

**BOARD OF SELECTMEN
MEETING MINUTES – March 13, 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 people 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
Jason Little, Finance Director

Any votes taken this evening will be by roll call.

PUBLIC COMMENT

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

APPROVAL OF MINUTES – FEBRUARY 27, 2023 MEETING

Selectman Perreault moved the Board vote to approve the February 27, 2023 meeting minutes as presented; Selectman Rogers seconded the motion; the roll call vote was taken as follows:

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

DISCUSSION REGARDING LEGISLATIVE PRIORITIES WITH SENATOR ROBYN KENNEDY, REPRESENTATIVES MEGHAN KILCOYNE AND KATE DONAGHUE

In preparation for tonight's meeting, the State Delegation was advised of Northborough's legislative priorities. At the request of the Board, Senator Kennedy and Representatives Donaghue and Kilcoyne were remotely present. School Superintendent Greg Martineau was also remotely present.

Mr. Coderre reviewed the top legislative priorities relating to Chapter 90 Transportation Funding, Chapter 70 State Aid, Special Education Circuit Breaker Program, Regional Transportation Reimbursements and Unrestricted General Government Aid.

Mr. Coderre indicated that the long standing request to increase the Chapter 90 Transportation Funding from \$200 million to \$300 million was increased to \$330 million for FY2024 due to the cost of inflation. He noted that although the State Legislature temporarily increased the Student Opportunity Act to \$60 per student, the Town is requesting that the per student amount be increased to \$100 in FY2024. He added that the Special Education Circuit Breaker and the Regional Transportation Reimbursement program have both been historically underfunded as well. He also strongly advocated for revenue sharing that increases Unrestricted General Government Aid each year by the same rate of growth as state revenues.

Mr. Coderre highlighted the following additional priorities:

- A new bill that would establish an independent state authority to assist municipalities with construction improvements to public safety or municipal buildings and facilities.
- Permanent Option for Remote Public Meetings.
- Updates to the Massachusetts Procurement Law that would increase the procurement cap under the Uniform Procurement Act from \$50,000 to \$100,000.
- A new bill that would require streaming service companies to pay the same as cable companies for the use of the public right of way to distribute their products.

Lastly, Mr. Coderre briefly reviewed potential earmark requests for major infrastructure projects, including the Fire Station, the Northborough reservoir dam removal, sidewalk repair and Assabet Hill drainage repair.

School Superintendent Greg Martineau echoed the needs expressed by Mr. Coderre. He asked for advocacy in extending universal free meals beyond the end of this year given the escalation in costs for the school lunch program.

Updates were given from Senator Kennedy and Representatives Kilcoyne and Donaghue on their individual and collective efforts to develop or improve programs and/or increase funding for those priorities discussed this evening.

Selectman Wixted asked for advocacy from the legislators for programs that will help to address traffic safety issues resulting from the increased number of large trucks utilizing roads in small residential neighborhoods.

Selectman Hirsh spoke about the need for programs that will help residents to co-exist better with e-commerce. She referred to proposed legislation by Senator William Brownsberger and Representative Steven Owens regarding automated traffic enforcement.

Selectman Perreault asked the legislators if they think Governor Healy will be supportive of the legislative priorities discussed this evening. Representative Kilcoyne and Senator Kennedy indicated that they are optimistic, adding that the House 1 Budget includes the highest levels of proposed funding that has been seen in a long time in both Chapter 70 Funding and Local Aid.

Chair Cohen asked the legislators for their support for funding assistance for the preservation of White Cliffs. He spoke in support of the legislative priorities discussed this evening, including Chapter 90 Transportation Funding, School Aid, the need for permanent options regarding hybrid meetings and new funding opportunities for the Cable Department. He also noted that a composting operation continues to be an issue for residents who live in the vicinity of Whitney Street. Lastly, he indicated that some of the large distribution companies seem to have a different approach between using their own employees versus contractors for truck deliveries. He added that truck drivers that are classified as employees might have more responsibility on behalf of the company for where they travel and how they impact the neighbors.

With no other questions or comments from the Board, Chair Cohen invited comments from the public. Joan Frank of 420 Whitney Street stated that she is a member of the Northborough K-8 School Committee. She stressed the need for increased funding for the Student Opportunity Act, the Special Education Circuit Breaker and the Regional Transportation Reimbursement programs.

WHITE CLIFFS COMMITTEE STATUS UPDATE

White Cliffs Committee (WCC) Chair Todd Helwig and Committee members Norm Corbin, Diana Nicklaus and Tom Reardon were remotely present. A comprehensive review of the Town's activities pertaining to the White Cliffs Mansion from 2014 to the present day was included in the meeting packet and the highlights are summarized below:

- In January 2015, the White Cliffs owners submitted an application for a demolition permit. The Historic District Commission's decision to designate the building as "historically significant" put forth a 180-day freeze on issuance of the demolition permit.
- The Historic District Commission (HDC) worked from 2014 to the present to educate the public about the mansion's history, its famous owner, special features and value to the community. Between 2014 and 2016, the HDC supported the realtor with marketing the property to preservation-minded parties and worked with the Massachusetts Historical Commission to ensure that the property could benefit from listing on the National Register of Historic Places and Community Preservation Act (CPA) funding.
- The Town pursued authorization to acquire the property with CPA funding at the April 2016 Annual Town Meeting. This effort was successful, but discovery of a heating oil underground storage tank delayed the purchase 17 months as the seller performed the requisite remediation work.
- The Board of Selectmen established the WCC in 2017. The WCC commissioned experts to evaluate the condition of the property and assess three potential reuse options: municipal office building, hospitality/event venue, and residential use. Deferred maintenance and long-term vacancy posed challenges to the longevity of the structure and ultimate reuse potential. In its present state, the building cannot be occupied by the public. Minimal upgrades needed are on the order of \$8 to \$10 million. The current zoning of the White Cliffs Mansion (Residential C District) is an impediment to reuse. No business uses are allowed, including prior uses of a restaurant/event venue.
- The WCC commissioned real estate consultants Kirk & Company to help procure a public or private partner to preserve, renovate and reuse the building. The Town received 3 proposals.

One proposal was set aside for failing to meet the minimum evaluation criteria. A second proposal was set aside largely because of the limited expertise of the applicant and undefined/inadequate financial backing.

- At their meeting on January 26, 2023, the WCC voted 4 to 1 to recommend that the Board of Selectmen enter into a contract with Metro West Development Corporation for the redevelopment and reuse of the White Cliffs Mansion. They were impressed by the development team's history of successfully and sensitively preserving and reusing historic buildings elsewhere in Massachusetts as well as their solid financial plan.

Comments were heard from members of the Board thanking the White Cliffs Committee for their efforts to date, especially Norm Corbin for providing the extensive history of the property.

METRO WEST COLLABORATIVE DEVELOPMENT – PRESENTATION AND DISCUSSION ON REUSE PROPOSAL FOR WHITE CLIFFS

Chair Cohen indicated that this agenda item is an opportunity for the Board and the public to hear the reuse proposal for the White Cliffs. Following the presentation, the Board will discuss the proposal and hear comments from the public. He made it clear that no vote on the proposal will take place tonight.

Executive Director Caitlin Madden, Sr. Real Estate Manager Derek Hansen and Attorney Marshall Gould were remotely present on behalf of Metro West Collaborative Development (MWCD). Ms. Madden and Mr. Hansen presented their reuse proposal for White Cliffs. The full power point presentation can be viewed on [You Tube at Northborough Remote meetings](#) and can also be found on the [White Cliffs webpage](#) on the Town website.

In summary, MWCD presented a proposal for the creation of 52 units of intergenerational affordable rental housing for families and seniors. Their past work includes adaptive reuse projects, proving their capacity to work with existing historic properties. The presentation included a review of their prior experience in working with the public procurement process, building effective project teams, and delivering completed, successful projects. Their proposed option to purchase is contingent on state and federal funding allocations and approximately \$800,000 in a CPA request.

Following the presentation, Planning Director Laurie Connors voiced her support of the proposal and the need for more affordable housing in Northborough. She indicated that the most successful downtown revitalization initiatives balance both housing opportunities with business development.

A discussion amongst Board members included impacts to traffic and school enrollment, efforts to create landscaping that will provide good screening for the abutters to the property, the need for sustainability to maintain and operate the condition of the properties, whether or not the units could be allocated for seniors only, how the units would be marketed and budget implications for the Town if the reuse proposal would be selected.

A discussion also ensued about the public use of the first floor space. MWCD indicated that the first floor space would be available to Northborough residents and organizations at no cost. Reservations through a management company could be made for small events, for example a baby shower or a family reunion.

Chair Cohen suggested that MWCD consider scheduling an in-person presentation to the public before a final decision is made by the Select Board.

In answer to a question about the Community Preservation Committee's (CPC) thoughts that this proposal includes an \$800,000 CPA request, Ms. Connors responded that the CPC presently has sufficient funds on-hand to cover this request. Approximately \$750,000 of CPA funds held in reserve is restricted for affordable housing. She noted that support letters were received from the Northborough Affordable Housing Corporation and the Housing Authority. CPC Chair John Campbell added that affordable housing and historic preservation are two areas that the CPC strives to provide more funding opportunities for. The CPC concluded that it can finance the \$800,000 contribution that MWCD will be requesting. Mr. Hanson and Ms. Madden also responded with an explanation of their funding plans.

In addition to the receipt of a petition in opposition of the reuse proposal for the White Cliffs, signed by approximately 250 residents, the following residents provided public comment, also in opposition of the reuse proposal based on concerns with the impact this project would have on traffic safety, increased student enrollment, the abutting neighborhood, of needing additional services from the school and public safety departments, and it not being not preserved as the historic landmark that it is.

Anna Servidio – 26 Stratton Way
Lindsey Nystrom – 8
Victor Jacek – 1 Kent Drive
Nikol Maher – 44 Wesson Terrace
Michael Hirsh – 19 Smith Road
Erica Zieger – 2 Stratton Way
Beth Nicholson – 48 Wesson Terrace
John Maher – 44 Wesson Terrace
Amy Poretsky – 47 Indian Meadow Drive
Lisa Maselli – 13 Maple Street
Chris Hovey – 27 Brigham Street
Suzy Cieslica 8 Emerson Road
Laura Ziton – 17 Franklin Circle

The following residents provided public comment in support of the reuse proposal based on the need for affordable housing, its negligible impact on traffic, school enrollment and the fact that there is no plan B.

Tom Reardon – 7 Sunset Drive
Amanda Derosier Millette – 1207 Avalon Drive
Norm Corbin – 35 Whitney Street
Rick Leif – 30 Wiles Farm Road

Ms. Madden extended her appreciation for the comments shared this evening. She stated that if and when the Select Board votes to enter into an agreement with MWCD, that is the time that they would move forward with due diligence and community engagement. She added that the agreement will be contingent upon MWCD receiving a comprehensive permit from the Zoning

Board of Appeals, which is the appropriate venue to have discussions regarding traffic and other impacts that the project may have on the community.

Chair Cohen thanked Ms. Madden and Mr. Hansen for tonight's presentation. He also thanked the White Cliffs Committee for their efforts up to this point. He will work with the Administration Office to determine a schedule to continue with this process. In the meantime, he suggested that MWCD work with Town staff to develop answers to the questions and concerns expressed during tonight's meeting.

DISCUSSION AND POSSIBLE VOTE REGARDING MASS DEVELOPMENT'S UNDERUTILIZED PROPERTIES PROGRAM RELATIVE TO WHITE CLIFFS

Planning Director Laurie Connors provided information about MassDevelopment's Underutilized Properties Grant Program and whether it would be an appropriate vehicle for funding improvements to the White Cliffs Mansion. She reviewed the highlights of the program as follows:

- Grant funds can be used for capital improvements that are essential to the occupancy or increased occupancy of existing structures.
- Goals of the grant program are to eliminate blight, support the economic vitality of downtowns, facilitate the production of workforce and low-income housing, and increase the number of commercial buildings accessible to people with disabilities. Applications proposing work on municipal buildings used for municipal purposes will likely be less competitive.
- Although not required, match money will make for a more competitive grant application. Typical awards are anticipated to range from \$50,000 to \$1,000,000.
- If undertaken by the Town, this project will trigger the Massachusetts Prevailing Wage Law under M.G.L. Chapter 149, Sections 26 – 27.
- The grant round is currently open. The Expression of Interest is a short form due on March 17, 2023. The full application is due on June 2, 2023. It is anticipated that grant awards will be announced in October or November of 2023. Projects that can begin work within 2 months of grant award and be completed within the fiscal year will be prioritized.

Ms. Connors indicated that the Town could submit an application to the current round of Community One Stop for Growth Program, which is due on June 2, 2023, for funding to perform priority repairs to further stabilize the White Cliffs Mansion. Tasks that she thinks may be fundable include:

- Repair all chimneys, including removal of paint, 100% repointing, and rebuilding of the south chimney that collapsed in 2022.
- Demolishing portions of the additions where the most significant water infiltration is occurring. There is a significant risk that demolition of the additions will reveal problems resulting in additional unforeseen expenses.
- Providing weather tight enclosures at new exterior openings following demolition.
- Regrading, loaming and seeding the area of disturbance.

Ms. Connors strongly recommended against doing any interior work since the design, layout and configuration is unknown at this time and is dependent upon the use of the property.

Ms. Connors indicated that she spoke with Caitlin Madden, Executive Director of MWCD and was told that MWCD intends to apply to this grant program themselves. She noted that the same grant will not be awarded twice for the same project. Because MWCD is a private developer, they will not have to pay prevailing wages, which adds a premium to all labor costs. The grant money will go further with MWCD as the recipient versus if the Town were the recipient.

Ms. Connors stated that in her opinion, the Town does not have much of a chance in receiving these grant funds without a use identified and a plan for financing the balance of the \$8-10 million needed to restore the building.

Chair Cohen expressed his concern with how much more the building will deteriorate between now and when MWCD will take possession of the property if they are selected to move forward with their proposal. He would like to see the Town apply for this grant funding in order to preserve the building, whether the Board selects MWCD or not.

Ms. Connors indicated that she would be able to submit the Expression of Interest by the March 17th deadline, adding that it would be helpful if the Select Board made a decision about MWCD's proposal first as a good deal of work will need to be done and information gathered to complete the grant application that is due on June 2nd. This will include up-to-date cost estimates and detailed scopes of work from contractors who are knowledgeable about "The Secretary of the Interior's Standards for the Treatment of Historic Properties" and are qualified to perform work on historically significant buildings. She will also need detailed financial data (sources and uses, operating pro forma, income and expense data), formal authorization to submit the grant application from the Select Board and letters of support from others.

Selectman Rogers asked what initiated the discussion that the Town should consider applying for these grant funds? Chair Cohen responded that this was included on tonight's agenda in response to information received from a few members of the public within the last week or so. Selectman Rogers expressed frustration with what he perceives as Chair Cohen's attempt to undermine the viable proposal that was presented by MWCD, especially considering that the opinion provided by Ms. Connors as part of the meeting packet expressed the same concern that this would undermine the MWCD's proposal.

Selectman Perreault noted his concern that he wasn't given any information about this until he received it in the meeting packet on Friday. He stated that it is not reasonable, with no time, to expect Board members to provide a complete and comprehensive evaluation of what the benefit would be to the Town by applying for this grant versus MWCD.

Selectman Hirsh questions whether MWCD's reuse proposal is viable after seeing a petition signed by 250 residents. She does not see any harm in the Town moving forward with submitting the Expression of Interest. Selectman Rogers responded that the harm is that this will undermine the MWCD's reuse proposal.

Selectman Wixted noted that it seems logical to submit the Expression of Interest by March 17th, and then before the grant application is due on June 2nd, take the time to determine if this would

be good for the Town. Ms. Connors confirmed that submitting an Expression of Interest does not bind the Town to submitting the full grant application. In response to Selectman Wixted asking for her opinion, Ms. Connors stated that she believes that the most competitive application would be by MWCD, adding that Town's chance of receiving any funds from this grant without a plan are minimal. Ms. Connors confirmed that it would not put the MWCD project at risk if the Town were to submit an Expression of Interest.

In response to a question by Selectman Hirsh, Ms. Connors stated that if the proposed use is for municipal purposes the grant application will not be competitive unless it can be demonstrated that the use is going to have an economic impact, something that will create jobs for example. She added that the strongest application, in her opinion, includes support for the MWCD project. A discussion ensued about including a statement of support for the MWCD project within the Expression of Interest. Not all Board members agreed.

Amy Poretsky of 47 Indian Meadow Drive noted that she brought this grant opportunity to the Board's attention because she thought it would help stabilize the building and would help with the downtown revitalization.

Lisa Maselli of 13 Maple Street asked that the Board consider that 250 residents signed a petition expressing opposition to the MWCD proposal. Ms. Connors responded that the same residents also submitted a petition to the Planning Board against the proposed rezoning of the White Cliffs property that would allow for a business use in addition to a housing use. She added that the Planning Board voted to not include the rezoning of this property on the Town Meeting Warrant, and as the property is currently zoned business uses are not allowed, including an event venue.

Ms. Connors confirmed to Norm Corbin of 35 Whitney Street that this grant is not a one-time application and is offered on an annual basis. Mr. Corbin suggested that the Board wait until next year when they have more information.

Todd Helwig of 441 Howard Street stated that the whole conversation this evening is unfair to Ms. Connors and unfair to whomever will review the Expression of Interest at the State level.

Following a brief discussion, it was the consensus of the Board to not submit an Expression of Interest at this time.

DISCUSSION AND VOTE REGARDING PROPOSED AMENDMENT TO SENIOR TAX DEFERRALS MGL, c59, SECTION 5 CLAUSE 41A FOR INCLUSION IN TOWN MEETING WARRANT

In recognition of the late time, this item will be deferred to the Select Board's March 16th meeting.

CLOSE TOWN MEETING WARRANT

Mr. Coderre noted that the Board will close the Town Meeting Warrant this evening. It will then be reviewed and finalized by Town Counsel and posted prior to Town Meeting.

Selectman Rogers moved the Board vote to close the Town Meeting Warrant; Selectman Perreault seconded the motion; the roll call vote was taken as follows:

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

INTERVIEW SUBCOMMITTEE – RECOMMENDATIONS FOR APPOINTMENT

Selectman Hirsh moved the Board vote to appoint Diane Irvine to the Scholarship Committee for a term to expire on April 30, 2026 as recommended by the Interview Subcommittee; Selectman Perreault seconded the motion; the roll call vote was taken as follows:

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

Selectman Hirsh moved the Board vote to appoint Paula Moore and Allison King to the Council on Aging for terms to expire on April 30, 2024 as recommended by the Interview Subcommittee; Selectman Perreault seconded the motion; the roll call vote was taken as follows:

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

Selectman Hirsh moved the Board vote to appoint Jennifer Martin to the Community Affairs Committee for a term to expire on April 30, 2026 as recommended by the Interview Subcommittee; Selectman Perreault seconded the motion; the roll call vote was taken as follows:

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

REPORTS

In recognition of the late time, reports were passed over.

OTHER BUSINESS

None.

PUBLIC COMMENT

In recognition of the late time, additional public comment was passed over.

11:40 pm - EXECUTIVE SESSION

Selectman Rogers moved the Board vote to enter into Executive Session pursuant to M.G.L., Chapter 30A, Section 21, Subsection 3 (to discuss collective bargaining strategy and negotiations with Firefighter Union and Patrol Union MOA) and Subsection 6 (to consider the purchase and value of real property, the land and buildings at 4 West Main Street) due to the Chair's determination that a discussion regarding these matters in an open meeting may have a detrimental

effect on the negotiating position of the Board; Selectman Perreault seconded the motion; the roll call vote was taken as follows:


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

ADJOURNMENT

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

The open meeting ended at 11:40 pm.

Respectfully submitted,



Diane M. Wackell
Executive Assistant to the
Board of Selectmen

Documents used during meeting:

1. March 13, 2023 Meeting Agenda
2. February 27, 2022 Meeting Minutes
3. Information packet – Legislative Priorities
4. Information packet – White Cliffs Committee Status Update
5. Information packet – Metro West Collaborative Development
6. Information packet – Mass Development’s Underutilized Properties Program
7. Memorandum – Amendment to Senior Tax Deferrals
8. Draft Town Meeting Warrant
9. Information packet – Interview Subcommittee Recommendations for Appointment