them and prepare the evaluation for the June 27<sup>th</sup> meeting. He will schedule the first discussion on the process of goal setting for the June 27<sup>th</sup> meeting as well and asked Board members to consider presenting between 3 to 5 goals for discussion purposes.

**DISCUSSION REGARDING PUBLIC COMMENT AND PACKET AVAILABILITY**

Chairman Cohen suggested making a change to context-specific Public Comment where the initial Public Comment agenda item would be for topics not listed on the agenda, such as suggestions for future discussions. During any agenda item, members of the public would be



able to offer more informed public comments following any presentations and discussions and before a Board vote is concluded. The posted agenda will include notification that public comment will be allowed during all agenda items. Board members supported the idea of making this change to public comment.

The Board discussed placing the meeting packet on the Town website at the same time it is provided to Board members. If there is an executive session, Board members will receive two separate emails – one containing the public meeting packet and another containing the executive session meeting packet.

### **EXECUTION OF CEMETERY DEEDS 1149 & 1150**

Selectman Perreault moved the Board vote to execute Cemetery Deeds 1149 & 1150; Selectman Wixted seconded the motion; the roll call vote was taken as follows:

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

### **OTHER BUSINESS**

None.

### **PUBLIC COMMENT**

None.

### **ADJOURNMENT**

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

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

The meeting adjourned at 8:30 p.m.

Respectfully submitted,



Diane M. Wackell  
Executive Assistant to the  
Board of Selectmen

### Documents used during meeting:

1. June 13, 2022 Meeting Agenda
2. April 25, 2022 Meeting Minutes
3. May 23, 2022 Meeting Minutes
4. Memorandum – Appointment of Police Sergeant and Officers
5. Memorandum – Reappointment of Special Police Officers

6. Information Packet – Board & Committee Appointments
7. Information Packet – Renewal of NEDP MOU
8. Information Packet – Town Administrator Review and Goals
9. Memorandum – Public Comment and Packet Availability
10. Cemetery Deeds

**BOARD OF SELECTMEN  
MEETING MINUTES – June 16, 2022**

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6:30 p.m. - Chairman's Introduction to Community Listening Session

Chairman Cohen welcomed the public to the Community Listening Session to discuss how Northborough's American Rescue Plan Act (ARPA) fund could be used. This Listening Session is an opportunity for residents, businesses, non-profits, and other constituents to provide input to the Board of Selectmen as to how Northborough could allocate its share of ARPA funding.

Chairman Cohen stated that this meeting will be conducted in person and via remote participation. He indicated the various ways that the public may view or participate in this meeting as listed on the posted agenda. Following a brief introduction to the meeting, Chairman Cohen noted that the ARPA email ([ARPAinput@town.northborough.ma.us](mailto:ARPAinput@town.northborough.ma.us)) for ideas and suggestions will continue to be on the Town website following tonight's meeting.

Sherry Clark

As a member of the Youth Commission, she requested that the part-time position in the Family & Youth Services Department be changed to a full-time position. She acknowledged the department's investment to offer counseling through Interface, but added that case management for the families in our community that are dealing with their own or a loved one's mental health cannot be outsourced.

Liz Nasser

Noted that she is a Dementia Specialist and the best way to prevent dementia is to stay physically active and stay socially connected. She shared her ideas with the benefits of providing some structured physically active group programs for both the youth and elderly in our community.

Jeanne Cahill

Advocated for the need to address the crisis of climate change and its effect on the kids in our community. She requested that ARPA funds be used toward achieving the maximal greenhouse gas reductions in our public buildings vehicles and operations, solar arrays on school and other municipal rooftops, geothermal heating in the new Fire Station, deployment of air source heat pumps for municipal building heat and cooling replacements, vehicle replacements with high efficiency electric cars and trucks, and charging stations that serve municipal vehicles and public parking lots.

Marilee Borden – 63 Little Pond Road

As an owner of a small business in Town, she noted that small local businesses would really benefit from having a Town Economic Development Committee. Such a Committee could also be helpful in determining what types of businesses would benefit the Town. She would like to see that the downtown revitalization project help attract people to our Town to enjoy and benefit the Town's small businesses.

Karen Chapman

As president of the Corridor 9/495 Regional Chamber of Commerce, she shared that the downtown revitalization efforts provide a great opportunity to support the small business community. She asked that small businesses be invited to talk about opportunities where the Town and the Chamber of Commerce can help them be more successful through a long-term plan.

Kerri Martinek

Requested that some ARPA funds be put aside as a kick starter fund to allow for the Master Plan Implementation Committee to begin making small improvements without having to go through a long process for funding opportunities. For example, conduct an analysis of downtown traffic flow, look at alternate routes, overhaul streets lamps, bury electric lines, connect downtown sidewalks, and general beautification plantings. Ms. Martinek suggested small grants that can fund some of the needs of small businesses that are struggling, and can no longer afford landscaping or other beautification efforts. Ms. Martinek asked that the schools provide coaching and/or programs for those kids that are suffering with their mental health. She suggested electronic clickers for Town Meeting. She also suggested hiring a consultant to help the Board of Selectmen assess all of the needs and determine the best use of the ARPA funds.

Martha Michalewich

Ms. Michalewich noted that in June of 2020, Community Meals starting serving meals curbside to 39 people. They are now serving between 100-130 meals every Wednesday. She explained how the program works, adding that up until now, the program has been fully funded by the generosity of the community. She anticipates that the current funds will keep the program running through September and requested that ARPA funds be set aside to help sustain this important program through the next year.

Gib Chase – 6 Kimball Lane Juniper

Requested that ARPA funds be used towards maximizing the use of the Senior Center, including hiring help to bring back programs for dementia, the Tuesday Night Bistro and help at the front desk. He requested that ARPA funds also be used for road improvements and maintenance. He added that affordable housing is needed for those living on fixed incomes who were struggling with inflation even before the pandemic. He would like to see more community based programs as well.

Sherry Clark

Questioned if there would be an opportunity for Town Departments to express their needs to the Board of Selectmen? Chairman Cohen responded that it is best for Town staff to express their needs to the Town Administrator. The best way for members of Boards or Committees to get in touch with the Board of Selectmen is through their Selectmen assigned liaison or by reaching out through the ARPA email address on the Town website.

Rich Ferenchick – 205 Crawford Street

As president of the Northborough Historical Society, he requested ARPA funds to help recover expenditures for having to rent facilities for their programs during the time that the Historical Society couldn't comply with the limited capacity regulations due to Covid. He noted that they also lost monthly income from community groups that would rent the facility for community based meetings. He added that the community has missed out on a lot of programs offered by the Historical Society during the pandemic. The Society will follow up with the Board of Selectmen by creating a list of what they think are legitimate expenses that need to be recovered.

Alexis from Brilla Coffee

Mr. ??? stated that his business is located at 17 West Main Street. He asked that the walkability be improved to increase foot traffic to all the small businesses located in the downtown area. He indicated that small businesses would also benefit from new signs and outdoor seating. He

added how important it is for small businesses to attract customers not only from the community, but also from outside Northborough as well. He also asked that the Food Pantry reach out to him so that he can help out with coffee needs.

Erica Zieger

Noted that she would like to see that a teen empowerment center be located in a central location with walkability for ages ranging anywhere from 12 – 21. The center could provide sports and physically activities, a resume writing program, homework help, general mental health counseling, and financial management. She stressed that the physical activity aspect is important.

Joan Clementi – 30 Thaddeus Mason Road

As a 28-year member of the Youth Commission, she is focused on the rise in Town of mental health issues. She requested that ARPA funds be used to support a full-time position in the Family & Youth Services Department. She also requested that ARPA funds be allocated to the Family & Youth Services Department to support programming that could prevent some mental health issues from happening in the first place. Lastly, requested that ARPA funds be used to house the 8 homeless families in Town in a local motel for a short-term period.

Bryce McNight – 9 Longfellow Road

Expressed the need for individuals to have a safe place to express themselves that involves group opportunities for peers to talk about their challenges. Requested that a community culture and arts center for both group programs and physical activities be housed in one of the vacant town-owned properties, such as the existing Fire Station which is located downtown and could provide for walkability opportunities. He added that this could include rented studio space for generating revenue and open spaces for individuals or community groups to hold community events.

Bill Pierce

After listening to what the groups needs are this evening, he thinks it is important to look at addressing these needs in the long-term. For example, a \$1.5M to \$2M investment in solar panels could potentially create \$250,000 - \$300,000 in savings, which could then be used to fund these community programs on a long-term basis.

Mike Duchamo

As Vice President of the Northborough Historical Society he stated that they are hoping to make some investments to their meeting spaces to make it a more attractive facility for teens and other community groups to use for some of the needs discussed this evening. He asked if there will be an ARPA application to request funds? Chairman Cohen responded that the Board has not yet discussed a specific process. He suggested that in the meantime, the Historical Society put together a rough estimate and send to the ARPA email on the Town website.

George Brenckle – 3 Little Pond Road

As a member of the Appropriations Committee, he agrees that all of the ideas expressed both this evening and in the public forum session at the Trinity Church are extremely valuable. He cautioned that \$4M sounds like a lot of money, but Northborough's Budget is at \$70M each year. He stated that trying to keep level services from year to year can increase the budget by \$2M. He added that during the pandemic, the Town postponed capital projects, dipped into the contingency fund and stopped making payments on long-term liabilities and the Town is now in

the process of making up for those decisions. This \$4M should not be treated as separate funds for a separate list of priorities. He stated that the expressed needs and ideas should be incorporated into the Town's priorities as a whole for the long-term and not separate for things that may not be sustainable.

Susan Sartori – 465 Green Street

Agreed that there are a lot of things that the Town needs to focus on, especially mental health and food insecurity. These are huge issues that should be incorporated into the operating budgets long-term. She is worried that we are heading into a recession and the budgeting process for the next few years is going to be challenging. She added that there is something to be gained if the Town purchases needed capital items now, without having to pay higher interest rates at a later time.

Sandra Scott – Youth Commission Chair

Reiterated the need to change the part-time position in the Family & Youth Services to full-time, especially with the increased need to address social services and mental health.

Kelly Gannet – 69 North Gate Road

On behalf of the Northborough School Committee requested ARPA funds for the needed short-term repairs to the Proctor Elementary School roof as they await to hear if the project is accepted into the Massachusetts School Building Authority's (MSBA) accelerated repair program. The School Committee is also requesting funding for the portion of the roof not covered by the reimbursement. Mr. Coderre added that he is working with the School Superintendent and the Facilities Manager to meet with roofers to see what can potentially be done to buy enough time to get through the MSBA process. This could potentially save the Town \$900,000.

Dan Martin – 132 Brewer Street

Noted that he is a Firefighter in a neighboring community. He stated that he supports the request to purchase a new Rescue 1 Fire apparatus, considering that the current one has very much reached its lifespan. He also works in the fire apparatus industry and has seen price increases of 10% over the last 18 months. He would also like to see that other capital purchases, such as police vehicles and the new Fire Station be considered as well.

Danielle Williams – 19 Assabet Hill Circle

Referred to an earlier email that she had sent to the Board regarding the need make improvements to the intersection of Rt. 20 and Lincoln Street, which has been a safety concern for many years. It is extremely busy with traffic both automotive and pedestrian and bisects the neighborhoods feeding both Lincoln Street Elementary and Melican Middle schools with their ~750 combined students.

After confirming receipt of Ms. Williams' email, Chairman Cohen stated that the Board is in receipt of 14 or so emails which will be equally be considered in addition to the requests heard this evening.

Gib Chase – 6 Kimball Lane Juniper

Mr. Chase asked what the next steps would be? Chairman Cohen explained that the Board will start working on the large volume of information received and will discuss the next steps moving forward during subsequent Selectmen's meetings.

In conclusion, residents were encouraged to continue to participate in future Selectmen's Meetings and to email their ideas and concerns or any follow up to the ARPA email located on the Town website – [ARPAinput@town.northborough.ma.us](mailto:ARPAinput@town.northborough.ma.us).

**ADJOURNMENT**

Selectman Rogers moved the Board vote to adjourn, Selectman Hirsh seconded the motion; all members voted in favor to adjourn.

The meeting adjourned at 8:02 p.m.

Respectfully submitted,



Diane M. Wackell  
Executive Assistant to the  
Board of Selectmen

Documents used during meeting:

1. June 16, 2022 Meeting Agenda



## **NORTHBOROUGH FIRE DEPARTMENT**

**David Parenti, Fire Chief  
11 Pierce Street  
Northborough MA 01532  
508-393-1537**



### **MEMORANDUM**

**TO: Board of Selectman**

**FROM: Chief Parenti**

**RE: Aspen Aerogel License Update**

**DATE: June 24, 2022**

**Aspen Aerogel's license application was reviewed and found to be within legal limits for the property. The company is expanding existing operations which requires the increase in the chemical limits on the existing license. Aspen Aerogel's has been a company in good standing maintaining their permits annually and the Fire Department has no reservations about allowing this increase in their license application.**





## TOWN OF NORTHBOROUGH

Town Offices  
63 Main Street  
Northborough, MA 01532-1994  
(508) 393-5040 Phone  
(508) 393-6996 Fax

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### TOWN OF NORTHBOROUGH NOTICE OF PUBLIC HEARING

Pursuant to Massachusetts General Laws, Chapter 148, Section 13, notice is hereby given that the Board of Selectmen will hold a remote public hearing on Monday, June 27, 2022 at 7:00 p.m. to consider the application of G&I IX FORBES WHITNEY LLC to amend the existing aboveground storage license for premises located at 30 Forbes Road by increasing the on-site storage of flammable liquids from 880 gallons to 2,000 gallons; combustible liquids from 380 gallons to 500 gallons; flammable gases from 390 cubic feet to 2,000 cubic feet with the addition of 11 lbs. of flammable solids all to be stored in specified storage rooms and other approved storage containers.

Pursuant to Governor Baker's Executive Order of June 16, 2021, an Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency this meeting of the Northborough Board of Selectmen will be conducted via remote participation to the greatest extent possible.

To join the Public Hearing

URL link: <https://town-northborough-ma-us.zoom.us/j/86314118247> Passcode: 413076  
Join by phone: 1 646 876 9923 / Webinar ID: 863 1411 8247 / Passcode: 413076

Kristen Wixted, Clerk  
Northborough Board of Selectmen

June 17, 2022

cc: Worcester Telegram & Gazette  
Abutters

George Gould  
Aspen Aerogels, Inc.  
30 Forbes Road  
Building B  
Northborough, MA 01532

Hazmat Inventory Control Narrative  
May 18, 2022

Northborough Town Hall  
Board of Selectman Office  
63 Main Street  
Northborough, MA 01532

To Whom It May Concern,

In support of our application for an amended flammables storage license, Aspen Aerogels, Inc. is providing the following statement regarding our process for inventory control of these chemicals:

At Aspen Aerogels, Inc. (located at 30 Forbes Rd Bldg. B), various types of chemical Research and Development activities are performed. We purchase, use, handle and store flammable materials and gases in accordance with all applicable regulatory requirements (i.e., including NFPA and OSHA). The facility maintains a complete and up-to-date inventory of all chemicals on site, which are detailed by location and control area(s). Materials are maintained below permitted maximum volumes. Flammable materials, when not in use, are stored in approved, labeled, self-closing flammable storage cabinets. Only the volume of materials to be used is removed from these flammable cabinets. The facility uses approved H2 storage and dispensing rooms that are equipped with ventilation and fire suppression systems that is appropriate to the scale and scope of the materials and waste contained within. Our waste is managed and transported by third party vendor on a regular cadence (weekly or bi-weekly) to ensure compliance with all legal requirements. Facility inspections are conducted on an on-going and continual basis to ensure on-going compliance with our material and waste requirements.

Sincerely,



George Gould  
Chief Technology Officer  
Aspen Aerogels, Inc  
Mobile: 508-847-2227



FP-002A  
(Rev. 1.1.2015)

*The Commonwealth of Massachusetts*  
*City/Town of* Northborough

## Application For License

Massachusetts General Law, Chapter 148 §13

☐ New License ☒ Amended License

GIS Coordinates

LAT.

LONG

License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 30 Forbes Road, Northborough, MA 01532

Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: G&I IX FORBES WHITNEY LLC

Address of Land Owner: c/o CBRE, 3 Burlington Woods Drive, Burlington, MA 01803

Use and Occupancy of Buildings and Structures: Business (R&D)

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments

June 9, 2014

Attach a copy of the current license

### Flammable and Combustible Liquids, Flammable Gases and Solids

*Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.*

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet	CONTAINER UST, AST, IBC, drums
Dimethyl ether	IA	30	lbs	Bottles
Alcohols, acetonitrile	IB & IC	2,000	gal	Drums, bottles
Solvents	II	250	gal	Drums, bottles
Solvents	IIIA & IIIB	250	gal	Drums, bottles
Flammable gases		2,000	cu.ft.	Cylinders
Combustible metals		11	lbs	Drums, bottles

Total quantity of all flammable liquids to be stored: 2,000 gallons

Total quantity of all combustible liquids to be stored: 500 gallons

Total quantity of all flammable gases to be stored: 2,000 cu.ft.

Total quantity of all flammable solids to be stored: 11 lbs

**LP-gas** (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers.  
(See 527 CMR 1.00 Table 1.12.8.50)

- ❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: \_\_\_\_\_

List sizes and capacities of all aboveground containers used for storage: \_\_\_\_\_

- ❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: \_\_\_\_\_

List sizes and capacities of all underground containers used for storage: \_\_\_\_\_

Total aggregate quantity of all LP-gas to be stored: None

**Fireworks** (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

- ❖ Maximum amount (in pounds) of Class 1.3G: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.4G: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.4: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

Total aggregate quantity of all classes of fireworks to be stored: None

**Explosives** (Complete this section for the storage of explosives) No explosives stored

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

- ❖ Maximum amount (in pounds) of Class 1.1: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.2: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.3: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.4: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.5: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.6: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

I, Breanne M. Timura, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature B. Timura Date 5/18/2022 Name Breanne M. Timura, Sr. Real Estate Manager

**Fire Department Use Only**

I, DAVID L. PARENTI, Head of the NORTHBOROUGH Fire Department endorse this application with my

☒ Approval ☐ Disapproval

Signature of Head of the Fire Department

Date

Recommendations: \_\_\_\_\_

*Copy of Current License*

Department of Public Safety  
Division of Fire Prevention

Commonwealth of Massachusetts  
Town of Northborough

To: Cabot II – MA 1 M03, LLC  
30 Forbes Road, Northborough, MA

For: On-Site, Aboveground Storage of  
Flammable & Combustible Liquids

This license is granted in accordance with the provisions of Chapter 148 of the General Laws, to use the land herein described for the lawful use of the building – or other structure – which are to be situated thereon, and as described on the plot plan filed with the application for this license.

This license shall be displayed on the premises in a conspicuous position where it can easily be seen and read.

Owner of Land:

Cabot II, MA 1 M03, LLC

Owner Address:

1 Beacon Street, Suite 1700  
Boston, MA 02108

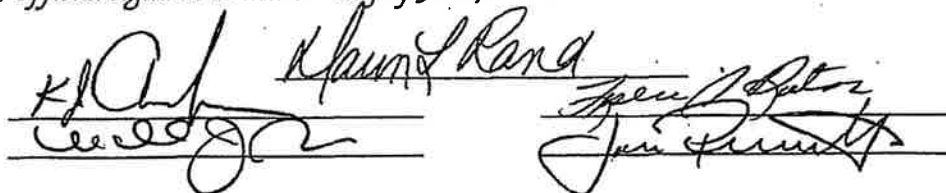
Conditions:

See attached

Type and Maximum Storage Quantities per the License Application:

Flammable Liquids	880 gallons
Combustible Liquids	380 gallons
Flammable Gases	390 cubic feet

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 9<sup>th</sup> day of June, 2014.

  
The block contains three handwritten signatures in black ink, each written over a horizontal line. The signatures are cursive and appear to be of the officials mentioned in the text below.

Conditions for On-Site Storage of Flammable & Combustible Liquids

*Cabot II – MA 1 M03, LLC  
30 Forbes Road, Northborough, MA*

*as set by the Board of Selectmen at their  
meeting of June 9, 2014*

1. *Maintenance of fire alarm connection to the Town of Northborough Fire Department per Chapter 2-08, Alarm Systems.*
2. *Maintenance of fire alarm system in conformance with National Fire Protection Association (NFPA) Standard 72, National Fire Alarm and Signaling Code.*
3. *Maintenance of fire suppression system in conformance with NFPA Standard 13, Installation of Sprinkler Systems.*
4. *Maintenance of the required fire pump for water supply to the fire sprinkler system in conformance with NFPA 25, Water-based Fire Protection Systems.*
5. *Maintenance of fire service mains in conformance with NFPA 24, Private Fire Service Mains.*
6. *Flammable and combustible liquid storage must conform to NFPA 30, Flammable and Combustible Liquids Code.*
7. *Renewal of all required licenses in conformance with Massachusetts Chapter 148, Section 13, License for Land Storage.*
8. *Permit renewal and conformance with Massachusetts Fire Prevention Regulations 527 CMR 14.00, Flammable and Combustible Liquids, Flammable Solids or Flammable Gases and 527 CMR 33.00, Hazardous Material Process or Processing.*



015.0 0018 0000.0  
Map Lot Sub

1 of 1  
CARD

INDUSTRIAL

Northborough

Total Card / Total Parcel  
APPAISED: 8,470,000/ 8,470,000  
USE VALUE: 8,470,000/ 8,470,000  
ASSESSED: 8,470,000/ 8,470,000



Patriot  
Properties Inc.

USER DEFINED

Prior Id # 1:
Prior Id # 2:
Prior Id # 3:
Prior Id # 1:
Prior Id # 2:
Prior Id # 3:
Prior Id # 1:
Prior Id # 2:
Prior Id # 3:
ASR Map:
Fact Dist:
Reval Dist:
Year:
LandReason:
BldReason:
CivilDistrict:
Ratio:

PRINT

Date Time  
06/08/22 10:57:13

LAST REV

Date Time  
01/06/22 14:36:36

jbrownle  
306

Allocation of 7 Cabot properties

8/9/2017 COMPLETE JRD JRD

6/29/2004 COMP MANAGER DA

ACTIVITY INFORMATION

Date	Result	By	Name
8/9/2017 COMPLETE	JRD	JRD	
6/29/2004 COMP MANAGER	DA		

Sign: VERIFICATION OF VISIT NOT DATE: / /

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
400	11.799	5,947,800	229,000	2,293,200	8,470,000
Total Card	11.799	5,947,800	229,000	2,293,200	8,470,000
Total Parcel	11.799	5,947,800	229,000	2,293,200	8,470,000
Source:	Market Adj Cost	Total Value per SQ unit /Card:	75.91	/Parcel:	75.91

Legal Description
Lot 325B, Plan 526/81
Entered Lot Size
Total Land: 11.79
Land Unit Type: AC

User Acct
GIS Ref
GIS Ref
Insp Date
08/09/17

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2022	400	FV	5,623,200	216100	11.799	2,091,700	7,931,000	7,931,000	Year End Roll	12/13/2021
2021	400	FV	5,660,000	189100	11.799	1,998,000	7,847,100	7,847,100	Year End Roll	12/18/2020
2020	400	FV	5,058,900	192100	11.799	1,998,000	7,249,000	7,249,000	Year End Roll	12/11/2019
2019	400	FV	4,702,100	195000	11.799	1,830,600	6,727,700	6,727,700	Moving after ta	12/6/2018
2018	400	FV	4,126,100	198100	11.799	1,596,200	5,920,400	5,920,400	Year End Roll	12/12/2017
2017	400	FV	3,881,900	143200	11.79	1,596,100	5,621,200	5,621,200	Year End Roll	12/7/2016
2016	400	FV	3,881,900	143200	11.79	1,596,100	5,621,200	5,621,200	year end	12/14/2015
2015	400	FV	3,832,800	0	11.79	2,052,900	5,885,700	5,885,700	CONVERSION	1/1/2015

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
CABOT II MA1M03	56721-156	P	2/8/2017	OTHER-EXPLN	10,137,684	No	No	D	Allocation of 7 Cabot properties
TMT 290 INDUSTR	43159-54	P	8/1/2008	YES-VALID	8,200,000	No	No	D	
OTR	24662-0170	P	8/21/2001	SALE-OF-PORT	31,000,000	No	No	D	
AEW #17 TRUST	18816-0044	P	5/9/1997	SALE-OF-PORT	19,055,000	No	No	D	
AEW #17 TRUST	16854-0327	P	1/31/1995	INTRACORP-SA	200,000	No	No	D	

BUILDING PERMITS

Date	Number	Descrp	Amount	C/O	Last Visit	Fed Code	F. Descrp	Comment
11/9/2021	21-773		623,473					strip & reroof
10/19/2021	21-490		5,837,164					renovate office
2/17/2017	2017 12		54,000	C				
12/16/2016	2016 1033		27,500	C				Demo inter walls a
11/19/2016	2016 1310		45,000	C				Install 5,431 sq f
10/24/2016	2016 1264		237,270	C				Toilet Room renov.
7/21/2016	2016 1067		50,000	C				Loading dock expans
7/21/2016	2016 1067		45,000	C				loading dock expans
7/20/2016	2016 1033		12,000	C				demo int walls and
6/23/2016	2016 946		72,000	C				Relocate existing

PROPERTY LOCATION

No	Alt No	Direction/Street/City
30		FORBES ROAD, NORTHBOROUGH

OWNERSHIP

Owner 1: G&I IX FORBES WHITNEY LLC
Owner 2:
Owner 3:
Street 1: DRA REAL ESTATE TAXES c/o SVN-RICORE
Street 2: 11500 NORTHLAKE DRIVE Suite 100
Twn/City: CINCINNATI
St/Prov: OH
Postal: 45244

PREVIOUS OWNER

Owner 1: CABOT II MA1M03 LLC -
Owner 2: I-290 INDUSTRIAL PARK -
Street 1: 1 BEACON STREET STE 1700
Twn/City: BOSTON
St/Prov: MA
Postal: 02108

NARRATIVE DESCRIPTION

This parcel contains 11.799 ACRES of land mainly classified as MANUFACTURING with a WAREHOUSE Building built about 1979, having primarily CONC BLK Exterior and 111578 Square Feet, with 1 Unit, 0 Bath, 0 3/4 Bath, 4 HalfBaths, 0 Rooms, and 0 Bdrm.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int
------	------------	--------	----------

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z			100	water	PS	PUBLIC-SYS
o				Sewer	SW	SEWER
n				Electri		
Census:				Exmpt		
Flood Haz:						
D	NORT	NORT	100	Topo		
s				Street	P	PAVED
t				Gas:	M	MEDIUM

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Infl 1	%	Infl 2	%	Infl 3	%	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
400	MANUFACTL		334734		SQFT PRIM	PRIMARY	1.0	0	9.26	0.70	11								2,169,746						2,169,700	
400	MANUFACTL		4.11501		ACRES	RESIDUAL	1.0	0	30,000.	1.00	11								123,450						123,500	

Total AC/HA: 11.79945 Total SF/SM: 513984 Parcel LUC: 400 MANUFACTURN Prime NB Desc: 11 Total: 2,293,196 Spl Credit: Total: 2,293,200

Disclaimer: This Information is believed to be correct but is subject to change and is not warranted.

Database: AssessPro - AssessPro Live

bfermand

2023

Base Lease - Exhibit D captures  
approval for flammable material  
storage - quantities in this license  
amendment covered by Exhibit D.

**CABOT PROPERTIES, INC.**  
**INDUSTRIAL REAL ESTATE LEASE**  
**Multi-Tenant Net Form**

**Landlord: Cabot II - MA1M03, LLC**  
**Tenant: Aspen Aerogels, Inc.**  
**Property Address: 30 Forbes Road, Northborough, Massachusetts**

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## ARTICLE ONE - BASIC TERMS

The following terms used in this Lease shall have the meanings set forth below.

- 1.01 Date of Lease: JUNE 29, 2016
- 1.02 Landlord (legal entity): Cabot II – MA1M03, LLC, a Delaware limited liability company
- 1.03 Tenant (legal entity): Aspen Aerogels, Inc., a Delaware corporation
- 1.04 Tenant's Guarantor: N/A
- 1.05 Address of Property: 30 Forbes Road, Northborough, Massachusetts
- 1.06 Property Rentable Area: Approximately 111,577 rentable square feet
- 1.07 Premises Rentable Area: Approximately 51,650 rentable square feet
- 1.08 Tenant's Initial Pro Rata Share: 46.29%
- 1.09 Lease Term: Ten (10) years, beginning on the Lease Commencement Date.
- 1.10 Lease Commencement Date: January 1, 2017
- 1.11 Permitted Uses: Manufacture of aerogel related products, research and development activities related thereto, and storage and administrative office. Tenant is responsible for obtaining any necessary business licenses or permits.
- 1.12 Broker(s): CBRE, Inc. and Newmark Grubb Knight Frank
- 1.13 Initial Security Deposit: N/A (See Section 17.16(b))
- 1.14 Parking Spaces Allocated to Tenant: 135
- 1.15 Base Rent:

<u>Time</u> <u>Period</u>	<u>Annual</u> <u>Rent p.s.f.</u>	<u>Annual Base</u> <u>Rent</u>	<u>Monthly</u> <u>Base Rent</u>
------------------------------	-------------------------------------	-----------------------------------	------------------------------------

- 1.16 Other Charges Payable by Tenant: (i) Real Property Taxes (Article Five);  
(ii) Utilities (Article Six);  
(iii) Insurance Premiums (Article Seven);  
(iv) CAM Expenses (Article Eight)
- 1.17 Address of Landlord for Notices: c/o Cabot Properties, Inc.  
One Beacon Street, Suite 1700  
Boston, MA 02108  
Attn: Asset Management
- 1.18 Address of Landlord for Rent Payments: Cabot Industrial Value Fund II Operating Partnership,  
L.P.  
P.O. Box 535220  
Atlanta, GA 30353-5220
- 1.19 Address of Tenant for Notices: 30 Forbes Road, Building B  
Northborough, MA 01532
- 1.20 Fiscal Year: January - December
- 1.21 Mortgagee: Wells Fargo Bank, National Association
- 1.22 Exhibits:
- Exhibit A - The Property
  - Exhibit B - The Premises
  - Exhibit C - Rules & Regulations
  - Exhibit D - Hazardous Materials
  - Exhibit E - Summary of Insurance Requirements
  - Exhibit F - HVAC Units to be Replaced by Tenant

## ARTICLE TWO - PREMISES

2.01 Premises. The Premises are described in Exhibit B and are a part of the Property, which is described in Exhibit A. The Property includes all the land, building(s), and all other improvements located on the land including the common areas described in Article Eight.


IN WITNESS WHEREOF, the undersigned Landlord and Tenant have caused this Lease to be duly executed by their duly authorized representatives as of the date first above written.

LANDLORD:

CABOT II – MA1M03, LLC

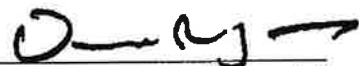
By: Cabot II Secured Pool I, LLC  
a Delaware limited liability company,  
its sole member

By: Cabot Industrial Value Fund II Operating Partnership, L.P.,  
a Delaware limited partnership, its sole member

By:   
Name: Neil S. Raymond, Jr.  
Title: VP Asset Management

TENANT:

ASPEN AEROGELS, INC.

By:   
Name: DONALD YOUNG  
Title: CEO

## EXHIBIT D – HAZARDOUS MATERIALS

Chemicals	(gallons)
Tetraethylorthosilicate (or partially hydrolyzed oligomers thereof) or similar	5,000
Waterglass (NA Silicate)	8,500
Ethanol, Denatured ethanol or similar	17,300
NH <sub>4</sub> OH conc. (ammonia)	55
Alcoblak 300A or similar	110
2-propanol or similar	2,500
THF, Hexane or similar	250
Methyltriethoxysilane, PDMS or similar	500
HCL	960
Hexamethyldisilazane (HMDS), Hexamethyldisiloxane (HMDSO) or similar	500
Carbon Dioxide	4 metric tons

### Also Various Standard Laboratory Chemicals

Alcohols	Standard Lab Quantities
Acids	Standard Lab Quantities
Chemicals	Standard Lab Quantities
Bases	Standard Lab Quantities
Alkoxides	Standard Lab Quantities
Chlorides	Standard Lab Quantities
Silanes	Standard Lab Quantities
Compressed gases (e.g. nitrogen, oxygen, air etc.)	Standard Lab Quantities

Note: All materials and the quantities thereof are subject to Tenant's obtaining any required federal, state and/or local approvals and compliance with all applicable statutes, regulations, codes and ordinances.

Lease amendment identifying that  
owner approves the increased flammable  
storage license, combustible metal quantities.

## SECOND AMENDMENT TO LEASE

This Second Amendment to Lease (this "**Amendment**") is executed as of April 18, 2022 (the "**Effective Date**"), between G&I IX FORBES WHITNEY LLC, a Delaware limited liability company ("**Landlord**"), and ASPEN AEROGELS, INC., a Delaware corporation ("**Tenant**"). Capitalized terms used herein but not defined shall be given the meanings assigned to them in the Lease.

### RECITALS:

A. Landlord and Tenant are currently parties to that certain Industrial Real Estate Lease dated June 29, 2016 (the "**Original Lease**" and, as amended from time to time, the "**Lease**") for approximately 51,650 rentable square feet (the "**Premises**") in the building located at 30 Forbes Road, Northborough, Massachusetts (the "**Building**"). The Lease has been amended pursuant to that certain First Amendment to Lease dated December 22, 2021.

B. Tenant has requested Landlord's consent to store and handle certain Hazardous Materials at the Premises other than what is expressly permitted in the Original Lease; Landlord desires to grant its consent to Tenant's request on the terms and conditions contained herein.

### AGREEMENTS:

For valuable consideration, whose receipt and sufficiency are acknowledged, Landlord and Tenant agree as follows:

1. **Permitted Hazardous Materials.** In addition to those Hazardous Materials listed on Exhibit D to the Original Lease, Tenant may also store and handle Hazardous Materials in such maximum quantities (the "**Additional Permitted Materials**") as follows:

Hazardous Material	Maximum Quantity
Various battery cells (small coin, small pouch) in charged and uncharged states containing metal oxides, lithium electrolytes and small quantities of flammable solvent	50 kilograms
Various alkali metals (lithium metal, sodium metal, potassium metal)	5 kilograms

Tenant's use, storage and handling of the Additional Permitted Materials shall be subject to the provisions of Section 9.03 of the Original Lease. Landlord reserves the right to require that Tenant provide Material Safety Data Sheets further describing the Additional Hazardous Materials if required by law or Landlord risk managers. Landlord's granting of its consent regarding the Additional Permitted Materials shall not act as a waiver of Tenant's obligation to obtain Landlord's consent in connection with Tenant's use, storage or handling of any Hazardous Materials on the Premises not included in Exhibit D to the Original Lease or the Additional Permitted Materials.

2. **Brokerage.** Landlord and Tenant each warrant to the other that no broker or agent is entitled to a commission in connection with the negotiation or execution of this Amendment. Tenant and Landlord shall each indemnify the other against all costs, expenses, attorneys' fees, and other liability for commissions or other compensation claimed by any other broker or agent claiming the same by, through, or under the indemnifying party.

3. **Ratification.** Tenant hereby ratifies and confirms its obligations under the Lease, and

represents and warrants to Landlord that it has no defenses thereto. Additionally, Tenant further confirms and ratifies that, as of the date hereof, (a) the Lease is and remains in good standing and in full force and effect, (b) Tenant has no claims, counterclaims, set-offs or defenses against Landlord arising out of the Lease or in any way relating thereto or arising out of any other transaction between Landlord and Tenant, and (c) all tenant finish-work allowances provided to Tenant under the Lease or otherwise, if any, have been paid in full by Landlord to Tenant, and Landlord has no further obligations with respect thereto.

4. **WAIVER OF JURY TRIAL.** TO THE MAXIMUM EXTENT PERMITTED BY LAW, LANDLORD AND TENANT EACH WAIVE ANY RIGHT TO TRIAL BY JURY IN ANY LITIGATION OR TO HAVE A JURY PARTICIPATE IN RESOLVING ANY DISPUTE ARISING OUT OF OR WITH RESPECT TO THE LEASE OR ANY OTHER INSTRUMENT, DOCUMENT OR AGREEMENT EXECUTED OR DELIVERED IN CONNECTION HERewith OR THE TRANSACTIONS RELATED HERETO.

5. **Headings.** The headings or captions of the paragraphs in this Amendment are for convenience only and shall not act and shall not be implied to act to limit or expand the construction and intent of the contents of the respective paragraph.

6. **Binding Effect; Governing Law.** Except as modified hereby, the Lease shall remain in full effect and this Amendment shall be binding upon Landlord and Tenant and their respective successors and assigns. If any inconsistency exists or arises between the terms of this Amendment and the terms of the Lease, the terms of this Amendment shall prevail. This Amendment shall be governed by the laws of the State in which the Premises are located.

7. **Counterparts.** This Amendment may be executed in multiple counterparts, each of which shall constitute an original, but all of which shall constitute one document. This Amendment may be executed by electronic signature, which shall be considered as an original signature for all purposes and shall have the same force and effect as an original signature. For these purposes, "electronic signature" shall mean electronically scanned and transmitted versions (e.g., via pdf file) of an original signature, signatures electronically inserted and verified by software such as Adobe Sign, or faxed versions of an original signature.

8. **Submission of Amendment Not Offer.** The submission by Landlord to Tenant of this Amendment for Tenant's consideration shall have no binding force or effect, and shall not confer any rights upon Tenant or impose any obligations upon Landlord irrespective of any reliance thereon by Tenant, change of position, partial performance, or any correspondence among either party or its authorized representatives. This Amendment is effective and binding on Landlord only upon the execution and delivery of this Amendment by Landlord and Tenant.

*[remainder of page intentionally left blank]*

This Amendment is executed on the respective dates set forth below, but for reference and effectiveness purposes this Amendment shall be dated as of the Effective Date. If the execution date is left blank, this Amendment shall be deemed executed as of the Effective Date.

LANDLORD:


G&I IX FORBES WHITNEY LLC,  
a Delaware limited liability company

By: Robert Hyman  
Robert Hyman (Apr 22, 2022 12:01 EDT)  
Name: Robert Hyman  
Title: Vice President

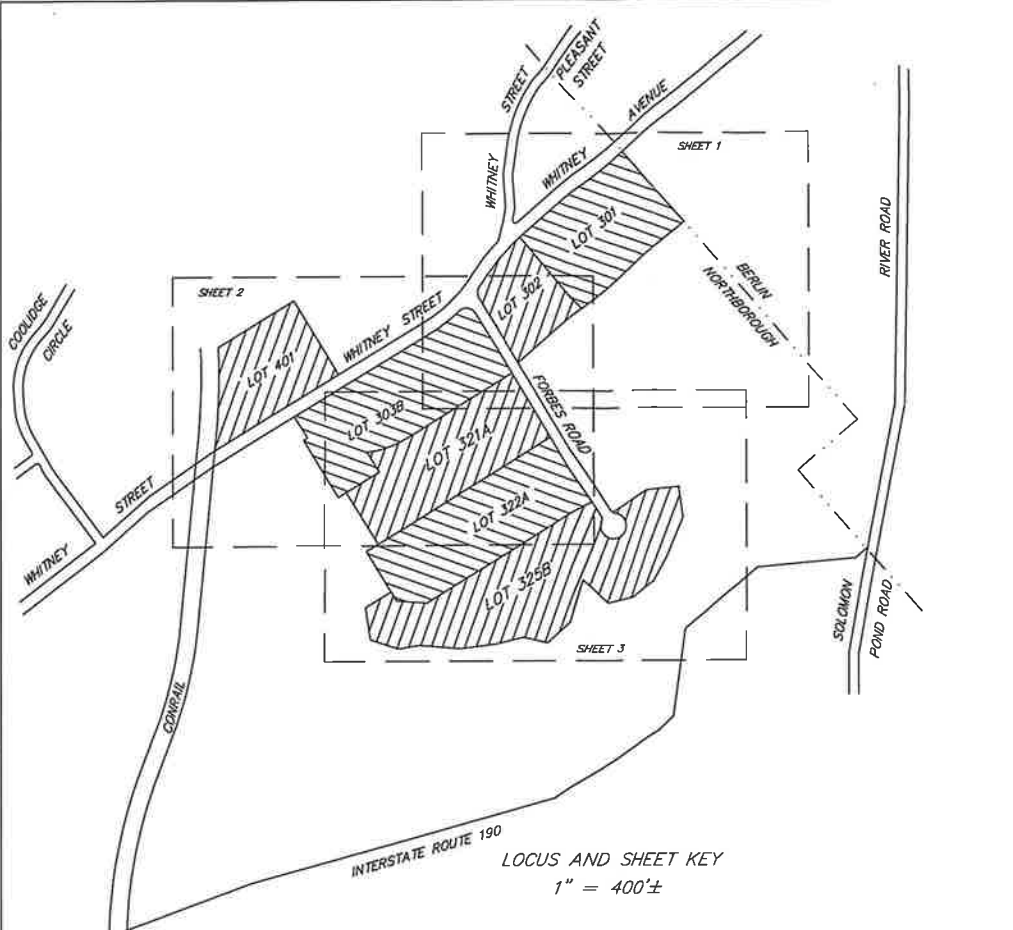
Execution Date: Effective Date

TENANT:

ASPEN AEROGELS, INC.,  
a Delaware corporation

DocuSigned by:  
By:   
Name: Ricardo C. Rodriguez  
Title: Senior Vice President, Chief Executive Officer and Treasurer

Execution Date: April 18, 2022



DESCRIPTION OF LOT 302

BEING THE PARCEL, NOW NUMBERED 444 WHITNEY STREET, LOCATED ON THE SOUTHERLY SIDE OF WHITNEY STREET AT THE SOUTHEAST CORNER OF FORBES ROAD, AS SHOWN ON A PLAN DATED JANUARY 28, 1982, RECORDED IN PLAN BOOK 455, AS PLAN 20, THE "1982 PLAN".

A CERTAIN PARCEL OF LAND SITUATED ON THE SOUTHERLY SIDE OF WHITNEY STREET AND THE EASTERLY SIDE OF FORBES ROAD IN THE TOWN OF NORTHBOROUGH, WORCESTER COUNTY, MASSACHUSETTS, SHOWN ON A PLAN ENTITLED "PLAN OF LAND IN NORTHBOROUGH, MASS. OWNED BY H-TECH REALTY LIMITED PARTNERSHIP", DATED MARCH 12, 1984, DRAWN BY MACGENTRY AND SULLIVAN ENGINEERING, INC. RECORDED IN PLAN BOOK 526, AS PLAN 81, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEING THE PARCEL, NOW NUMBERED 444 WHITNEY STREET, LOCATED ON THE SOUTHERLY SIDE OF WHITNEY STREET AT THE SOUTHEAST CORNER OF FORBES ROAD, AS SHOWN ON A PLAN DATED JANUARY 28, 1982, RECORDED IN PLAN BOOK 455, AS PLAN 20, THE "1982 PLAN".

THE ABOVE DESCRIBED PARCEL CONTAINS 14,857 SQUARE FEET, OR 0.341 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED PARCEL IS SUBJECT TO THE EASEMENTS SHOWN ON THE ABOVE-REFERENCED PLAN.

PLAN REFERENCES

PLAN OF LAND IN NORTHBOROUGH, MASS. OWNED BY JOHN M. HINES & DANIEL G. WHEELER, DATED DECEMBER 11, 1969, RECORDED IN PLAN BOOK 354, PAGE 86.

PLAN OF PROPOSED LAYOUT OF WHITNEY AVENUE & A PORTION OF WHITNEY STREET IN NORTHBOROUGH, MASS., DATED FEBRUARY 1973, RECORDED IN PLAN BOOK 381, PAGE 73.

PLAN OF LAND IN NORTHBOROUGH, MASS. OWNED BY R. JOHN GRIFFIN, JOHN M. HINES & DANIEL G. WHEELER, DATED JULY 2, 1974, RECORDED IN PLAN BOOK 401, PAGE 22.

RAILROAD EASEMENT PLAN DATED MARCH 26, 1975, RECORDED IN PLAN BOOK 416, PAGE 49.

PLAN OF INTERSTATE 290 INDUSTRIAL CENTER DATED DECEMBER 15, 1970, RECORDED IN PLAN BOOK 465, PAGE 3.

PLAN OF LAND IN NORTHBOROUGH, MASS. OWNED BY R. JOHN GRIFFIN, JOHN M. HINES & DANIEL G. WHEELER, TRUSTEES, DATED DECEMBER 5, 1973 (LOT 301), RECORDED IN PLAN BOOK 394, PAGE 109.

PLAN OF LAND IN NORTHBOROUGH, MASS. OWNED BY JULIAN J. LEAVITT & JOEL A. LEAVITT, TRUSTEES, DATED JANUARY 11, 1980 (LOT 401), RECORDED IN PLAN BOOK 478, PAGE 109.

PLAN OF LAND IN NORTHBOROUGH, MASS., DATED JANUARY 28, 1982 (LOT 302), RECORDED IN PLAN BOOK 495, PAGE 29.

PLAN OF LAND IN NORTHBOROUGH, MASS. OWNED BY H-TECH REALTY LIMITED PARTNERSHIP, DATED MARCH 12, 1984 (LOTS 303A, 321A, 322A, 323B), RECORDED IN PLAN BOOK 526, PAGE 81.

TOWN OF NORTHBOROUGH ACCEPTANCE PLAN OF FORBES ROAD DATED APRIL 23, 1984, RECORDED IN PLAN BOOK 558, PAGE 2.

DESCRIPTION OF LOT 303B

BEING THE PARCEL, NOW NUMBERED 444 WHITNEY STREET, LOCATED ON THE SOUTHERLY SIDE OF WHITNEY STREET AT THE SOUTHEAST CORNER OF FORBES ROAD, AS SHOWN ON A PLAN DATED JANUARY 28, 1982, RECORDED IN PLAN BOOK 455, AS PLAN 20, THE "1982 PLAN".

A CERTAIN PARCEL OF LAND SITUATED ON THE SOUTHERLY SIDE OF WHITNEY STREET AND THE EASTERLY SIDE OF FORBES ROAD IN THE TOWN OF NORTHBOROUGH, WORCESTER COUNTY, MASSACHUSETTS, SHOWN ON A PLAN ENTITLED "PLAN OF LAND IN NORTHBOROUGH, MASS. OWNED BY H-TECH REALTY LIMITED PARTNERSHIP", DATED MARCH 12, 1984, DRAWN BY MACGENTRY AND SULLIVAN ENGINEERING, INC. RECORDED IN PLAN BOOK 526, AS PLAN 81, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEING THE PARCEL, NOW NUMBERED 444 WHITNEY STREET, LOCATED ON THE SOUTHERLY SIDE OF WHITNEY STREET AT THE SOUTHEAST CORNER OF FORBES ROAD, AS SHOWN ON A PLAN DATED JANUARY 28, 1982, RECORDED IN PLAN BOOK 455, AS PLAN 20, THE "1982 PLAN".

THE ABOVE DESCRIBED PARCEL CONTAINS 17,728 SQUARE FEET, OR 0.404 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED PARCEL IS SUBJECT TO THE EASEMENTS SHOWN ON THE ABOVE-REFERENCED PLAN.

DESCRIPTION OF LOT 322A

BEING THE PARCEL, NOW NUMBERED 20 FORBES ROAD LOCATED ON THE WESTERLY SIDE OF FORBES ROAD, SOUTHERLY OF LOT 321A, AS SHOWN ON A PLAN DATED JANUARY 11, 1980, RECORDED IN PLAN BOOK 478, AS PLAN 100.

A CERTAIN PARCEL OF LAND TOGETHER WITH THE BUILDING AND OTHER IMPROVEMENTS THEREON, SITUATED ON THE WESTERLY SIDE OF FORBES ROAD IN THE TOWN OF NORTHBOROUGH, WORCESTER COUNTY, MASSACHUSETTS, SHOWN ON A PLAN ENTITLED "PLAN OF LAND IN NORTHBOROUGH, MASS. OWNED BY H-TECH REALTY LIMITED PARTNERSHIP", DATED MARCH 12, 1984, DRAWN BY MACGENTRY AND SULLIVAN ENGINEERING, INC. RECORDED IN PLAN BOOK 526, AS PLAN 81, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEING THE PARCEL, NOW NUMBERED 20 FORBES ROAD LOCATED ON THE WESTERLY SIDE OF FORBES ROAD, SOUTHERLY OF LOT 321A, AS SHOWN ON A PLAN DATED JANUARY 11, 1980, RECORDED IN PLAN BOOK 478, AS PLAN 100.

THE ABOVE DESCRIBED PARCEL CONTAINS 31,052 SQUARE FEET, OR 0.714 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED PARCEL IS SUBJECT TO THE EASEMENTS SHOWN ON THE ABOVE-REFERENCED PLAN.

DESCRIPTION OF LOT 401

BEING THE PARCEL, NOW NUMBERED 425 WHITNEY STREET AND BEING LOCATED ON THE NORTHERLY SIDE OF WHITNEY STREET AS SHOWN ON A PLAN (THE "401 PLAN") DATED JANUARY 11, 1980, RECORDED IN PLAN BOOK 478, AS PLAN 100.

A CERTAIN PARCEL OF LAND TOGETHER WITH THE BUILDING AND OTHER IMPROVEMENTS THEREON, SITUATED ON THE NORTHERLY SIDE OF WHITNEY STREET IN THE TOWN OF NORTHBOROUGH, WORCESTER COUNTY, MASSACHUSETTS, SHOWN ON A PLAN ENTITLED "PLAN OF LAND IN NORTHBOROUGH, MASS. OWNED BY H-TECH REALTY LIMITED PARTNERSHIP", DATED MARCH 12, 1984, DRAWN BY MACGENTRY AND SULLIVAN ENGINEERING, INC. RECORDED IN PLAN BOOK 526, AS PLAN 81, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEING THE PARCEL, NOW NUMBERED 425 WHITNEY STREET AND BEING LOCATED ON THE NORTHERLY SIDE OF WHITNEY STREET AS SHOWN ON A PLAN (THE "401 PLAN") DATED JANUARY 11, 1980, RECORDED IN PLAN BOOK 478, AS PLAN 100.

NOTES:

1. THE LAND SHOWN HEREON IS GRAPHICALLY SITUATED IN THE INDUSTRIAL A ZONING DISTRICT, WITH THE FOLLOWING MINIMUM DIMENSIONAL REQUIREMENTS:  
MINIMUM LOT AREA 60,000 SQUARE FEET  
MINIMUM LOT FRONTAGE 150 FEET  
MINIMUM LOT WIDTH NONE  
MINIMUM FRONT SETBACK\* 40 FEET  
MINIMUM SIDE SETBACK\* 20 FEET  
MINIMUM REAR SETBACK\* 25 FEET  
MAXIMUM BUILDING HEIGHT 60 FEET  
\*100 FEET WHERE ABUTS A RESIDENTIAL ZONE

2. THE LAND SHOWN HEREON IS NOT GRAPHICALLY SITUATED IN THE 100-YEAR FLOOD HAZARD ZONE, PER FLOOD INSURANCE RATE MAP 250321 0001B, DATED NOVEMBER 15, 1979

3. DEED REFERENCE: TMT 290 INDUSTRIAL PARK, INC. BOOK 24682 PAGE 170

4. LOCATIONS OF UNDERGROUND UTILITIES, INsofar AS SHOWN, ARE BASED ON UTILITY COMPANY PLANS, AS AVAILABLE, AND OBSERVATION OF VISIBLE STRUCTURES, AND ARE NOT WARRANTED TO BE COMPLETE OR CORRECT.

5. PORTIONS OF THE SUBJECT PREMISES ARE SITUATED IN GROUNDWATER DISTRICT AREA 2, DEFINED AS A POTENTIAL WATER SUPPLY AREA/PRIMARY RECHARGE AREA, AND GROUNDWATER DISTRICT AREA 3, DEFINED AS A PRIMARY RECHARGE AREA.

6. THE FOLLOWING PARKING SPACE COUNTS ARE TO BE CONSIDERED APPROXIMATE DUE TO FADED AND OVERLAPPING PARKING SPACE STRIPING AT MANY LOCATIONS.

LOT 301	25 STANDARD SPACES + 0 HP SPACES
LOT 302	0 SPACES
LOT 303B	179 STANDARD SPACES + 5 HP SPACES
LOT 321A	150 STANDARD SPACES + 5 HP SPACES
LOT 322A	242 STANDARD SPACES + 7 HP SPACES
LOT 323B	289 STANDARD SPACES + 8 HP SPACES
LOT 401	19 STANDARD SPACES + 2 HP SPACES
TOTAL	904 STANDARD SPACES + 27 HP SPACES

LEGEND:

- DEVOTES STONE OR CONCRETE BOUND
- DEVOTES IRON PIPE
- CHAIN LINK FENCE
- EDGE OF BLACKTOP
- WATER GATE
- HYDRANT
- OVERHEAD WIRES
- UTILITY POLES
- BERM
- DRAIN MANHOLE
- SANITARY MANHOLE
- CATCH BASIN
- EXISTING GAS LINE
- EXISTING WATER LINE
- EXISTING UNDERGROUND TELEPHONE
- EXISTING UNDERGROUND SANITARY

DESCRIPTION OF LOT 301

A CERTAIN PARCEL OF LAND TOGETHER WITH THE BUILDING AND OTHER IMPROVEMENTS THEREON, SITUATED ON THE WESTERLY SIDE OF FORBES ROAD IN THE TOWN OF NORTHBOROUGH, WORCESTER COUNTY, MASSACHUSETTS, SHOWN ON A PLAN ENTITLED "PLAN OF LAND IN NORTHBOROUGH, MASS. OWNED BY H-TECH REALTY LIMITED PARTNERSHIP", DATED MARCH 12, 1984, DRAWN BY MACGENTRY AND SULLIVAN ENGINEERING, INC. RECORDED IN PLAN BOOK 526, AS PLAN 81, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEING THE PARCEL, NOW NUMBERED 301 FORBES ROAD LOCATED ON THE WESTERLY SIDE OF FORBES ROAD, SOUTHERLY OF LOT 322A, AS SHOWN ON A PLAN DATED JANUARY 11, 1980, RECORDED IN PLAN BOOK 478, AS PLAN 100.

THE ABOVE DESCRIBED PARCEL CONTAINS 28,753 SQUARE FEET, OR 0.659 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED PARCEL IS SUBJECT TO THE EASEMENTS SHOWN ON THE ABOVE-REFERENCED PLAN.

DESCRIPTION OF LOT 321A

BEING THE PARCEL, NOW NUMBERED 15 FORBES ROAD LOCATED ON THE WESTERLY SIDE OF FORBES ROAD, SOUTHERLY OF LOT 322A, AS SHOWN ON A PLAN DATED JANUARY 11, 1980, RECORDED IN PLAN BOOK 478, AS PLAN 100.

A CERTAIN PARCEL OF LAND TOGETHER WITH THE BUILDING AND OTHER IMPROVEMENTS THEREON, SITUATED ON THE WESTERLY SIDE OF FORBES ROAD IN THE TOWN OF NORTHBOROUGH, WORCESTER COUNTY, MASSACHUSETTS, SHOWN ON A PLAN ENTITLED "PLAN OF LAND IN NORTHBOROUGH, MASS. OWNED BY H-TECH REALTY LIMITED PARTNERSHIP", DATED MARCH 12, 1984, DRAWN BY MACGENTRY AND SULLIVAN ENGINEERING, INC. RECORDED IN PLAN BOOK 526, AS PLAN 81, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEING THE PARCEL, NOW NUMBERED 15 FORBES ROAD LOCATED ON THE WESTERLY SIDE OF FORBES ROAD, SOUTHERLY OF LOT 322A, AS SHOWN ON A PLAN DATED JANUARY 11, 1980, RECORDED IN PLAN BOOK 478, AS PLAN 100.

THE ABOVE DESCRIBED PARCEL CONTAINS 39,378 SQUARE FEET, OR 0.904 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED PARCEL IS SUBJECT TO THE EASEMENTS SHOWN ON THE ABOVE-REFERENCED PLAN.

DESCRIPTION OF LOT 323B

BEING THE PARCEL, NOW NUMBERED 30 FORBES ROAD LOCATED ON THE WESTERLY SIDE OF FORBES ROAD AND SOUTHERLY OF LOT 322A, AS SHOWN ON A PLAN DATED JANUARY 11, 1980, RECORDED IN PLAN BOOK 478, AS PLAN 100.

A CERTAIN PARCEL OF LAND TOGETHER WITH THE BUILDING AND OTHER IMPROVEMENTS THEREON, SITUATED ON THE WESTERLY SIDE OF FORBES ROAD IN THE TOWN OF NORTHBOROUGH, WORCESTER COUNTY, MASSACHUSETTS, SHOWN ON A PLAN ENTITLED "PLAN OF LAND IN NORTHBOROUGH, MASS. OWNED BY H-TECH REALTY LIMITED PARTNERSHIP", DATED MARCH 12, 1984, DRAWN BY MACGENTRY AND SULLIVAN ENGINEERING, INC. RECORDED IN PLAN BOOK 526, AS PLAN 81, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEING THE PARCEL, NOW NUMBERED 30 FORBES ROAD LOCATED ON THE WESTERLY SIDE OF FORBES ROAD, SOUTHERLY OF LOT 322A, AS SHOWN ON A PLAN DATED JANUARY 11, 1980, RECORDED IN PLAN BOOK 478, AS PLAN 100.

THE ABOVE DESCRIBED PARCEL CONTAINS 31,000 SQUARE FEET, OR 0.709 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED PARCEL IS SUBJECT TO THE EASEMENTS SHOWN ON THE ABOVE-REFERENCED PLAN.

LIST OF EXCEPTIONS, SCHEDULE B - SECTION 2  
STEWART TITLE GUARANTY COMPANY COMMITMENT  
FOR TITLE INSURANCE NO. 08-07-0427,  
DATED APRIL 29, 2008

1. ANY FACTS, RIGHTS, INTEREST OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN AN INSPECTION OF SAID LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION THEREOF.

THIS SURVEY INCORPORATES THE RESULTS OF AN INSPECTION OF THE SUBJECT PREMISES.

2. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER FACTS WHICH A CORRECT SURVEY WOULD DISCLOSE, AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.

ENCROACHMENTS OBSERVED AT THE BOUNDARIES OF THE SUBJECT PREMISES ARE SHOWN HEREON.

3. AN LIEN, OR RIGHTS TO A LIEN, FOR SERVICES, LABOR OF MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOW SHOWN BY THE PUBLIC RECORDS.

THIS ITEM REFERS TO NO PHYSICAL FEATURES OF THE SUBJECT PREMISES WHICH CAN BE PLOTTED HEREON.

4. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD FOR VALUE THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT.

THIS ITEM REFERS TO NO PHYSICAL FEATURES OF THE SUBJECT PREMISES WHICH CAN BE PLOTTED HEREON.

5. LIENS FOR MUNICIPAL TAXES AND ASSESSMENTS AS MAY BE SHOWN AS DUE AND PAYABLE ON A CURRENT CERTIFICATE OF MUNICIPAL LIENS AND LIENS FOR SUCH MUNICIPAL TAXES AND ASSESSMENTS AS BECOME DUE AND PAYABLE HEREAFTER.

THIS ITEM REFERS TO NO PHYSICAL FEATURES OF THE SUBJECT PREMISES WHICH CAN BE PLOTTED HEREON.

6. RIGHTS OF OTHERS THERETO ENTITLED IN COMMON TO USE THE RAILROAD EASEMENT DESCRIBED IN BOOK 5607 PAGE 248, AS AFFECTED BY INSTRUMENT RECORDED IN BOOK 5739 PAGE 138.

THIS EASEMENT AFFECTS LOTS 301, 302, 303B AND 321A OF THE SUBJECT PREMISES AND CROSSES FORBES ROAD, ALL AS SHOWN HEREON. RAILROAD SPUR TRACKS SITUATED ON OR NEAR THE RAILROAD EASEMENT ARE IN DISREPAIR AND APPARENTLY IMPASSABLE TO RAILROAD ROLLING STOCK.

7. RIGHTS AND EASEMENTS GIVEN MASSACHUSETTS ELECTRIC COMPANY AS DESCRIBED IN BOOK 6426 PAGE 116, AS AFFECTED BY INSTRUMENT RECORDED IN BOOK 6833 PAGE 107.

THIS EASEMENT AFFECTS LOTS 303B, 321A AND 322A OF THE SUBJECT PREMISES AND CROSSES FORBES ROAD, ALL AS SHOWN HEREON.

8. TERMS AND PROVISIONS OF AGREEMENTS TO IMPOSE RESTRICTIONS RELATIVE TO THE "DEVELOPMENT AND USE" OF SAID PREMISES TO THE EXTENT THAT SUCH AGREEMENTS AFFECT THE INSURED PREMISES AS SUCH AGREEMENTS ARE ESTABLISHED AND SET FORTH OR REFERRED TO IN DEED BOOK 8430 PAGE 284, AS AFFECTED BY RELEASE OF RESTRICTIONS RECORDED IN BOOK 16789 PAGE 344.

PROTECTIVE RESTRICTIONS MENTIONED IN BOOK 8430 PAGE 284 AFFECT LOTS 302, 303B, 321A, 322A, 323B AND 401. BOOK 16789 PAGE 344 PERTAINS TO LAND NOT INCLUDED IN THE SUBJECT PREMISES. BOOK 8430 PAGE 284 PROVIDES THAT NO BUILDING BE SITUATED WITHIN 50 FEET OF A STREET OR WITHIN 20 FEET OF OTHER LAND BOUNDARIES AND THAT NO BUILDING OCCUPY MORE THAN 50 PERCENT OF THE LOT AREA. BUILDING SETBACKS AND BUILDINGS AND LOT AREAS ARE SHOWN HEREON. EASEMENTS MENTIONED IN BOOK 8430 PAGE 284 ARE SHOWN HEREON.

9. DRAINAGE EASEMENTS AND SURFACE DRAINAGE RIGHTS ON LOT 323B AND LOT 401 AS DESCRIBED IN BOOK 8430 PAGE 284.

DRAINAGE EASEMENTS ON LOT 323B AND LOT 401 ARE SHOWN HEREON. SURFACE DRAINAGE RIGHTS REFER TO NO SPECIFIC FEATURES OF THE PREMISES WHICH CAN BE PLOTTED HEREON.

10. RIPARIAN RIGHTS OF OTHERS OF THE UNINTERRUPTED FLOW OF THE BROOK LOCATED ALONG THE NORTHWESTERLY BOUNDARY OF LOT 401.

THE BROOK IS SHOWN HEREON WHERE IT IS SITUATED ON LOT 401. NO OBSTRUCTION OF THE BROOK WAS OBSERVED.

11. PUMP STATION EASEMENTS IN L-280 INDUSTRIAL PARK SEWER AND WATER AGREEMENT, BOOK 8370 PAGE 260, AS AFFECTED BY NOTICE OF SATISFACTION, BOOK 18297 PAGE 352.

THE EASEMENT DESCRIBED AS THE "LOT 321 EASEMENT" IS SITUATED ON LOT 323B OF THE SUBJECT PREMISES AND IS SHOWN HEREON.

12. EASEMENTS GRANTED TO THE TOWN OF NORTHBOROUGH, BOOK 8430 PAGE 225 AND BOOK 8430 PAGE 251.

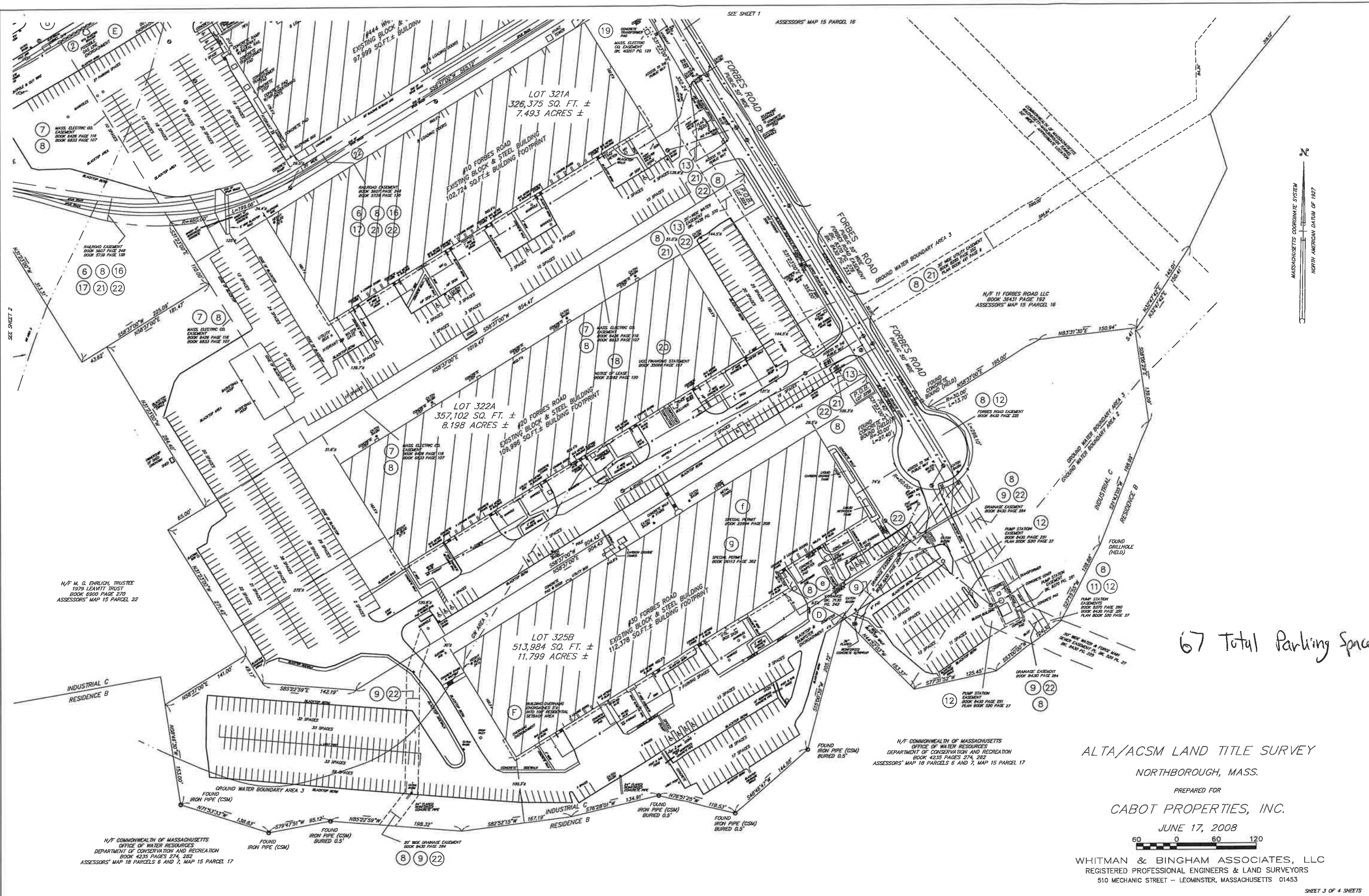
BOOK 8430 PAGE 225 REFERS TO FORBES ROAD, WHICH IS SHOWN HEREON. BOOK 8430 PAGE 251 DESCRIBES EASEMENTS KNOWN AS "LOT 325 EASEMENT", "PARCEL 1" AND "PARCEL 2," ALL OF WHICH ARE SITUATED ON LOT 323B AND ARE SHOWN HEREON. THE EASEMENT KNOWN AS "PARCEL 3" IS NOT SITUATED ON THE SUBJECT PREMISES, AND IS NOT SHOWN HEREON.

13. DECLARATION OF FORBES ROAD MANAGEMENT TRUST AND EASEMENT AGREEMENT, BOOK 7438 PAGE 370, AS AFFECTED BY AMENDMENT, BOOK 8430 PAGE 334, AS AFFECTED BY JOINDER, CONSENT AND GRANT OF EASEMENTS, BOOK 12752 PAGE 126, AS AFFECTED BY AMENDMENT, BOOK 17038 PAGE 128, AND AS AFFECTED BY CERTIFICATE OF REMOVAL OF ROAD TRUSTEES AND APPOINTMENT AND ACCEPTANCE OF ROAD TRUSTEES, BOOK 16884 PAGE 73.

BOOK 7438 PAGE 370 DESCRIBES A 20-FOOT WIDE UTILITY EASEMENT SITUATED ON LOT 302, A 15-FOOT WIDE UTILITY EASEMENT SITUATED ON LOT 301, AND A 20-FOOT WIDE WATER EASEMENT SITUATED ON LOTS 321A AND 322A OF THE SUBJECT PREMISES, ALL AS SHOWN HEREON.

14. RESTRICTIVE AGREEMENT, BOOK 5890 PAGE 173, AND EASEMENT, BOOK 5890 PAGE 189, AS AFFECTED BY AGREEMENT, BOOK 6557





67 Total Parking Spaces

ALTA/ACSM LAND TITLE SURVEY  
NORTHBOROUGH, MASS.

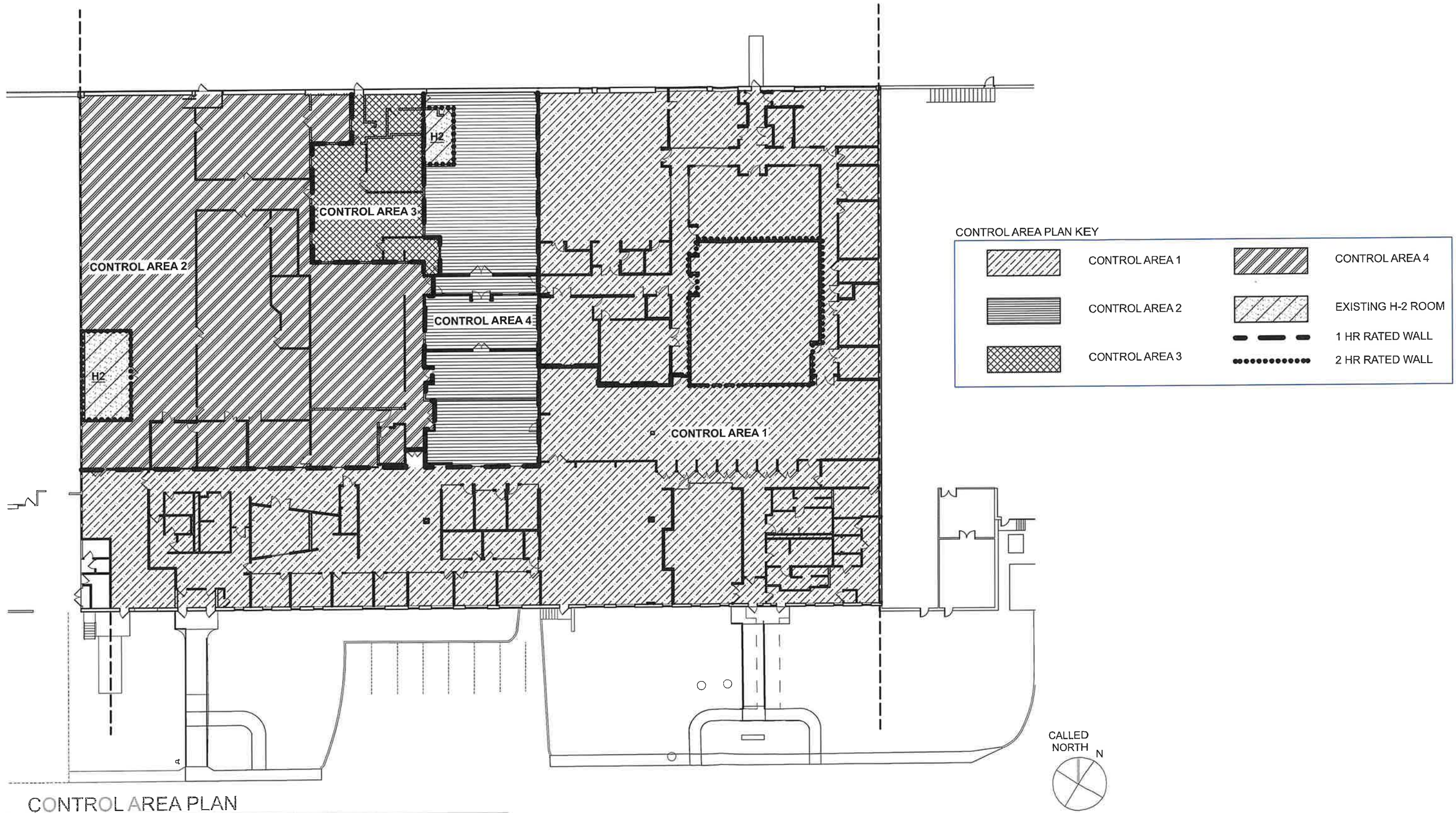
PREPARED FOR  
CABOT PROPERTIES, INC.

JUNE 17, 2008



WHITMAN & BINGHAM ASSOCIATES, LLC  
REGISTERED PROFESSIONAL ENGINEERS & LAND SURVEYORS  
510 MECHANIC STREET - LEOMINSTER, MASSACHUSETTS 01453





**CONTROL AREA PLAN**  
SCALE: 1/32" = 1'-0"





# Town of Northborough

Town Offices  
63 Main Street  
Northborough, MA 01532  
(508) 393-5040 Phone  
(508) 393-6996 Fax

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## MEMORANDUM

**To:** Board of Selectmen  
Appropriations Committee

**From:** John Coderre, Town Administrator

**Date:** June 24, 2022

**Re:** FY2022 Year End Transfers

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Following multiple challenges that were encountered this year, “Year-End” budget and “Appropriations Committee Reserve Fund” transfers are being requested to cover overages in the Town Counsel, Public Buildings, and DPW Snow & Ice budgets. The total amount needed is \$290,000, which exceeds the FY2022 Appropriations Reserve Fund budgeted at \$175,000, therefore the balance of \$115,000 is proposed to come from an inter-departmental transfer from surplus in the Health Insurance budget.

The enabling authority to make the request to transfer from the Appropriations Reserve Fund is Massachusetts General Law (MGL) Chapter 40 §6 and the specific amounts of the transfers are listed below as proposed:

**Department to Transfer From:**

Appropriations Committee Reserve Fund	\$ 175,000
--	------------

**Department to Transfer To:**

DPW Snow & Ice	\$ 113,000
Remediation of 101 Colburn Street	\$ 62,000

The proposed transfers from the Reserve Fund will only require a vote of the Appropriations Committee, therefore this section of the memo serves to be primarily informational for the Board of Selectmen. However, since there are additional deficits interdepartmental transfers are also being proposed and the authority to make such transfers is enabled by MGL Chapter 44 §33B, whereby transfers must be made within the final two months of the current fiscal year or fifteen days into the new fiscal year; the transfer source cannot be the school department budget; and the year-end transfer must be approved by

both the Appropriations Committee and the Board of Selectmen. The transfers proposed under this authority are as listed as follows:

**Department to Transfer From:**

Health Insurance	\$ 115,000
------------------	------------

**Department to Transfer To:**

Remediation of 101 Colburn Street	\$ 10,000
Town Hall Custodial Coverage	\$ 28,000
Town Counsel Appropriation	\$ 77,000

DPW Snow & Ice can be lawfully over-expended per MGL Chapter 44 §31D, however this requires that any amount remaining over-expended at year-end must be raised on the next year's tax-recap, thus increasing the new year's tax rate. It is the Town's historic practice to cover snow & ice deficits within the same fiscal year, which is a financially conservative best practice. The other remaining deficits will also need to be covered in order to finish the fiscal year in good standing.

I will be bringing these transfers forward for consideration at the Monday, June 27, 2022 Board of Selectmen meeting, as well as an upcoming Appropriations Committee Meeting. Attached to this memo is appropriate background information regarding the unanticipated expenses requiring these transfers.



John W. Coderre

cc: Assistant Town Administrator  
Assessor  
Treasurer/Collector  
Finance Director  
Financial Planning Committee

## PUBLIC WORKS DEPARTMENT

Water, Wastewater, Highway, Cemetery, Parks, & Facilities  
Scott D. Charpentier, P.E., Director



## TOWN OF NORTHBOROUGH

63 MAIN STREET  
NORTHBOROUGH, MA 01532  
T: (508) 393-5040x6

### MEMORANDUM

To: John Coderre, Town Administrator

Date: May 2, 2022

From: Scott D. Charpentier, P.E., Public Works Director

Copy: Jason Little, Finance Director  
Becca Meekins, Assistant Town Administrator  
David Robillard, Highway Superintendent

#### Subject: Snow and Ice Budget Update

Please accept this final status report of the Snow and Ice Budget for this fiscal year. The original FY2022 Snow and Ice appropriation was **\$437,000**. The final Snow and Ice expenditure for FY2022 is **\$549,058.35**, an exceedance of **\$112,058.35** or approximately **25.6%**.

This season we encountered 12 recorded snow events totaling 53.7 inches and 18 ice/light snow events, all of which required roadway chemical treatment. The table provided below itemizes the weather events for the 2021-2022 snow season.

#### Town of Northborough Public Works Department 2021/2022 Winter Storm Events

NOTE: This list may not represent all precipitation events.

Event Start Date	Snowfall (inches)	Salt Only Event	Details of Event
Wednesday, December 8, 2021	1.4	✓	Evening sleet
Wednesday, December 22, 2021		✓	Freezing rain
Friday, December 24, 2021	0.3	✓	Light snow
Saturday, December 25, 2021		✓	Freezing rain
Wednesday, January 5, 2022		✓	Freezing rain
Thursday, January 6, 2022		✓	Morning freeze
Friday, January 7, 2022	9.0		Morning snow
Sunday, January 9, 2022		✓	Morning freeze
Tuesday, January 11, 2022	0.7	✓	Morning snow
Monday, January 17, 2022	2.5		Morning snow
Thursday, January 20, 2022		✓	Freezing rain
Monday, January 24, 2022	1.1	✓	Evening snow
Saturday, January 29, 2022	17.5		Daylong snow
Friday, February 4, 2022	1.2		Sleet and snow
Monday, February 7, 2022		✓	Freezing rain
Tuesday, February 8, 2022		✓	Evening Freeze
Sunday, February 13, 2022	7.5		Daylong snow
Saturday, February 19, 2022		✓	Light snow
Friday, February 25, 2022	8.0		Daylong snow
Monday, February 28, 2022		✓	Morning freeze
Tuesday, March 1, 2022		✓	Morning freeze
Thursday, March 3, 2022	1.0	✓	Morning snow
Wednesday, March 9, 2022	3.5	✓	Afternoon snow
Saturday, March 12, 2022		✓	Evening snow
<b>Total Snowfall (inches) =</b>	<b>53.7</b>	<b>18</b>	<b>= Total Salt Only Events</b>



**TOWN OF NORTHBOROUGH**

63 Main Street  
Northborough, MA 01532-1994  
(508) 393-5040 Phone  
[www.town.northborough.ma.us](http://www.town.northborough.ma.us)

May 12, 2022

BY CERTIFIED MAIL – RETURN RECEIPT REQUESTED  
AND FIRST CLASS MAIL

Irvin J. Engberg  
101 Colburn Street  
Northborough, MA 01532

Re: 101 Colburn Street, Northborough -- Demand for Nuisance Abatement Expenses

Dear Mr. Engberg,

As you are aware, the Town has taken action to remove the condemned structures and significant amounts of waste from the property at 101 Colburn Street, Northborough (the "Property"), pursuant to the August 10, 2021 Board of Survey Report and Recommendation for Demolition, and the August 11, 2021 Board of Health Order to Abate Nuisance (collectively, "the Orders"). A copy of the Orders are attached hereto. Pursuant to G.L. c. 111, §§ 122-125, G.L. c. 143, §§ 6-9, and G.L. c. 139, § 3A, the Town is now seeking reimbursement for the expenses incurred in razing the unsafe structures on the Property and disposing of the waste accumulated thereon.

The Town has incurred costs in the amount of \$71,587.85 as a result of removing certain hazardous conditions from the Property, including, but not limited to, the costs of razing the condemned structures and the cost of disposing of waste accumulated on the site. A copy of the invoices for the work are attached hereto.

The balance of \$71,587.85 is now due. The Town demands payment of the balance within fourteen (14) days of the date of this letter. Please remit a certified check in the full amount to the Town of Northborough with reference to 101 Colburn Street. Pursuant to G.L. c. 139, § 3A, if the balance remains due within said fourteen (14) days, the Town will record a Statement of Claim against the Property, which includes the balance due, as well as costs incurred for recording of the Statement of Claim and interest on the unpaid balance at 6%.

The Town reserves any and all rights and remedies available to it for the enforcement of both State and local laws with respect to the Property. Please be aware that refusal to act may subject you to additional fines and interest.

Sincerely,

John W. Coderre  
Town Administrator

## STATEMENT OF CLAIM AND NOTICE OF LIEN

The Town of Northborough Inspector of Buildings/Zoning Enforcement Officer (the "Building Inspector") and the Town of Northborough Board of Health (the "Board of Health"), both with a mailing address of Town Hall Offices, 63 Main Street, Northborough, MA 01532, hereby give notice as follows:

WHEREAS, Irvin J. Engberg (the "Owner"), now or formerly of 101 Colburn Street, Northborough, Worcester County, Massachusetts, is the owner of the property located at 101 Colburn Street, Northborough, Worcester County, Massachusetts (the "Property"), pursuant to a deed recorded in the Worcester County Registry of Deeds in Book 18725, Page 10.

WHEREAS, on December 11, 2020, a fire damaged the structures on the Property.

WHEREAS, on July 20, 2021, the Building Inspector issued a Demolition Order pursuant to G.L. c. 143, §§ 6-7, ordering the Owner to immediately obtain a demolition permit and demolish the remains of the garage and breezeway structures (the "Unsafe Structures") on the Property, which were damaged by the December 11, 2020 fire.

WHEREAS, the Owner failed to comply with said Demolition Order. As a result, the Building Inspector assembled a Board of Survey pursuant to G.L. c. 143, § 8, which inspected the Property and determined that the Unsafe Structures were dangerous and needed to be demolished.

WHEREAS, on August 10, 2021, and pursuant to G.L. c. 143, §§ 6-8, the Building Inspector issued a Board of Survey Report and Recommendation for Demolition. The Owner failed to comply with the Board of Survey Report. Therefore, the Building Inspector, pursuant to the authority granted under G.L. c. 143, § 9, demolished and removed the Unsafe Structures from the Property.

WHEREAS, on August 11, 2021, and pursuant to G.L. c. 111, §§ 123-124, the Board of Health issued to the Owner an Order to Abate Nuisance, which ordered the removal of all junk, trash, debris, and junked vehicles on the Property. The Owner failed to comply with said Order. Therefore, the Board of Health, pursuant to the authority granted under G.L. c. 111, § 125, caused the nuisance and source of filth to be removed from the Property.

WHEREAS, pursuant to G.L. c. 143, § 9, G.L. c. 111, § 125, and G.L. c. 139, § 3A, all expenses incurred shall constitute a debt due to the Town of Northborough upon completion of the removal and the rendering of an account therefore to the Owner.

WHEREAS, pursuant to G.L. c. 143, § 9, G.L. c. 111, § 125, and G.L. c. 139, § 3A, the unpaid debt in the amount of \$71,587.85, plus interest thereon at a rate of 6 percent annum from the date such debt became due, and a recording fee of \$105.00, for a total of \$71,692.85, shall constitute a lien.

Property Address: 101 Colburn Street, Northborough, MA 01532

NOW THEREFORE, the Town of Northborough Inspector of Buildings/Zoning Enforcement Officer and the Town of Northborough Board of Health hereby gives notice as follows:

1. The Town of Northborough claims and hereby holds a lien on the parcel as described herein;
2. The lien exists and shall continue until the Owner's liability for costs is satisfied or until the lienholder releases the interest secured herein.

6/6/2022  
Date

Kristin Black  
Kristin Black, Health Agent  
Board of Health, Town of Northborough

06/06/2022  
Date

Robert Frederico  
Robert Frederico, Inspector of Buildings  
Town of Northborough

Commonwealth of Massachusetts  
County of Worcester

On this 6<sup>th</sup> day of June, 2022, before me the undersigned Notary Public, personally appeared Kristin Black, as Northborough Health Agent, and Robert Frederico, as Northborough Inspector of Buildings, and proved to me through satisfactory evidence of identification, which was Personally known, to be the persons who signed the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Karen E. Wilber  
Notary Public  
My Commission Expires:

06/31/2023







## TOWN OF NORTHBOROUGH

63 Main Street  
Northborough, MA 01532-1994  
(508) 393-5040 Phone  
(508) 393-6996 Fax

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### **MEMORANDUM**

TO: Board of Selectmen  
FROM: Town Administrator  
SUBJECT: Year-end transfers for FY2022 Legal Expenses related to ongoing Planning Board litigation  
DATE: June 24, 2022

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The total FY2022 Legal Budget is \$90,000. As you know we have four Planning Board decisions that are the subject of ongoing litigation. The FY2022 total for just the Planning Board Litigation through May of 2022 is \$77,233.10. Town Counsel estimates another \$15,000 of potential legal expenses through the end of the fiscal year, which includes substantial work on the Gutierrez and Isomedix special permit cases. As a result of these expenses, as well as numerous other land use related legal expenses, the legal budget will require a year-end transfer of \$77,000. Please note that these expenses only represent expenses incurred during FY2022 and do not reflect prior fiscal year expenses related to these ongoing legal matters.

- The Gutierrez Company v. Northborough Planning Board, \$58,145.45  
Land Court Case No. 21 MISC 000046  
AND
- The Gutierrez Company v. Northborough Planning Board,  
Land Court Case No. 21 MISC 000380
- Isomedix Operations, Inc. d/b/a Steris A.S.T. v. \$17,796.15  
Northborough Planning Board,  
Land Court Case No. 21 MISC 000436
- Abu Construction, Inc. and KA Realty, Inc. v. \$1,291.50  
Town of Northborough and Northborough Planning Board,  
Worcester Superior Court Civil Action No. 1985CV00178
- Town Counsel's estimate for June 2022 which includes \$15,000.00  
substantial work on the Gutierrez and Isomedix special permit cases

**TOTAL \$92,233.10**

[RETURN TO AGENDA](#)

# Memo

Date: June 23, 2022  
To: Board of Selectmen  
From: Mitch Cohen, Chair  
Subject: June 27 meeting preparation

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A few thoughts on our upcoming meeting...

*Town Administrator Review:* We need to approve our combined review. I hope I've included everyone's comments fairly. If I missed anything, please let me know before our meeting. We can discuss the details as a group if anyone prefers. I suggest that members with constructive feedback meet directly with John.

*ARPA:* We'll discuss the Public Input Session and determine our next steps. Are there other avenues for input? Should we close the ARPA Input email address, or leave it open until we've taken action and/or committed the funds? Who is consolidating the data?

*Goals:* Please bring an idea or two for discussion. I'd like to approve a set of goals at either our July or August meeting.

This will be our first meeting with context-specific Public Comment. We've added this to the agenda cover page, which I'll make note of as we start our meeting:

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.

See you Monday!

## **1. Financial Management**

Consistently excellent in the strategic planning, management, preparation, and communication of operating and capital budgets.

Synthesizes the details from the finance staff and provides excellent coordination between department and across the financial planning and appropriation committees.

Financial trend monitoring provides consistent framing to evaluate financial health and documented policies, and drives consensus of actions.

The proposed budgets are usually presented as final documents, not for discussion or input.

The budgets are organized and sensible, but it is important to know, for example, how the individual department budgets are determined.

The Selectmen do not receive financial information on a monthly or quarterly basis, such as budget updates, purchases and projects completed or tax collections.

Consistently and conservatively plans and executes municipal operating and capital budgets that reflect best practices in municipal finance, are annually sustainable, and provide high quality services to the Town.

Often faced with, and unfailingly finds solutions to, challenges that threaten the stability or sustainability of the operating budget. One example this year is arranging the joint procurement with Algonquin Regional High School and the Town of Southborough for cost-effective and minimal increase in health insurance, after the prior health insurance provider withdrew from the market.

Sustained excellence in financial management as exemplified by multiple consecutive years winning the GFOA Distinguished Budget Presentation Award; multiple consecutive years of clean annual audits with no material defects or weaknesses; bond rating of Aa1, highest in the Town's history. Highly sought after by municipal, state, and academic organizations to provide training in best practices for municipal financial management.

Finance and Budgets are a strength for John. He is very comfortable with numbers, spreadsheets, and he explains complex financial information in an easy-to-follow manner.

## **2. Personnel Management**

I have not seen consistent evidence that all department heads feel equally supported. This is an area I feel he could improve.

I have seen a culture of politeness at town hall where people come across as reticent to speak up. I think this is another area where John could communicate to his staff that their ideas and concerns are important to him.

Retention is something I think we could have more to say about at a future review, if we employed a tool such as anonymous employee evaluations of the TA and asst. TA, and exit interviews that were shared with the BoS.

Sets very high expectations with his own example of diligence, dedication, persistence to get the job done, quality of work, and accountability.

The effects of the Covid-19 pandemic required continued action from Town staff, notably to organize and manage the regional health partnership, to conduct vaccination clinics, and to manage and account for expenditures of grant funding. The capable and willing response by Town staff to meet the exceptional demands reflects well on John's ability to motivate them.

Consistently effective with in-cycle and out-of-cycle collective bargaining negotiations to reach agreements for fair and sustainable compensation and benefit levels. Negotiates from a foundation of objective data concerning economic climate, market competition, and compensation commensurate with experience and ability.

Lack of exit interviews, reviews from staff or department heads, and lacking the ability to talk to town staff is problematic.

Communication is less than desirable as evidenced when new staff is hired we are neither informed nor introduced.

Consistently excellent on the management of personnel, including the recruitment of Assistant Town Administrator, Health Director, Library Director, Collector, and Principal Assessor. John has assembled and filled staffing gaps in time to address both pandemic health needs, conduct classification and compensation study, and negotiate with collecting bargaining unions.

### **3. Board of Selectmen Support/Relations**

I do not think that the Town Administrator provides us with enough information about topics that we have to make decisions about.

I'd like to hear more information (pro and con) about topics.

Packets are often late which leaves little time to prepare.

Some important information is not provided to the Board, such as vandalism of White Cliffs.

We are not introduced to new key staff.

Consistently excellent in the preparation, explanation, analysis, and execution of policies and procedures. All materials and analysis are framed for efficient review by the Board.

Some projects and routine tasks were appropriately deferred in light of pandemic and higher priorities.

Excellent quality here. However, at meetings when speaking, John could work on saying things once rather than repeating himself. Checking in with his listeners (the board, generally) and asking if we have questions before he assumes we didn't get it the first time and repeats the information would be great!

Directives frequently come from the Town Administrator and not from us, the Board.

When there is an emergency situation in town, John keeps us well informed.

There have, however, been situations (utility poles, for instance) where John has known about something the board will have to discuss and vote on by a certain date, and he has a several week long heads up and we only find out a couple of days before a required vote. This seems to be a simple thing to fix.

Acts promptly pursuant to Board decisions. Consistently responds to Board questions and requests no later than the next scheduled Board meeting, often sooner.

Keeps the Board informed about developments or issues as they arise relating to public safety, public works, town operations, schools, municipal projects, ongoing litigation, community events, regional and state initiatives and actions, grant opportunities.

#### **4. Personal Characteristics**

Highly motivated, hard-working, tireless. Works long hours in excess of what is reasonably expected, even for what is acknowledged to be a demanding role. Persistent sustained effort to get the job done and do it well.

High capacity to multitask and manage many ongoing efforts and issues; in command of the complexities and details of each. Thorough and complete data gathering and analysis. Quick to grasp the essential elements of an issue.

Copes extraordinarily well with high stress situations and unexpected developments. Unwavering focus on identifying and implementing solutions.

Projects a positive image, certainly in certain groups. I would love to see John at more cultural events as well as sports and veterans' events.

John handled pandemic problems very well. So as far as huge "unforeseen problems" I give him a high score. Small surprises seem to annoy him visibly sometimes, which he could work on.

Creativity and inventiveness are the areas where I see the most possibility for improvement.

New ideas tend to be met with reticence and I think the town would benefit greatly from more flexibility and creativity from town hall. Often he says "We can't do that" and then soon after it turns out it can be done, and it's not as hard as he thought.

He should give himself more credit for being able to accommodate requests.

Consistently excellent in professional and adaptable characteristics. John's adherence to and advocacy of management principles provides the strong foundation upon which he can navigate change and unexpected circumstances.

All the stress is fatiguing, and the hope is that reduced pandemic demands allow for some recharge of energy before the next (assumed financial) stressor.

There is no doubt that Covid was an unexpected stressor for all towns and cities.

The Board was not given information on projects that were delayed due to the pandemic. There is now a lot to catch up on.

## **5. Communication & Relationships**

Communications is great with some boards, while could improve with others.

Responsiveness depends on the issue. If it's a quick question, he's great. If it's an idea, or a new way to tackle an old problem, he is usually not interested in hearing it.

He seems to have trouble getting along with people running some of the other towns and cities nearby.

Maintaining effective communications with state and federal officials seems to be something John is comfortable with and relatively good at.

Articulate in spoken and written communications. Information is well organized and clearly presented. Very effective speaker in all public venues and to all audiences.

Excellent coordination with state legislative representatives, state agencies, Town staff and board members, and affected citizens on various issues such as legislative priorities; participation in grant programs; state guidance, policies, and protocols re Covid-19; and the like.

Strives to constructively and responsively assist citizens and groups who are often well-meaning or have a legitimate concern, but who are sometimes incompletely informed, unaccepting of the constraints that bear upon their situation.

I think it is important for the Town Administrator to let us know when he is speaking to state agencies and legislators, and what he is communicating.

Some of my information comes from people in other towns who know more than we have been told.

It is important to be part of conversations with large businesses like Amazon to understand these relationships.

Consistently excellent in the communications and relations with internal and external partners.

John has built trust amongst the departments, boards, committees and commissions, along with Northborough, Regional and Assabet Valley Schools, to build unified management and financial policies.

There is a small group of citizen activists that remain unsatisfied, but that is probably a situation that cannot be resolved.

## **Overall**

### **Comments**

John is consistently excellent in his professionalism and actions. Northborough is recognized state-wide for our financial policies and process, and municipal professionals receive the benefit of his instruction.

John is a conscientious steward of Northborough's resources and has provided another year of stability and progress during difficult times.

John's performance, given the lean staffing and enormous workload, continues to be exemplary and surpass reasonable expectations. His track record is one of delivering excellent value for the taxpayer dollar. The endlessly long, exhausting hours – days, nights, weekends – go unseen and unappreciated by the general public, but speaking as a Selectman who is witnessing it, I can say that there isn't any more we can ask of John beyond all that he is already doing.

John has a lot of excellent qualities and he's done a lot of good things for the town.

He's friendly and curious about people. He can manage a budget like nobody's business.

There is a certain hubris around his leadership, though, an atmosphere like he and his ideas should not be questioned. Residents and staff I have spoken to seem uncomfortable talking about him lest anything they say get back to John. This is not a productive management style and perhaps, if everyone's been afraid to tell him this is the case, he doesn't realize it.

He is so comfortable with the budget process, he gets stuck in a certain way of thinking. He has said more than once, "I am basically running a 70 million dollar corporation here in Northborough." The budget may be similar, but what that comparison misses is that the town isn't about money, it's about people.

It's our hometown, and it's best to remember that the money comes from and is directly connected to the people who pay the taxes. All the money and all the work town staff, boards, and committees do is all for them, for the residents.

Residents have given Northborough the nickname of "The Town of No." We would all benefit from being the town of "Sure, let's think about that," or even "Let's give that a try."

There is an MMA "Municipal Innovations" award. I would love to see Northborough and our downtown revitalization project aspire to being considered for an innovation award—not because of the award itself, but because of the teamwork and creativity it would require.

## **Recognized Strengths**

- Financial Policy
- Strategic Planning
- Professionalism
- Dedication
- Professional acumen and excellence in municipal administration and finance.
- Hardworking, diligent, capable.
- Articulate in oral and written communications.
- Consistently sets and achieves meaningful goals, delivers quality results.
- Strong emphasis on data-driven decisions, proactive planning, sustainable practices.
- Thorough research, organization, and planning across all aspects of town government.
- Frames the issue, identifies options, makes well-reasoned recommendations.
- Readily understands and manages complex details across many issues and projects.
- Copes with uncertainty and finds solutions to unexpected adverse developments.
- Proactively identifies and mitigates risk in municipal operations and capital projects.
- Fosters constructive, collaborative relationships with and among boards and committees.
- Works effectively, constructively, and productively at the local, regional, and state levels.
- Acknowledged by Massachusetts Municipal Association, state agencies and organizations, and peers as an expert in his field.

## **Opportunities for Improvement**

Continue the work to include residents and committees that are disconnected from the majority of Town operations. Continue the open explanation and education on priorities and possibilities to achieve their concerns.

Continue the open explanations and education on priorities and possibilities.

John's primary disadvantage is that there is only one of him. He and his staff have produced excellent results over the past several years, but it is not reasonable to expect that level of performance can be sustained indefinitely, considering the size of the workload that continues to present itself. Much of that burden falls on John's shoulders. To whatever extent citizens desire an expansion of Town services and infrastructure, additional staffing -- and taxpayer funding -- will be needed to help meet that demand and allow John to focus his attention and skills on the most important, most urgent, and most impactful issues facing the Town.

The things he can improve upon all involve dealing with people: building a culture of trust, not anxiety; welcoming ideas from residents as well as his staff and seriously considering those ideas; and trying to delegate and work with people instead of doing everything himself.

John will benefit from listening to the voices of the group and then accomplishing the goals that have been set forth.



**Town Administrator Performance Evaluation Form**  
**Compilation of Scores**

AREA	EVALUATOR					TOTAL	4 15	EQUALS
	#1	#2	#3	#4	<del>#5</del>			
<u>Financial Management</u>								
1 a	<u>5</u>	<u>4</u>	<u>5</u>	<u>3</u>	—	<u>17</u>	/5	<u>4.25</u>
1 b	<u>5</u>	<u>4</u>	<u>5</u>	<u>3</u>	—	<u>17</u>	/5	<u>4.25</u>
1 c	<u>5</u>	<u>5</u>	<u>5</u>	<u>2</u>	—	<u>17</u>	/5	<u>4.25</u>
1 d	<u>5</u>	<u>4</u>	<u>5</u>	<u>2</u>	—	<u>16</u>	/5	<u>4.00</u>
<u>Personnel Management</u>								
2 a	<u>5</u>	<u>2</u>	<u>5</u>	<u>2</u>	—	<u>14</u>	/5	<u>3.50</u>
2 b	<u>5</u>	<u>3</u>	<u>4</u>	<u>2</u>	—	<u>14</u>	/5	<u>3.50</u>
2 c	<u>5</u>	<u>N/A</u>	<u>4</u>	<u>2</u>	—	<u>11</u>	/5.3	<u>3.67</u>
2 d	<u>5</u>	<u>4</u>	<u>5</u>	<u>2</u>	—	<u>16</u>	/5	<u>4.00</u>
2 e	<u>5</u>	<u>N/A</u>	<u>4</u>	<u>2</u>	—	<u>11</u>	/5.3	<u>3.67</u>
<u>Board Support / Relations</u>								
3 a	<u>5</u>	<u>4</u>	<u>5</u>	<u>3</u>	—	<u>17</u>	/5	<u>4.25</u>
3 b	<u>5</u>	<u>4</u>	<u>5</u>	<u>2</u>	—	<u>16</u>	/5	<u>4.00</u>
3 c	<u>4</u>	<u>N/A</u>	<u>5</u>	<u>3</u>	—	<u>12</u>	/5.3	<u>4.00</u>
3 d	<u>4</u>	<u>4</u>	<u>5</u>	<u>3</u>	—	<u>16</u>	/5	<u>4.00</u>
3 e	<u>5</u>	<u>3</u>	<u>5</u>	<u>1</u>	—	<u>14</u>	/5	<u>3.50</u>
<u>Personal Characteristics</u>								
4 a	<u>5</u>	<u>4</u>	<u>5</u>	<u>4</u>	—	<u>18</u>	/5	<u>4.50</u>
4 b	<u>5</u>	<u>4</u>	<u>5</u>	<u>2</u>	—	<u>16</u>	/5	<u>4.00</u>
4 c	<u>5</u>	<u>4</u>	<u>5</u>	<u>3</u>	—	<u>17</u>	/5	<u>4.25</u>
4 d	<u>5</u>	<u>4</u>	<u>5</u>	<u>5</u>	—	<u>19</u>	/5	<u>4.75</u>
4 e	<u>5</u>	<u>3</u>	<u>5</u>	<u>3</u>	—	<u>16</u>	/5	<u>4.00</u>
4 f	<u>4</u>	<u>3</u>	<u>5</u>	<u>2</u>	—	<u>14</u>	/5	<u>3.50</u>
4 g	<u>5</u>	<u>2</u>	<u>5</u>	<u>2</u>	—	<u>14</u>	/5	<u>3.50</u>
<u>Communication &amp; Relationships</u>								
5 a	<u>5</u>	<u>5</u>	<u>5</u>	<u>3</u>	—	<u>18</u>	/5	<u>4.50</u>
5 b	<u>5</u>	<u>4</u>	<u>5</u>	<u>3</u>	—	<u>17</u>	/5	<u>4.25</u>
5 c	<u>5</u>	<u>4</u>	<u>5</u>	<u>3</u>	—	<u>17</u>	/5	<u>4.25</u>
5 d	<u>4</u>	<u>2</u>	<u>5</u>	<u>2</u>	—	<u>13</u>	/5	<u>3.25</u>
5 e	<u>5</u>	<u>3</u>	<u>4</u>	<u>2</u>	—	<u>14</u>	/5	<u>3.50</u>
5 f	<u>5</u>	<u>4</u>	<u>5</u>	<u>3</u>	—	<u>17</u>	/5	<u>4.25</u>
5 g	<u>5</u>	<u>4</u>	<u>5</u>	<u>3</u>	—	<u>17</u>	/5	<u>4.25</u>
5 h	<u>5</u>	<u>4</u>	<u>5</u>	<u>3</u>	—	<u>17</u>	/5	<u>4.25</u>
<u>OVERALL RATING</u>								
	<u>5</u>	<u>3</u>	<u>5</u>	<u>3</u>	—	<u>16</u>	/5	<u>4.00</u>

DATE: June 22, 2022 - Mitch Cohen, Chair

[RETURN TO AGENDA](#)

*AS I was not a member for the review year, I did not complete a review*