

**BOARD OF SELECTMEN
MEETING MINUTES – June 15, 2020**

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 March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the COVID-19 Virus.

Chairman Perreault added that in order to mitigate the transmission of the COVID-19 Virus, the Town has been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspended the requirement of the Open Meeting Law to have all meetings in a publicly accessible *physical* location. Further, all members of public bodies 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.

Meeting Business Ground Rules

Chairman Perreault covered the ground rules for effective and clear conduct of the business. Each speaker on the agenda will be invited by name to provide comments, questions or motions. He asked that participants hold until their name is called.

Chairman Perreault 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. Those responding were asked to wait until the floor was yielded to them. Members were asked if they wish to respond to the comments of others, to do so through the Chair, taking care to identify themselves.

Chairman Perreault noted that the 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.

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.

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
Dawn Rand, Vice Chair
Timothy Kaelin, Clerk
Leslie Rutan
Julianne Hirsh

Presenters

Fred George, Town Moderator

Town Staff

John Coderre, Town Administrator
David Parenti, Fire Chief
William Lyver, Police Chief
Scott Charpentier, DPW Director
Jason Little, Finance Director
Kathy Dalglish, Cable Access Director

APPROVAL OF MINUTES – JUNE 4, 2020 JOINT MEETING

Selectman Rand moved the Board vote to approve the June 4, 2020 Joint Meeting Minutes, Selectman Rutan seconded the motion; the roll call vote was taken as follows:

Hirsh	“aye”	Rand	“aye”
Rutan	“aye”	Perreault	“aye”
Kaelin	“aye”		

Note: The June 4, 2020 Joint Meeting Minutes were approved in error and will be considered for acceptance again on June 22, 2020.

APPROVAL OF MINUTES – JUNE 8, 2020 REGULAR MEETING

Selectman Rand moved the Board vote to approve the June 8, 2020 Meeting Minutes, Selectman Rutan seconded the motion; the roll call vote was taken as follows:

Hirsh	“aye”	Rand	“aye”
Rutan	“aye”	Perreault	“aye”
Kaelin	“aye”		

7:00 p.m. - JASON LITTLE, FINANCE DIRECTOR

Request for authority to incur liabilities in excess of appropriations pursuant to MGL Chapter 44 Section 31, in response to the State of Emergency following the COVID-19 outbreak.

Finance Director Jason Little was present to ask the Board to authorize a request to be made to the State for permission to incur liabilities in excess of FY2020 appropriations pursuant

JASON LITTLE, FINANCE DIRECTOR CONT. . .

to Massachusetts General Laws, Chapter 44, Section 31 following the Governor's State of Emergency Declaration on March 10, 2020 and the Board's Declaration on March 23, 2020. He noted that he plans a threshold of \$100,000 to be requested to pay expenses related to the COVID-19 emergency.

Mr. Little noted that the request will be submitted to the State and once permission is granted, the Town has the authority to deficit spend. At this time, there are no deficits, as all expenses have been accommodated within various departmental budgets. Following guidance from the Department of Revenue, once these expenses are recorded in grant funds, the grant funds will be in deficit until the grant reimbursements are received. The Town will have permission to carry this temporary deficit while awaiting reimbursement from the FEMA and CARES Act grants. He added that he anticipates the Town's costs will be reimbursed fully through the various grant programs and this is more of an accounting matter that would prevent negative impacts to the Town's year-end financial statements.

Selectman Rand moved the Board vote to authorize the Finance Director to make a written request to the State for permission to incur liabilities in excess of FY2020 appropriations for no more than \$100,000 pursuant to Massachusetts General Law, Chapter 44, Section 31 to respond to the COVID-19 crisis; Selectman Kaelin seconded the motion; the roll call vote was taken as follows:

Hirsh	"aye"	Rand	"aye"
Rutan	"aye"	Perreault	"aye"
Kaelin	"aye"		

7:15 p.m. - FRED GEORGE, TOWN MODERATOR

Consultation with Board of Selectmen regarding date and venue options for Town Meeting.

Mr. Coderre indicated that following the Board's last meeting, Town staff worked through different scenarios regarding the safest venue for Town Meeting. The recommendation is that Town Meeting be held entirely outdoors on the High School football field. School Superintendent Greg Martineau and the DPW Department have agreed on a plan to modify a walkway to ensure ADA compliance. Town staff will be working on the logistics over the next few days.

Town Moderator Fred George thanked those involved in this long and arduous process to ensure the safest and most effective Town Meeting. A great deal of effort was put into looking at inside, hybrid and outside options. Ultimately, the football field is the best option for Town Meeting and it will work best for everyone. In order to ensure that residents have enough time to plan, and with the need for a daylight timeframe, his recommendation is to postpone the June 22nd Town Meeting to Saturday, July 11th with a start time of 9:00am or 9:30am. He also recommended that the duration be at a maximum of 3 to 3.5 hours. In the event of inclement weather, he recommended a rain date of Saturday, July 18th.

FRED GEORGE, TOWN MODERATOR CONT. . .

Boards members thanked everyone involved and collectively supported the outdoor option. A discussion ensued on possible ways to reduce the duration of Town Meeting, including possible consolidation of warrant articles, with the exception of zoning articles. Presentations would be reduced and handouts would be provided instead of projected PowerPoint presentations. Selectman Rutan assured residents that to bundle articles together does not mean that the purpose of the article is compromised and in no way will deny anyone the right to discuss and ask questions. While the integrity of each article remains, to streamline the process will require fewer votes, thereby reducing the time to conduct business.

Selectman Hirsh stated that she would prefer a 9:00am start time in anticipation of it being a hot day and asked if the temperature where to reach 95 degrees, can the meeting be postponed until the rain date of July 18th? Members of the Board agreed with a 9:00am start time. Postponing to the rain date due to temperature will be one of many factors to consider.

Selectmen Rutan and Hirsh asked if residents can bring their own chairs, water bottles? Will restroom facilities be available? What are options for residents, if it's too hot outdoors? Chairman Perreault, Mr. Coderre and Mr. George collectively agreed that although these questions are important and deserve answers, Town staff needs the time to consider all of the variables and provide recommendations and guidance in order to provide for the safest access to Town Meeting. Selectmen Rutan and Hirsh stated that they understand the process, but need answers as soon as possible for the residents to prepare. Chairman Perreault indicated that the Board will meet again on June 22nd, at which time communication containing all of the appropriate information can be provided to residents. He added that the questions posed tonight are good ones and he appreciates the healthy discussion, but Town staff needs a bit of time to figure out all the details.

Selectman Rand moved the Board vote in consultation with the Town Moderator, under the authority of Chapter 53 of the Acts of 2020, to postpone the June 22, 2020 Annual Town Meeting to July 11, 2020 at 9:00am with a rain date of July 18th; Selectman Rutan seconded the motion; the roll call vote was taken as follows:

Hirsh	"aye"	Rand	"aye"
Rutan	"aye"	Perreault	"aye"
Kaelin	"aye"		

REPORTS**Julianne Hirsh**

- Thanked Town staff for their efforts in providing the outdoor option for Town Meeting.
- Thanked the residents who took the time to share their thoughts and concerns and to provide the Board with some direction.

Julianne Hirsh Cont. . .

- Attended a recent meeting of the Water & Sewer Commission. Informed residents that a website service called Eye-On-Water can be found on the Town website, which provides water customers internet access to their account, providing information on hourly, daily or monthly water usage data. Alerts can also be set for many things including leaks and high flows.
- In response to a recent email, she visited Carney Park and was surprised at the number of dogs that were off leash. Requested that a meeting be scheduled sometime after Town Meeting to discuss options for enforcement and asked that the Conservation Commission, Animal Control Officer and someone from the Trails Committee be invited to participate.

Leslie Rutan

- Continues to appreciate everyone in the community who is doing their part in preventing the spread of COVID-19, especially public safety and front-line personnel.
- Expressed her frustration regarding a recent incident near Carney Park where an unleashed dog ran quickly towards a child who was playing in her yard, which is private property that abuts the park. Apparently, unleashed dogs run onto their property on a regular basis. This is not a dog park and it is absolutely unacceptable that this problem is still ongoing. She is angry that people should have to avoid Carney Park because of unleashed dogs. At her request, Chief Lyver reported that a sign has been placed at the top of the trail that says dogs must be leashed. Police Officers are patrolling the park more often and are educating the public that they will begin to enforce the leash law more aggressively. He added that since this is both DCR and private property, and not the Town's, poses enforcement issues. He has asked the DCR if they can formally request enforcement help from the Police Department as they only have one ranger that patrols the park once per week. Selectmen Rutan thanked the Police Chief and asked if he could include updates on Carney Park in his monthly report.
- At her request, the proclamation for the High School graduating Class of 2020 was forwarded to the School Superintendent. It has been placed for recognition on the upcoming agenda of the Regional School Committee and will be added to the Regional School District and Assabet Valley websites.
- Announced that the Louise Houle Annual Town Clean-up will take place the weekend of June 28th. Thanked the Community Affairs Committee for organizing this annual event.
- Attended a recent MMA webinar where updates are provided on various legislative efforts regarding COVID-19.

Tim Kaelin, Clerk

- Thanked those who are involved in providing the safest options for Town Meeting. He appreciates the process in that it is thorough and takes into consideration the concerns expressed by all involved, including residents. He asked that residents continue to offer input and seek information via email to the Board. The Board takes the comments from residents very seriously and does its best to act on them. He added how disenchanted he is with comments being made on social media that do not prove to be helpful to any cause, since most comments are not directly brought to the Board's attention. Reminded residents that the best way to get information and to express their thoughts is to communicate directly with the Board.

Tim Kaelin Cont. . .

- At last week's meeting, he asked that the Town take action relating to the Black Lives Matter cause in an effort to improve diversity and inclusion in Town. With that being said, he announced that the Verna Myers Company, a diversity and inclusion consulting firm, of which he is President, will offer access to four on-line training courses free of charge to employees that work at the Police, Fire, School Department, Town Hall and the Senior Center. The four courses are *Exploring Unconscious Bias; Fair and Effective Interviewing; Inclusive Leadership and The Evolving Role of White Men in the Workplace*. He will provide additional updates throughout the summer.
- Noted that he is working on developing an official statement on behalf of the Board and will have it ready for the June 22nd Selectmen's Meeting. Chairman Perreault added that Town Moderator Fred George would be happy to assist with drafting the
- Statement. Asked that if anyone in Town would like to add something to the statement, to email him via the Town website.
- Thanked Chief Lyver for the Statement he released on behalf of the Police Department.
- Encouraged residents to vote on June 30th, either by mail or in-person.

Dawn Rand, Vice Chair

- No report.

Jason Perreault, Chair

- Thanked Selectman Kaelin for taking the lead on developing the Board's official statement on Black Lives Matter and thanked Town Moderator Fred George for offering to help. Noted that the Board's statement will be released at their June 22nd meeting.
- Thanked Chief Lyver for his Statement on behalf of the Police Department.

John Coderre

- No report.

PUBLIC COMMENTS

Chairman Perreault noted that the 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.

Richard Swee of 230 Brewer Street asked if a virtual aspect can be brought to Town Meeting? Mr. Coderre responded that the Town cannot legally do so because we are an Open Town Meeting versus a Representative Town Meeting form of government.

Apple Lin of 59 School Street expressed her frustration in seeing concerns presented by Selectmen Hirsh and Rutan get brushed off and overlooked. She felt that Selectman Hirsh's question about postponing Town Meeting to the rain date if the temperature reaches 95 degrees or above on July 11th was not taken seriously. She is frustrated with what she perceives is a lack of concern for the senior population and questioned why Town Meeting cannot be postponed to the Fall? Mr. Coderre responded that the Assabet Park ADA Compliance project is Court-ordered and time sensitive, and several other capital projects would be affected if Town Meeting is postponed to the Fall.

PUBLIC COMMENTS CONT...

Mariam Ibrahim of 902 Bay Drive introduced herself as one of the organizers of the Black Lives Matter protest that was recently held. She and her fellow organizers would like to request that the Board of Selectmen facilitate a Town-wide discussion to talk about some of the action items that the protest brought forward. Some questions include: How is the Town supporting its black community? Can proper black history be added to the school curriculums? Can the Town reallocate a portion of the Police Department budget to fund other programs. She added that she would like the opportunity to provide input into the Board's official Statement. Chairman Perreault encouraged her to email the Board either individually or as a whole to submit any information or suggestions. He added that Selectmen Kaelin and Town Moderator Fred George are working cohesively to prepare the Statement and encouraged her to reach out to them as well.

Apple Lin of 59 School Street asked for the record if the Board will not consider temperature as a factor for postponement of Town Meeting? Chairman Perreault responded that many of the details regarding Town Meeting are still in the planning process. The Board understands and recognizes that an outdoor Town Meeting in July will be hot. Town staff is trying to accommodate for that in part by scheduling the start time to be as early as possible during the day. Additional details will be considered as planning of Town Meeting moves forward.

ASSIGNMENT OF TOWN MEETING WARRANT ARTICLES

Members of the Board agreed on which Warrant Articles each of them would read motions for at Town Meeting.

VOTE ON TOWN MEETING WARRANT ARTICLE RECOMMENDATIONS

Selectman Rand moved the Board vote to recommend approval of Article 4 (Town Budget) at Town Meeting; Selectman Rutan seconded the motion; the roll call vote was taken as follows:

Hirsh	"aye"	Rand	"aye"
Rutan	"aye"	Perreault	"aye"
Kaelin	"aye"		

Selectman Rand moved the Board vote to recommend approval of Article 5 (Water, Sewer & Solid Waste Enterprise Funds) at Town Meeting; Selectman Rutan seconded the motion; the roll call vote was taken as follows:

Hirsh	"aye"	Rand	"aye"
Rutan	"aye"	Perreault	"aye"
Kaelin	"aye"		

VOTE ON TOWN MEETING WARRANT ARTICLE RECOMMENDATIONS

Selectman Rand moved the Board vote to recommend approval of Article 6 (Northborough K-8 Schools Budget) at Town Meeting; Selectman Rutan seconded the motion; the roll call vote was taken as follows:

Hirsh	“aye”	Rand	“aye”
Rutan	“aye”	Perreault	“aye”
Kaelin	“aye”		

Chairman Perreault asked the Board to consider recommending approval of Article 7 (Northborough-Southborough Regional School District Budget) in recognition and appreciation to School Superintendent Greg Martineau and the Regional School Committee for their willingness to always work collaboratively with the general government side of the budget in order to present at Town Meeting an overall financing plan that residents can support as a whole.

Selectman Rand moved the Board vote to recommend approval of Article 7 (Northborough-Southborough Regional School District Budget) at Town Meeting; Selectman Rutan seconded the motion; the roll call vote was taken as follows:

Hirsh	“aye”	Rand	“aye”
Rutan	“aye”	Perreault	“aye”
Kaelin	“aye”		

Selectman Rand moved the Board vote to recommend approval of Article 26 (Surplus of the Old Fire Station, 13 Church Street) at Town Meeting; Selectman Rutan seconded the motion; the roll call vote was taken as follows:

Hirsh	“aye”	Rand	“aye”
Rutan	“aye”	Perreault	“aye”
Kaelin	“aye”		

Selectman Rand moved the Board vote to recommend approval of Article 27 (Cell Tower Lease in excess of 3 years, Bearfoot Road) at Town Meeting; Selectman Rutan seconded the motion; the roll call vote was taken as follows:

Hirsh	“aye”	Rand	“aye”
Rutan	“aye”	Perreault	“aye”
Kaelin	“aye”		

APPROVAL TO OBTAIN DEFICIT SPENDING AUTHORITY FOR CONTINUED OPERATION FOR THE MONTH OF JULY 2020 IN THE EVENT OF A DELAY IN FY2021 BUDGET ADOPTION

Mr. Coderre explained that based on the action earlier to postpone Town Meeting to July 11th, the Board will need to grant deficit spending authority for continued governmental operations for the Month of July 2020. This is authorized by Section 5 of Chapter 53 of the Acts of 2020. If the Town is not able to hold Town Meeting prior to the beginning of

APPROVAL TO OBTAIN DEFICIT SPENDING AUTHORITY CONT. . .

FY2021 on July 1, the Town needs to obtain permission to operate under a “1/12th budget,” by creating an expenditure plan by month, and submitting it to the Department of Revenue for approval. Without Town Meeting’s approval of a budget, the Town would therefore not have an appropriation, so the Town would not be allowed to deficit spend without the process provided for by the Act.

Mr. Coderre added that the Board of Selectmen, the Regional School Committee, the K-8 School Committee, the Financial Planning Committee and the Appropriations Committee have all unanimously approved and recommend the FY2021 Revised Budget.

Mr. Coderre noted that the monthly expenditure plan for July 2020 (“1/12th budget”) has been prepared in accordance with the DOR’s detailed guidance. Although the monthly plan is commonly referred to as a “1/12th budget,” there is some flexibility provided to cover the Town’s obligations that may vary on a monthly basis.

In response to a question from Selectman Rutan, Mr. Coderre responded that he does not anticipate any complications resulting from the 1/12th Budget for July.

Selectman Rutan moved the Board vote to approve to authorize the expenditure plan as presented for continued operations for the month of July 2020 in the event of a delay in the adoption of the FY2021 Operating Budget; Selectman Kaelin seconded the motion; the roll call vote was taken as follows:

Hirsh	“aye”	Rand	“aye”
Rutan	“aye”	Perreault	“aye”
Kaelin	“aye”		

NEDP MEMORANDUM OF UNDERSTANDING

Mr. Coderre informed the Board that the annual Memorandum of Understanding (MOU) between the Town and Northborough Extended Day Program, Inc. is for the continued use of office space and facilities at the Town Hall. The updated MOU provides for a 4% increase in payment to the Town from \$23,920 in FY2020 to \$24,877 in FY2021 to reflect increased costs associated with use of the space, as well as the shared Administrative Assistant position.

Selectman Hirsh moved the Board vote to approve the FY2020 annual Memorandum of Understanding between the Town and Northborough Extended Day Program, Inc. for the use of office space and facilities at the Town Hall and to authorize the Town Administrator to execute same; Selectman Rand seconded the motion; the roll call vote was taken as follows:

Hirsh	“aye”	Rand	“aye”
Rutan	“aye”	Perreault	“aye”
Kaelin	“aye”		

REAPPOINTMENT OF SPECIAL POLICE OFFICERS

Chief Lyver requested that the Board reappoint James Bruce and Erica Abro as Special Police Officers for a one-year period. He added that Special Police Officers are mainly used for construction details.

Selectman Rand recused herself as she has a personal association with one of the Special Police Officers.

Selectman Rutan thanked Officers Bruce and Abro for serving the Town.

Selectman Rutan moved the Board vote to reappoint James Bruce as a Special Police Officer for a one-year period through June 30, 2020; Selectman Kaelin seconded the motion; the roll call vote was taken as follows:

Hirsh	"aye"	Rand	"recused"
Rutan	"aye"	Perreault	"aye"
Kaelin	"aye"		

REAPPOINTMENT OF SPECIAL POLICE OFFICERS

Selectman Rutan moved the Board vote to reappoint Erica Abro as a Special Police Officer for a one-year period through June 30, 2020; Selectman Kaelin seconded the motion; the roll call vote was taken as follows:

Hirsh	"aye"	Rand	"recused"
Rutan	"aye"	Perreault	"aye"
Kaelin	"aye"		

NEXT MEETING DATE

Chairman Perreault indicated that the Board will next meet on June 22nd, at which time additional information will be made available regarding the logistics of the July 11th Town Meeting.

OTHER BUSINESS

None.

ADJOURNMENT

Selectman Rand moved the Board vote to adjourn; Selectman Rutan seconded the motion. The roll call vote was taken as follows:

Hirsh	"aye"	Rand	"aye"
Rutan	"aye"	Perreault	"aye"
Kaelin	"aye"		

Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Diane M. Wackell
Executive Assistant to the
Board of Selectmen

Documents used during meeting:

1. June 15, 2020 Meeting Agenda
2. June 8, 2020 Meeting Minutes
3. Information packet – Authority under MGL, C44, S31
4. Information packet – Date and Venue of Town Meeting
5. Information packet – Assignment of Town Meeting Warrant Articles
6. Information packet – Town Meeting Warrant Article Recommendations
7. Information packet – 1/12th Monthly Budget Approval
8. NEDP Memorandum of Understanding
9. Memorandum – Reappointment of Special Police Officers