

**BOARD OF SELECTMEN MEETING AGENDA
TUESDAY, JANUARY 3, 2023
TOWN HALL
7:00 p.m.**

1) Call to Order

Deb Bourbeau called the meeting to order at 7:02 pm.

Present were Deb Bourbeau, Betty O'Brien, Greg Lowrey, Joe Asklar, Amy Traversa-Interim Town Manager, Peter Hughes-Director of Planning & Development.

2) Acceptance of Minutes

- a) December 6, 2022 Special BOS Meeting
- b) December 6, 2022 Regular Meeting
- c) December 14, 2022 Special BOS Meeting

Mr. Lowrey motioned to approve the December 6, 2022 Special BOS Meeting, December 6, 2022 Regular BOS Meeting and the December 14, 2022 Special BOS Meeting. Ms. O'Brien seconded. All approved and motion carried.

3) Additions to the Agenda

- Ms. Bourbeau requested to add an Execution Session after the regular meeting January 3, 2023. Mr. Lowrey motioned to accept this request. Mr. Asklar seconded. All agreed and motion carried.
- Ms. Bourbeau requested to add public smoking ordinance discussion to the agenda as item 5.e. Mr. Lowrey motioned to accept this request. Mr. Asklar seconded. All approved and motion carried.
- Ms. Bourbeau requested to add Barbara Murray's review of Bridle Brook Estates tax situation to the agenda as item 5. a-1. Mr. Lowrey motioned to accept. Mr. Asklar seconded. All in favor and motion carried.

4) Public Comments

none

5) New Business

a-1) Ms. Murray, Marlborough Tax Collector, reported on Bridle Brook Estates. Bridle Brook asked Board Assessment Appeals to lower the property assessment. Due to the property value, they were informed they needed to go to court. The court made a decision that parties further stipulate and agree the resulting overpayments and/or charges of taxes for the October 1, 2020 list, 2021 list and 2019 list. There was a lump sum allocated for each year. The court further stipulated Bridle Brook would not receive cash which the town agreed to as well. Ms. Murray reported the lump sum would be used as a credit over the next three years. This has gone to the assessor who has made an adjustment and correction for three years. Today (January 3, 2023) Ms. Murray transferred \$14,166.67 from 2019 grand list which is part of the credit and

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applied it to the balance of 2021 grand list. There is \$46,035.93 credit remaining which will be used to pay the upcoming grand list until it is a zero credit balance. Mr. Asklar wanted to know if it would be two or three years for the credit to be applied. Ms. Murray does not know as it is dependent on mill rates and taxes. The estimate is the credit will be finished on the 2023 grand list.

Ms. Traversa wanted Ms. Bourbeau to know this was discussed in the last meeting and because the court made the decision the BOS does not need to approve.

a) Employee Resignations / New Hires

Ms. Bourbeau gave a shout out to Dot Denniss, former Registrar of Voters who is being replaced by Carey Fraulino.

b) Boards & Commissions: Resignations / Appointments/ Applications

Ms. Bourbeau reported Judy Benson-Clarke resigned from RHAM BOE. Her position will need to be replaced. Ms. Traversa has two applications from gentlemen in town who would like to be involved with the town. The applications noted several board or commissions of interest. Ms. Traversa will hold on to the applications until appointments are complete and it is clear where someone would be needed. She recommended a public forum on one of the Tuesday nights in February to discuss boards and commissions, inviting those interested to attend. Date to be discussed.

c) 2023 Local Capital Transportation Improvement Plan Project Selection

Mr. Hughes reminded all LOTCIP is only eligible for roads designated as federal aid routes. He reviewed the four roads which are eligible in Marlborough. Phase 3 was just awarded. Discussion about where to start and Mr. Hughes recommending it begin on Ofshay. The application is due on 2/3/23 and it is highly competitive. Project costs and available funds were discussed including what could and could not be applied to LOTCIP funds.

Mr. Lowrey motioned to authorize the town hall to pursue this as described. Ms. O'Brien seconded. Discussion regarding the timeframe, what costs to include, determination of award and what additionally can be included in the project. All in favor and motion carried.

d) Town Hall HVAC Preliminary Design RFP Bid

Mr. Hughes reviewed the project for the selectmen. He recommended to award HF Lenz as they are the lowest bidder. Ms. Bourbeau asked why the bids are so disparate; it is because they are preliminary bids. There was discussion of current system, its issues and possible cost once sketches are received.

Mr. Lowrey motioned to move forward with HF Lenz. Mr. Asklar seconded. All in favor and motion carried.

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e) Mr. Hughes reviewed the two proposed cannabis zoning regulations. Extensive discussion ensued on Article 10 L Special Regulations' two options, banned locations, posting, and enforcement. The lake is state property and would not fall under town jurisdiction on banned smoking areas. Ms. Traversa suggested the banned areas be based on existing regulations and post nonsmoking signage. Mr. Hughes will research existing ordinances and present options for review. The Zoning Commission is holding public hearings. Mr. Hughes clarified the BOS can determine not to pass an ordinance and the Zoning Commission will no longer have any involvement. Ms. O'Brien suggested using the same rules as areas banned for alcohol consumption. Ultimately it was determined more discussion is necessary to act on this item.

6) Unfinished Business

a) Town Manager Search Process Update

Ms. Bourbeau reported there is a meeting January 9, 2023 at 7 pm. It is a 'meet and greet'. Mr. Lowrey will oversee operating the TouchView for a hybrid meeting. Judy Ceramicoli to post a ZOOM link. Ms. Bourbeau stated we need to set up a date to open the applications from search firms. Ms. Traversa is putting together a comparison for BOS of submissions. It was decided to meet at 6 pm prior to 1/17/2023 meeting regarding the town manager executive search firm.

b) School Resource Officer (SRO) Update

Ms. Bourbeau reported on the job description. The BOE has discussed and approved what presented. Mr. Asklar confirmed it is a product of the working group as he attended the meeting(s).

c) Approval of 2023 Holiday Calendar

Ms. Bourbeau requested the BOS rescind the December 6, 2022 vote. Extensive discussion ensued about the current holiday schedule, future schedule and how to retire holidays.

Ms. Bourbeau moved to adopt Monday, 6/19/2023, Juneteeth for 2023 as a holiday and as such town offices will be closed in observance of that day. Ms. O'Brien seconded. Ms Bourbeau, Ms. O'Brien and Mr. Lowrey approved. Mr. Asklar opposed. Motion carried.

New Year's - Monday, 1/2/2023	Juneteenth – Monday, 6/19/2023
Martin Luther King Jr – Monday 1/16/2023	Labor Day – Monday, 9/4/2023
President's Day – Monday, 2/20/2023	Columbus Day – Monday, 10/9/2023
Good Friday – Friday, 4/7/2023	Veteran's Day – Friday, 11/10/2023
Memorial Day – Monday, 5/29/2023	Thanksgiving – Thursday, 11/23/223
Day before 7/4 – Monday, 7/3/2023	Day after Thanksgiving – Friday, 11/24/223
Independence Day – Tuesday, 7/4/2023	Christmas – Monday, 12/25/2023

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7) Interim Town Manager Updates

- Ms. Traversa and Ms. O'Brien agreed to write to Catherine Osten about a van. Within the letter Ms. Traversa reviewed Marlborough's most pressing needs.
- Executive search firms – as noted earlier she will present a comparison of submissions for review
- Marlborough is underfunded and does not offer competitive compensation which has affected hiring a Finance Director. Ms. Traversa reported she has been researching this issue.
- Audit must wait until material is available. Part of the delay is due to lack of a Financial Director.
- NAGE has notified us they are ready to begin negotiations.
- Ms. Traversa has a call scheduled for January 4, 2023 with Columbia, Andover and Hebron with AHM. We received funds from the opioid settlement, \$7,400. There are earmarks on the money. Discussion regarding requests and recommendations where to distribute the funds. We need to review what resources should be considered to receive money whether shared or used for Marlborough programs.

8) Selectmen Updates

none

9) Department Reports

a) Budget/Financial

Ms. Bourbeau received November MUNIS reports. Mr. Asklar has a question on budgetary process. Mr. Lowrey responded if it is in regard to planning it should be discussed at another time. Ms. Traversa contacted Hayley since she is not sure how much of it is updated. Mr. Asklar stated that as we go into budget period, he would like to have a discussion on budget procedures. He would like transparency addressed, for example line item 51155 Professional Services, does not define what is specifically included. Mr. Lowrey responded to Mr. Asklar. Mr. Asklar feels it is very important to show the detail on this line item and would like this on the UNIS report. Ms. Bourbeau would like the school salaries to be transparent as well. Discussion ensued. Ms. O'Brien agrees it is not transparent enough or easily accessible to the public

b) Tax Refunds

Mr. Lowrey motioned to pay the property tax refund as suggested by the collector Ms. O'Brien seconded. All in favor and motion carried.

c) Building Permit Refunds / Activity Report – none

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10) Correspondence

Lt. Stephen King submitted a report of troop activity on December 8, 2022. Ms. Traversa also advised the car thieves are active again. Three have been reported caught on camera.

11) Public Comments

Colleen Kaplan 17 Coleman Lane – Ms. Kaplan commented on notification of warming center locations. She is concerned about getting the information out other than the town website. She feels the notifications seem splintered. She is asking for the BOS to get the groups that handle notifications together to make a plan. Perhaps we could have pamphlets available. She thinks a continual reminder from the town would be beneficial. Mr. Lowrey explained the official clearinghouse for users is calling 211. CERT team must be activated by the state. Marlborough tries to use what we have already in place due to limited resources. Ms. Bourbeau responded it will be looked into. Ms. O'Brien commented we keep the Marlborough website as the place to go, perhaps also a notice on town hall door. Ms. Kaplan asked how commissions can bring identified needs to the town for review. Any commission can contact Ms. Bourbeau or Ms. Traversa to have the items added to the agenda.

Mr. Ostrom 21 South Main – he would like to see the return of posting of meeting minutes and agendas on the website. Regarding getting messages to the public, he recommended a digital community board on the town green.

12. EXECUTIVE SESSION: Pending Litigation

Deb Bourbeau made a motion to enter into Executive Session seconded by Greg Lowrey at 8:51 p.m.

Deb Bourbeau made a motion to invite Amy Traversa into the session seconded by Greg Lowrey and motion passed. Executive Session began at 8:55 p.m.

Executive Session ended at 9:15 p.m.

13) Adjournment

There being no further business, Ms. Bourbeau adjourned the regular meeting at 9:16 p.m.

Respectfully submitted,

Tracy Monterville
Board Clerk

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