



## **BOARD OF SELECTMEN**

### **MEETING AGENDA**

Monday, February 28, 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/86959028929>  
When prompted, enter Password 462312
- CATV Government Channels: Verizon Channel 30, Charter Channel 192
- Call 1-646-876-9923  
When prompted, enter Meeting ID 869 5902 8929 and Password 462312

#### **For Public Comment**

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

- **By Phone** Dial \*9 to raise your hand and wait to be recognized by the Chair. Please note that part of your phone number will be visible to those viewing the meeting.
  - **By Zoom** Click “Raise Hand” on the bottom of your screen and wait to be recognized by the Chair
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**BOARD OF SELECTMEN**  
**MEETING AGENDA**  
Monday, February 28, 2022  
7:00 p.m.

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\*Approval of February 14, 2022 Meeting Minutes

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

To consider an application as submitted by Margaritas Management Group – Northborough, Inc. d/b/a Tio Juans Margaritas Mexican Restaurant for a Change in Stock Interest and a Change in Officer/Directors for their All Alcoholic Beverages Restaurant License for premises located at 10006 Shops Way.

**7:05 p.m. - PUBLIC HEARING**

Implementation of “Jake Break” prohibition on Lyman Street, pursuant to Town Code, Chapter 2-44-130 Compression Brake Use Restriction.

**7:20 p.m. - SCOTT CHARPENTIER, DPW DIRECTOR**

Acceptance of MassDOT Grant Award for Development of Complete Streets Prioritization Plan.

**REPORTS  
PUBLIC COMMENTS  
NEW BUSINESS**

1. [Vote on MSBA Statement of Interest for Proctor School Roof.](#)
2. [Discussion of Legislative Priorities.](#)
3. [Update on Preliminary FY2023 Budget.](#)
4. [Review of Preliminary Town Meeting Warrant Summary.](#)
5. [Execution of Cemetery Deed 1141.](#)
6. Any other business to come before the Board.

**BOARD OF SELECTMEN  
MEETING MINUTES – February 14, 2022**

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

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

Board of Selectmen

Jason Perreault, Chair  
Leslie Rutan, Vice Chair  
T. Scott Rogers, Clerk  
Julianne Hirsh  
Kristen Wixted

Others

John Coderre, Town Administrator  
Rebecca Meekins, Assistant Town Administrator  
William Lyver, Police Chief  
Scott Charpentier, DPW Director

Meeting Business Ground Rules

Chairman Perreault covered the ground rules for effective and clear conduct of the business. He asked members of the Board to mute their phone or computer when not speaking and to speak clearly and in a way that helps generate accurate meeting minutes. He will go through the items on the agenda. Following presentations, Board members will be offered an opportunity to speak, followed by staff members answering any questions, if necessary. Those responding will be asked to wait until the floor is yielded to them. Members were asked if they wish to respond to the comments of others, to do so through the Chair.

Any votes taken this evening will be done by roll call to ensure that the records of the vote are clear and accurate to the members attending the meeting remotely.

**APPROVAL OF MINUTES – JANUARY 24, 2022 MEETING**

Selectman Hirsh moved the Board vote to approve the January 24, 2022 meeting minutes; Selectman Rogers seconded the motion; the roll call vote was taken as follows:

Wixted	"aye"	Rutan	"aye"
Hirsh	"aye"	Perreault	"aye"
Rogers	"aye"		

**7:00 p.m. - CHANGE OF MANAGER**

To consider an application from Indoor Sports Management Inc.  
d/b/a Replays to change the manager of their Wine & Malt Beverages  
License for premises located at 185 Otis Street.

David Scichilone was remotely present and introduced himself as the League Operations Director at Teamworks located at 185 Otis Street. He will also serve as the Manager of Record for the Wine & Malt Beverages License for Replays within the same building. Mr. Scichilone is experienced in the restaurant industry and is TIPS certified.

Chief Lyver indicated that Mr. Scichilone's personal information has been reviewed by Lieutenant Griffin, who has indicated that he has no concerns to report.

Selectman Wixted moved the Board vote to approve the application for a Change of Manager for the Wine & Malt Beverages License for Indoor Sports Management, Inc. d/b/a Replays for premises located at 185 Otis Street; Selectman Rutan seconded the motion; the roll call was taken as follows:

Wixted	"aye"	Rutan	"aye"
Hirsh	"aye"	Perreault	"aye"
Rogers	"aye"		

**REPORTS****Kristen Wixted**

- Announced that the Algonquin Regional High School mascot will now be known as the Titans.
- Noted that both Kindness Week and the Kindness on the Common event sponsored by the Community Affairs Committee were a success.
- Reported on a recent meeting of the Youth Commission.
- Requested that the Board discuss the Central Massachusetts Regional Planning Commission (CMRPC) report at an upcoming meeting.

**Julianne Hirsh**

- Thanked the Community Affairs Committee for organizing Kindness Week.
- Requested that the Board discuss the CMRPC report at an upcoming meeting.
- Noted that the Northborough Garden Club has plans to replant Watson Park garden with native plants.
- Requested that the Board further discuss the use of ARPA funds at an upcoming meeting.
- Asked if Board meetings will continue to be held remotely, in-person or through a hybrid platform? Mr. Coderre responded that for now the Board will continue with remote meetings until modifications can be made to the Selectmen's Meeting Room.
- Asked when the Board will discuss legislative priorities and if the State Legislators will be invited to a March Board meeting? Mr. Coderre responded that if the Chair would like, legislative priorities can be discussed at the next Board meeting and the State Legislators can be invited to one of the March meetings.
- Requested that when Town staff responds to resident emails that the Board be copied.

- Asked how a Committee should go about submitting a request for funding? Mr. Coderre responded that if a Committee is seeking funds, they should do so now by contacting him.

#### T. Scott Rogers

- Thanked Mr. Coderre for his recent presentation regarding ARPA funds.
- Reported on a recent meeting of the Parks & Recreation Commission.
- Reported on a recent meeting of the Board of Library Trustees.
- Noted that Joan Scott will not be seeking reappointment to the Board of Library Trustees and thanked her for her years of service.
- Reported on a recent meeting of the Open Space Committee.
- Thanked the Police Chief for his monthly report. Chief Lyver expressed his excitement with potentially hiring the department's first female patrol officer in over 22 years.

#### Leslie Rutan

- Thanked Chief Lyver for the opportunity to sit in on the recent interviews for a full-time patrol officer. She is also excited about the potential hiring of a female patrol officer.
- Thanked the DPW Department for installing the Purple Heart community signs.
- Thanked the DPW Department their clean-up efforts following the recent winter storms.
- Stressed the importance of continuing with remote meetings until the proper technology is in place to offer hybrid meetings.
- Noted that the School Superintendent finalized the K-8 Schools FY2023 Budget at 3.46%.
- Requested an update on the status of the Fire Station project. Mr. Coderre responded that final groundwater testing is expected to take place in June or July, at which time the Town can take possession of the property. The next steps would be to establish a formal Building Committee and issue an RFQ for a project manager.

#### Jason Perreault

- Thanked the DPW Department for their activities during the recent winter storms.
- Acknowledged the efforts of the Community Affairs Committee in planning the recent Kindness Week.

#### John Coderre

- Announced the appointment of Laurie Connors to the position of Town Planner effective March 7<sup>th</sup>. Ms. Connors served as Director of Land Use and Planning for the Town of Millbury since 2004 and has extensive experience with downtown revitalization projects, the State's Green Communities grant program and the Complete Streets program.

### **PUBLIC COMMENTS**

Chairman Perreault stated that the Public Comment portion of the agenda allows for the public to provide input, comments, questions, or concerns. The Board will not engage or deliberate in any detailed discussion, nor will it take action or make any commitments in real time in response to any public comment. If they are able, present Town staff may respond to any questions that can easily be answered. Those who wish to speak under Public Comment will be admitted to the meeting as an attendee and will be asked to provide their full name and address for the record. Public comment will be limited to 3 minutes per person.

Lisa Maselli of 13 Maple Street asked questions about the establishment of a permanent Diversity & Inclusion Committee and the Town-Wide wellness initiative. Chairman Perreault indicated that

more information and detail will be provided on both topics this evening. She asked if it would be appropriate for the Design Review Committee to have its own Facebook page? Lastly, in response to her question about a Traffic & Safety Committee, Chairman Perreault responded that the Board has discussed a Traffic & Safety Committee a number of times over the last couple of years and it has not been the position of the Board to proceed with establishing such a Committee.

### **SNOW & ICE BUDGET UPDATE**

DPW Director Scott Charpentier provided a status update on the Snow & Ice Account for FY2022. The original FY2022 Snow and Ice appropriation was \$437,000. As of February 10<sup>th</sup>, approximately \$377,053, or 86% has been spent, leaving a remaining balance of \$59,947. Also, as of February 10<sup>th</sup>, total snowfall inches was approximately 33.7 with 12 salt-only events.

Mr. Charpentier added that an additional 7.5 inches of snow fell during this past weekend's storm. The remaining balance in the Snow & Ice Account is now just \$12,000.

### **ACCEPTANCE OF GRANT FROM METROWEST HEALTH FOUNDATION**

Health Agent Kristin Black reported that Northborough, Southborough and Westborough were each awarded a grant in the amount of \$50,000 from the MetroWest Health Foundation. This grant will allow for the purchase of at-home test kits, disposable masks, hand sanitizer and other health related items. A temporary part-time Outreach Coordinator will be hired through this grant to help distribute these items as care packages to families, food banks, community meals, the senior center and schools. This will also tie in nicely with the *BeWellNorthborough* initiative.

Selectman Hirsh moved the Board vote, pursuant to Massachusetts General Law, Chapter 44, Section 53A, to accept funds from the MetroWest Health Foundation and to authorize the Town Administrator to expend such funds; Selectman Rogers seconded the motion; the roll call vote was taken as follows:

Wixted	"aye"	Rutan	"aye"
Hirsh	"aye"	Perreault	"aye"
Rogers	"aye"		

### **NEW TOWN-WIDE WELLNESS INITIATIVE - *BeWellNorthborough***

Mr. Coderre reported that as a result of regularly scheduled meetings with the Covid Task Force, it was determined that Town staff felt comfortable that they have the resources to meet the needs of the at risk populations in the community. A discussion then took place about the general level of anxiety and sense of isolation experienced by many throughout the pandemic. It was determined that the community would benefit from a wellness initiative that would help residents feel connected to their community.

Library Director Jenn Bruneau presented the new Town-wide wellness initiative *BeWellNorthborough*. To combat the negative impacts of isolation caused by COVID-19, this is a collaborative effort among Town departments to connect people in a proactive way to address mental health wellness concerns in the community. The *BeWellNorthborough* Task Force includes the Assistant Town Administrator, Health Agent, Recreation Director, Interim Senior Center Director, Library Director, Family & Youth Services Director, MIS Director, Police Lieutenant, Northborough Public Schools Director of Wellness and the Diversity & Inclusion Committee.

The goals of this new initiative are to:

- Connect Northborough residents by creating a community calendar and web page that centrally organizes existing programs, services and outreach activities for anyone who lives or works in Northborough.
- Aid Northborough residents and employees in coping with the social, emotional and physical effects of the COVID-19 pandemic by developing new programs and services that address specific health and wellness needs.
- Construct framework that will allow *BeWellNorthborough* to be a resource for people to access reliable information about health and wellness topics beyond the pandemic.

Ms. Bruneau stated that the Task Force will work with various Boards and Committees to assess needs and gather feedback and suggestions. The Task Force will maintain a master list of organizations that can be engaged for feedback and dissemination of information. She added that anyone who would like to submit ideas, requests or suggestions may do so at [www.tinyurl.com/bewellinput](http://www.tinyurl.com/bewellinput).

Ms. Bruneau indicated that the Task Force can work with many community organizations, including but not limited to: Cultural Council, Community Meals, Interfaith Clergy Network, Boroughs Family Branch YMCA, Rotary Club, Food Pantry, Regional School Coalition for Equity, Assabet Valley Regional High School, Vincent F. Picard Post 234 – American Legion, Northborough Junior Woman's Club, Diversity & Inclusion Committee, Friends of the Senior Center, Friends of the Public Library, Northborough Ed Foundation, 495/MetroWest Partnership, Bay Path Elder Services, Central Massachusetts Regional Veterans' District, Community Affairs Committee, Corridor 9/495 Regional Chamber of Commerce, Helping Hands and Parent Teacher Organizations.

Mr. Coderre added that *BeWellNorthborough* will have its own webpage that will include the community calendar and a host of other information.

Following the presentation, members of the Board expressed their excitement and support of this new wellness initiative. Selectman Hirsh asked that the Task Force consider making their meetings open to the public. Mr. Coderre stated that the intent of the Task Force is that they work with and through all the existing Boards and Committees without having to create a new Committee.

Chairman Perreault thanked Ms. Black and Ms. Bruneau for tonight's presentation and the entire Task Force for their efforts with this initiative.

### **CONSIDER ESTABLISHING A NEW ADVISORY COMMITTEE FOR DIVERSITY, EQUITY, INCLUSION AND BELONGING**

At the Board's January 24<sup>th</sup> meeting, the Diversity & Inclusion Committee (D&I Committee) recommended that the Board consider establishing a permanent advisory committee to the Board of Selectmen that will continue the work of the now expired and disbanded D&I Committee.

Ms. Meekins stated that if the Board votes to establish a permanent Northborough Committee for Diversity, Equity, Inclusion and Belonging" (NDEIB Committee) this evening, she will move forward with advertising for Committee members.

Chairman Perreault noted that the Board members received the purpose, composition, duties and procedures of this Committee in their meeting packets. He stated that the composition would consist of nine (9) voting members, to include the Town Administrator or his/her designee, a representative from the School Department's Coalition for Equity, a representative from the Council on Aging or their designee and six (6) at-large citizen members.

Members of the Board agreed that this is the next logical step.

In response to a question from Selectman Wixted about the representative from the Council on Aging or their designee, Ms. Meekins explained that the D&I Committee agreed that a representative from the Council on Aging or their designee would benefit the permanent Committee as they are the policy making board for the Senior Center and are involved with the Senior Center programs. The Council on Aging also has additional connections to resources for the aging population. Having that connection to what's happening at the Senior Center is important for all seniors in the community. She added that nothing would prevent the Council on Aging to appoint a designee to serve on its behalf or the Board of Selectmen to appoint a senior to one of the six (6) at-large seats.

Chairman Perreault confirmed that establishing the NDEIB Committee this evening is just one of the several recommendations made by the D&I Committee. He added that he expects that the Board will discuss each of the recommendations over a succession of Board meetings. He thanked the D&I Committee for all their work.

Selectman Rogers moved the Board vote to establish a permanent advisory committee to the Board of Selectmen to be known as the Northborough Committee for Diversity, Equity, Inclusion and Belonging. The purpose of the Committee is to promote, embrace and support the cultural enrichment of Northborough's diverse population as a core value of the community. The Committee shall consist of nine (9) voting members. The voting membership shall include the Town Administrator or his/her designee, a representative from the School Department's Coalition for Equity, a representative from the Council on Aging or their designee and six (6) at-large citizen members. The Coalition for Equity member must be a Northborough resident; Selectman Rutan seconded the motion; the roll call vote was taken as follows:

Wixted	"aye"	Rutan	"aye"
Hirsh	"aye"	Perreault	"aye"
Rogers	"aye"		

## **RECOMMENDATION FOR APPOINTMENT TO THE COMMUNITY AFFAIRS COMMITTEE**

The Interview Subcommittee minutes, which include the recommendation being made this evening, were included in the meeting packet for review by Board members.

Selectman Rutan thanked everyone who applied and interviewed for the Community Affairs Committee (CAC) and encouraged those who were not appointed to still get involved in the efforts of the CAC. Selectman Rogers advertised those Boards and Committees in Town that currently have vacancies and encouraged residents to get involved.



Selectman Rutan moved the Board vote to appoint Shehla Eledroos to the Community Affairs Committee for a partial two-year term to expire on April 30, 2023 as recommended by the Interview Committee; Selectman Rogers seconded the motion; the roll call vote was taken as follows:

Wixted	“aye”	Rutan	“aye”
Hirsh	“aye”	Perreault	“aye”
Rogers	“aye”		

### **EXECUTION OF CEMETERY DEED**

Selectman Wixted moved the Board vote to execute Cemetery Deed 1140; Selectman Rogers seconded the motion; the roll call vote was taken as follows:

Wixted	“aye”	Rutan	“aye”
Hirsh	“aye”	Perreault	“aye”
Rogers	“aye”		

### **OTHER BUSINESS**

None.

### **8:45 p.m. - EXECUTIVE SESSION**

Selectman Hirsh moved the Board vote to enter into Executive Session - pursuant to M.G.L., Chapter 30A, Section 21, Subsection 3 (Collective Bargaining Strategy Planning) due to the Chair's determination that a discussion regarding this matter in an open meeting may have a detrimental effect on the position of the Board; Selectman Rogers seconded the motion; the roll call vote was taken as follows:


Wixted	“aye”	Rutan	“aye”
Hirsh	“aye”	Perreault	“aye”
Rogers	“aye”		

### **ADJOURNMENT**

Chairman Perreault announced that the Board will enter into Executive Session and the webinar hosting the open meeting will be ended.

The open meeting ended at 8:45 p.m.

Respectfully submitted,



Diane M. Wackell  
Executive Assistant to the  
Board of Selectmen

### Documents used during meeting:

1. February 14, 2022 Meeting Agenda

2. January 24, 2022 Meeting Minutes
3. Information packet – Change of Manager - Replays
4. Memorandum – Snow & Ice Budget Update
5. MetroWest Health Foundation Grant
6. Information packet – BeWellNorthborough Initiative
7. Information packet – Committee for Diversity, Equity, Inclusion and Belonging
8. Draft Interview Committee Meeting Minutes
9. Cemetery Deed



## TOWN OF NORTHBOROUGH

Town Offices, 63 Main Street  
Northborough, MA 01532-1994  
508-393-5040 Phone  
508-393-6996 Fax  
[www.town.northborough.ma.us](http://www.town.northborough.ma.us)

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### MEMORANDUM

TO: Board of Selectmen  
Town Administrator

FROM: Diane Wackell, Executive Assistant

SUBJECT: Tio Juans Margaritas Mexican Restaurant – 10006 Shops Way  
Change in Stock Interest and Officer/Directors

DATE: February 23, 2022

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Attached is an application as submitted by Margaritas Management Group – Northborough, Inc. d/b/a Tio Juans Margaritas Mexican Restaurant for a Change in Stock Interest and a Change in Officers/Directors for their All Alcohol Restaurant License located at 10006 Shops Way.

This application is due to a redistribution of ownership with no financial transactions involved. There will be no changes in the management or operation of the restaurant.

The application has been reviewed by Lieutenant Brian Griffin. There are no concerns to report.



## **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 138, Section 12, notice is hereby given that the Board of Selectmen will hold a remote public hearing on Monday, February 28, 2022 at 7:00 p.m. to act on an application as submitted by Margaritas Management Group – Northborough Inc. d/b/a Tio Juans Margaritas Mexican Restaurant for a Change in Stock Interest and a Change in Officers/Directors for the All Alcoholic Beverages Restaurant License located at 10006 Shops Way, Northborough, MA.

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/86959028929> Passcode: 462312

Join by phone: 1 646 876 9923 / Webinar ID: 869 5902 8929 / Passcode: 462312

T. Scott Rogers, Clerk  
Northborough Board of Selectmen

February 17, 2022



*The Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION  
MONETARY TRANSMITTAL FORM**

**APPLICATION FOR AMENDMENT-Change of Officers, Stock or Ownership Interest**

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL  
LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: ABCC PAYMENT WEBSITE

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE  
PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

00059-RS-0902

ENTITY/ LICENSEE NAME

Margaritas Management Group - Northborough Inc

ADDRESS

10006 Shops Way

CITY/TOWN

Northborough

STATE

MA

ZIP CODE

01532

For the following transactions (Check all that apply):

☐ New License

☐ Change of Location

☐ Change of Class (i.e. Annual / Seasonal)

☐ Change Corporate Structure (i.e. Corp / LLC)

☐ Transfer of License

☐ Alteration of Licensed Premises

☐ Change of License Type (i.e. club / restaurant)

☐ Pledge of Collateral (i.e. License/Stock)

☐ Change of Manager

☐ Change Corporate Name

☐ Change of Category (i.e. All Alcohol/Wine, Malt)

☐ Management/Operating Agreement

☒ Change of Officers/  
Directors/LLC Managers

☐ Change of Ownership Interest  
(LLC Members/ LLP Partners,  
Trustees)

☒ Issuance/Transfer of Stock/New Stockholder

☐ Change of Hours

☐ Other

☐ Change of DBA

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS  
TRANSMITTAL FORM ALONG WITH  
COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

**Alcoholic Beverages Control Commission**  
**95 Fourth Street, Suite 3**  
**Chelsea, MA 02150-2358**



February 10, 2022

State of New Hampshire SS: County of Strafford

On December 30, 2020, there was a redistribution of ownership from, John Pelletier, David Pelletier, E. Stanton Bagley and Larry Cates, transferred portions of each of their ownership shares for no consideration, to include Anthony Ackil, Mitch Kahn, Randall Ray and Paul Twohig. There was no financial transaction involved. With no financial transaction the following information does not need to be provided:

- Financial Statements
- Purchase and Sale Agreement
- Supporting Financial Records

**Prior ownership**

John Pelletier – 51.0%  
E. Stanton Bagley – 24.4%  
David Pelletier – 20.0%  
Larry Cates – 4.6%

**Ownership transferred for no consideration on December 30, 2020**

Anthony Ackil – 33.68%  
David Pelletier – 18.90%  
Mitch Kahn – 18.48%  
Randall R. Ray, Jr. – 15.0%  
Paul Twohig – 5.63%  
John Pelletier – 4.40%  
Larry Cates – 3.91%



*The Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
*95 Fourth Street, Suite 3, Chelsea, MA 02150-2358*  
*www.mass.gov/abcc*

**APPLICATION FOR AMENDMENT**  
**-Change of Officers, Stock or Ownership Interest**

☒ **Change of Officers/ Directors/LLC Managers** ☒ **Change of Stock Interest**

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Officer/Directors Application
- Vote of the Entity
- CORI Authorization
- Business Structure Documents
  - If Sole Proprietor, **Business Certificate**
  - If partnership, **Partnership Agreement**
  - If corporation or LLC, **Articles of Organization** from the Secretary of the Commonwealth

(e.g. New Stockholders or Transfer or Issuance of Stock)

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Stock Application
- Financial Statement
- Vote of the Entity
- CORI Authorization
- Purchase & Sale Agreement
- Supporting Financial Records
- Advertisement
- Business Structure Documents

- If Sole Proprietor, **Business Certificate**
- If partnership, **Partnership Agreement**
- If corporation or LLC, **Articles of Organization** from the Secretary of the Commonwealth

☐ **Change of Ownership Interest**

(e.g. LLC Members, LLP Partners, Trustees etc.)

- Payment Receipt
- Monetary Transmittal
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Stock Application
- Financial Statement
- Vote of the Entity
- CORI Authorization
- Business Structure Documents
- Purchase & Sale Agreement
- Supporting Financial Records
- Advertisement
  - If Sole Proprietor, **Business Certificate**
  - If partnership, **Partnership Agreement**
  - If corporation or LLC, **Articles of Organization** from the Secretary of the Commonwealth

☐ **Non-Profit Club Change of Officers/ Directors**

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Officer/Directors Application
- Vote of the club signed by an approved officer
- Business Structure Documents - **Articles of Organization** from the Secretary of the Commonwealth

☐ **Management Agreement**

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Vote of Entity
- Management Agreement

*\*If abutter notification and advertisement are required for transaction, please see the local licensing authority.*

**1. BUSINESS ENTITY INFORMATION**

Entity Name	Municipality	ABCC License Number
Margaritas Management Group-Northborough Inc	Northborough	00059-RS-0902

Please provide a narrative overview of the transaction(s) being applied for. Attach additional pages, if necessary.

Change of stock Interest In addition to change of officers and director.

**APPLICATION CONTACT**

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Jodenne Scott	VP Finance & Accounting	jscott@margs.com	(603) 430-8905 x 1119

## APPLICATION FOR AMENDMENT-Change of Officers, Stock or Ownership Interest

### **2. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST**

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:  
**On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers** - At least 50% must be US citizens;  
**Off Premises (Liquor Store) Directors or LLC Managers** - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
<b>Anthony Ackil</b>	4 Dix Street, Winchester MA		
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
President	33.68	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident			<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>Jodenne Scott</b>	112 Champlin Ridge Rd., Rochester NH		
Treasurer / Clerk	0	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>Randall Ray Jr.</b>	50 Moharmet Drive, Madbury NH		
Chief Operating Officer	15.00	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>Mitch Khan</b>	255 Oakwood Rd., Englewood NJ		
Director	18.48	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>Paul Twohig</b>	55 Magnolia Blossom Dr., Bluffton SC		
Director	5.63	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>John Pelletier</b>	55 Mill Road, North Hampton NH		
Director	4.40	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input checked="" type="radio"/> No

Additional pages attached?

☒ Yes ☐ No

#### CRIMINAL HISTORY

Has any individual listed in question 2, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.

☐ Yes ☒ No

#### MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement? Please provide a copy of the management agreement.

☐ Yes ☒ No



## 2. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST(Continued...)

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name

Percentage of Ownership in Entity being Licensed  
(Write "NA" if this is the entity being licensed)

**Margaritas Mgt. Grp.-Nort**

NA

Name of Principal	Residential Address	SSN	DOB
<b>David Pelletier</b>	637 Long John Rd. Rye NH		
Title and or Position	Percentage of Ownership	Director	US Citizen
Director	18.90	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input checked="" type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<b>Larry Cates</b>	340 Cattail Dr. Whitefish MT		
Title and or Position	Percentage of Ownership	Director	US Citizen
Director	3.91	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input checked="" type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
MA Resident			<input type="radio"/> Yes <input type="radio"/> No

### CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?  
If yes, attach an affidavit providing the details of any and all convictions.

☐ Yes ☒ No

## APPLICATION FOR AMENDMENT-Change of Officers, Stock or Ownership Interest

### **3. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST**

List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

Name of Principal	Title/Position	Percentage of Ownership
John Pelletier	CEO	51
Name of Principal	Title/Position	Percentage of Ownership
David Pelletier	Director	24.4
Name of Principal	Title/Position	Percentage of Ownership
E. Stanton Bagley	Director	20
Name of Principal	Title/Position	Percentage of Ownership
Larry Cates	Director	4.6
Name of Principal	Title/Position	Percentage of Ownership
Hugo Marin	President	0
Name of Principal	Title/Position	Percentage of Ownership
mario Mancini	Tresurer	0

### **4. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Does any individual or entity identified in question 2, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☒ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
See Attached			

### **5. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Has any individual or entity identified in question 2, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☐ No ☒

If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

### **6. DISCLOSURE OF LICENSE DISCIPLINARY ACTION**

Have any of the disclosed licenses listed in question 4 or 5 ever been suspended, revoked or cancelled?

Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

#### 4. Interest in an Alcoholic Beverage License

Name	License Type	License Name	Municipality
Anthony Ackil	Retail	Waltham Restaurant Group	Waltham
Randall Ray, Jr	Retail	Waltham Restaurant Group	Waltham
Mitch Khan	Retail	Waltham Restaurant Group	Waltham
Paul Twohig	Retail	Waltham Restaurant Group	Waltham
John Pelletier	Retail	Waltham Restaurant Group	Waltham
David Pelletier	Retail	Waltham Restaurant Group	Waltham
Larry Cates	Retail	Waltham Restaurant Group	Waltham
Anthony Ackil	Retail	Revere Restaurant Group	Revere
Randall Ray, Jr	Retail	Revere Restaurant Group	Revere
Mitch Khan	Retail	Revere Restaurant Group	Revere
Paul Twohig	Retail	Revere Restaurant Group	Revere
John Pelletier	Retail	Revere Restaurant Group	Revere
David Pelletier	Retail	Revere Restaurant Group	Revere
Larry Cates	Retail	Revere Restaurant Group	Revere
Anthony Ackil	Retail	Margaritas Mgt. Grp- Framingham Inc	Framingham
Randall Ray, Jr	Retail	Margaritas Mgt. Grp- Framingham Inc	Framingham
Mitch Khan	Retail	Margaritas Mgt. Grp- Framingham Inc	Framingham
Paul Twohig	Retail	Margaritas Mgt. Grp- Framingham Inc	Framingham
John Pelletier	Retail	Margaritas Mgt. Grp- Framingham Inc	Framingham
David Pelletier	Retail	Margaritas Mgt. Grp- Framingham Inc	Framingham
Larry Cates	Retail	Margaritas Mgt. Grp- Framingham Inc	Framingham
Anthony Ackil	Retail	Margaritas Mgt. Grp- Methuen Inc	Methuen
Randall Ray, Jr	Retail	Margaritas Mgt. Grp- Methuen Inc	Methuen
Mitch Khan	Retail	Margaritas Mgt. Grp- Methuen Inc	Methuen
Paul Twohig	Retail	Margaritas Mgt. Grp- Methuen Inc	Methuen
John Pelletier	Retail	Margaritas Mgt. Grp- Methuen Inc	Methuen
David Pelletier	Retail	Margaritas Mgt. Grp- Methuen Inc	Methuen
Larry Cates	Retail	Margaritas Mgt. Grp- Methuen Inc	Methuen
Anthony Ackil	Retail	Margaritas Mgt. Grp- Northborough Inc	Northborough
Randall Ray, Jr	Retail	Margaritas Mgt. Grp- Northborough Inc	Northborough
Mitch Khan	Retail	Margaritas Mgt. Grp- Northborough Inc	Northborough
Paul Twohig	Retail	Margaritas Mgt. Grp- Northborough Inc	Northborough
John Pelletier	Retail	Margaritas Mgt. Grp- Northborough Inc	Northborough
David Pelletier	Retail	Margaritas Mgt. Grp- Northborough Inc	Northborough
Larry Cates	Retail	Margaritas Mgt. Grp- Northborough Inc	Northborough



**The Commonwealth of Massachusetts**  
**William Francis Galvin**

No Fee

Secretary of the Commonwealth, Corporations Division  
 One Ashburton Place, 17th floor  
 Boston, MA 02108-1512  
 Telephone: (617) 727-9640

**Statement of Change of Supplemental Information**

(General Laws, Chapter 156D, Section 2.02 AND Section 8.45; 950 CMR 113.17)

1. Exact name of the corporation: MARGARITAS RESTAURANT GROUP - NORTHBOROUGH, INC.

2. Current registered office address:

Name: MICHAEL E. KUSHNIR, ESQ.

No. and Street: 155 SEAPORT BLVD.

SUITE 500

City or Town:

BOSTON

State: MA

Zip: 02210

Country: USA

3. The following supplemental information has changed:

☒ Names and street addresses of the directors, president, treasurer, secretary

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
PRESIDENT	ANTHONY ACKIL	200 GRIFFIN RD., SUITE 1 PORTSMOUTH, NH 03801 USA
TREASURER	JODENNE SCOTT	200 GRIFFIN RD., SUITE 1 PORTSMOUTH, NH 03801 USA
SECRETARY	RANDALL R. RAY JR.	200 GRIFFIN RD., SUITE 1 PORTSMOUTH, NH 03801 USA
VICE PRESIDENT	DAVID M. PELLETIER	200 GRIFFIN RD., SUITE 1 PORTSMOUTH, NH 03801 USA
CHIEF OPERATING OFFICER	RANDALL R. RAY JR.	200 GRIFFIN RD., SUITE 1 PORTSMOUTH, NH 03801 USA
DIRECTOR	ANTHONY ACKIL	200 GRIFFIN RD., SUITE 1 PORTSMOUTH, NH 03801 USA
DIRECTOR	MITCH KAHN	200 GRIFFIN RD., SUITE 1 PORTSMOUTH, NH 03801 USA
DIRECTOR	PAUL TWOHIG	200 GRIFFIN RD., SUITE 1 PORTSMOUTH, NH 03801 USA
DIRECTOR	JOHN PELLETIER	200 GRIFFIN RD., SUITE 1 PORTSMOUTH, NH 03801 USA
DIRECTOR	DAVID M. PELLETIER	200 GRIFFIN RD., SUITE 1 PORTSMOUTH, NH 03801 USA
DIRECTOR	RANDALL R. RAY JR.	200 GRIFFIN RD., SUITE 1 PORTSMOUTH, NH 03801 USA
DIRECTOR	LARRY CATES	200 GRIFFIN RD., SUITE 1 PORTSMOUTH, NH 03801 USA

\_\_\_ Fiscal year end:  
 December

Type of business in which the corporation intends to engage:

TEX MEX RESTAURANT

     Principal office address:

No. and Street: 200 GRIFFIN RD., SUITE 1  
City or Town: PORTSMOUTH State: NH Zip: 03801 Country: USA

X g. Street address where the records of the corporation required to be kept in the Commonwealth are located (*post office boxes are not acceptable*):

No. and Street: 155 SEAPORT BLVD.  
SUITE 500  
City or Town: BOSTON State: MA Zip: 02210 Country: USA

which is

     its principal office      an office of its transfer agent  
     an office of its secretary/assistant secretary X its registered office

Signed by JODENNE SCOTT, its OTHER OFFICER  
on this 17 Day of August, 2021

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

August 17, 2021 04:15 PM

A handwritten signature in black ink, reading "William Francis Galvin". The signature is written in a cursive style with a large, stylized initial "W".

WILLIAM FRANCIS GALVIN

*Secretary of the Commonwealth*



## MEMORANDUM

Date: February 22, 2022

To: John Coderre, Town Administrator

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

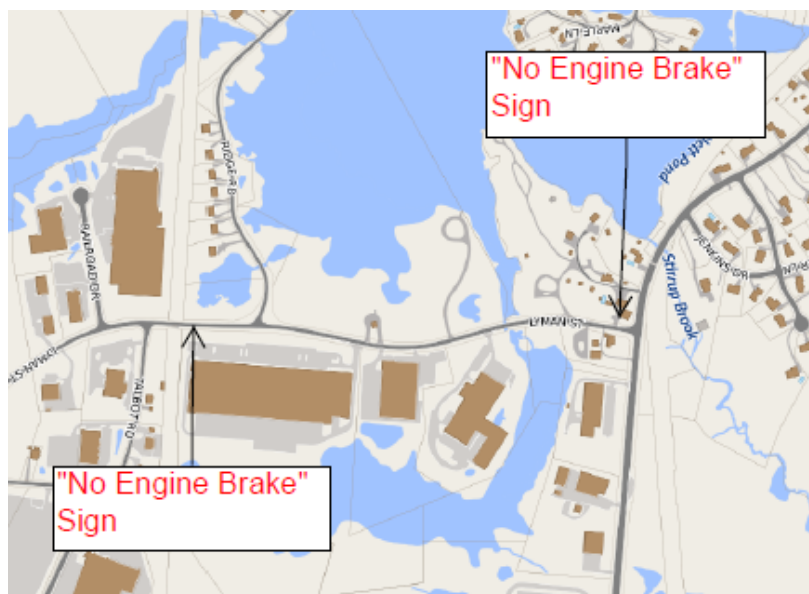
Copy: Becca Meekins, Assistant Town Administrator  
William E. Lyver, Jr., Police Chief

**Subject: Compression Brake Prohibition – Lyman Street**

Northborough voters approved a compression brake, commonly known as a jake brake, restriction bylaw at the 2021 Annual Town Meeting. Implementation of this restriction is through Board of Selectmen (BOS) action for specific Town roadways or segments thereof.

This memorandum requests the BOS consider adoption of a compression brake prohibition for the segment of Lyman Street from approximately Ridge Road north to Bartlett Street. The Planning Department received correspondence from two residents in March of 2020 expressing concern over the disruptive noise attributed to the use of compression brakes in this area.

The following images present likely sign locations.



## 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  
F: (508) 393-6996

TO: John W. Coderre, Town Administrator

FROM: Scott D. Charpentier, Public Works Director

RE: MassDOT Complete Street Program Update

DATE: February 24, 2022

Kindly accept this memorandum as an update on the Town's participation in the Massachusetts Department of Transportation (MassDOT) "Complete Streets Funding Program." The goal of this program is to support safe and accessible options for all modes of travel – walking, biking, and vehicular. The following constitutes a status update of our participation in the program:

1. The Northborough Board of Selectmen (BOS) adopted the Town of Northborough Complete Streets Policy at their January 10, 2022 meeting. We were informed by MassDOT that they approved the policy on January 18, 2022 with a score of 91.
2. The next program step is for the Town, with our consultant, to prepare through a public input process a Complete Streets Prioritization Plan for MassDOT acceptance. This plan will identify needs, gaps, possible funding sources, and implementation schedules for sidewalk, bicycle, and accessible transportation connectivity improvements.

The Public Works Department submitted a \$35,200 grant application to MassDOT on January 25, 2022 to aid in development of a Complete Streets Prioritization Plan. We were notified on February 17, 2022 that funding was awarded in the full requested amount.

3. Communities with a locally adopted Policy and MassDOT approved Prioritization are then eligible to seek construction funding grants for up to \$400,000 to aid in plan implementation. Projects often include sidewalk widening, accessible ramps, new sidewalk construction, implementation and/expansion of bicycle lanes and shared lanes, and connections to multimodal destinations. Construction grants cannot be used for survey, land acquisition, or design services. These tasks must be funded through other means such as local appropriation or Chapter 90.

Public Works is requesting that the Board of Selectmen accept this MassDOT grant in the amount of \$35,200.





## 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: MSBA Statement of Interest for Proctor School Roof

DATE: February 25, 2022

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The School Department is requesting that the Board of Selectmen authorize the School Superintendent to file a Statement of Interest (SOI) with the Massachusetts School Building Authority (MSBA) regarding replacement of the flat sections of the Proctor Elementary School roof. As you know, the Town previously replaced the peaked metal roof sections several years ago and replacement of the flat roof sections is in the Capital Improvement Plan for FY2024. The Town is seeking MSBA's assistance in paying for a portion of the total project cost, which is estimated to be between \$1.5 and \$1.6 million. The school department may also seek funding under the FY2023 Capital Budget to make immediate repairs to the downspouts and drains in order to resolve some of the ponding water issues on the roof. It is recommended that the Board authorize the School Superintendent to file the SOI with the MSBA per the proposed motion below:

*"Having convened in an open meeting on February 28, 2022, prior to the SOI submission closing date, the Board of Selectman of Northborough, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 2, 2022, for the Fannie E. Proctor Elementary School located at 26 Jefferson Road which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future for replacement of the EPDM roofing system under Priority #5. The replacement of the 40,000 square foot roof system is necessary due to its age, ruptured seams, punctured membrane, and water damage; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Northborough to filing an application for funding with the Massachusetts School Building Authority."*

*John W. Coderre*

---

## Management Report



Northborough Public Schools  
Proctor Elementary School  
26 Jefferson Road, Northborough, MA

Prepared For  
Northborough Public Schools

Powered By

Site Overview



Total Sections: 1  
Total Sq Ft: 49,165

Map	Name	Sq Ft	Est Install	Grade
1	Section 1	49,165		D



Observations

Section: Section 1  
Size: 49165  
Overall Grade: D  
  
Inspection Date: 12/15/2021  
Inspector: Kenny Heitz



Main Roof  
Overview



Main Roof  
Overview



Main Roof  
Overview



Main Roof  
Overview

## Deficiencies

**Section:** Section 1  
**Size:** 49165  
**Overall Grade:** D  
  
**Inspection Date:** 12/15/2021  
**Inspector:** Kenny Heitz



1



### General - Drains/Scuppers Open (Remedial)

Quantity: 25 EA

#### Deficiency:

Scupper / drain corners are open and allowing water in.

#### Corrective Action:

We will clean and prime the corner, then install new patch to ensure water tightness.

2



### General - (Remedial)

Quantity: 6 EA

#### Deficiency:

The EPDM Roofing System was coating several years back to preserve the life of the EPDM. The UV light is breaking down this coating, separating from the membrane and could be just in a high traffic area, causing this damage. It is extremely difficult to make a permanent repair on a roof that has been coated.

#### Corrective Action:

This can be repaired by removing the coating that's loose and separated from the EPDM, then clean the surface and install a new compatible coating. Or during a reroofing project.



**Deficiencies (continued)**

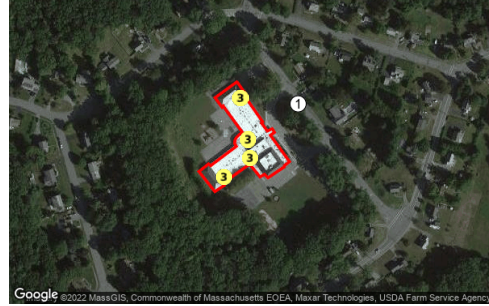
**Section:** Section 1

**Size:** 49165

**Overall Grade:** D

**Inspection Date:** 12/15/2021

**Inspector:** Kenny Heitz



**General - Ponding (Remedial)**

Quantity: 4 EA

**Deficiency:**

A ponding water condition is typically due to a flaw in how the original roof was designed to flow to drains or the underlying insulation has collapsed due to age or weight and created a low lying area on the roof which is now holding water.

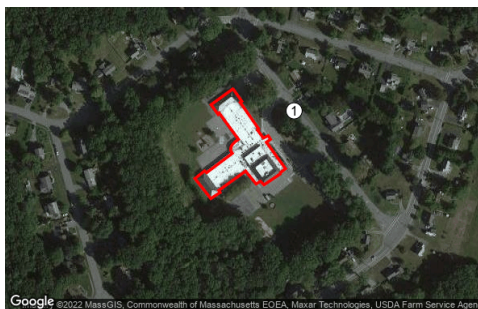
**Corrective Action:**

A ponding water condition is best corrected during a re-roof project. Outside of removing the existing insulation and starting with a new roof design, ponding water is difficult to correct.

**Summary**

**Section:** Section 1  
**Size:** 49165  
**Overall Grade:** D

**Inspection Date:** 12/15/2021  
**Inspector:** Kenny Heitz

**Condition Summary**

Membrane: D  
Flashings: D  
Sheet Metal: D

---

Overall: D

**Overall Grade**

A = 10 Years or more of service life remaining  
B = 8-10 Years of service life remaining  
C = 5-7 Years of service life remaining  
D = 2-4 Years of service life remaining  
F = Less than 1 Year of service life remaining

**Recommendations**

There is a total of 25 drains on the roof. During our investigative repair on December 15th 2021. We had All Owners Drain Jetting to assist with finding the issues. We made the repair to one of the 19 drains that have issues. The coating that was installed on the roof is separating from the membrane. This is do to the UV light breaking down the polymers in the coating, causing it to dethatch from the original roofing system. We recommend that you start budgeting for a roof replacement.



## 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: Legislative Priorities  
DATE: February 25, 2022

---

Attached please find a copy of last year's Legislative Priorities letter. The top two issues continue to be funding for Chapter 90 roadway improvements and state aid. Chapter 90 is especially critical considering the discussions regarding complete streets, sidewalks, walkability and pedestrian safety.

In preparation of the Delegation's attendance at the Board's March 28<sup>th</sup> meeting, we will discuss any necessary updates to last year's legislative priorities at your February 28<sup>th</sup> meeting.

*John W. Coderre*

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## TOWN OF NORTHBOROUGH

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

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February 8, 2021

Governor Charles D. Baker  
Massachusetts State House  
Office of the Governor  
Room 280  
Boston, MA 02133

Dear Governor Baker:

First and foremost, on behalf of the Town of Northborough, we would like to extend our gratitude to your Administration in holding the Town of Northborough harmless in state aid distributions for FY2021. Given the enormous economic toll that the pandemic has had on the state, we are grateful for the Administration's ability to maintain state aid levels in FY2021 and to propose increased state aid in FY2022.

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

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

We would be pleased to provide additional information or meet with you or your staff if you think this would be helpful. Again, thank you for your consideration.

Sincerely,

*Jason Perreault*

Jason Perreault, Chair  
Northborough Board of Selectmen

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

Senator James Eldridge  
Senator Harriette Chandler  
Representative Danielle Gregoire  
Representative Meg Kilcoyne



TOWN OF NORTHBOROUGH  
STATE LEGISLATIVE PRIORITIES  
March 2021

**1. Provide a Multi-Year \$300 Million Chapter 90 Authorization**

Increased funding of the Chapter 90 program, through which the Commonwealth reimburses municipalities for eligible roadway improvement projects, is critically important as communities across the state seek to maintain safe local roadways and build strong local economies. The program's formula-based funding takes into account a community's population, road miles and employment. The Legislature authorized a \$300 million Chapter 90 program for FY2015, and ultimately, the full amount was released to cities and towns in January 2015. For several years now, the Town has called on state officials to permanently fund Chapter 90 at \$300 million a year, and to release the funds in a timely fashion. Funding in the last five years (FY2017-FY2021), has remained at \$200 million, although the Legislature added \$40 million in supplemental cash funding for FY2019, and another \$20 million for FY2020, both from year-end state surpluses. The Governor has again filed for \$200 million in Chapter 90 Local Transportation Funding in FY2022.

Level funding the Chapter 90 program for FY2022 provides inadequate support to communities seeking to maintain roads in a state of good repair. The reality is that the purchasing power of the Chapter 90 program has been substantially diminished since FY2012. With Chapter 90 remaining at \$200 million for FY2021, the real (inflation-adjusted) level of state support for local road projects has dropped by 34%, to an inflation-adjusted \$132 million in FY2021. That is a loss of \$68 million in purchasing power over the past nine years. As you know well, municipalities spend far less on road maintenance and repairs than the estimated annual expenditure of \$700 million that is needed to get our municipal road infrastructure system into a state of good repair. With a tightly capped property tax, communities do not have the resources to close this massive \$500 million gap.

Increasing the bond authorization to \$300 million annually would be an important step forward. Not only does the Chapter 90 program help keep municipal roads safe and in good condition, but it also supports local businesses and economies in all parts of the state. These funds would be put to work immediately and contribute to the state's economic recovery as well.

The timing of legislative action on Chapter 90 is also critically important with adherence to the April 1 notification date necessary to allow municipalities the needed time to plan, bid and award paving contracts and make maximum use of the funds during the full construction season. For most cities and towns, Chapter 90 is the primary source of funds for road construction and repairs, and delays or reductions in funding can result in paving projects being postponed until the following season. A multi-year bond bill would allow for better multi-year planning and more effective use of funding as well.

The Town strongly urges your support in increasing Chapter 90 funding to \$300 million.

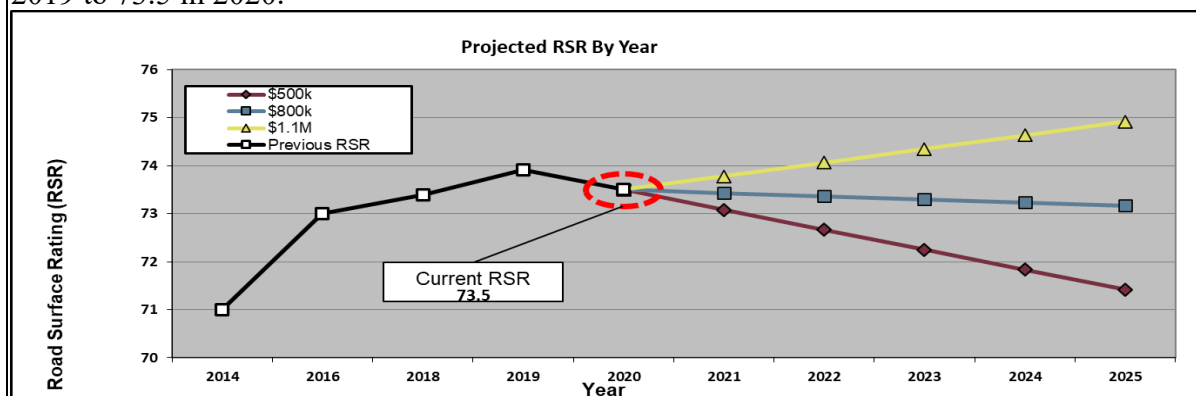
## **Why is Chapter 90 Funding a Legislative Priority for the Town of Northborough?**

The Town of Northborough has approximately 93 miles of roadway. Historically, the Town's annual spending on road construction projects has been limited to its Chapter 90 allocation, which has been insufficient to keep pace with needed maintenance and investments. In 2013, the Town completed a comprehensive pavement management study which assessed the condition of the Town's roadways. Notably, the study found only 4% of the Town's roadways to be in excellent condition and in need of no maintenance, and over one quarter (27%) of the roads were found to be in such poor condition that they require reclamation or reconstruction.

Ultimately, deferring investment in our roadways will negatively impact the Town's financial condition and bond rating by increasing costs and reducing the Town's ability to fund other services. Since completing the pavement management study, the Town has developed a pavement management plan to guide its investment in local roadway infrastructure. The Town's study found that if it were to invest only Chapter 90 funds for ten years, the backlog of roadway maintenance work would increase from an estimated \$17 million to almost \$44 million over that time period. Annual spending of \$1.1 million would be necessary to maintain or slightly improve current pavement conditions.

When Chapter 90 funds were increased to approximately \$800,000 during FY2016 and paired with an increased local appropriation of \$300,000, the Town met the minimum requisite funding. When the Town subsequently updated its Pavement Management Study, a slight improvement in the overall Road Surface Rating was noted. Unfortunately, Chapter 90 funds were reduced back to approximately \$500,000 in FY2017 where they have remained. At this level, the Town's Chapter 90 allocation of approximately \$500,000 plus a local appropriation of \$300,000 results in a \$300,000 funding gap, which would be filled if the statewide Chapter 90 funding were increased to \$300 million. It is therefore critical that the Governor and Legislature act to ensure the swift passage and full funding of at least a \$300 million Chapter 90 program in FY2022 and beyond.

The chart below projects the average road surface rating in Northborough under the various funding scenarios, with the top option being the minimum funding needed at \$1.1 million. In 2020, the Town's average estimated RSR dropped for the first time in several years from 73.9 in 2019 to 73.5 in 2020.



## **2. Local Aid increases that keep pace with state revenues**

- **Student Opportunity Act and Minimum Aid**—We are pleased that the Governor fully funded the first year of the landmark Student Opportunity Act to support cities and towns throughout the Commonwealth in his FY2022 budget proposal. Passage of the new Student Opportunity Act has fixed long-known gaps in the Chapter 70 school aid formula by ensuring adequate weight for special education expenses and the cost of health benefits for school personnel, and the additional resources needed to educate English learners and economically challenged students. These are important changes that will benefit those communities and school districts that have high numbers of low-income students, which is where most of the new money will be targeted. However, Northborough, will remain “minimum-aid-only” at \$30 per student. Under the Governor’s FY2022 proposed budget, Northborough’s Chapter 70 Education funding will increase just 1%. The \$30 per-student minimum aid commitment in the law is far too low and will translate into below-inflation aid increases every year for a majority of school districts, impeding education achievement in these communities, which is why the Town supports the MMA’s call for a minimum aid increase of at least \$100 per student, so that no school system or student is left behind, and that the funding level and formula in House One reflect pre-pandemic enrollment numbers, if communities have experienced decline over the past year due to Covid-19.
- **Special Education Circuit Breaker**— Another top priority for the Town of Northborough is increased funding of the state’s special education reimbursement program known as the “Circuit Breaker Program.” The circuit breaker fund has been in existence since 2004 and reimburses local school districts for a portion of their costs above a certain threshold for educating students with severe disabilities. The Special Education Circuit Breaker must be fully funded every year and we applaud the Legislature’s decision to expand the program to include transportation costs, and to commit to full funding of the account. Maintaining this will be an important priority to the benefit of all school districts.
- **Regional Transportation Reimbursements**—We support funding for transportation reimbursements to regional school districts. This account is vital to all regional districts and their member cities and towns. The Governor’s FY2022 budget submission would reduce funding for regional transportation reimbursements from \$82.2 million this year to \$75.9 million. This is a hardship for any community in a regional district. We respectfully ask that you support increasing this key account to reflect higher transportation costs for communities and to move the state closer to its full reimbursement commitment.
- **Unrestricted General Government Aid**— The Governor’s FY2022 proposed budget reflects an increase in general government aid consistent with the forecasted state “consensus” revenue estimate of 3.5%. Given the uncertainty of how local economies will respond to the pandemic recovery, we are grateful that the Governor both held the town harmless in FY2021 and provided an increase to aid in FY2022. We hope to see

that commitment in FY2023 and beyond. With local aid still trailing levels from more than a decade ago, local reliance on the property tax remains stubbornly high.

### **Why are increases in State Aid a Legislative Priority for the Town of Northborough?**

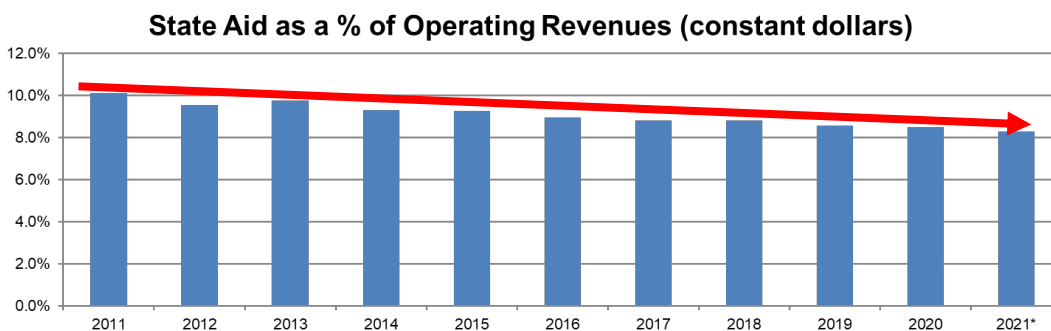
Although on the surface Northborough's State Aid appears to be growing modestly at 1-2% in recent years, it continues to lag the state's overall revenue growth. In addition, Northborough's State Aid continues to increase at a slower rate than the Town's overall general budget increases, which tend to be between 3-4% annually, so State Aid as a percentage of the operating revenues continues to shrink.

State Aid to Northborough generally represents approximately 10% of total municipal revenue. Northborough's State Aid peaked in FY2003, when it represented 13.1% of revenues. As a percentage of revenues, it has steadily declined from 10.6% in FY2009 to 8.3% in FY2021. The decrease represents an unfavorable trend with no end in sight. More concerning is that the state is forecasting a slow economic recovery from the ongoing Covid-19 Pandemic. Vaccination efforts will likely still be underway at the start of FY2022 based on the current pace of the vaccination rollout to date.

The Town's revised FY2022 budget model assumes Northborough's State Aid will increase 1.8% over the \$5.43 million received in FY2021. The estimate is based upon the Governor's Fiscal 2022 Budget, which was released on January 27<sup>th</sup>. Subsequent to the Governor's Budget announcement, detailed preliminary Cherry Sheets were released, which include a first look at initial State Assessments. Given the uncertainty around how Covid-19 will impact the economy in FY2022, the Town is pleased with the 1.8% increase to State Aid.

Beyond FY2022, it is critical to note that Chapter 70 represents approximately 74% of Northborough's State Aid under the Governor's Budget (\$4,040,510 out of \$5,521,216), and the Student Opportunity Act is unlikely to provide any meaningful revenue increases moving forward unless the Legislature increases the \$30 per student minimum aid. Although Unrestricted General Government Aid (UGGA) is scheduled to increase by 3.5% under the Governor's Budget, UGGA represents only 22% of State Aid, which is why that account is less important than Chapter 70 in determining overall increases. Unless the Legislature increases the minimum aid under Chapter 70, Northborough will continue to see State Aid as a percentage of its revenue deteriorate, resulting in local property taxes shouldering a larger portion of the budget.

The Chart below shows the steady decline of State Aid as a percentage of Northborough's operating budget revenues, resulting in a shifting burden onto local taxes.



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

- **Funding for environmental and climate-related infrastructure needs:** The Town requests your support of long-term state and federal funding and regulatory support that allows cities and towns to build, repair and maintain our legacy environmental infrastructure systems—drinking water, wastewater and stormwater—and to address the threat of climate with state funding and support to make municipal infrastructure systems and assets resilient to the effects of global warming. Environmental infrastructure is a top priority especially in light of emerging challenges such as climate mitigation and adaptation strategies and investments to protect and prepare our communities. The Town is in support of the Interim Clean Energy and Climate Plan for 2030 as put forth by the Governor in December. This Climate Plan contains the bold action that is needed to address critical environmental impacts to local cities and towns. Northborough has signed on with several MetroWest communities to supply joint comments to the Executive Office of Energy and Environmental Affairs. While the 2030 Climate Plan addresses state-wide concerns, it lacks specific resources and information needed to implement positive change on a local level. A copy of those joint comments is attached to this document for your review.
- **Ongoing Flexibility in Addressing Covid-19:** Despite the news of an available and effective Covid-19 vaccine, cities and towns are still dealing with the crippling nature of the pandemic. The pace of the current vaccination rollout indicates that Covid-19 will still be a consideration in planning for this Spring's town meeting, local election, and ongoing meetings and work of Boards and Committees. We ask for legislation that allows us to continue to maintain flexibility as we move forward to the 2021 Spring Town Meeting and Election season. We anticipate strong support from residents for a continuation of the ability to utilize many of the technological techniques employed to mitigate the spread of the Covid-19 virus (use of Zoom and other online meeting platforms) indefinitely. While Covid-19 presented obvious challenges with respect to Open Meeting Law requirements, the temporary suspension of those requirements by the Governor opened many communities to a new world of possibilities that allows for better access and transparency for residents and businesses to stay involved in local government. We support continuation of the utilization of online meeting platforms to conduct business for local Board and Committees.
- **Promoting Equity and Diversity in Cities and Towns:** We support the Administration's budget recommendation to provide over \$30 million to continue implementing the recommendations of the Black Advisory Commission (BAC) and the Latino Advisory Commission (LAC). Providing funding to implement recommendations from these Commissions has been a key priority for the Administration, particularly in a year where the impacts of the pandemic have fallen disproportionately on people of color. However, there is ongoing pressure on cities and towns to address diversity, equity, and inclusion on a local level. This often is spurred by a specific incident, or simply in response to growing national tensions around racial inequality and Police brutality. In order for communities to respond in a way that can stimulate meaningful change, we ask that the Commonwealth include Promotion of Diversity and Inclusion as a new Community Compact best practice in the category of Human Resources. This would open funding for communities to conduct Diversity, Equity and Inclusion Plans and implement meaningful change so that we can ensure that our workforce accurately reflects the communities we serve.

- **Oppose Unfunded Mandates:** We seek your support in working with the MMA and municipalities to comprehensively review and analyze unfunded mandates imposed by state law, regulation or other action. In addition to seeking full funding for all current mandates, we ask that you support the MMA’s proposal that would require the Executive Office to specify the local impact of any signed legislation.
- **Modernize Procurement and Public Construction Laws:** The following suggestions would reduce the direct financial and administrative costs of dealing with overly restrictive and outdated purchasing and public construction regulations and laws. A major cost factor in public construction is a requirement that Towns pay “prevailing wages” that are often greater than the wages paid by local contractors. In addition, this requirement involves far more paperwork than local contractors are prepared or willing to take on for a one-time project. It is ironic that a law, which was initiated to encourage the award of contracts to local tradesmen, would have an opposite effect. There should be legislation that would exempt construction projects of \$100,000 or less from the prevailing wage law. We urge you to address the long overdue problem of excessively high public construction costs within the Commonwealth.
- **Agricultural Composting:** Lastly, we seek your support of legislation filed by Senator Chandler (Senate Docket 619, filed 2/3/2021) – An Act regarding Agricultural Composting Programs, which will be referred to the Joint Committee on Environment, Natural Resources and Agriculture. SD619 is the same legislation previously filed on the Town’s behalf as Senate Bill 435 in last year’s legislative session. The proposed amendments would provide local control over agricultural composting operations in residential neighborhoods. This legislative fix is essential to protect neighbors and their families from the harmful and unpleasant effects of living in close proximity to large-scale composting operations.

Communities in proximity to agricultural composting have been unsuccessful in prior attempts to reconcile disruptions that come with the composting. Disruptions can include volatile odors, fear of contamination of public resources such as water, inability to use public spaces, illness, and an influx of traffic by vehicles too large to be suitable for the neighborhood roads. Unfortunately, under the current regulatory structure, municipalities have little power to address these disruptions.

Empowering municipalities to help their constituents is of the utmost importance, and Beacon Hill must ensure that constituents are provided recourse and protection at the local level. The proposed legislation is necessary to ensure that residents are afforded protection by their local government. Agricultural composting operations should not be exempt from local zoning and land-use regulations, or the site assignment process administered by the Department of Environmental Protection. This policy change will ensure that these regulations are put in place.

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



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### **MEMORANDUM**

TO: Board of Selectmen

FROM: Town Administrator, John W. Coderre

SUBJECT: FY2023 Budget Update

DATE: February 25, 2022

CC: Appropriations Committee, Financial Planning Committee,  
Financial Team, School Superintendent

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As you know, the Board will be holding its annual joint budget hearing with the Appropriations Committee on March 28<sup>th</sup> to discuss the FY2023 Proposed Budget. While review of the budget details will continue right up until Town Meeting on April 25<sup>th</sup>, the Northborough K-8 School Budget and General Government Budget are being developed in conformance with the goals and objectives discussed at the annual Financial Trend Monitoring System (FTMS) joint meeting. The Town has now received the final Assabet Valley assessment and K-8 Budget, which was voted on February 7<sup>th</sup>. The Algonquin Regional High School (ARHS) budget and assessments were formally voted at the School Committee's February 16<sup>th</sup> meeting.

On December 20, 2021, the Board of Selectmen, Appropriations Committee, Financial Planning Committee and the K-8 School Committee all met together to hear the latest update of the Financial Trend Monitoring System as well as the five-year financial forecasts. The group discussed revenue projections, the various financial indicators and the implications of the information for the upcoming FY2023 Budget. The following goals and objectives are direct outcomes from that annual joint meeting.

#### **Goals and objectives of the FTMS for the FY2023 Budget:**

1. To protect and improve the Town's overall Financial Condition, which is broadly defined as our ability to maintain existing service levels; withstand local and regional economic disruptions; and meet the demands of natural growth, decline, and change.





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- By continuing to review and update the Town's Financial Trend Monitoring System in order to identify problems and opportunities early, so that appropriate action can be taken.
  - By annually revising the Town's Five-year Financial Projections, to see if the underlying assumptions require modification based upon changing conditions or data.
  - By regularly investing in the priorities and goals contained in the Town's Strategic Plans, including the Master Plan of Development and Six-year Capital Improvement Plan (CIP).
  - By engaging the Town's policy-making boards and committees in regular discussions that reinforce the need for long-range considerations in the annual budget process, so that important policy decisions are not controlled by financial problems or emergencies. To this end, joint meetings are held during the budget process to discuss financial trends, projections, staffing and major capital improvements.
2. To develop a budget that is in conformance with the Town's comprehensive financial policies and does not rely on one-time gimmicks or unsustainable practices.
- By ensuring that current revenues are sufficient to support current operating expenditures. Use of one-time Free Cash in the FY2023 annual budget will be capped in accordance with the adopted Free Cash policy at \$500,000, or approximately 1% of the operating budget. Non-recurring Federal and State pandemic aid should also be applied primarily to non-recurring expenditures.
  - By ensuring that debt is never used to fund operating expenditures and is only issued for capital improvements greater than \$25,000 with a useful life of five years or more. In practice, the Town endeavors to pay cash for vehicle and equipment purchases under \$100,000 and only issue debt for major facility or infrastructure improvements.
  - By maintaining adequate financial reserves of between 5-10% of the operating budget to deal with unexpected natural or economic disruptions. Current fiscal year reserves are at 8.3%. The FY2023 Budget will seek to maintain a comparable level of reserves by including a \$200,000 appropriation from Free Cash into the Stabilization Fund.



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3. To maintain Northborough as an affordable place to live and operate a business
    - By developing a FY2023 Budget that is within the confines of Proposition 2½ and includes reasonable tax increases necessary to maintain current service levels.
    - By encouraging economic development through maintenance of a single tax rate without artificial surcharges on businesses.
    - By negotiating sustainable collective bargaining agreements with the Town's five non-school unions. All contracts expire June 30, 2022 and are currently under negotiation for FY2023. School Department contracts are scheduled to expire on June 30, 2023.
    - By advocating for legislative priorities at the State level that will improve the efficiency or effectiveness of local services, such as OPEB reform and changes to various revenue sharing models, including appropriate infrastructure investment programs.
  4. To protect the Town's long-run solvency beyond the immediate budget cycle by developing clear policies regarding issues such as debt, pension obligations, OPEB liabilities and capital investment.
    - By conducting a comprehensive review of major budget initiatives that seek to expand staffing or services.
    - By funding the OPEB plan in FY2023 at a minimum of \$500,000 in order to continue addressing the Town's \$41.1 million OPEB liability.
    - By updating and funding the Pavement Management Plan (PMP) at a minimum of \$1.1 million in order to continue addressing long-term infrastructure and roadway improvements.
    - By annually reviewing the Town's Six-year Capital Improvement Plan (CIP) in conjunction with the adopted debt and free cash policies.

In addition to these overriding goals and initiatives, individual departmental goals and objectives are being developed within these Town-wide umbrella goals to ensure that long-term perspectives that span beyond just the upcoming fiscal year are taken into consideration. Departmental goals and initiatives also link to the Town's long-range strategic plans, such as the newly updated Master Plan of Development.



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### **FY2023 Budget Assumptions:**

State Aid—Current budget models assume Northborough's State Aid will increase 1% over the \$5.6 million received in FY2022. The estimate is based upon the Governor's FY2023 Budget which was released on January 26<sup>th</sup>. Subsequent to the Governor's Budget announcement, detailed preliminary Cherry Sheets were released, which show aid increasing by \$57,185, or 1.03%.

Over the coming months the House and Senate will release their respective budget proposals and work out the differences through a joint committee. The Town generally does a little better in terms of aid from the Legislature, in part, because they will have more up-to-date revenue information. However, it is clear that we are not going to see any meaningful increase again in FY2023, as the majority of new aid is being directed to communities with greater needs in accordance with the Student Opportunity Act. As discussed at the December 20<sup>th</sup> Financial Trend Monitoring Presentation, because Northborough's State Aid continues to lag behind general budget increases, it has become an ever smaller percentage of our overall budget. State Aid declined from a high of 13.1% of revenues in FY2003 to just 8.4% in FY2022.

Historically, the Town does not receive its final State Aid figures until well after Town Meeting in April; however, current estimates appear to remain reasonable for FY2023 planning purposes.

On a positive note, Governor Charlie Baker announced on February 18<sup>th</sup> that he is filing a \$2.4 billion spending bill that includes funding for critical municipal programs, including a \$100 million supplemental distribution for the Chapter 90 local road and bridge program, \$100 million to help municipalities repair winter road damage, and \$150 million for climate change grants, including the Municipal Vulnerability Preparedness program. If passed by the Legislature, these additions will have a significant impact on Northborough's capital improvement plans.

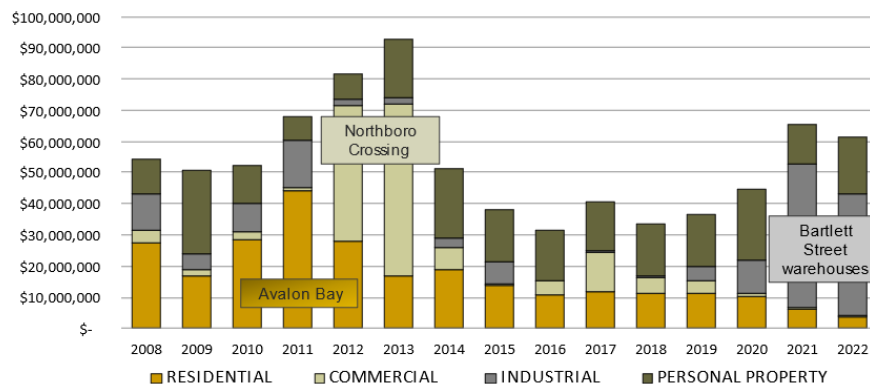
New Growth—New Growth is estimated at \$40 million based upon an analysis of building permits and ongoing construction projects, which will result in approximately \$659,600 in new FY2023 tax revenues. Northborough experienced strong economic development in 2021 and 2022 as two of the last remaining industrial parcels of significant size were developed. As discussed at the FY2022 Tax Classification Hearing held in November 2021, new growth is forecast to drop back down to approximately \$30 million for the foreseeable future, barring any significant new development coming to Town. As the Town approaches buildout, new growth will become a smaller source of future tax revenues.



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### New Growth History



5-Year Avg: \$48,399,307  
15-Year Avg: \$53,543,042

8

**Local Receipts**—Lastly, Local Receipts are level funded at \$4.17 million in FY2023, as motor vehicle excise, hotel and meal taxes slowly recover from the impacts of the pandemic. The Local Receipts total also includes \$212,000 in annual revenues resulting from the Regional High School settlement. Most Local Receipts such as building permits and motor vehicle excise taxes tend to trend along general economic cycles and are often the first revenues impacted by negative economic news, so it is important to be conservative when forecasting. As reported at the State’s Revenue Consensus Hearing back in December, most economists were quick to qualify their forecasts in terms of the ongoing recovery, so it will be important to continue carefully tracking these elastic revenue sources moving forward.

### **Outstanding Budgetary Items:**

At this phase of our budgeting process, we have defined most of the factors that will impact the key budgets. However, we have three issues that require additional discussion given their significance.

The first issue is the status of the outstanding union contract negotiations as well as the ongoing Classification/Compensation Study. As you are aware, all five collective bargaining contracts expire June 30, 2022, and are currently under negotiation for FY2023. In addition, the Town is in the process of completing a comprehensive



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Classification/Compensation Study designed to update all position job descriptions and conduct a market survey to ensure the Town's compensation and benefits remain competitive. The results of the Study will be brought forward to Town Meeting for approval and will likely have financial impacts where market adjustments are warranted. Estimated budget impacts for both contract settlements and the Classification /Compensation Study will need to be budgeted centrally pending completion.

The second issue relates to the Town's health insurance budget. As you are aware, the Town's health insurance carrier, Fallon, made the decision to exit the public market, effective June 30, 2022. As a result, the Town conducted a formal bid process to find a new provider. As part of the bid process, we created a Joint Procurement Association (JPA) with ARHS and the Town of Southborough in order to enhance our market leverage. Following review of the bid results, the Town met with the Insurance Advisory Committee, which consists of members from all the bargaining units, including the K-8 School department. I am pleased to report that the IAC voted unanimously to recommend the administration's proposal to select Harvard Pilgrim as the Town's new carrier. While the health insurance budget figures are still being finalized, it is anticipated that the increase should be within the sustainable 3% target increase.

Lastly, on February 22<sup>nd</sup> we received notice from Norfolk County Agricultural High School (NCAHS) that another student applied for admission for the 2022-2023 school year. NCAHS is a public high school that currently enrolls over 500 students from the 28 towns of Norfolk County as well as more than 40 out-of-county (tuition) towns like Northborough. As in prior years, Northborough has borne the expense of tuition and transportation to the NCAHS in the General Government (non-school) portion of the budget. This expense is borne by the Town because students have the freedom to seek admission to schools with state-approved vocational technical education programs pursuant to M.G.L. c. 74 603 CMR 4.00 and are known as Chapter 74 approved programs. Since the Town of Northborough does not offer the particular vocational technical education program in which the student is interested, either at the high school or the regional vocational technical high school to which the town belongs (Assabet Valley), the student then has the option to apply to any school that offers such a program.

There is already one Northborough student entering 10<sup>th</sup> grade at NCAHS and now it appears another student has applied for admission under the Chapter 74 non-resident option. Once accepted, the Town is required to bear the full cost of both tuition and transportation. According to the February 22<sup>nd</sup> NCAHS letter, the out-of-county tuition rate is \$24,572 per student, exclusive of any transportation costs, which have yet to be determined. Given the late notice of this development I do not feel it is fair to ask departments to cut an additional \$25,000 to \$38,000 from their budgets to accommodate



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this educational expense, which is why the General Government budget is likely to increase slightly more than the proposed 3.5%. Again, this unanticipated expense will come solely from the non-school side of the budget.

### **Key Budget Increases:**

At this point in time, based upon our revised assumptions, the target budgets for the key departments are estimated to increase as follows:

- Northborough K-8 Schools increase \$893,275 or 3.46% to \$26,692,953
- General Government (Town) increases \$827,387, or 3.5% to \$24,466,996, pending addition of final NCAHS tuition and transportation expenses.
- The overall Assabet Valley Vocational HS operating budget is increasing \$1,004,684, or 4.3% to \$24,108,684. However, Northborough's Operating Assessment increases by \$189,278, or 20.25% to \$1,123,936 as enrollment increases from 59 to 68 students. Debt service associated with the completed renovation project decreases from \$133,832 to \$130,004, a 2.86% reduction.
  - Net effect of the combined Operating Assessment and new debt service is \$1,253,940, an overall increase of \$185,450, or 17.36%
- The overall Algonquin Regional High School (ARHS) budget is increasing by \$750,378, or 3% to \$25,727,081. However, Northborough's ARHS Operating Assessment is increasing just \$21,469 or 0.17% to \$12,914,966 due primarily to shifting enrollments. The debt for ARHS increases by \$5,223, or 0.81% to \$653,069.
  - Net effect of the combined Operating Assessment and new debt service is an overall increase of \$26,692

### **Outstanding General Government Items:**

With regard to the General Government budget, the maximum allowable increase under the budget model is clear. However, in terms of the final details concerning departmental budgets within the General Government budget, we are still in negotiations with all bargaining units and are wrapping up the Classification/Compensation Study, which will go to Town Meeting for approval. Absent settling of the outstanding contracts appropriate funds will be budgeted centrally.





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I look forward to discussing the latest FY2023 Budget information in more detail at your February 28<sup>th</sup> meeting.





LOCAL AID AND FINANCE

## Baker files supplemental budget with funds for Ch. 90, winter road repair, MVP

Home → News → Local Aid and Finance

Gov. Charlie Baker announced today that he's filing a \$2.4 billion spending bill that includes funding for critical municipal programs, including a \$100 million supplemental distribution for the Chapter 90 local road and bridge program, \$100 million to help municipalities repair winter road damage, and \$150 million for climate change grants, including the Municipal Vulnerability Preparedness program.

The governor's bill draws from two revenue sources: fiscal 2022 state tax collections, which have far exceeded initial expectations, and \$800 million in federal COVID recovery aid.

"Massachusetts remains in a strong fiscal position, which enables us to use surplus fiscal year 2022 revenues to sustain our efforts to respond to COVID-19 and invest in areas like early education, human services, housing and more," the governor said in a prepared statement.

### Chapter 90

A \$100 million supplemental [Chapter 90](#) distribution would provide a much-needed infusion to this important program, according to the MMA and local leaders across the state. [Base Chapter 90 funding has been level-funded](#) at \$200 million since 2012, while road construction costs have increased by 42% over that period.

Baker's bill would use \$100 million from the state's revenue surplus to provide an immediate boost to Chapter 90 that can be put to work right away, with the construction season about to begin in just a few weeks.

The MMA, meanwhile, will continue to advocate for timely enactment of a separate Chapter 90 bond bill this spring that provides \$300 million in fiscal 2023 so that long-term repairs can get underway as well.

### **Winter road repairs**

The governor's bill includes \$100 million for grants to municipalities for a winter recovery assistance program. Funds could be used for projects including the rehabilitation, reconstruction, resurfacing or preservation of roadways. Grant funds could also be used for the repair or replacement of traffic control devices, signage, guardrails, storm grates, road striping or painting.

### **Environment and climate**

Baker's bill includes \$150 million to fund climate change resiliency initiatives, including the [MVP program](#). To date, 93% of Massachusetts municipalities are enrolled in the MVP program. In the most recent MVP grant funding round, \$20.6 million was distributed through both planning and action grants.

With such a high engagement rate and thousands of priority projects identified through the planning process in communities across the state, requests for action grants far exceed available funding (from the Global Warming Solutions Trust Fund).

The governor's proposed spending would enable more projects to be approved in each MVP grant round and provide a stable source of long-term funding as the program expands its reach.

- [Link to the administration's press release about the supplemental budget bill](#)

Written by [Jackie Lavender Bird, Senior Legislative Analyst](#)

## **News Categories**

### **ECONOMIC AND COMMUNITY DEVELOPMENT**

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**LOCAL AID AND FINANCE**

**MUNICIPAL GOVERNMENT**

**MUNICIPAL SERVICES**

**PUBLIC WORKS, ENERGY AND UTILITIES**

## Recent posts

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- [With Ukraine invasion underway, federal agency urges local vigilance against cyberattacks](#)



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### **MEMORANDUM**

TO: Board of Selectmen  
FROM: Town Administrator  
SUBJECT: Draft Town Meeting Warrant  
DATE: February 25, 2022

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Attached please find a draft summary list of the 2022 Annual Town Meeting Warrant. At this stage the initial draft of the warrant often contains incomplete information and placeholders for articles still being developed. However, the attached list provides a good indication of the matters likely to come before Town Meeting.

I look forward to discussing this draft with you at your February 28<sup>th</sup> meeting.

*John W. Coderre*

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John W. Coderre

ARTICLE 1	Appointing Deputy Moderator
ARTICLE 2	Compensating Balance Agreement
ARTICLE 3	Prior Year's Bills
ARTICLE 4	Town Budget
ARTICLE 5	Water, Sewer and Solid Waste Funds
ARTICLE 6	Northborough K-8 Schools' Budget
ARTICLE 7	Algonquin Regional High School Budget
ARTICLE 8	Assabet Valley Regional Vocational School District Budget
ARTICLE 9	Revolving Funds Authorization of Expenditure Limits
ARTICLE 10	Appropriations Committee Reserve Fund
ARTICLE 11	(CIP)
ARTICLE 12	(CIP)
ARTICLE 13	(CIP)
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ARTICLE 15	(CIP)
ARTICLE 16	(CIP)
ARTICLE 17	(CIP)
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ARTICLE 19	(CIP)
ARTICLE 20	(CIP)
ARTICLE 21	(CIP)
ARTICLE 22	Consolidated Personnel Bylaw
ARTICLE 23	Community Preservation Fund – Brigham Street Burial Ground Beautification
ARTICLE 24	Community Preservation Fund – Signs for Kizer Cemetery
ARTICLE 25	Community Preservation Fund – Shutter Restoration of Historical Society Building
ARTICLE 26	Community Preservation Fund – Assabet Park Fencing
ARTICLE 27	Community Preservation Fund – Design and Project Management for Dog Park
ARTICLE 28	Community Preservation Fund – Design of ADA Accessible Trail at Senior Center

ARTICLE 29	Community Preservation Fund – Preliminary Design for Pedestrian Access on Aqueduct Bridge
ARTICLE 30	Community Preservation Fund – Housing Authority Creation of Eight Senior Rental Units
ARTICLE 31	Community Preservation Fund – Support for Creation of Eight Senior Rental Units
ARTICLE 32	Community Preservation Fund – White Cliffs Debt Exclusion
ARTICLE 33	Community Preservation Fund – CPA Administration
ARTICLE 34	Zoning Bylaw – Brewery Definitions and Uses
ARTICLE 35	Zoning Bylaw – Elimination of the Two Family Dwelling Exception from Site Plan Approval
ARTICLE 36	Zoning Bylaw – Changes to Sign Bylaws
ARTICLE 37	Zoning Bylaw – Zoning Bylaw Enforcement
ARTICLE 38	Zoning Bylaw – Rezoning for 37 South St
ARTICLE 39	Zoning Bylaw – Use Variance
ARTICLE 40	Zoning Bylaw – Temporary Moratorium on Distribution and Transportation Uses
ARTICLE 41	Zoning Bylaw – Flood Plain Revisions
ARTICLE 42	Citizen Petition – Change Town Meeting date from 4 <sup>th</sup> Monday to 4 <sup>th</sup> Saturday
ARTICLE 43	Reports