

## BOARD OF SELECTMEN MEETING MINUTES – March 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  
David Parenti, Fire 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 – FEBRUARY 28, 2022 MEETING

Selectman Rogers moved the Board vote to approve the February 28, 2022 meeting minutes; Selectman Rutan 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. - PUBLIC HEARING**

To consider a petition as submitted by New Cingular Wireless PCS, LLC d/b/a AT&T for a Grant of Location for a Small Wireless Facility on a Replacement Utility Pole near 170 Hudson Street.

Attorney Michael Dolan was remotely present to speak on behalf of New Cingular Wireless PCS, LLC d/b/a AT&T for a grant of location for a small wireless facility on a replacement utility pole in the Town's Right-of-Way near 170 Hudson Street to address rapidly increasing demand on AT&T's wireless network in this area. Town Engineer Fred Litchfield has reviewed the petition and has no concerns with this work as proposed. He recommended that public safety be made aware of when the work is going to occur.

Chairman Perreault noted the receipt of correspondence from Planning Board member Amy Poretsky questioning the review process for this petition. Chairman Perreault responded that it is appropriate for the Board of Selectmen, through a public hearing process, to consider this petition. Town Counsel has recommended that this hearing be held this evening and action be taken in order to meet the 90-day decision deadline as required by FCC regulations. He added that FCC regulatory provisions expressly prohibit the Board from delaying or denying this petition based on health considerations as long as the proposal meets all FCC regulatory requirements.

Several questions were heard from members of the Board regarding the need for future network coverage. Attorney Dolan confirmed that these small wireless facilities are an effective tool to provide the needed coverage.

Chairman Perreault noted that the petition included an independent analysis report that determined that the proposed AT&T petition complies with the FCC and MDPH exposure guidelines.

Chairman Perreault invited comments from the public. Those who wish to speak were asked to provide their full name and address for the record. Public comment will be limited to 3 minutes per person.

Laura Ziton of 17 Franklin Circle questioned if other locations or alternative options were considered. Attorney Dolan responded that there are no existing structures that would achieve the same desired coverage as the location being proposed.

Lisa Maselli of 13 Maple Street asked about the actual location of this wireless facility. DPW Director Scott Charpentier responded that the proposed location is on a utility pole in front of the old pump station that is on the downtown side of the aqueduct opposite the Assabet River side. Attorney Dolan added that the replacement pole will have a top height of 38 feet 6 inches compared to the existing pole of 23 feet 11 inches.

Selectman Rogers moved the Board vote to close the public hearing; Selectman Wixted seconded the motion; the roll call vote was taken as follows:

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

Selectman Wixted moved the Board vote to grant a location for and permission to AT&T to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable, remote nodes, and top-mounted antennas, to be attached to a National Grid utility pole, located at 170 Hudson Street in Northborough; Selectman seconded the motion.

#### Further Discussion

Attorney Dolan further reviewed the proposed location confirming that it will not obstruct the view of the aqueduct which is located on the opposite side of the street.

The roll call vote on the above motion was taken as follows:

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

#### **7:30 p.m. - PUBLIC HEARING**

To consider a petition as submitted by New Cingular Wireless PCS, LLC d/b/a AT&T for a Grant of Location for a Small Wireless Facility on a Replacement Utility Pole near 138 Main Street.

Attorney Michael Dolan was remotely present to speak on behalf of New Cingular Wireless PCS, LLC d/b/a ATT&T for a grant of location for a small wireless facility on a replacement utility pole in the Town’s Right-of-Way near 138 Main Street to address rapidly increasing demand on AT&T’s wireless network in this area. Attorney Dolan stated that the replacement pole will have a top height of 43 feet 3 inches compared to the existing pole of 39 feet 3 inches. Town Engineer Fred Litchfield has reviewed the petition and has no concerns with this work as proposed. He recommended that public safety be made aware of when the work is going to occur.

Chairman Perreault noted that this is substantially the same as the previous petition except for the proposed location, adding that this petition also included an independent analysis report that determined that the proposed AT&T petition complies with the FCC and MDPH exposure guidelines.

Selectman Hirsh noted the proximity of the proposed location to the driveway of the White Cliffs property and questioned if the wireless facility could be installed on the pole located on the island at the intersection with East Main Street. Attorney Dolan responded that National Grid has indicated that this is the only appropriate pole in this location for this wireless facility. Selectman Hirsh stated that she is not comfortable acting on this petition without hearing from National Grid that this is absolutely the only location. Kelly Fay from the Site Acquisition company that works with AT&T stated that this is the only proposed location in the area that met the requirements for the installation of a wireless facility.

Chairman Perreault invited comments from the public. Those who wish to speak were asked to provide their full name and address for the record. Public comment will be limited to 3 minutes per person.

Laura Ziton of 17 Franklin Circle asked why these petitions are before the Board of Selectmen and not the Planning Board. Mr. Coderre responded that this is before the Board of Selectmen because the proposed locations are in the public right-of-way.

Mitch Cohen of 12 Whitney Street expressed his concern with the proximity of the proposed location to the driveway of the White Cliffs property. He added that a committee is working to propose a future use for this property, which may include widening of the driveway that would necessitate the relocation of this pole. He asked if the applicant would be willing to waive the 90-day requirement to act on this petition in the interest looking at the specifics of this location in relation to the White Cliffs property. Attorney Dolan responded that if a future plan for this property requires relocation of the pole, it would be taken up with National Grid and AT&T would follow.

William Pierce of 367 Whitney Street asked if a heat map was used to determine where the coverage gaps are in the town. Attorney Dolan responded that coverage maps were included in the application showing existing coverage and coverage after the proposed wireless facilities are installed.

Lisa Maselli of 13 Maple Street expressed her concern with this proposed location taking away from the visual landscape of the White Cliffs property. She asked that action on this petition be postponed until it can be determined why the pole located across the street can't be used. Kelly Fay responded that it appears that the pole located across the street is on private property and already has a transformer on it, which does not allow for an additional wireless facility.

Selectman Rogers moved the Board vote to close the public hearing; Selectman Rutan seconded the motion; the roll call vote was taken as follows:

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

Selectman Hirsh moved the Board vote to grant a location for and permission to AT&T to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable, remote nodes, and top-mounted antennas, to be attached to a National Grid utility pole #30 in the vicinity of 138 and 167 Main Street; Selectman Rogers seconded the motion.

#### Further Discussion

In response to a question if the applicant would be willing to postpone action on this petition, Attorney Dolan explained that the exact location has been adequately determined to be Pole #30 in the vicinity of 138 and 167 Main Street. He added that Ms. Fay was able to confirm that Pole #30 is the only location in the area that meets the requirements for the installation of a wireless facility. With that being said, his client's position would not be to postpone action.

The roll call vote on the above motion was taken as follows:

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

**7:10 p.m. - WILLIAM LYVER, POLICE CHIEF**  
Appointment of Melissa Lonergan as Police Officer.

Chief Lyver introduced Melissa Lonergan as a candidate for appointment as a full-time police officer. Ms. Lonergan currently works for District Attorney Joseph Early as a Victim/Witness Advocate and serves as a Behavioral Health Specialist in the U.S. Army Reserve. She has been enrolled in and accepted at the NECC Police Academy Recruit Officer Course at Northern Essex Community College. Chief Lyver was pleased to announce that Ms. Lonergan will be the first woman appointed as a police officer in Northborough in over 22 years.

Member of the Board welcomed Ms. Lonergan to Northborough.

Selectman Rutan moved the Board vote to appoint Melissa Lonergan to the Northborough Police Department as a full-time Police Officer, effective April 1, 2022; Selectman Hirsh seconded the motion; the roll call vote was taken as follows:

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

**8:10 p.m. - FRED GEORGE, TOWN MODERATOR**  
Discussion in consultation with the Board regarding the date,  
time and location of Annual Town Meeting.

Town Moderator Fred George was remotely present to discuss with the Board the possible rescheduling of the April 25, 2022 Annual Town Meeting. Mr. George stated that holding Town Meeting inside in the High School auditorium or outside on the High School football field both have their own merits and are worthy of consideration.

Mr. Coderre noted that pursuant to Section 9 of Chapter 39 of the General Laws, as amended by Chapter 53 of the Acts of 2020, the Board of Selectmen may vote to delay or change the venue of the Annual Town Meeting when the warrant has not yet been posted. He added that there is an added expense of approximately \$10,000 to hold Town Meeting outside and the decision to hold it outside should be based on public health safety and not for convenience.

Board members expressed their desire to hear from the public and to hear a recommendation from the Health Agent in terms of CDC guidelines and recommendations before making a decision. Health Agent Kristin Black was present and indicated that the CDC is no longer offering general guidelines. She added that the weekly dashboard shows that the test positivity rate has dropped below 2% and that it is appropriate to consider returning to holding large gatherings inside again. She shared what other surrounding communities are doing in terms of holding their annual town meetings, including a mask only designated area.

Chairman Perreault indicated that the decision about where and when to hold the Annual Town Meeting will be deferred until the Board’s March 28<sup>th</sup> meeting. This will provide the public the opportunity to provide input.

**8:30 p.m. - JOHN CAMPBELL –**  
**COMMUNITY PRESERVATION COMMITTEE CHAIR**  
 Presentation on CPC Town Meeting Warrant Articles.

Community Preservation Committee (CPC) Chair John Campbell was remotely present. The FY2023 applications recommended for funding total \$1,534,000. \$750,000 will be allocated from new revenues and \$784,000 will be allocated from the unreserved account.

Mr. Campbell noted that at the beginning of the CPA, the State match was 100%. As more communities joined the program, the match decreased, but for the past couple of years it has been on the rise. For FY2022 the State match was 43%, or \$285,000. He added that the Town has received approximately \$2.8M in State match since FY2006.

**ARTICLE 23: Community Preservation Fund – Construction of Eight Affordable Low-Income, Senior One-Bedroom Rental Units**

The Northborough Housing Authority, the Northborough Affordable Housing Corporation, and the MA Department of Housing and Community Development will be developing eight senior rental apartments located in one two-story building at 26 Village Drive. The Town is proposing contributing \$100,000 separately from ARPA funds to supplement the funds appropriated in this article, and transfer of funds will be contingent on grant funding from the State and funds supplemented from the Authority for a total anticipated project cost of \$2,440,000. Transfer of these funds will also be contingent upon successful execution of a contract with the Town.

To appropriate \$1,340,000 from the following sources:

Community Preservation Fund revenues	\$230,548
Community Preservation Affordable Housing Reserve	\$127,863
Community Preservation Unreserved Fund	\$486,274
2009 Annual Town Meeting Article 37	\$ 569
2012 Annual Town Meeting Article 42	\$ 24,746
2015 Annual Town Meeting Article 57	\$ 20,000
2016 Annual Town Meeting Article 38	\$100,000
2017 Annual Town Meeting Article 42	\$100,000
2018 Annual Town Meeting Article 28	\$100,000
2019 Annual Town Meeting Article 23	\$150,000

**ARTICLE 24: Community Preservation Fund – Affordable Housing Reserve**

\$75,000 from the Community Preservation Fund revenues to the Community Preservation Affordable Housing Reserve Fund to set aside funds for the future creation of affordable housing.

**ARTICLE 25: Community Preservation Fund – Brigham Street Burial Ground Beautification**

\$131,679 from the Community Preservation Fund revenues and \$5,821 from Community Preservation Historic Reserve Fund for a total of \$137,500 to the Northborough Department of Public Works and the Northborough Historic District Commission for improvements to the Brigham Street Burial Ground, including removal of dead trees, installation of a signpost and fencing, and overall roadside improvements.

ARTICLE 26: Community Preservation Fund – (2) Signs to Identify the Kizer section of the Northborough Cemetery

\$5,124 from the Community Preservation Fund revenues to the Northborough Historic District Commission for the purchase and installation of two signs for the Kizer section of the Northborough Cemetery to assist with identification of the newer section of the cemetery.

ARTICLE 27: Community Preservation Fund – Shutter Restoration of Historical Society Building

\$55,000 from the Community Preservation Fund revenues to the Northborough Historical Society for replacement of missing building shutters and renovation of damaged building shutters for the building located at 52 Main Street. Thirty-three shutters will be replaced and/or renovated at the Northborough Historical Society building as part of multi-phase restoration and improvement project.

ARTICLE 28: Community Preservation Fund – Design and Project Management for Dog Park

\$35,500 from the Community Preservation Unreserved Fund to the Northborough Recreation Department and Department of Public Works for the initial assessment and site survey for up to five locations for a dog park. This will be the first phase of a three-phase project to determine a location for a community dog park.

ARTICLE 29: Community Preservation Fund – Design of ADA Accessible Trail located at the Senior Center

\$28,500 from the Community Preservation Fund revenues to the Northborough Trails Committee and the Department of Public Works for the design of an ADA accessible trail located at the Northborough Senior Center. The existing trail located at the Senior Center will be upgraded to ADA standards to be the first completely accessible trail in Northborough.

ARTICLE 30: Community Preservation Fund – Preliminary Design of Pedestrian Access Over the Assabet River Aqueduct Bridge

\$55,849 from the Community Preservation Fund revenues, \$813 from the Community Preservation Open Space Reserve fund and \$76,996 from the Community Preservation Unreserved Fund for a total of \$133,658 to the Northborough Trails Committee and the Department of Public Works for the preliminary design of pedestrian access over the Assabet River Aqueduct Bridge. Preliminary design work with cost estimates will include replacement of decking and security rails, structural inspection, relocation of utilities, and submission of a plan to the Massachusetts Water Resources Authority.

ARTICLE 31: Community Preservation Fund – White Cliffs Debt Service

\$185,800 from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for Fiscal Year 2023 for the fifth debt service payment and expenses associated with the acquisition of the White Cliff's property at 167 Main Street.

ARTICLE 32: Community Preservation Fund – CPA Administration

\$37,500 from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for the administration of the Community Preservation Act (CPA), which includes clerical assistance, office supplies, property surveys, appraisals, attorney's fees, recording fees, and printing.

Mr. Campbell responded to several questions from members of the Board, including a warrant article for fencing around Assabet Park, which if funded through ARPA funds, will be removed from the Town Meeting Warrant.

**7:55 p.m. - KERRI MARTINEK, PLANNING BOARD CHAIR**  
Presentation on Zoning Town Meeting Warrant Articles.

Ms. Martinek indicated that the Planning Board will be proposing the following articles at this year's Annual Town Meeting. The Planning Board will hold a public hearing regarding these articles on April 5, 2022.

ARTICLE 33: Zoning Bylaw – Section 7-09-040, Signs

Amendments that will update the language to simplify design and restrain use of signs in order to prevent a sign overload. These amendments will help give the downtown the hometown look as outlined in the Master Plan.

ARTICLE 34: Zoning Bylaw Section 7-05-020, Classification of Uses G. Business Uses (2) Hospitality and Food Service, Section 7-05-020, Classification of uses, I. Industrial Uses, Section 7-05-030, Table of Uses, Table 1, Part B and Section 7-09-030 Off-Street Parking and Loading  
Amendments to allow for Brew Pubs, Nanobreweries, Microbreweries, Distilleries and Wineries.

ARTICLE 35: Zoning Bylaw – Section 7-03-080, Enforcement

Amendments to update and clarify the enforcement process for code violations under the direction of the Building Inspector.

ARTICLE 36: Zoning Bylaw – Section 7-03-030 and 7-050-010.A Use Variances

Amendments to modernize zoning in terms of use variances.

ARTICLE 37: Zoning Bylaw –Re-Zoning 37 South Street

Amendments to remove the land located at and known as 37 South Street, Assessors' Map 63 Parcel 175, from the General Residential (GR) zoning district and placing it in the Downtown Business (DB) zoning district. When sections of Town were rezoned in 2009, this parcel was inadvertently placed in the wrong district.

ARTICLE 38: Zoning Bylaw – Section 7-03-050, Site Plans A.(4) Exceptions

Amendments to add that new construction or alteration of a detached single-family dwelling or two-family dwelling shall not be subject to this section except when such alteration is associated with any use other than a single-family dwelling or two-family dwelling.

ARTICLE 39: Zoning Bylaw – Section 7-10-060, Distribution and Transportation Uses (Warehouses and Trucking, rail or freight terminal)

Amendments to add a new Section 7-10-060, "Temporary Moratorium on Distribution and Transportation Uses" to establish long-term zoning regulations that will be consistent with the Town's long term planning interests. No special permit or building permit may be issued for the construction or permitting of any Distribution or Transportation Use until after May 1, 2023. The purpose of this temporary moratorium is to allow sufficient time for the Town to engage in a planning process to address the effects of such structures and uses in the Town and to enact or



amend bylaws related thereto in a manner consistent with sound land use planning goals and objectives. The specific scope of this moratorium focuses on the Industrial Districts.

As part of the moratorium a Warehouse, Traffic and Trucking Committee will be formed by the Planning Board to study these uses and structures and report its findings and recommendations to the Planning Board. The scope of the review may include, but is not limited to:

- Traffic impact studies
- Trip generation analysis by classification
- Development of definitions to better align with current day e-commerce terms and trends
- E-commerce zoning best practices
- Changes to site plan review and approval process
- Traffic mitigation agreements
- Truck and van restriction zones
- Off-site parking of delivery vehicles
- Requirement for delivery vehicles to be registered in same municipality to capture excise tax
- Monitoring post-occupancy studies for corrective action
- Technological innovations such as drones and autonomous vehicle deliveries
- Fiscal Impact
- Environmental Impact

The composition of the committee will be one (1) Planning Board representative, one (1) Board of Selectmen representative and three (3) residents selected by the Planning Board. The committee will report back to the Planning Board and any other related boards by January 1, 2023.

ARTICLE 40: Zoning Bylaw – Section 7-05-020, Classification of Uses. I, Industrial Uses, (5) Distribution and Transportation Uses, Section 7-05-030, Table of Uses, Table of Uses, Part B Commercial and Industrial Districts

This Article will update the definitions for Distribution and Transportation Uses to today's Ecommerce in the event that the Temporary Moratorium on Distribution and Transportation Uses does not pass.

Part 1: Amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020 Classification of uses, I. Industrial uses, (5) Distribution and transportation uses

Part 2: Amend Section 7-05-030, Table of Uses, Table of Uses, Part B. Commercial and Industrial Districts.

ARTICLE 41: Zoning Bylaw – Section 7-07-020, Floodplain Overlay District

Amendments that will align the Floodplain Overlay District with new Federal mandates.

Following Ms. Martinek's presentation on the above articles, Mr. Coderre introduced Town Planner Laurie Conners who was remotely present. Ms. Conner stated that she is looking forward to working in Northborough.

## **REPORTS**

### **Kristen Wixted**

- Reported on the recent Council on Aging meeting.
- Noted that the Council on Aging has two vacancies.
- Noted that she has heard from residents asking that the meeting packet be made available to the public earlier than the morning of the meeting.

### **Julianne Hirsh**

- Asked that a discussion about posting the meeting packets earlier than the morning of the meeting be added to a future agenda.
- Looking forward to meeting the Facilities Manager and receiving an update on the status of the municipal buildings in light of future discussions regarding ARPA funds.

### **T. Scott Rogers**

- No report.

### **Leslie Rutan**

- Encouraged residents to visit the Boroughs Cares 4 Troops (BC4T) Facebook Page for a list of donations needed.
- Thanked the Fire Department and the Firefighters for sharing information about incidents and their recognition of mutual aid when needed.
- Reported on the recent Northborough School Committee meeting.
- Acknowledged receipt of a compliment to the DPW Department for their help with the removal of tree that had fallen due to wind.

### **Jason Perreault**

- No report.

### **John Coderre**

- No report.

## **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.

Marile Borden of 63 Little Pond Road expressed concern with the process thus far in determining how to spend ARPA funds without any public input from residents. She asked that the Board postpone any action on the ARPA Funding Plan tonight and to consider conducting a public survey or hosting a public forum on the matter.

Laura Ziton of 17 Franklin Circle agreed with Ms. Borden's comment and stressed the importance of community engagement when considering the use of ARPA funds.

Jeanne Cahill of 1 Thayer Street asked why the proposed ARPA Funding Plan includes projects that are traditionally funded through the Capital Improvement Plan. She asked that the Board hold off making any decisions this evening. She asked that the Board consider allocating funds toward a more stable form of energy such as the use of electric vehicles and solar energy on municipal buildings.

Mitch Cohen of 12 Whitney Street agreed with the previous callers regarding the use of ARPA funds on capital expenditures. He also asked that the public comments portion of each meeting agenda be moved to the start of the meeting.

John Wixted of 2 Stirrup Brook Lane agreed with previous callers about ARPA funds being used for capital expenditures, especially in light of the fact that ARPA funds have been excluded from tax decreases.

### **REVIEW AND APPROVAL OF DRAFT LEGISLATIVE PRIORITIES LETTER**

Mr. Coderre indicated that the legislative priorities letter has been formally updated for the Board's review in preparation of the Delegation's attendance at the Board's March 28<sup>th</sup> meeting. The top priorities remain the same. He reviewed the top legislative priorities relating to Chapter 90 Roadway Repair Funding and State Aid (Chapter 70, the Student Opportunity Act, Special Education Circuit Breaker Program, Regional Transportation Reimbursements and Unrestricted General Government Aid).

Mr. Coderre noted that Chapter 90 Roadway Repair Funding remains the top legislative priority. The Town's legislative priority for Chapter 90 Roadway Repair Funding is to continue to lobby for \$300 million annually statewide. Unfortunately, the House did not consider the Governor's supplemental budget for FY2022, which included \$100 million in supplemental funding for Chapter 90 distribution.

Mr. Coderre noted that the Town is lobbying for an increase in the Unrestricted General Government State Aid account by 7.3%, consistent with the growth from the initial FY2022 state budget figure and the forecasted state tax collections for FY2023.

In regard to the Student Opportunity Act, the Town joins MMA's call for a minimum aid increase of at least \$100 per student.

In addition, the following secondary legislative issues and initiatives were included:

- Fund environmental and climate-related infrastructure needs
- Ongoing flexibility in addressing Covid-19
- An Act to create a Municipal and Public Safety Building Authority
- An Act relative to a streaming entertainment operator's use of public rights of ways, which will ensure that important funding for cable access services is secured for years to come
- Promote Equity and Diversity in Cities and Towns
- Ensure sustainable OPEB costs for Cities and Towns
- Oppose unfunded mandates
- Modernization of procurement and public construction laws

In addition, the following earmark requests for various infrastructure projects were included in order to provide detailed information to the legislative delegates in the event that any earmark funding is considered:

- Fire Station Building Project
- Water Meter Transmitter Replacement
- Lincoln Street Culvert Replacement
- Northborough Reservoir Dam Removal
- Supervisory Control and Data Acquisition (SCADA)
- Sidewalk Repair Project

Comments were heard from members of the Board expressing support for everything included in the legislative priorities letter.

In response to an inquiry regarding the proposed Legislative Bill relative to automated traffic enforcement, Mr. Coderre responded that this was not included as a legislative priority due to the lack of information and any further discussion on the matter; whereas everything else included as a priority have been discussed publicly and extensively over the years. Selectman Hirsh asked that a discussion be added to a future agenda regarding the pros and cons of automated traffic enforcement.

Selectman Rutan moved the Board vote to authorize the Chair and the Town Administrator to finalize and sign the Legislative Priorities letter and supplemental Earmark Requests for discussion with our State Legislative Delegation at the March 28th Board Meeting; Selectman Wixted seconded the motion; the roll call vote was taken as follows:

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

### **FY2023 CAPITAL BUDGET AND FY2023 ARPA FUNDING PLAN AUTHORIZATION**

Mr. Coderre provided an overview of the American Rescue Plan Act and Coronavirus Local Fiscal Recovery Fund (ARPA-CLFRF). A full presentation of same was made at the Board’s January 24, 2022 meeting. The full presentation included information on funding through FY2024. Tonight’s discussion will focus on proposed funding for FY2023.

Mr. Coderre spoke briefly about the following budget reductions that were made in FY2022 and the postponement of capital investments in FY2021 due to the pandemic. He added that the postponed capital investment needs have not gone away and the priority should be restoration of the temporary cuts and postponed capital projects.

- Cut Operating Budgets to 1% in FY2021 and constrained increases in FY2022
- Used \$378,000 in one-time Free Cash in the FY2021 Budget
- Cut \$200,000 in Stabilization Fund Contributions in both FY2021 & FY2022
- Postponed Capital Investments in FY2021 and had less Free Cash to fund pay-as-you-go projects in FY2022
- Cut over \$1 million in contributions to Other Post-Employment Benefits Trust Fund (OPEB)

The proposed funding for CIP and ARPA projects for FY2023 are listed below:

<b>REVENUES</b>	<b>FY2023</b>		
ARPA	\$2,258,092		
Free Cash	\$2,024,259		
Total FY2023 Available Budget	\$4,282,351		
		<b>TM CIP</b>	<b>BOS Vote</b>
		<b>Free Cash</b>	<b>ARPA</b>
<b>EXPENDITURES</b>			
Police Cruisers Replacements	\$165,000	\$165,000	
Fire Engine Replacement	\$800,000		\$800,000
Roadway Improvements/Maintenance	\$454,000	\$454,000	
One-Ton Dump Truck w/Plow (replaces 2012s, 2016)	\$130,000	\$130,000	
Culvert and Drainage Replacement Lincoln St	\$300,000	\$300,000	
Loader (replaces 2006)	\$290,000	\$290,000	
20-Ton Truck w/ Spreader & Plow	\$340,000	\$340,000	
Highway Garage Tight Tank Project	\$400,000		\$400,000
Backhoe (replaces 2005)	\$195,000	\$195,000	
Proctor School Roof Drain repairs	\$38,000		\$38,000
MPIC-Downtown Master Plan Study	\$150,000	\$150,000	
MPIC-Sidewalk Master Plan Phase 1	\$400,000		\$400,000
Affordable Housing (NAHC)	\$100,000		\$100,000
FY23 Operating Budget Subsidy for OPEB	\$250,000		\$250,000
Assabet Fence	\$20,000		\$20,000
Pickleball Alternates	\$18,000		\$18,000
BeWellNorthborough Initiative	\$100,000		\$100,000
COVID Expense Reserve	\$132,351		\$132,092
<b>TOTAL</b>	<b>\$4,282,351</b>	<b>\$2,024,000</b>	<b>\$2,258,092</b>

Mr. Coderre indicated that the proposed ARPA funded projects for FY2023 come from the Capital Improvement Plan and the priorities of the Master Plan Implementation Committee. Others, for example, the affordable housing project, have come forward as part of the process of looking at viable grant opportunities.

Mr. Coderre reviewed the following proposed ARPA funding requests for FY2023 in detail:

Fire Engine Replacement - \$800,000

This request seeks to replace a 2005 Engine 1. An Engine was originally in the capital plan for replacement in FY2024; however, it is being proposed that this apparatus be replaced in FY2023 using funding from the American Rescue Plan Act (ARPA) due to ongoing maintenance and mechanical issues.

Highway Garage Tight Tank - \$400,000

This request seeks to fund installation of a tight tank system at the highway garage, which no longer complies with State environmental regulations. The project requires interior plumbing changes, as well as locating the tank in such a manner that it does preclude future building expansion/reconfiguration.

Proctor School Roof Repairs - \$38,000

The Town is seeking MSBA's assistance in paying for approximately 45% of the total project cost, which is estimated to be between \$1.5 and \$1.6 million. The School Department is seeking funding to make immediate repairs to the downspouts and drains in order to resolve some of the ponding water issues on the roof. It is anticipated that approximately \$880,000 in FY2024 ARPA funding will be used to match MSBA's grant, if approved.

Sidewalk Repairs Phase 1 - \$400,000

Repair and expansion of sidewalks is the Master Plan Implementation Committee's #2 priority. This request seeks the first phase of funding to begin repairing the current backlog of sidewalk improvements estimated to be \$1,532,000.

NHA Affordable Housing - \$100,000

This is for the development of eight senior rental apartments located in a single two-story building at 26 Village Drive. Pending approval from the Mass. Department of Housing and Community Development (DHCD), \$800,000 in state funding will be provided to the project. The Northborough Housing Authority will provide an additional \$200,000 in funding. This request proposes to use \$100,000 in ARPA funds to supplement \$1,340,000 of CPA funding at Town Meeting. In total, these funding sources meet the total project cost of \$2,440,000,

Other Post-Employment Benefits

The Town postponed \$1.1 million in contributions to the OPEB Trust Fund between FY2021 and FY2022. In order to phase the expense back into the tax base and limit the tax impact, it is proposed that \$250,000 in ARPA funds be used to supplement the \$300,000 in the FY2023 Budget to reach the target amount of \$550,000.

Assabet Park/Pickleball Courts - \$20,000 & \$18,000

The Assabet Park project requires \$20,000 to replace fencing and the Pickleball Court Project at Ellsworth McAfee Park needs an additional \$18,000 for benches and gates. Neither of these requests meet the minimum cost threshold to qualify for inclusion in the Capital Improvement Plan and both budget shortfalls are directly related to supply chain material escalation.

BeWellNorthborough Wellness Initiative - \$100,000

"BeWellNorthborough" is a staff driven initiative aimed at combating the negative impacts of COVID-19 and is intended to aid residents in coping with the social, emotional, and physical effects of the pandemic by developing new programs and services that address specific community health and wellness needs.

Mr. Coderre ended his presentation indicating that the proposed ARPA projects and initiatives seek to do the following:

- Restores cuts from the prior fiscal years related to revenue losses due to the pandemic
- Use other dedicated grants and programs first whenever possible and save ARPA funds for priorities not eligible for other federal and state assistance programs.
- Follows GFOA best practices and Town Fiscal Policies regarding use of one-time revenues to avoid creating new programs or add-ons to existing programs that require an ongoing financial commitment.

- Use the existing long-term strategic plans approved by the Town, including the Capital Improvement Plan and the Master Plan
- Only obligate the first tranche of funding in FY2023

Chairman Perreault thanked Mr. Coderre for the level of detail provided in tonight's presentation. He acknowledged the persuasiveness of including proposed ARPA funding towards the priorities of the Master Plan Implementation Committee, as these priorities are in part the result of hearing what the public wants for their community. Mr. Coderre added that there is \$150,000 earmarked in the FY2023 Capital Budget for a Downtown Master Plan Study and he anticipates that a number of downtown initiatives that residents are speaking about now will come from this. Some of which can be funded from remaining ARPA funds in FY2024.

Selectman Wixted stressed the need for public input before making any decisions on ARPA funding tonight. She added that she would be comfortable voting on some of the proposals tonight, but not the whole plan as presented without further input from the public. Selectman Hirsh agreed, stating that she would like more information on some of the projects, including the BeWellNorthborough initiative, before making a decision.

Selectman Rogers stated that it would be prudent to find consensus and vote on at least the time sensitive projects tonight and revisit the others at the next Board meeting following some further discussion.

Mr. Coderre stated that the following projects are time sensitive:

- Proctor School Roof Repairs - \$38,000
- NHA Affordable Housing - \$100,000
- Assabet Park/Pickleball Courts - \$20,000 & \$18,000
- BeWellNorthborough Wellness Initiative - \$100,000

He added that the infrastructure projects are also considered time sensitive due to the escalating costs in contracts, materials and labor.

Selectman Hirsh noted that she is comfortable with voting on the time sensitive projects, but asked that the BeWellNorthborough be reduced to \$50,000. She would like to see information on the status of the condition of municipal buildings and the economic impact that the pandemic has had on the Town's small businesses before further consideration of ARPA Fund expenditures.

Chairman Perreault stated that between his 10 years of serving on the Financial Planning Committee and 9 years as a Selectman he has seen the difference in the financial practices of the early 2000's leading up to the recession that resulted in financial difficulties and the establishment of financial practices and policies, including the Free Cash Policy, which has served the Town extremely well over the past decade and continues to serve the Town extremely well through the pandemic. He added that the ARPA funds should not be considered a windfall or a gift, but mitigation for the backlog of projects resulting from the pandemic. For that reason, he fully supports the CIP and ARPA Funding Plan as presented in its entirety this evening.

Selectmen Rutan and Rogers both stated that they understand the need for each of the proposed projects, but at the same time recognize the fact that others may need more information and the residents need the opportunity to provide input. They are comfortable with voting on the time sensitive projects this evening and to postpone voting on the others until the Board's next meeting, at which time public input should be allowed at the time of the discussion.

In response to a question by Selectman Hirsh, Mr. Coderre stated that if the replacement request for the 2005 Fire Engine 1 were to be postponed, it would require at least \$30,000 in repairs in the short term. He added that this Fire Engine no doubt needs to be replaced as it has reached the end of its 20-year useful life. The question is will it be funded with ARPA or financed with debt in FY2024 as part of the capital budget. Fire Chief Parenti added that it would make no sense to invest \$30,000 in repairs on a fire engine that will have to be replaced next year.

Selectman Rogers moved the Board vote to release ARPA funding for the following items: Proctor School Roof Drain Repairs in the amount of \$38,000; Affordable Housing to the Northborough Housing Authority in the amount of \$100,000; Purchase and Installation of the Assabet Park Fence in the amount of \$20,000; Funding for the Pickleball Project Alternates in the amount of \$18,000; and funding of the BeWellNorthborough Wellness Staff Initiative in the amount of \$100,000; for a total release of \$276,000; Selectman Rutan seconded the motion; the roll call vote was taken as follows:

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

#### **CLOSE TOWN MEETING WARRANT**

Mr. Coderre noted that based on the Board's action tonight, the CPC Warrant Article for the Assabet Park fencing will be removed from the Town Meeting Warrant. He added that a Citizen's Petition for property tax exemption for Gold Star Parents has been added. The Town Meeting Warrant will be reviewed and finalized by Town Counsel and posted prior to Town Meeting.

Selectman Rogers moved the Board vote to close the April, 2022 Town Meeting Warrant as described this evening; Selectman Rutan seconded the motion; the roll call vote was taken as follows:

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

#### **OTHER BUSINESS**

None.




**ADJOURNMENT**

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

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

The meeting adjourned at 11:52 p.m.

Respectfully submitted,



Diane M. Wackell  
Executive Assistant to the  
Board of Selectmen

Documents used during meeting:

1. March 14, 2022 Meeting Agenda
2. February 28, 2022 Meeting Minutes
3. Information packets – AT&T Wireless Facilities Public Hearings
4. Memorandum – Police Officer appointment
5. Memorandum – Annual Town Meeting Date, Time and Location
6. Memorandum – CPC Warrant Articles
7. Memorandum – Zoning Warrant Articles
8. Draft Legislative Priorities Letter
9. Memorandum – FY2023 Capital Budget & ARPA Funding Plan
10. Draft Town Meeting Warrant