

**BOARD OF SELECTMEN
MEETING MINUTES – January 23, 2023**

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

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

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

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

Board of Selectmen

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

Others

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

Any votes taken this evening will be by roll call.

PUBLIC COMMENT

Laura Ziton of 17 Franklin Circle thanked members of the Board and DPW Director Scott Charpentier for their efforts to commemorate Bucky Rogers and Paula Moore with the recent installation of benches at Ellsworth MacAfee Park.

Ann-Marie RajGuru of 901 Bay Drive requested that the pickleball courts remain open during the winter months. Chair Cohen recommended that Ms. RajGuru contact the Parks & Recreation Commission through the Recreation Director as they are the authority that oversees the pickleball courts.

Scott Mahoney of 9 Assabet Hill Circle noted that a tree had fallen across a sidewalk that connects Westbrook Road and Crestwood Drive that the landowner refuses to remove. He asked if the Public Works Department would be able to remove the tree. Mr. Charpentier responded that this sidewalk is on land that is privately owned. He clarified that the easement that Mr. Mahoney referred to is an underground utility easement, not a sidewalk easement. Therefore, the Public Works Department is not responsible for the maintenance of this sidewalk.

Robert Entwistle of 173 South Street requested that the pickleball courts remain open during the winter months. Chair Cohen recommended that Mr. Entwistle contact the Parks & Recreation Commission through the Recreation Director as they are the authority that oversees the pickleball courts.

Lisa Maselli of 13 Maple Street asked if the sidewalk in front of her house could be closed due to liability issues, asking if hers is a similar situation with the sidewalk connecting Westbrook Road and Crestwood Drive discussed earlier. Mr. Charpentier responded that the difference is that the previous callers' sidewalk is on private land while the sidewalk in front of Ms. Maselli's house is along a roadside located on public property.

APPROVAL OF MINUTES – JANUARY 9, 2023 MEETING

Selectman Rogers moved the Board vote to approve the January 9, 2023 meeting minutes as presented; Selectman Perreault seconded the motion; the roll call vote was taken as follows:

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

DPW DIRECTOR SCOTT CHARPENTIER

Approval and execution of Newton Street Drainage Easement.

Mr. Charpentier informed the Board that Mohammed Ramadan performed roadway improvements on Newton Street in accordance with a Scenic Road permit issued by the Planning Board in 2014. He noted that a portion of the roadway improvements Mr. Ramadan performed included the replacement of an 18-inch culvert and the installation of a headwall. A drainage easement will allow the Public Works Department to maintain the culvert in the future should it become blocked or need replacement. He added that the drainage easement has been reviewed and approved by Town Counsel.

Mr. Charpentier added that the drainage easement has been endorsed by Mr. Ramadan and now requires the signatures of the Board of Selectmen so that it can be recorded at the Worcester District Registry of Deeds. A copy of the Easement Plan showing the location of the drainage easement along Newton Street was included in the Board's meeting packet.

Selectman Wixted moved the Board vote to approve and execute the Newton Street Drainage Easement as presented; Selectman Rogers seconded the motion; the roll call vote was taken as follows:

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

DISCUSSION AND VOTE ON REMOVAL OF TOWN ADMINISTRATOR RESIDENCY REQUIREMENT FROM THE TOWN CHARTER

Mr. Coderre suggested that the Board consider removing the Town Administrator residency requirement contained in Article IV, Section 1 of the Town Charter. The Article states, in part, that the Town Administrator “must establish residence within the town within twelve (12) months following his appointment.”

Mr. Coderre noted that a report was recently completed by a consulting firm for another Town regarding the residency issue. According to the report, Northborough is one of only a dozen communities that still require residency. He added that as communities compete for a limited pool of qualified candidates, many have found it necessary to remove or waive the residency requirement to achieve a successful outcome.

Mr. Coderre stated that similar to the recent “Select Board” name change discussion, the Board may wish to pursue a special act of the Legislature to amend the Town Charter to remove the residency requirement. He added that a special act of the Legislature can grant authority for the Board to remove the residency requirement as an administrative action. These special acts typically include an “effective upon passage” provision, so that the Town Charter change takes effect upon enactment and does not require further authorizing action at Town Meeting.

Members of the Board acknowledged that the residency requirement is outdated and would limit the pool of qualified candidates. For the record, one email was received from a resident asking that the Board consider the benefits of having a Town Administrator residency requirement.

Selectman Hirsh moved the Board vote to include in the warrant for the Annual Town Meeting an article proposing authorization of a petition to the Legislature for a special act amending the Town Charter to remove the Town Administrator residency requirement and to authorize the amendment of town bylaws to reflect this change; Selectman Wixted seconded the motion; the roll call vote was taken as follows:

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

DISCUSSION REGARDING FORMATION OF A TOWN OFFICES FEASIBILITY STUDY COMMITTEE

Mr. Coderre informed the Board that he will be forming a Town Offices Feasibility Study Committee now that the building at 4 West Main Street is due to be returned to the Town. The Town Offices Feasibility Study Committee will be charged with reviewing the programmatic space needs of the Town Offices operation and assessing the pros and cons of the various options, including renovation of the existing building, possible relocation to 4 West Main Street or building a new facility. The committee will take into consideration the possible sale or reuse of existing facilities.

Mr. Coderre noted that the committee will consist of one member from the Board of Selectmen designated by the Chair and four at-large town residents appointed by the Town Administrator, and approved by the Board of Selectmen. A press release seeking interested citizens will be posted on the Town website.

In answer to questions from members of the Board, Mr. Coderre indicated that the appropriate Town staff will be assigned to work with the committee in terms of providing technical expertise in reviewing the programmatic space needs of the Town Offices operation. He added that the feasibility study is important as it lays out all of the different options with conceptional designs and cost estimates. One option may be significantly more cost effective than another. He expects that the committee will meet frequently initially to interview and select an architect and then meetings are typically held monthly.

Chair Cohen suggested that if any member of the Board is interested in serving on the Town Offices Feasibility Study Committee to email him.

REPORTS

Jason Perreault

- Announced that after serving 25 years or so on various boards and committees, he will not be seeking re-election at the conclusion of his term this year. He was happy to serve on the Board of Selectmen for nine years, following his 10 years of service on the Financial Planning Committee and three years on the Elderly & Disabled Taxation Fund Committee. He also enjoyed serving on the K-8 School Feasibility Study Committee and the Lincoln Street School Building Committee. He extended his appreciation to everyone he has worked with over the years and thanked the very capable Town staff for their hard work. Lastly, he thanked the residents for their support.

Kristen Wixted

- Participated in the recent Firefighter interviews. Thanked Chief Parenti and his staff for inviting her to participate.
- Noted that today was the season's first snow day for the schools.
- Announced that the Community Affairs Committee is planning for Kindness Week to be held February 27th through March 3rd.

T. Scott Rogers

- Announced that the Financial Planning Committee and the Appropriations Committee will begin to meet to review the FY2024 Capital and Operational Budgets.
- Thanked Selectman Perreault for his many years of service.
- Announced that he will not be seeking re-election at the conclusion of his term this year.

Julianne Hirsh

- Thanked Selectmen Perreault and Rogers for their years of service.
- Noted that a community meeting for the downtown revitalization plan is scheduled to be held in-person on January 26th at the Algonquin High School Library. Those that are not able to attend can email her with their thoughts or ideas.
- Requested that a link be added to the Town website homepage that would allow residents to easily find volunteer opportunities.
- Requested that a tour of municipal buildings be scheduled in preparation for further discussion on the use of the remaining ARPA funds.

Mitch Cohen

- Wished those who celebrate, a happy Lunar New Year – Year of the Rabbit.
- Attended the Massachusetts Municipal Association’s annual conference and attended a session on municipal electrical aggregation, which is a program that the town should start pursuing as soon as possible. Also attended a presentation called Using Public Communication to Build Community and Trust, a topic he would like to discuss in the future. He also heard presentations on permanent remote meetings and an update to the State’s public records law guide. Lastly, the new Governor promised budget details by March 1st.
- Thanked Mr. Coderre on delivering an excellent presentation that led to a discussion and a unanimous vote on initiatives and recommendations for the State Legislature for the upcoming budget season.

EXECUTION OF CEMETERY DEEDS 1163 & 1164

Selectman Perreault moved the Board vote to execute Cemetery Deeds 1163 & 1164; Selectman Wixted seconded the motion; the roll call vote was taken as follows:

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

OTHER BUSINESS

Selectman Hirsh requested that a discussion regarding a municipal electrical aggregation program be scheduled on an upcoming meeting agenda. Chair Cohen stated that he anticipates that the Board will discuss this item in the near future. He added that the process is not quick, but should be started as soon as possible. It will take the Town a few months of work before submitting an electrical aggregation plan to the State. Unfortunately, the State’s reviews have been taking 24 months, although they promise that they are working to improve that.

Selectman Wixted noted that she and Selectman Rogers have been talking about how to make vacancies available on the homepage and thanked Selectman Hirsh for bringing this up under her report.

PUBLIC COMMENT

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

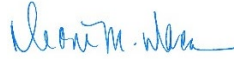
ADJOURNMENT

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

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

The open meeting ended at 8:05pm.

Respectfully submitted,



Diane M. Wackell
Executive Assistant to the
Board of Selectmen

Documents used during meeting:

1. January 23, 2023 Meeting Agenda
2. January 9, 2022 Meeting Minutes
3. Information packet – Newton Street Drainage Easement
4. Information packet – Town Administrator Residency Requirement
5. Memorandum – Town Offices Feasibility Study Committee
6. Cemetery Deeds