



TOWN OF SOUTHBOROUGH

RECEIVED
By K Battles at 2:00 pm, Mar 23, 2023

SELECT BOARD Meeting Minutes

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Meeting Date: Tuesday, February 28, 2023 6:30PM
Location: McAuliffe Hearing Room, Town House, 17 Common Street, Southborough
Present: Kathryn Cook, Lisa Braccio, Andrew Dennington, Chelsea Malinowski, Sam Stivers and Town Administrator Mark Purple.

Those wishing to watch or participate remotely can do so by accessing the meeting link at:
<https://www.southboroughtown.com/remotemeetings>

I. Call Meeting to Order

Ms. Cook called the meeting to order at 6:41PM.

II. Public Comment

Ms. Meme Luttrell, 19 Oregon Road and speaking as a private citizen, asked the Board hold public hearings on the Hopkinton Water Project. She stated that past experience has taught us that big projects need to be vetted in public.

III. Scheduled Appointments (Board may vote)

a. 6:30PM Pole Hearing – 8 Brigham St.

Mr. Purple read the public hearing notice into the public record. He stated that National Grid had informed him that, due to the weather, they would not have a representative at tonight’s meeting and requested that this hearing be continued until the Board’s March 21st meeting where they will have additional agenda items. Ms. Cook moved to continue the Pole Hearing for 8 Brigham St. to March 21, 2023 at 6:30PM. Mr. Stivers seconded the motion. The motion was unanimously approved (5-0-0).

b. Interview/appoint Michele Hokinson to the Historical Commission, term to expire 6/30/24

Ms. Michele Hokinson, 10 Main Street, appeared before the Board, via Zoom. Ms. Cook stated Mr. Kevin Miller, Chair of the Historical Commission, wrote a letter in support of Ms. Hokinson’s appointment. Ms. Cook moved to appoint Michele Hokinson to the Historical Commission, term to expire June 30, 2024. Mr. Stivers seconded the motion. The motion was unanimously approved (5-0-0).

c. Approve Fiscal Year 2024 Operating Budget

Ms. Cook stated that if there were any issues between the Board and Advisory, those issues would be discussed at the Board’s March 7th meeting prior to the printing of the warrant, so as to avoid floor amendments at Town Meeting. Ms. Malinowski asked that Andrew Pfaff, Chair of the Advisory Committee, share the Advisory Committee’s thoughts about the FY24 Operating Budget. Mr. Pfaff, appearing before the Board via Zoom, stated that Advisory has not taken an official position on the budget yet but his thoughts are that, although the budget is higher than he would like, it is in a good position without cutting services and he does not foresee further edits. Ms. Cook stated it is important that the Board share with the public the budgetary outlook for FY24. She stated that the year over year budget increase is 2.3%. She noted housing prices increased 12% in the last year and commercial real estate decreased by 4%, which resulted in a 16% divergence between the valuations. This resulted in a 6% increase in the average tax bill for Southborough taxpayers. Mr. Dennington stated it is important to help residents understand the reasons for the tax increase and stated the importance of focused efforts to create a more favorable business climate in Southborough. Ms. Cook stated the Board chose to utilize \$500,000 in ARPA funds for one-time expenses to offset the

46 tax increase. Ms. Malinowski asked that Advisory clearly state in its report to Town Meeting what
47 steps were taken this year and potential impacts to next year's budget. Mr. Purple informed the
48 Board that there has been no real increase in local aid as presently proposed in the Governor's
49 budget. Ms. Cook moved to support proposed expenditures totaling \$61,496,888 for FY24. Mr.
50 Stivers seconded the motion. The motion was unanimously approved (5-0-0).

51 **d. Joint meeting with Planning Board**

52 **i. Discussion of Town Meeting articles**

53 Ms. Luttrell called the meeting of the Planning Board to order at 7:04PM. Present: Meme Luttrell,
54 Jesse Stein, Debbie DeMuria. Present via Zoom: Marnie Hoolahan. Absent: Andrew Mills. Ms.
55 Luttrell outlined the changes to the Tree article and noted the concerns raised at Fall Town Meeting
56 had been addressed. Ms. Malinowski asked about the 1 for 1 replacement of trees. Ms. Luttrell
57 stated it is addressed in the bylaw and will be further addressed in the Tree Policy. Ms. Cook stated
58 the Tree Policy would be finalized after Town Meeting. She suggested that Ms. Luttrell be prepared
59 to answer the following question at Annual Town Meeting: if the information is included in M.G.L.
60 Chapter 87, why does the Town need a bylaw? Ms. Luttrell stated that the bylaw provides more
61 clarity to the State law for tree protection in Southborough. The Planning Board members in
62 attendance expressed their support for the bylaw. Mr. Pfaff asked about fines for trees. The
63 bylaw was edited to include language on fines, fees and replacement and the Planning Board noted
64 specifics would be addressed in the Tree Policy. Ms. Cook moved support the current Article #26, the
65 Tree Protection Bylaw, as amended. Mr. Stivers seconded the motion. The motion was unanimously
66 approved (5-0-0). Ms. Hoolahan presented the Scenic Roads Bylaw to the Board. Mr. Dennington
67 stated he is not supportive of this bylaw. Mr. Stivers stated he is very supportive of this bylaw. Ms.
68 Malinowski and Ms. Cook stated they are not supportive of the bylaw at this time. Ms. Cook stated
69 that the Board would not be voting on the proposed Scenic Roads article at this time. Ms. Cook
70 stated that the Board would discuss the Tree Fund article at its meeting on March 7th.

71 **e. Joint meeting with AHTFC & SHOPC & Historical Commission – 5 Cordaville Road**

72 Ms. Braccio, Chair of the Affordable Housing Trust Fund Committee, called their meeting to order at
73 7:51PM. Members were present: Kathy Cook, Chelsea Malinowski, Lisa Braccio, Sam Stivers, Andrew
74 Dennington and Doriann Jasinski. Absent: Bill Boland. Mr. Kevin Miller, Chair of the Historical
75 Commission, called their meeting to order at 7:52PM. Members present: Kevin Miller, Kathleen
76 Battles, Anne Pfaff, Grant Farrington and James Blaschke. Ms. Doriann Jasinski, Chair of SHOPC,
77 called their meeting to order at 7:52PM. Members present: Doriann Jasinski, John Wood, Jesse
78 Stein, Thomas Bhisitkul, Douglas Manz and Andrew Dennington. Absent: Alex Frisch. Mr. Miller
79 provided historical information and the current status on the property at 5 Cordaville Road. Mr.
80 Miller stated he was contacted about 5 Cordaville Road for consideration of the application of the
81 Demolition Delay Bylaw because Mr. Ray Huling, the homeowner, had passed away. He stated a
82 Massachusetts Cultural Resource Information System (MACRIS) report of the property stated that the
83 property qualified as both historically and architecturally significant. At its January 5th public hearing
84 on the matter, the Historical Commission voted 5-0-0 to preferentially preserve the property until
85 October 5, 2023. At that time, Ms. Cook stated she would schedule a joint meeting of the Board, the
86 Historical Commission and SHOPC to discuss the matter. Mr. Miller stated that he believes this
87 property may be a potential site for an affordable housing unit and shared that representatives for
88 Mr. Huling are interested in this idea. Mr. Miller stated that on February 19th, a relative of Mr.
89 Huling's provided access to the property for Mr. Miller, Mr. Al Hamilton and Mr. Paul Robello from
90 Habitat for Humanity. Ms. Braccio expressed her frustration with the process as it has unfolded thus
91 far. She stressed it is important to be transparent so successful collaboration can take place. Ms.
92 Braccio asked about the status of the agreement between Kendall Homes and the representatives of
93 Mr. Huling's estate. Mr. Miller stated he is not aware of the status of that agreement. Ms. Braccio
94 asked if Habitat for Humanity is involved in historic preservation. Mr. Al Hamilton, 35 Pinehill Road,

95 stated that Habitat for Humanity participates in projects involving historic preservation. Mr.
96 Hamilton expressed his frustration at Southborough's lack of affordable housing. Mr. Stivers stated
97 he would like to see more affordable housing in Southborough and is interested in exploring the
98 opportunity of 5 Cordaville Road. Mr. Dennington stated he also would like to see more affordable
99 housing in Southborough and a confluence of factors makes this project worth pursuing. He stated
100 the 5-year Affordable Housing Trust Fund Strategic Financial Plan describes scenarios for activity,
101 noting 5 Cordaville Road falls within the preferred recommendations in the report. Ms. Malinowski
102 expressed concern regarding any legal implications regarding the current agreement between
103 representatives of Mr. Huling's estate and Kendall Homes. She stated she would like to see SHOPC
104 vet the potential paths to move forward, as well as, understand the funding mechanism for the
105 project. Ms. Cook stated there is value in working with a partner such as Habitat for Humanity. Mr.
106 Stein asked that all members of SHOPC be copied on any materials that are sent on this matter. Mr.
107 Stein asked for clarification on the septic system. Mr. Miller stated that, at the February 19th
108 walkthrough, there was discussion about installing a larger septic system on the right side of the
109 house. Mr. Stein stated that if there were a preservation restriction on the property, it would need
110 to be consistent with a deed restriction for affordability. Mr. Stein commented on various aspects of
111 the project including, inventory credit from DHCD, ownership, management and discussions of other
112 ideas for adding affordable housing units. Ms. Jasinski and Mr. Miller discussed how a preservation
113 restriction would impact the potential affordable unit. Mr. Wood asked about how Town housing
114 codes would impact a preservation restriction on this property. Mr. Miller stated that there has to be
115 a compromise between function and aesthetics. Mr. Wood asked if any other funds are available.
116 Ms. Cook stated there might be some ARPA funds available. Ms. Bonnie Pfaneuf, 179 Middle Road,
117 stated that the Board should be working with the representatives for Mr. Huling to access the
118 property. She also commented that a home inspection should take place and, if the Town moves
119 forward with 5 Cordaville Road, the Housing Authority manage it. Mr. Bhisitkul stated he is working
120 on the 21 Highland Street project, which would yield potentially 10-15 affordable units in a historic
121 building, and is concerned about the allocation of financial resources for both projects. The Board
122 agreed to move forward with exploring the project and agreed Ms. Cook would speak with Town
123 Counsel regarding the agreement between the representatives for Mr. Huling and Kendall Homes.
124 Mr. Farrington moved to adjourn the Historical Commission meeting at 9:31PM. Mr. Blaschke
125 seconded the motion. The motion was unanimously approved (5-0-0). Ms. Jasinski moved to
126 adjourn the SHOPC meeting at 9:31PM. Mr. Stein seconded the motion. The motion was
127 unanimously approved (6-0-0). Ms. Braccio moved to adjourn the Affordable Housing Trust Fund
128 Committee meeting at 9:31PM. Mr. Stivers seconded the motion. The motion was unanimously
129 approved (6-0-0).

130 131 **IV. Reports**

132 **a. Chair's Report**

133 Ms. Cook reported that National Grid would have the 15-watt versus the 19-watt lights up for
134 observation in the next two weeks.

135 **b. Members' Report**

136 **i. Cultural Arts Council grant awards event**

137 Mr. Stivers reported that he recently attended the Cultural Art Council awards event. He stated that
138 each year the State awards \$5,000 in grants to distribute to local arts programs and also noted that
139 there is a vacancy on the Cultural Arts Council.

140 **c. Town Administrator Report**

141 Mr. Purple stated that items in his report have been discussed at tonight's meeting.

142 143 **V. Consent Agenda**

144 **a. Approve Open Session minutes: January 31, 2023; February 7, 2023**

145 Mr. Stivers requested to hold Consent Agenda item “a.” **January 31, 2023:** Mr. Dennington had the
146 following changes to Line 151-153: agreements to agreement; **February 7, 2023:** Mr. Dennington
147 requested the following change: Line 33: change He to Mr. Roselli; Mr. Stivers requested name
148 corrections for Mr. Wood, Ms. Phaneuf and Mr. Nichols-Worley; Line 222: EMD; Line 232:
149 Downtown Delay; Line 255: where will. Ms. Cook moved to approve the minutes from January 31,
150 2023 and February 7, 2023, as amended. Mr. Stivers seconded the motion. The motion was
151 unanimously approved (5-0-0).

152 **b. Approve Common Victualer licenses for new ownership – Eros Pizza and Domino’s**

153 Ms. Cook moved to approved Consent Agenda items “b”, “c”, and “e.” Mr. Stivers seconded the
154 motion. The motion was unanimously approved (5-0-0).

155 **c. Accept \$100 donation to Fire Ambulance Fund**

156 **d. Approval of new employment agreement for Finance Director**

157 Mr. Stivers requested to hold Consent Agenda item “d.” Mr. Stivers requested to add an “s” to
158 Standard throughout the document. Ms. Cook moved to approve the employment agreement for
159 the Finance Director for the period from July 1, 2023-June 30, 2026, as amended. Mr. Stivers
160 seconded the motion. The motion was unanimously approved (5-0-0). Ms. Cook thanked Mr.
161 Ballantine for his tireless efforts and collaborative approach in working with Town departments,
162 boards and committees. Mr. Dennington acknowledged Mr. Ballantine’s 20th anniversary with the
163 Town would occur in March of this year.

164 **e. Approve recommendation to appoint DPW Equipment Operator**

165 **f. Approve OPM recommendation to award bid for Town House Renovation project**

166 Ms. Cook requested to hold Consent Agenda item “f.” Ms. Cook shared the cost of the project is
167 \$1.277 million dollars which is a savings of \$664,000 that will be returned to the CPC for future use.
168 Ms. Cook moved to approve the low bidder contract with Calhess Restoration & Weatherproofing
169 Corp. for \$1.277 million that includes three alternates: \$58,000 to rebuild the chimney, \$59,000 for
170 the rubber roof and \$20,000 for the copper downspout. Mr. Stivers seconded the motion. The
171 motion was unanimously approved (5-0-0).

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173 The Board took a brief recess at 9:44PM and resumed meeting at 9:49PM.

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175 **VI. Other Matters (Board may vote)**

176 **a. Review of revised MOU with St. Mark’s School with goal of finalizing document**

177 Ms. Cook stated that St. Mark’s had executed the MOU. Mr. Dennington stated that he felt the MOU
178 language could be further clarified to say that failure to obtain the Town Meeting or the Planning
179 Board Contingencies does not resurrect the reciprocal License Agreement executed in November of
180 2021. The Board discussed executing a signing statement to further clarify that the reciprocal License
181 Agreement is extinguished. The Board agreed that Mr. Dennington would discuss the matter of a
182 signing statement with Town Counsel Talerman and Ms. Cook would discuss the same with Mr.
183 Robert Kuklewicz from St. Mark’s School. Ms. Luttrell spoke on behalf of the Planning Board and
184 expressed their concern about the second and fourth sentences in the Planning Board Contingency
185 and their impact upon the Planning Board’s jurisdiction on the project. Ms. Cook stated that second
186 sentence was included at the request of St. Mark’s. The Board and Planning Board agreed that Ms.
187 Cook, Ms. Luttrell and Mr. Stein would discuss the fourth sentence language with Town Counsel
188 Talerman some time during the upcoming week. Mr. Stein motioned to adjourn the Planning Board
189 meeting at 10:22PM. Ms. DeMuria seconded the motion. The motion was approved by roll call vote:
190 Luttrell-Yes, Stein-Yes, DeMuria-Yes (3-0-0). Ms. Malinowski requested that Public Safety officials be
191 involved in the road discontinuance matter. Mr. David Parry, 22 Main Street, asked about the
192 language Mr. Dennington is proposing in the potential signing statement. Mr. Dennington reread the

193 language. Mr. Parry asked where the road discontinuance would appear in the warrant. Ms. Cook
194 stated it would be included in the land swap article. Mr. Parry asked how the new road would be
195 funded. Ms. Cook stated there are monies still left in the VHB contract and the Board will clarify at
196 Town Meeting how much of the VHB contract remains for the road project.

197 **b. Update on Building Commissioner search**

198 Mr. Purple reported that the process is moving forward and applications have been received. He
199 acknowledged Ms. Hale’s outreach efforts in finding potential candidates.

200 **c. Board positions on warrant articles for March 25, 2023 Town Meeting**

201 The Board agreed to recommend to Mr. Cimino that the following fifteen articles be placed on the
202 Consent Agenda for Annual Town Meeting: #1, #2, #3, #10, #11, #15, #16, #17, #18, #19, #20, #21,
203 #22, #23, and #33. Ms. Cook moved to support articles #1, #2, #3, #10, #11, #15, #16, #17, #18, #19,
204 #20, #21, #22, #23, and #33. Mr. Stivers seconded the motion. The motion was unanimously
205 approved (5-0-0). The Board discussed Article #32, including placement in the warrant and the dollar
206 amount to be included in the warrant. Ms. Cook stated that Community Preservation Committee
207 (CPC) would appear before the Board at its March 7th meeting. The Board agreed to move the article
208 from #32 to after article #24. The Board acknowledged that Article #5 was approved earlier in
209 tonight’s meeting. Ms. Cook stated the Water Budget would be discussed at the Board’s March 7th
210 meeting. Mr. Dennington moved to support at Town Meeting Article #7 as printed in the current
211 draft warrant. Mr. Stivers seconded the motion. The motion was unanimously approved (5-0-0). Mr.
212 Dennington moved to support at Town Meeting Article #8 as printed in the current draft warrant.
213 Mr. Stivers seconded the motion. The motion was unanimously approved (5-0-0). The Board
214 discussed Article #9. The Board discussed moving Article #9 to Fall Town Meeting. Mr. Purple will
215 work with Melissa Danza, Conservation Agent, to determine if deadlines in the Administrative
216 Consent Order (ACO) preclude moving the article to Fall Town Meeting. Ms. Cook stated the Board
217 would discuss Articles #12 and #13, per tonight’s discussions. Mr. Dennington moved to support at
218 Town Meeting Article #14 as printed in the current draft warrant. Mr. Stivers seconded the motion.
219 The motion was unanimously approved (5-0-0). Ms. Malinowski stated she would have more
220 information on Article #27 at the Board’s March 7th meeting. The Board agreed to wait until Town
221 Meeting to take a position on Article #28. Mr. Dennington moved to support at Town Meeting
222 Articles #29, #30 and #31 as printed in the current draft warrant. Mr. Stivers seconded the motion.
223 The motion was unanimously approved (5-0-0). The Board agreed to have Mr. Nichols-Worley, Ms.
224 Davis, Mr. LaPine, Mr. DeVincent and Ms. Burns-Fiore appear before the Board at the March 7th
225 meeting to discuss their citizen petitions. The Board also agreed to ask Mr. Cimino, Town Moderator,
226 and Mr. Hegarty, Town Clerk, to appear before the Board at the March 7th meeting. Mr. Dennington
227 moved to support at Town Meeting Article #43 as printed in the current draft warrant. Mr. Stivers
228 seconded the motion. The motion unanimously failed (0-5-0). Mr. Dennington moved to support at
229 Town Meeting Article #44 as printed in the current draft warrant. Mr. Stivers seconded the motion.
230 The motion unanimously failed (0-5-0). The Board agreed to wait until Town Meeting to take a
231 position on Article #35. The Board agreed to wait until their meeting on March 7th to vote on Article
232 #38.

233
234 **VIII. Adjournment**

235 Ms. Cook moved to adjourn the meeting at 11:10PM. Mr. Stivers seconded the motion. The motion
236 was unanimously approved (5-0-0).

<i>Upcoming Meetings</i>	
<i>March 21, 2023</i>	<i>March 25, 2023 (Town Meeting)</i>

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Bridgid Rubin, Recording Secretary

List of Documents referred to at the February 28, 2023 SB Meeting:

- Legal Notice for the Pole Hearing, dated February 14, 2023, with attachments
- Email Correspondence from Kevin Miller, dated February 15, 2023
- Citizen Activity Form for Michele Hokinson with attachments
- Memorandum from Brian Ballantine, dated February 28, 2023 with attachments
- Proposed Article #26 - Tree Protection Bylaw-Draft and Proposed Article #28 – Scenic Roads Bylaw-Draft
- Draft Open Meeting Minutes for January 31, 2023 and February 7, 2023
- Application for Common Victualer License for Eros Pizza
- Application for Common Victualer License for Domino’s Pizza
- Letter from Fire Chief Stephen Achilles, dated February 8, 2023
- Memorandum from Abdul Alkhatib RE: Peter Slamin Appointment to Highway Department
- Letter from Mary Bulso, dated February 21, 2023, RE: Town House Renovation project bids with attachments
- Memorandum of Understanding between St. Mark’s School and the Town of Southborough
- Draft Annual Town Meeting Warrant
- General Bid Log – Town House – Exterior Restoration