



TOWN OF SOUTHBOROUGH

SELECT BOARD Meeting Minutes

1
2 **Meeting Date:** Tuesday, July 10, 2024 6:30 PM
3 **Location:** REMOTE ONLY
4 **Present:** Kathryn Cook, Andrew Dennington, Marguerite Landry and Sam Stivers. Town Administrator
5 Mark Purple and Assistant Town Administrator Vanessa Hale. Absent: Al Hamilton
6

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

9 **I. Call Meeting to Order**

10 Chair Kathy Cook called the meeting to order at 6:30 PM.

11 **II. Other Matters (Board may vote)**

12 a. Amend charges/memberships for Scholarship and Stewardship Committees
13 Ms. Cook suggested that, in an effort to streamline committees, the Board should reduce the number
14 of required members of the Scholarship and Stewardship Committees from seven to five. Mr. Stivers
15 stated that both committees are in need of an updated charge, which could specify the number of
16 members. He also suggested that the Stewardship Committee charge call for all at-large members.
17 Mr. Stivers stated he would work with both committee chairs to create charges and the Board could
18 discuss this matter at its July 16th meeting. The Board agreed with Mr. Stivers's plan of action.
19

20
21 Mr. Don Morris, Ms. Ginny Martins and Ms. Patty Burns-Fiore joined the meeting at this time for
22 Other Matters "b" and "c." Don Morris called the meeting of the Tricentennial Committee to order
23 at 6:36 PM. Members present: Don Morris, Ginny Martins, Patty Burns-Fiore and Andrew
24 Dennington.

25 b. Discussion of proposal for Tricentennial fundraiser using memorial bricks at the Southborough
26 Heritage Park (Patti Fiore)

27 Ms. Burns-Fiore stated that the Tricentennial Committee has suggested an engraved memorial brick
28 fundraiser, with bricks installed at the Southborough Heritage Park. Ms. Burns-Fiore provided a
29 sample for the Board's review and stated the bricks would be offered at \$300 each. She stated that
30 the Committee is appearing tonight to seek approval for the brick fundraiser concept. She stated
31 that, once the number of bricks sold is known, the Committee would return to the Board with a
32 proposed layout. The Board asked that the Committee work with DPW Superintendent Cundiff on
33 the project and Mr. Dennington agreed to coordinate with Superintendent Cundiff. Ms. Ginny
34 Martins reported that the Fundraising Sub-Committee has met once and is preparing the sponsorship
35 package for presentation at Heritage Days. The Board agreed with the brick fundraising concept
36 discussed this evening. Mr. Morris stated that he would add the brick fundraiser concept to the
37 Tricentennial Committee's next agenda for discussion and approval. Ms. Cook announced that the
38 Tricentennial Committee is in need of two new members and urged the public to consider joining the
39 Committee.

40 c. Tricentennial Committee update (Don Morris)

41 Mr. Don Morris, Tricentennial Committee chair, provided an update of the Committee's work thus
42 far. He discussed the Committee's progress and shared the approved logo and tagline. He stated
43 next efforts would focus on interviewing Southborough seniors for their memories of the Town and
44 connecting with long-time residents for pieces of Southborough's history (photos, newspaper
45 articles, etc.). He thanked Steve Valentine and John Kendall for their service on the Tricentennial

46 Committee. He stated the Tricentennial Committee would finalize their progress report at its next
47 meeting and present future updates to the Board and public. Ms. Cook stated that Ms. Burns-Fiore
48 would interface with the Fay School relative to the upcoming Tricentennial. Mr. Morris moved to
49 adjourn the Tricentennial Committee Meeting at 7:02 PM. Ms. Burns-Fiore seconded the motion.
50 The motion was unanimously approved by roll call vote: Mr. Morris, yes; Ms. Martins, yes; Ms.
51 Burns-Fiore, yes; Mr. Dennington, yes (4-0-0).

52
53 Ms. Cook stated that the purpose of tonight's meeting is to meet with the Advisory Committee and
54 approve transfers that are required prior to July 15, 2024.

55
56 d. Assign MBTA Communities Warrant article to Planning Board for public hearing process
57 Mr. Stivers moved to assign the MBTA Communities Warrant article to the Planning Board for the
58 public hearing process. Mr. Dennington seconded the motion. The motion was unanimously
59 approved by roll call vote: Ms. Landry, aye; Mr. Stivers, aye; Mr. Dennington, aye; Ms. Cook, aye (4-
60 0-0). Ms. Landry offered to meet with a Planning Board representative to clarify discrepancies in
61 definitions between the State MBTA requirements and the Town's Warrant article and the Board
62 agreed.

63 e. Approve timeline for submission of Citizens' Petitions for Special Town Meeting

64 Ms. Cook stated that, in the past, the Board has used 30 days prior to a Town Meeting as a deadline
65 requirement for the submission of Citizens' Petitions. Mr. Purple stated that the submission deadline
66 for the upcoming Fall Town Meeting would be August 31, 2024. He also stated that final warrant
67 language would be due on September 3, 2024. Mr. Stivers moved that Citizens' Petition be
68 submitted on or before August 31, 2024, in order to be on the warrant for the Special Town Meeting
69 on September 30, 2024. Mr. Dennington seconded the motion. The motion was unanimously
70 approved by roll call vote: Mr. Stivers, aye; Ms. Landry, aye; Mr. Dennington, aye; Ms. Cook, aye (4-
71 0-0).

72 f. Approve revised Stormwater IMA Consortium (changing lead community)

73 Ms. Cook stated that the Board has been asked to approve a change in the lead community from
74 Spencer to Shrewsbury for an Inter-municipal Agreement (IMA) of the Central Massachusetts
75 Regional Stormwater Coalition, as the Town is a participant in the IMA. Mr. Stivers moved that the
76 Board accept the change in the Stormwater IMA, as proposed. Ms. Landry seconded the motion.
77 The motion was unanimously approved by roll call vote: Mr. Stivers, aye; Ms. Landry, aye; Mr.
78 Dennington, aye; Ms. Cook, aye (4-0-0).

79 g. Discuss October 2024 Select Board meeting dates

80 Ms. Cook suggested the Board change their October meeting dates to October 8th and October 22nd
81 so there is no conflict with Special Town Meeting and the Board agreed.

82
83 The Board recessed at 7:13 PM and resumed meeting at 7:30 PM.
84

85 **III. 7:30 PM – Joint Meeting with Advisory Committee**

86 Advisory Board Chair Andrew Pfaff called the Advisory Committee Meeting to order at 7:30 PM.
87 Members present: Andrew Pfaff, Howard Rose, Marci Jones Salow, Larry Samberg and Tim Martel.
88 Brian Ballantine, Town Treasurer, joined the meeting at this time.

89 a. FY24 Interdepartmental transfers

90 Ms. Cook stated that all transfers would come from the overage in the Health Insurance Benefit
91 Budget. Mr. Pfaff stated that the Town had a successful financial year when reviewing the budget
92 versus the need for interdepartmental transfers. Mr. Ballantine thanked the department heads that
93 worked to manage the need for any year-end interdepartmental transfers. Mr. Ballantine stated he
94 would discuss returned budget monies at a future meeting. Ms. Cook moved that the Select Board

95 approve \$146,162.21 in interdepartmental transfers, as shown on the spreadsheet that will be
96 attached to the meeting minutes, to the accounts listed on the spreadsheet. Mr. Stivers seconded
97 the motion. The motion was unanimously approved by roll call vote: Ms. Landry, aye; Mr. Stivers,
98 aye; Mr. Dennington, aye; Ms. Cook, aye (4-0-0). Mr. Pfaff moved that the Advisory Committee
99 approve the interdepartmental transfers of \$146,162.21, as shown in the year-end transfers
100 document and as attached to the minutes. Ms. Jones Salow seconded the motion. The motion was
101 unanimously approved by roll call vote: Ms. Jones Salow, aye; Mr. Martel, aye; Mr. Samberg, aye;
102 Mr. Rose, aye; Mr. Pfaff, aye (5-0-0).

103 b. Reserve fund transfers if needed

104 There were no Reserve Fund transfers.

105 c. Discuss possibility of increasing CPA surtax to 3%

106 Mr. Pfaff stated that the Advisory Committee had reviewed this issue last year and informed the
107 Board that an increase from 1% to 3% would triple the amount of revenue presently raised through
108 the tax and make the Town available for a 2nd and 3rd round of matching funds only available to the
109 communities at the 3% rate. He stated that any increase in CPA monies due to an increase in tax
110 would need to be managed in a coordinated strategy by Advisory, the Board and CPC. He stated that
111 he is not supportive of an increase unless there is an offset. Ms. Cook described the Town process to
112 increase the CPA surtax. The Advisory Committee and Board discussed whether or not to pursue a
113 meeting with CPC on a potential increase. Mr. Dennington asked about the impact of the Neary
114 School project on the decision to consider an increase in the CPA tax. The Advisory Committee and
115 Board discussed the impact of the Neary School project. Mr. Pfaff suggested that he and Ms. Cook
116 meet with CPC Chair Ben Smith to discuss restarting a conversation regarding an increase in the CPA
117 tax. The Advisory Committee and Board agreed with the plan.

118 d. Discuss possibility of creating a Stormwater Enterprise Fund

119 Mr. Pfaff stated that the challenge is to determine how to fund a Stormwater Enterprise Fund, if
120 created. He suggested this could be achieved by charging a stormwater usage fee based on the
121 amount of impervious surface on a property. He stated that the fee would be assessed to residential,
122 commercial and non-profit water users and although it does not save the Town any money,
123 approximately 30% of the burden would be shifted from residential to commercial and non-profit
124 users. He asked the Advisory Committee and Board to consider whether the amount of money put
125 into the fund outweighs the overhead incurred by the Finance Department to calculate, bill and
126 manage. Ms. Cook added that the cost to fix the culvert issues might be significantly larger than
127 previously thought. The Advisory Committee and the Board discussed billing scenarios. Ms. Cook
128 asked the Advisory Committee and the Board whether or not they supported further exploration of
129 savings that might be achieved by taxpayers if a stormwater enterprise fund was created. The group
130 discussed the matter and agreed to have the Advisory Committee work with Mr. Ballantine, Ms.
131 McAuliffe and DPW Superintendent Cundiff to analyze data and develop and understanding of all
132 costs to create a stormwater enterprise fund.

133 e. Review potential articles for Special Town Meeting

134 Mr. Purple reviewed a list of approximately twelve potential articles for the Fall Special Town
135 Meeting. He stated that Fall Town Meeting would be held on Monday, September 30, 2024, at 7:00
136 PM at Trottier Middle School, with an additional date of Tuesday, October 1, 2024, should it be
137 necessary.

138 **IV. Adjournment**

139 Mr. Stivers moved to adjourn at 8:10 PM. Mr. Dennington seconded the motion. The motion was
140 unanimously approved by roll call vote: Ms. Landry, aye; Mr. Stivers, aye; Mr. Dennington, aye; Ms.
141 Cook, aye; (4-0-0).

<i>Upcoming Meetings</i>	
<i>July 16, 2024</i> <i>2024</i>	<i>August 6,</i>

144
145 Respectfully submitted,

146
147 Bridgid Rubin, Recording Secretary

148
149 List of Documents referred to at the July 10, 2024 SB Meeting:

- 150 • Memorandum from Mark Purple, dated July 8, 2024, RE: Scholarship Committee
151 Membership
- 152 • Boards and Committees Information Systems for Scholarship Advisory Committee
- 153 • Meeting Minutes for the Board of Selectmen, dated December 22, 1987
- 154 • Letter from Janice Conlin, dated February 2, 2005, RE: Creation of the Southborough
155 Stewardship Committee
- 156 • Meeting Minutes for the Board of Selectmen, dated February 1, 2005
- 157 • Meeting Minutes for the Board of Selectmen, dated January 25, 2005
- 158 • Draft Article 36 – MBTA Communities Overlay District Bylaw
- 159 • Maps detailing the MBTA Communities Overlay Zoning Districts
- 160 • Memorandum from William Cundiff, dated July 8, 2024, CMRSWC Inter-municipal
161 Agreement, with attachment
- 162 • List of FY24 Interdepartmental Transfers

163
164

**Town of Southborough, MA
Meeting of the Select Board
July 10, 2024 6:30 PM
REMOTE MEETING**

Those wishing to watch or participate remotely can do so by accessing the meeting link at:
<https://ma-southborough.civicplus.com/674/Virtual-Meetings>

I. Call Meeting to Order

II. Other Matters (*Board may vote*)

- a. Amend charges/memberships for Scholarship and Stewardship Committees
- b. Discussion of proposal for Tricentennial fundraiser using memorial bricks at the Southborough Heritage Park (Patti Fiore)
- c. Tricentennial Committee update (Don Morris)
- d. Assign MBTA Communities Warrant article to Planning Board for public hearing process
- e. Approve timeline for submission of Citizens' Petitions for Special Town Meeting
- f. Approve revised Stormwater IMA Consortium (changing lead community)
- g. Discuss October 2024 Select Board meeting dates

III. 7:30 pm – Joint Meeting with Advisory Committee

- a. FY24 Interdepartmental transfers
- b. Reserve fund transfers if needed
- c. Discuss possibility of increasing CPA surtax to 3%
- d. Discuss possibility of creating a Stormwater Enterprise Fund
- e. Review potential articles for Special Town Meeting

IV. Adjournment

Kathryn M. Cook, Chair

UPCOMING MEETINGS

July 16, 2024

August 6, 2024

TOWN OF SOUTHBOROUGH



OFFICE OF THE TOWN ADMINISTRATOR

TOWN HOUSE · 17 COMMON STREET · SOUTHBOROUGH, MASSACHUSETTS 01772-1662
(508) 485-0710 · FAX (508) 480-0161 · selectboard@southboroughma.com

TO: Select Board

FROM: Mark J. Purple, Town Administrator

DATE: July 8, 2024

A handwritten signature in black ink that reads "Mark J. Purple".

SUBJECT: Scholarship Committee Membership

Previously, the Select Board has expressed an interest in reducing the membership of both the Scholarship and Stewardship Committees from 7 members to 5 members. Requests have been submitted by each of the committees seeking this reduction in members. In researching the charges to create these ad-hoc committees, we have found that no formal charge exists for either. The minutes from the respective Board of Selectmen meetings are attached to this memo.

At the December 22, 1987 meeting of the Board of Selectmen, the Board voted to create the Scholarship Advisory Committee to administer a Scholarship Fund for all Southborough residents planning post-secondary undergraduate study as well as those presently in a post-graduate program, but did not assign a specific number of members. Eight members were appointed that evening, and over the years the membership has vacillated from a high of 11 members to a low of 7 members.

At the February 1, 2005 meeting of the Board of Selectmen, the Board voted to create the Stewardship Committee with a membership of 7 members: 4 residents at-large, 1 member of Breakneck Hill Cow Fund, one member of Open Space Preservation Commission (OSPC), one member of Recreation Commission and 1 ex-officio member (Conservation Commission representative).

Essentially, there are no formal charges for the Board to amend with respect to either committee. The Board may simply vote to set the membership levels as requested. However, you may need to adjust the number of at-large members for the Stewardship Committee in order to accommodate the lower number. Please let me know if you have any questions. Thank you.



Boards and Committees Information System
Notice of Mandatory Conflict of Interest Law Requirements

[Main Menu](#)[Boards & Committees](#)[Members](#)[Citizen Activity Forms](#)[Reports](#)[Administration](#)

Boards & Committees Detail View

Board ID: 39

Name: SCHOLARSHIP ADVISORY COMMITTEE

Minimum Members: 4

Maximum Members: 7

Members Needed for Quorum: 4

Active Members: 2

Vacant Terms: 5

Appointed By: SELECTMEN

Date Established: December 22, 1987

Date Dissolved:

Hidden:

Charge: IN 1987 THE TOWN OF SOUTHBOROUGH ESTABLISHED THE SCHOLARSHIP FUND. ALL SOUTHBOROUGH RESIDENTS PLANNING POST-SECONDARY UNDERGRADUATE STUDY, AS WELL AS THOSE PRESENTLY IN A POST SECONDARY UNDERGRADUATE PROGRAM, ARE ELIGIBLE TO APPLY FOR THESE SCHOLARSHIPS. THE SOUTHBOROUGH TOWN SCHOLARSHIP TAKES INTO CONSIDERATION ACADEMICS, FINANCIAL NEED, EXTRACURRICULAR ACTIVITIES, WORK AND VOLUNTEER EXPERIENCES, AS WELL AS WRITTEN EXPRESSION.

IN 1999, THE SOUTHBOROUGH YOUTH GYMNASTICS ASSOCIATION (SYGA) ESTABLISHED THE CARROLL HARRIS MEMORIAL SCHOLARSHIP. IT IS GIVEN TO A STUDENT WHO PARTICIPATES IN GYMNASTICS, OR WHO PLANS TO MAJOR IN PHYSICAL EDUCATION, RECREATION OR EDUCATION, OR WHO HAS DEMONSTRATED ACTIVE PARTICIPATION IN A TOWN RECREATION PROGRAM.

IN 2011 THE CAPITAL GROUP ACADEMIC SCHOLARSHIPS WERE ESTABLISHED TO BE AWARDED TO TWO TOWN OF SOUTHBOROUGH STUDENTS. THIS SCHOLARSHIP AWARDS STUDENTS WITH THE HIGHEST ACADEMIC STANDING OF ALL APPLICANTS. THIS SCHOLARSHIP USES THE SAME CRITERIA AS THE TOWN SCHOLARSHIP. THE CARROLL HARRIS MEMORIAL SCHOLARSHIP USES THE SAME CRITERIA, BUT THE APPLICANT MUST HAVE PARTICIPATED IN GYMNASTICS, OR PLAN TO MAJOR IN PHYSICAL EDUCATION OR RECREATION, OR HAVE DEMONSTRATED ACTIVE PARTICIPATION IN A TOWN RECREATION PROGRAM.

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, December 22, 1987

6:59 p.m. Meeting convened in the second floor Hearing Room of the Town House.

Present: Chairman Davis O. Cowles, Selectman Lorraine C. Keller, Selectman Thomas W. McAuliffe, Administrative Assistant Janice C. Conlin, Executive Secretary Marjorie R. Putnam. Highway Superintendent John W. Boland was also present.

APPOINTMENTS

Southborough Scholarship Advisory Committee. VOTE: 2 to 1 to create this committee. (Sel. Keller voted against) and VOTED 2 to 1 to appoint the following as members (Sel. Keller voted against):

Janice C. Conlin, Administrative Assistant to the Board of Selectmen
Anne M. Colman, President of S.O.S.
Mary B. Guilford, Southborough Treasurer/Collector
Betty J. Davis, Administrative Secretary to the Board of Assessors
James B. Denman, Southborough Member of the Assabet Valley Regional Vocational School District Committee
Mark Barlow, Jr., Headmaster, St. Mark's School
Kenneth D. Brennan, Southborough School Committee
Dennis M. DiSalvo, Superintendent of Schools

SITE PLAN PERMITS

Flatley Company - Building One: Phase One, Park Central Drive (Map 25, Lot 3) construction of a two-story 66,000 GSF/R & D Building. postponed. (See Scheduled Meeting at 7:00 p.m. for further details.)

Ding On Kwan - Southborough Medical/Office Development, 24-28 Newton Street (Map 65, Lots 13 and 13A) approved. (See 7:45 p.m. Scheduled Meeting for further details.)

Steven M. Ryan - strip mall/office building at 112 Southville Road (Map 3, Lot 33) approved. (See 8:45 p.m. Scheduled Meeting for further details.)

LICENSES

Transfer of Restaurant/All Alcoholic Beverages License from Kenneth E. DePaul to High-Tech Real Estate, 106 Southville Road (formerly Heritage House) taken under advisement. (See 9:15 p.m. Scheduled Meeting for further details.)

THE TOWN OF SOUTHBOROUGH

Paul J. Berry
PAUL J. BERRY, TOWN CLERK



BOARD OF SELECTMEN

Town House, 17 Common Street, Southborough, MA 01772-1662
Tel: 508-489-0710 Fax: 508-480-0161 Email: selectmen@southboroughma.com

February 2, 2005

Paul J. Berry, Town Clerk
Town House
Southborough, MA 01772

Dear Mr. Berry:

At the meeting of the Board of Selectmen held on Tuesday, February 1, 2005, it was voted unanimously to create an ad hoc committee to be called "Southborough Stewardship Committee" and appoint the following members, terms to expire June 30, 2005:

- Frederica J. Gillespie, 78 Southville Road - Open Space Preservation Commission representative
- Laurie E. Bourdon, 14 Oregon Road - Breakneck Hill Cow Fund representative
- Timothy W. Kemper, 41 Oak Hill Road – Recreation Commission representative
- Philip E. Bevins, 29 Woodland Road – Conservation Commission representative (ex-officio member)
- Benjamin T. Stevens, 4 Bay Path Lane – citizen-at-large
- James F. Gorss, 53 Woodland Road – citizen-at-large
- David R. Morgan, 71 Breakneck Hill Road – citizen-at-large
- Joyce M. Greenleaf, 4 North Street – citizen-at-large

Very truly yours,

Janice Conlin
Janice C. Conlin
Town Administrator

mmc

JB

BOARD OF SELECTMEN
FEBRUARY 1, 2005
MCAULIFFE MEETING ROOM

Present: Bonnie Phaneuf, Chair, William Christensen, Roger Challen, Janice Conlin, Town Administrator.

The meeting convened at 7:00 p.m.

Southborough Stewardship Committee: The Board voted unanimously to reconsider its vote of January 25 to form an ad hoc committee of three residents at-large, one representative of the Breakneck Hill Cow Assoc., one representative of the Conservation Commission, one representative of the Open Space Preservation Commission and one representative of the Recreation Commission. The Board voted to establish a committee of seven members; four residents at-large, one of the Breakneck Hill Cow Fund, one representative of the Open Space Preservation Commission and one representative of the Recreation Commission. (a conservation member will be ex-officio).

The Board voted to appoint the following members:

Frederica J. Gillespies, 78 Southville Road – Open Space Preservation

Laurie E. Bourdon, 14 Oregon Rd. – Breakneck Hill Cow Fund

Timothy W. Kemper, 41 Oak Hill Rd. – Recreation Commission

Philip E. Bevins, 29 Woodland Rd. – Ex-officio, Conservation Commission

Benjamin T. Stevens, 4 Baypath Lane – citizen-at-large

James G. Gorss, 53 Woodland Road- citizen-at-large

David R. Morgan, 71 Bareakneck Hill Road- citizen-at-large

Joyce M. Greenleaf, 4 North Street- citizen-at-large

Fire Dept. Grants: The Board of Selectmen discussed two grant applications with Fire Chief John D. Mauro, Jr. The Board voted unanimously to approve the Fire Chief applying for \$21,000 for firefighting equipment and \$2,124.61 for S.A.F. E. Program Grant.

Finance Director: The Board of Selectmen approved a job description for a Finance Director/Treasurer-Collector. This position is proposed beginning July 1, 2005.

BOARD OF SELECTMEN
January 25, 2005
MEETING MINUTES

Present: Bonnie Phaneuf, Chair, William Christensen, Roger Challen, Janice Conlin, Town Administrator.

Zoning Board of Appeals

The Board met with candidates for the Zoning Board of Appeals.

David Eagle: Mr. Eagle discussed with the Board his interest in being appointed to the ZBA.

- Owns Eagle Leasing which has been in town for 20 years
- Town resident for 20 years
- Due to business and residence, he has expertise with ZBA and wears hat as a resident and businessman and possesses an important viewpoint
- Does not feel this role would affect his business; may have to recuse himself from time to time (Mr. DiPietri is a client)
- Believes in spirit of the rules; wants to serve both residents & business owners
- Goal is to offer his services to the Town

Mr. Estella asked Mr. Eagle when he volunteered for the list? About a month ago.

What are his affiliations? Was he asked to apply by a ZBA member?

Regina McAuliffe

- Finds it her civic duty to serve
- Had firsthand experience working on MeetingHouse Farm development
- Feels she is level headed and could contribute well
- She has no business affiliations that would interfere
- She has been a resident for seven years and has attended many ZBA meetings
- She told the Board she disagreed with the ZBA's decision on the Bartolini garage
- Mrs. McAuliffe saw zoning issues in general as an important issue and a challenge

The Board discussed the potential candidates to fill Mr. Falconi's seat. There was a move to appoint Mr. Scott to fill this seat. Mr. Christensen said Mr. Stivers did not have as much experience or time in town. Mr. Challen thought Mr. Stivers had excellent credentials, and supported his appointment as a regular member. Bill and Bonnie voted for Fred. Reconsidered. Voted Mr. Scott unanimously.

Alternate: Move to appoint Mrs. McAuliffe as an alternate member to fill Mr. Scott's term. Not comfortable with Mr. Eagle having to recuse himself so often. This motion passed unanimously. Send letters to all those who applied.

Breakneck Hill Stewardship Committee: Told it could be a sub-committee to the Conservation Commission by other communities. Recommend it be the Southborough Stewardship Committee (ad hoc). Since they have no authority to do anything, it's not a problem that they are not made up of members of the Conservation Commission. CC has care & control of all conservation lands. The sub-committee would only be making recommendations to the CC. CC is not permitted to appoint outside their committee, so this must be handled by the Board of Selectmen. Their goal is to be an advisory group. Mr. Christensen felt that only town meeting can appoint permanent standing committees. They will have a long-term mission to develop; they will report to the conservation commission; the Selectmen will make the formal appointments. Mr. Christensen said the reps did not have to be members of the board which designates them (CC, OS, Break, Rec, 3 at large). The Board suggests the committee may want to make a recommendation for a permanent stewardship committee. Vote to accept their goals/mission and formation of committee, approved unanimously. Mrs. Bourdon noted that on January 31st a meeting with Conservation will be held at 7 pm at the Fire Station to provide information to those interested in serving on this committee.

FY06 Budgets

Fire: Chief Mauro explained the remaining balance at the end of FY04: fire contract had expired, ambulance recall paid off a certain call-back "fee." The new contract did not include this pay. Box alarms budgeted at 65 alarms. The estimate came in below due to the numbers of people responding to call-backs. A similar exercise was projected for "hold-overs" when an employee is held over when his shift ends due to a need for staffing or an emergency call.

Bill: if funds were returned, why is OT higher in FY06? 3 FF have not been to the academy, so OT will be utilized when they do go to cover those person's shifts. Bill: budget for one academy, and then go to Advisory for any additional that can get a slot. (27K for two) Chief agrees to budget for one employee. Mr. Challen would like to see the actuals year to date. Chief Mauro will give him an estimate. Ambulance billing: 12K for billing; percentage of return is 88.11% over last 2.5 years. [2004: 503 bills. 4.5% of amount collected.] If they don't collect, they will not be paid. The contract with COMSTAR is expired. Northborough is the same as Southborough. Will the Chief have a recommendation for ambulance rates? The Chief also discussed his proposed warrant articles. His priorities are: vehicle exhaust system (grant app is being held up because Station 2 is a historic building; if we fund it we would have to return the grant);

Radio system upgrade to improve communication and enhance central dispatch [state grant may be issued for 21K]; pick-up truck (will be pulled if the fire prevention officer can use the police cruiser which is being turned in); sleeping area which has original beds and lockers will be upgraded.

Buildings & Grounds:

- Reduced grounds maintenance contracted services by 30K
- Added other some funding to handle some of this in-house
- ADA plan: reduce by 3,200? For tiles at 9-11
- ADA: ramp at Cordaville: \$7,200 to allow access from function area
- These items bring the pending items up to date from the 1999 plan
- Town house items: can they be paid from the town house maintenance funds?
- Reduce TH maintenance fund by ada cost?
- Preventive Maintenance: staff is reacting to problems, not preventing.
- Justified need for tractor and personnel to do the work (tractor, one seasonal worker). Savings exceed \$80,000 annually? Would reduce grounds contract dramatically
- Electrician: HVAC, building needs, fire alarm systems-savings of \$58,000 [to be combined with the school dept.] What budgets could be reduced if funded?
- Mrs. Conlin suggested a contracted service (former teacher from Assabet who has worked with city of Marlborough)
- Capital items: 1. tractor 2. van Mr. Kacevich stated that Rec. Facilities is not in agreement with this priority list.

Recreation:

Ms. Garcia discussed the need for increasing the after school program coordinator. She pointed out the costs to fund this employee and the cost recovery she used to justify this. She further discussed the request for more programs in the special education area. This would cost approximately \$8,000 and it would follow that the school budget should be reduced by the same amount. Is Recreation being charged 100% of the building's maintenance? Does this belong in Buildings & Grounds? This position should be presented to the Personnel Board. FY05: projections have been met. Issue is that Paula needs to work additional hours due to explosion of programs, yet these additional hours cannot be paid by the revolving account [this is capped at 19 hours/week].

Chesnut Hill property: Meme Luttrell would like to participate in these negotiations, as a representative of Open Space. Attorney Cipriano feels it is an executive responsibility to be handled via the Board of Selectmen. Mrs. Luttrell had discomfort with the OSPC having no part in the negotiations until after a price and an agreement had been agreed upon. The Board assured her Open Space would not be left out of the loop and would be included at the appropriate time. She spoke of her concerns, like public access. She was asked to provide a list of issues she would like addressed by Mr. Christensen during the next meeting with the Beals' family. Mr. Christensen will encourage them to come forth and present as much information as possible in public. Can we give the conservation restrictions to OSPC without the price? They are welcome to have their own meeting with the family and SVT.

Finance Director: The Board reviewed the final job description proposed for adoption at Town Meeting.

Mail Received

Donations

- The Board received donations amounting to \$411.05 allocated to the Fire Dept.
- The Board accepted a \$500 donation from Colonial Landscaping to be allocated to the 9-11 Field

2005 Warrant: The Board received a letter from the Planning Board in respect to the arrangement of warrant articles.

WARRANTS

222	\$101,755.27	1/28/05	SCHOOL PAYABLES
223	\$128,749.14	1/28/05	SCHOOL PAYABLES
224	\$384,484.67	1/28/05	TOWN PAYABLES
225	\$206,749.27	1/26/05	DEDUCTION REPORT
226	\$378,642.53	1/28/05	SCHOOL PAYROLL
227	\$79,397.05	1/26/05	TOWN PAYROLL
228	\$24,046.71	1/26/05	FIRE DEPT. PAYROLL
229	\$4,554.59	1/26/05	MONTHLY TOWN PAYROLL
TOTAL	\$1,308,379.23		

Article 36

To see if the Town will vote to add a new **§174-10.3** to the Town of Southborough's Zoning Bylaws, amend the zoning map to include the MBTA Communities Overlay District (MCOD) as shown on the maps prepared by Bohler Engineering in March 2024 as further depicted in the handout, amend certain other sections to integrate the new section into the current zoning bylaw, and make any minor modifications to the text required for consistency with the existing format of the bylaws or do or act anything in relation thereto.

New language shown in **bold**, deleted language shown with ~~strikethrough~~ with the exception of the new §174-10.3.

Add the following definitions to §174-2. Definitions:

B. Definitions

AFFORDABLE UNIT

A multi-family housing unit that is subject to a restriction recorded in its chain of title limiting the sale price or rent or limiting occupancy to an individual or household of a specified income, or both.

AFFORDABLE HOUSING

Housing that contains Affordable Units as defined by §174-2.

AREA MEDIAN INCOME (AMI)

The median family income for the metropolitan statistical region that includes the Town of Southborough, as defined by the U.S. Department of Housing and Urban Development (HUD).

DWELLING, MULTIFAMILY *WITHIN THE MCOD*

A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building.

Modify the following existing definitions in §174-2. Definitions:

B. Definitions

DWELLING UNIT

~~Living quarters for a single family.~~

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Add the following text to: §174-3. Districts enumerated:

N. MBTA Communities Overlay District, referred to as MCOD.

Add the following text to Article III. Use Regulations:

§174-8.13 MCOD MBTA Communities Overlay District

A. See §174-10.3

Add the following text to §174-10.A:

(6) All multi-family development within the MCOD (§174-10.3). The provisions of §174-11 Signs, §174-12 Parking and Loading, §174-12.1 Outdoor Illumination, §174-13 Landscaping, §174-13.3 Lower Impact Development, §174-13.4 Water Resource Protection, and §154 Stormwater and Erosion Control shall be included as a part of the MCOD site plan review process.

Add the following text to §174-12.1. Outdoor Illumination:

E. (2) LZ-1 : low ambient lighting

(b) Zoning Districts: Residence A, Residence B, **and MCOD**.

F. Table 1 – under the column LZ-1, add “**MCOD**” below Residential B.

Add the following new section under Article III. Use Regulations:

§174-10.3: MBTA Communities Overlay District.

A. Purpose.

The purpose of the MBTA Communities Overlay District (MCOD) is to allow multi-family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A). This zoning provides for as of right multi-family housing to accomplish the following purposes:

- (1) Encourage the production of a variety of housing sizes and typologies to provide equal access to new housing throughout the community for people with a variety of needs and income levels;
- (2) Support vibrant neighborhoods by encouraging an appropriate mix and intensity of uses to support an active public space that provides equal access to housing, jobs, gathering spaces, recreational opportunities, goods, and services within a half-mile of a transit station.
- (3) Locate housing within walking distance of public transit to promote general public health, reduce the number of vehicular miles traveled, support economic development, and meet community-based environmental goals, including reducing greenhouse gases and improving air quality.
- (4) Support public investment in public transit and pedestrian- and bike-friendly infrastructure.

B. Establishment and Applicability.

This MCOD is an overlay district having a land area of approximately 53.9 acres in size that is superimposed over the underlying zoning district(s) and is shown on the Zoning Map.

- (1) **Applicability of MCOD.** An applicant may develop multi-family housing, a building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building, located within an MCOD in accordance with the provisions of this §174-10.3. The MCOD shall be exempt from §174-8.C.(2) a special permit for 2 buildings on one lot
- (2) **Underlying Zoning.** The MCOD is an overlay district superimposed on underlying zoning districts. The regulations for use, dimensions, and all other provisions of the Town of Southborough's Zoning Bylaw governing the respective underlying zoning district(s) shall remain in full force, except for uses allowed as of right in the MCOD. Uses that are not identified in §174-10.3 are governed by the requirements of the underlying zoning district(s).
 - (a) The requirements of §174-13.2 Major residential development do not apply to the MCOD.
 - (b) The requirements of §174-13.3.E, Lower Impact Development special permit application and process shall not apply to a multifamily use within the MCOD, but the performance standards of §174-13.3.I, Lower Impact Development, Performance Standards: LID Criteria, may be considered during site plan review.
 - (c) The requirements of §174-13.4.C, Water Resource Protection special permit process shall not apply to a multifamily use within the MCOD, but compliance with the Massachusetts Surface Water Quality Standards (314 CMR 4.00) may be considered during site plan review.
 - (d) The requirements of §174-11. Signs also apply.
 - (e) The requirements of §174-12.1. Outdoor Illumination also apply.
- (3) **Subdistricts:** The MCOD contains the following subdistricts, all of which are shown on the Zoning Map:
 - (a) MCOD Subdistrict #1 (Residence B Dimensional Standards)
 - (b) MCOD Subdistrict #2 (Industrial Park Dimensional Standards)
 - (c) MCOD Subdistrict #3 (Industrial Park Dimensional Standards)For subdistrict dimensional standards, see §174-10.3.E.(1) Table of Dimensional Standards.

C. Definitions.

Terms used in this section but not otherwise defined herein or under §174-2 of the Zoning Bylaw shall be as defined in the Zoning Act.

D. Permitted Uses.

(1) **Permitted Uses are as follows:** The following uses are permitted as of right within the MCOD.

(a) Multi-family housing, as referenced in §174-10.3.B. (1)

(2) **Accessory Uses.** The following uses are considered accessory as of right to any of the permitted uses in Section D.1. above.

(a) Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use.

(3) **Prohibited uses.** All uses which are not listed above, legally nonconforming, or otherwise allowable by the provisions of the underlying zoning regulations, are prohibited.

E. Dimensional standards are as follows:

(1) **Table of Dimensional Standards.** The dimensional requirements applicable in the MCOD are as follows:

Dimensional Standards	MCOD Subdistrict #1 (Residence B Dimensional Standards)	MCOD Subdistricts #2 & #3 (Industrial Park Dimensional Standards)	
(a) Minimum lot area	25,000	43,560	
(b) Minimum frontage	125	200	
(c) Minimum setbacks			
(i) Front	30	Subdistrict #2 75*	Subdistrict #3 50*
(ii) Rear	35	50	
(iii) Side	15	50	
(d) Maximum height	2.5 stories or 35 feet	3 stories or 45 feet	
(e) Maximum floor area ratio	0.3	0.6	
(f) Maximum dwelling units per acre	15.0	15.0	

*A 75-foot setback is required for buildings on Route 9.

(2) **Multi-Building Lots.** In the MCOD, lots may have more than one principal building. A minimum distance of ten (10) feet is required between principal

buildings.

(3) **Exceptions:** (refer to §174-15).

(4) **Exceptions: Renewable Energy Installations.** The Planning Board may waive the height and setbacks in §174-10.3.E.(1) Dimensional Standards to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building, as applicable, and the layout of the site. The installations shall not provide additional habitable space within the development.

F. Off-Street Parking.

These parking requirements are applicable to development in the MCOD.

(1) **Number of parking spaces.** The following **minimum** numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Minimum Spaces
Multi-family	1.5 per unit

(2) **Number of bicycle parking spaces.** The following **minimum** numbers of covered bicycle storage spaces shall be provided by use:

Use	Minimum Spaces
Multi-family	1 per unit

(3) **Bicycle storage.** For a multi-family development of 15 units or more, covered parking bicycle parking spaces of no less than 25% of the total required spaces shall be integrated into the structure of the building(s).

G. General Development Standards.

(1) Development standards are applicable to all multi-family development within the MCOD. These standards are components of the Site Plan Review process in §174-10.3.I. Site Plan Review.

(2) Site Design.

(a) **Connections.** Sidewalks shall provide a direct connection among building entrances, the public sidewalk (if applicable), bicycle storage, and parking.

- (b) **Vehicular access.** Where feasible, curb cuts shall be minimized, and shared driveways encouraged.
- (c) **Mechanicals.** Mechanical equipment at ground level shall be screened by a combination of fencing and plantings. Rooftop mechanical equipment shall be screened if visible from a public right-of-way.
- (d) **Dumpsters.** Dumpsters shall be screened by a combination of fencing and plantings. Where possible, trash and recycling collection points shall be located within the building.
- (e) **Stormwater management.** Stormwater Management shall comply with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Standards, the Massachusetts Stormwater Handbook, Massachusetts Erosion Sediment and Control Guidelines, and, the provisions under Town Code §154, Stormwater and Erosion Control. Provisions under Stormwater and Erosion Control shall be included as part of the Site Plan Review process but shall not supersede the requirements of §154.
- (f) The following provisions shall be reviewed under site plan approval process:
 - (1) Screening for Parking (refer to §174-13. Landscaping).
 - (2) Parking and Loading (refer to §174-12. Parking and Loading, provided the required number of spaces shall be reduced as provided in F, above).
 - (3) Landscape and Plantings (refer to §174-13. Landscaping).
 - (4) Lighting (refer to §174-12.1. Outdoor illumination).
 - (5) Signs (refer to §174-11. Signs).
 - (6) Lower Impact Development (refer to §174-13.3. Lower Impact Development, provided section E shall not apply).
 - (7) Water Resource Protections (refer to §174-13.4. Water Resource Protection, provided section C shall not apply).
 - (8) Stormwater and Erosion Control (refer to §154. Stormwater and Erosion Control of the Town of Southborough Bylaws).

(3) Buildings: General.

- (a) **Position relative to the principal street.** The primary building shall have its principal façade and entrance facing the principal street. See also §174-10.3.G.6. Buildings: Corner Lots.
- (b) **Entries.** Where feasible, entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.
- (c) **Exterior Design.** The building(s) shall have an exterior design that is consistent with the styles of the surrounding residential neighborhood and the Town of Southborough in general.

(4) Buildings: Multiple buildings on a lot.

- (a) Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.
- (b) A paved pedestrian network shall connect parking to the entries to all buildings and the buildings to each other.
- (c) The orientation of multiple buildings on a lot should reinforce the relationships among the buildings. All building façade(s) shall be treated with the same care and attention in terms of entries, fenestration, and materials.
- (d) The building(s) adjacent to the public street shall have a pedestrian entry facing the public street.

(5) Buildings: Shared Outdoor Space. Multi-family housing shall have common outdoor space that all residents can access. Such space may be located in any combination of ground floor, courtyard, rooftop, or terrace.

(6) Buildings: Corner Lots. A building on a corner lot shall indicate a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.

- (a) Such entries shall be connected by a paved surface to the public sidewalk, if applicable.
- (b) All façades visible from a public right-of-way shall be treated with similar care and attention in terms of entries, fenestration, and materials.
- (c) Fire exits serving more than one story shall not be located on either of the street-facing façades.

(7) Buildings: Infill Lots. If the adjacent buildings are set back at a distance that exceeds the minimum front yard requirements, infill buildings shall meet the requirements of §174-10.3.E.(1) Dimensional Standards. Otherwise, infill buildings may match the setback line of either adjacent building, or an average of the setback of the two buildings to provide consistency along the street.

(8) Buildings: Principal Façade and Parking. Parking shall be subordinate in design and location to the principal building façade.

- (a) **Surface parking.** Surface parking shall be located to the rear or side of the principal building. Parking shall not be located in the setback between the building and any lot line adjacent to the public right-of-way.
- (b) **Integrated garages.** The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.
- (c) **Parking structures.** Building(s) dedicated to structured parking on the same lot as one or more multi-family buildings shall be subordinate in design and

placement to the multi-family building(s) on the lot.

(9) **Waivers.** Upon the request of the Applicant and subject to compliance with the Executive Office of Housing and Livable Communities' (EOHLC's) Compliance Guidelines, the Planning Board may waive the requirements of this §174-10.3.G. General Development Standards, in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the MCOD.

H. Affordability Requirements.

(1) Purpose.

- (a) Promote the public health, safety, and welfare by encouraging a diversity of housing opportunities for people of different income levels;
- (b) Provide for a full range of housing choices for households of all incomes, ages, and sizes;
- (c) Increase the production of affordable housing units to meet existing and anticipated housing needs; and
- (d) Work to overcome economic segregation, allowing the Town of Southborough to be a community of opportunity in which low and moderate-income households have the opportunity to advance economically.

(2) **Applicability.** This requirement is applicable to all residential developments with ten (10) or more dwelling units, whether new construction, substantial rehabilitation, expansion, reconstruction, or residential conversion (Applicable Projects). No project may be divided or phased to avoid the requirements of this section.

(3) **Subsidized Housing Inventory.** All units affordable to households earning 80% or less of AMI created in the MCOD under this section must be eligible for listing on EOHLC's Subsidized Housing Inventory (SHI).

(4) **Provision of Affordable Housing.** In Applicable Projects, not fewer than ten percent (10%) of housing units constructed shall be Affordable Housing Units. For the purpose of calculating the number of units of Affordable Housing required within a development project, a fractional unit shall be rounded up to the next whole number. The Affordable Units shall be available to households earning income up to eighty percent (80%) of the AMI.

(5) Alternative Methods.

- (a) As an alternative to the requirements of paragraph (3) of this section, and in certain exceptional circumstances, the Planning Board may, at the formal written request of the developer, consider an alternative method of compliance, as provided for in §174-13.2.E.(5).

(6) Affordability Development Standards. Affordable Units shall be:

- (a) Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
- (b) Dispersed throughout the development;
- (c) Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;
- (d) Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;
- (e) Distributed proportionately among unit sizes; and
- (f) Distributed proportionately across each phase of a phased development.
- (g) Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.

(7) Administration.

- (a) The Zoning Enforcement Officer shall be responsible for administering and enforcing the requirements in this section.

I. Site Plan Review.

- (1) **Applicability.** The requirements of §174.10 Site Plan Approval are applicable to any multi-family development within the MCOD, unless modified herein. An application for Site Plan Review shall be reviewed by the Planning Board for consistency with the purpose and intent of this §174-10.3.
- (2) **Site Plan Approval.** Site Plan approval for uses listed in §174-10.3(D) Permitted Uses shall be granted upon determination by the Planning Board that the following requirements have been satisfied. The Planning Board may impose reasonable conditions, at the expense of the applicant, to ensure that these requirements are satisfied.
 - (a) the Applicant has submitted the required fees and information as set forth in the Town of Southborough's requirements for a Building Permit and Site Plan Review; and
 - (b) the project as described in the application meets the development standards set forth in §174-10.3.G General Development Standards and the requirements of §174-10.3.D.(1) and §174-10 or has received waiver(s) from the requirements therein.
- (3) **Project Phasing.** An Applicant may propose, in a Site Plan Review submission, that a

project be developed in phases subject to the approval of the Planning Board, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of §174-10.3.H Affordability Requirements.

J. Severability.

If any provision of this §174-10.3 is found to be invalid by a court of competent jurisdiction, the remainder of §174-10.3 shall not be affected but shall remain in full force. The invalidity of any provision of this §174-10.3 shall not affect the validity of the remainder of the Town of Southborough's Zoning Bylaw.



Southborough - MBTA Communities Districts

Merger Doctrine

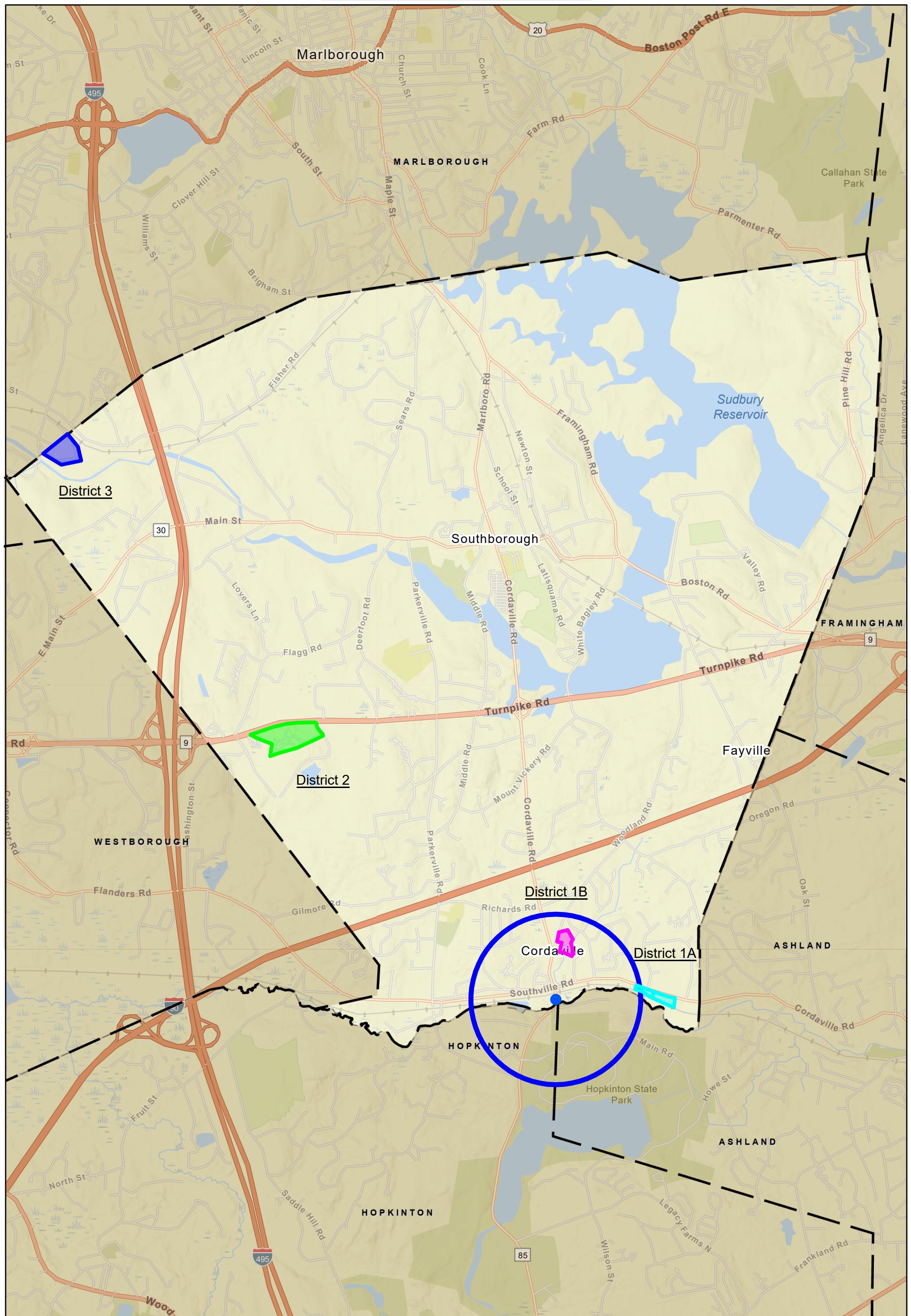


June 20, 2024

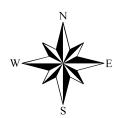
1 inch = 2800 Feet

0 2800 5600 8400

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



Southborough - 1/2 Mile Radius

Southborough, MA

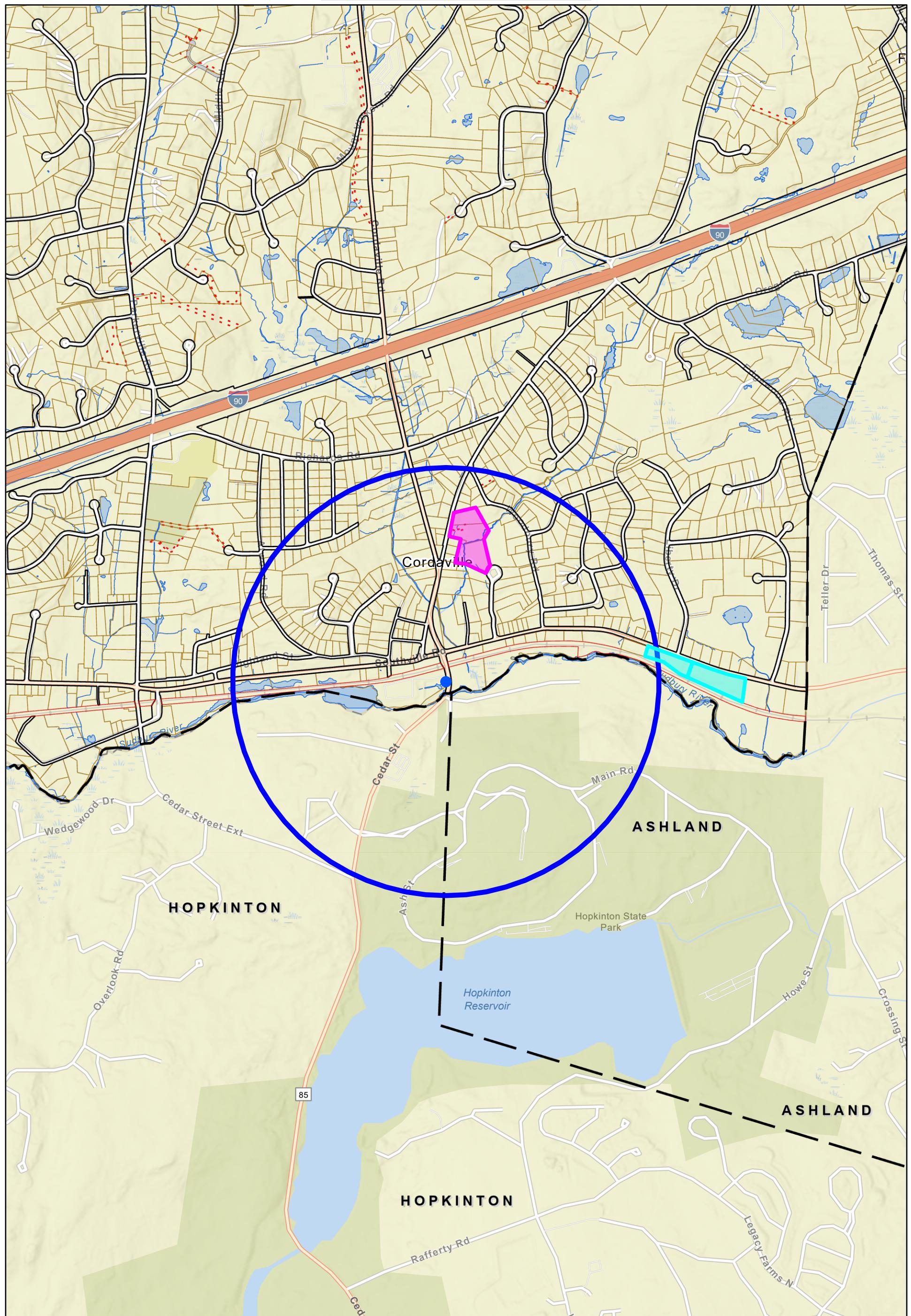


June 20, 2024

1 inch = 1115 Feet

0 1115 2230 3345

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



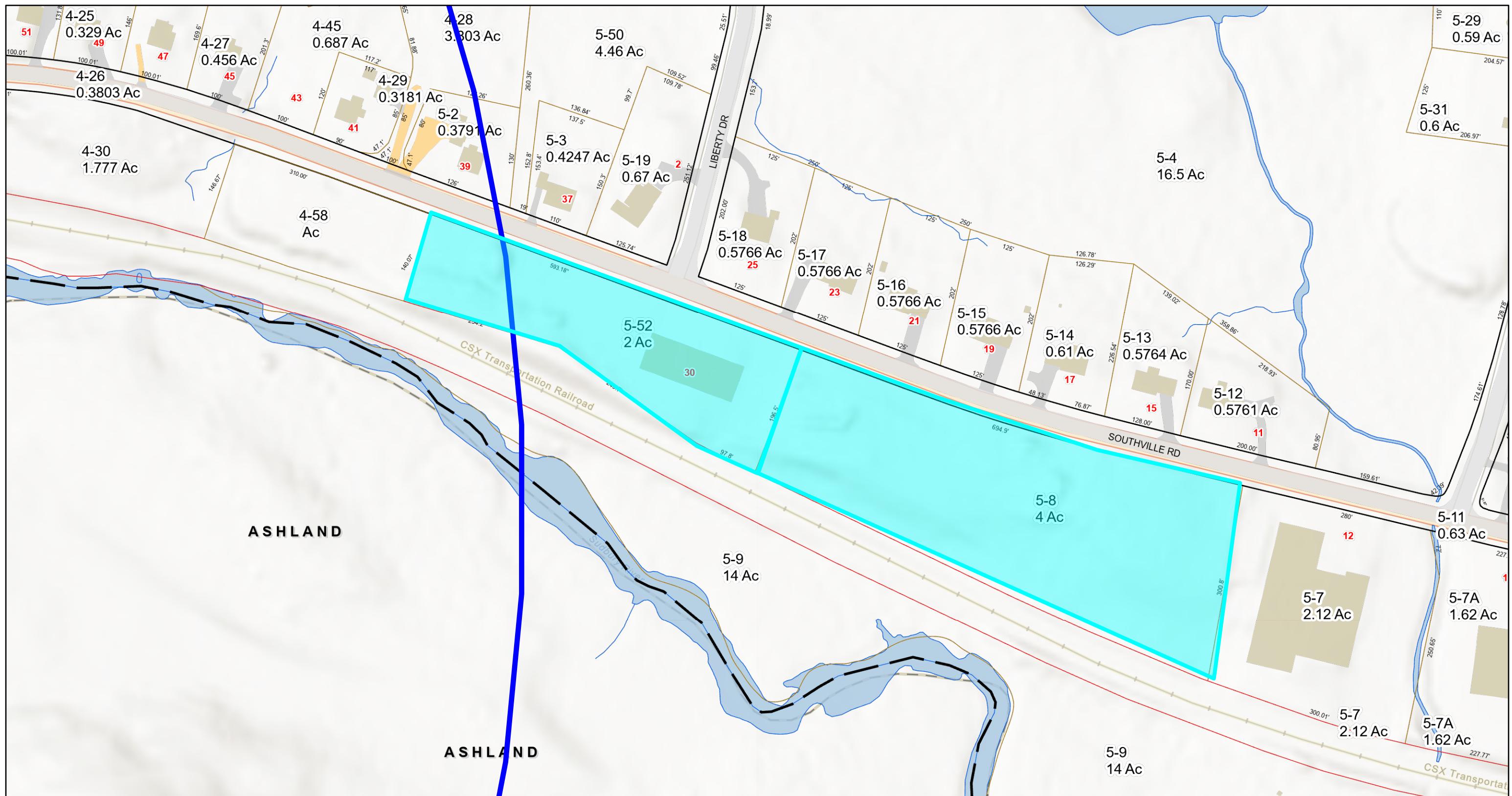
MBTA District - 1A

Merger Doctrine

1 inch = 140 Feet

June 20, 2024

CAI Technologies
Precision Mapping. Geospatial Solutions.
www.cai-tech.com





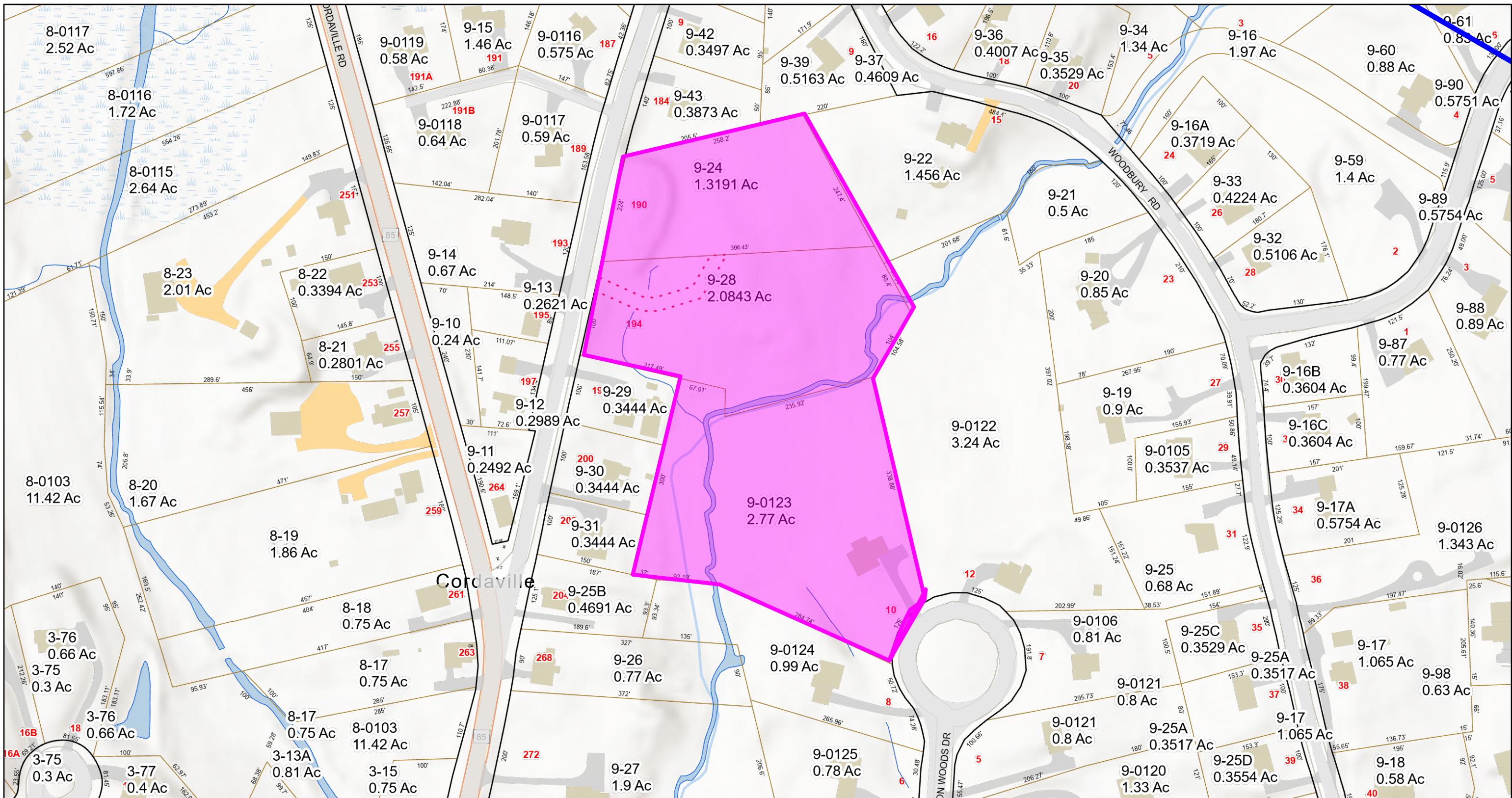
MBTA District - 1B

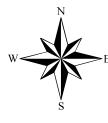
Southborough, MA

1 inch = 140 Feet

June 20, 2024

CAI Technologies
Precision Mapping. Geospatial Solutions.
www.cai-tech.com





MBTA District - 2

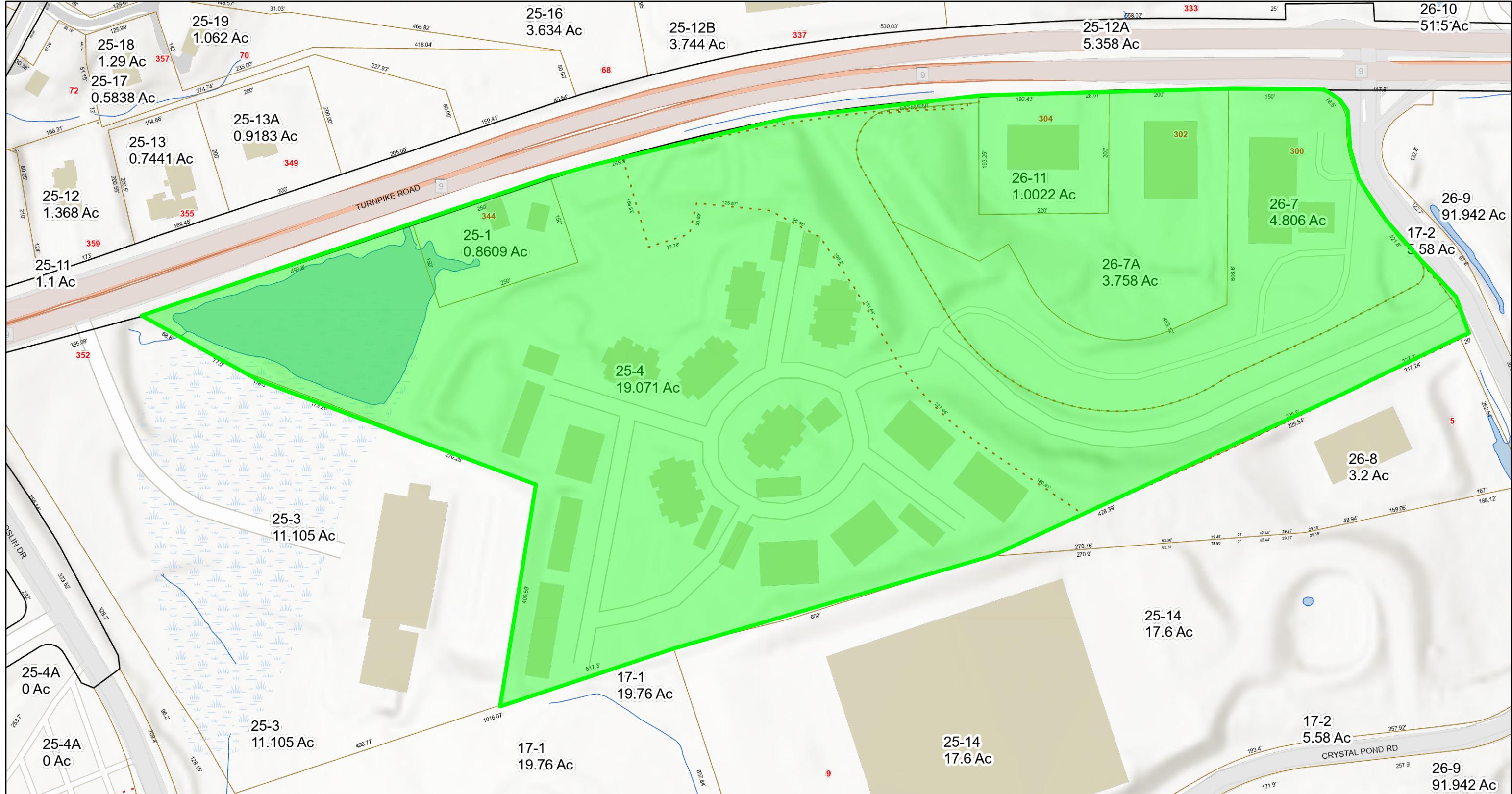
Southborough, MA

1 inch = 160 Feet

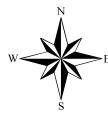
0 160 320 480

June 20, 2024

CAI Technologies
Precision Mapping. Geospatial Solutions.
www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



MBTA District 3

Southborough, MA

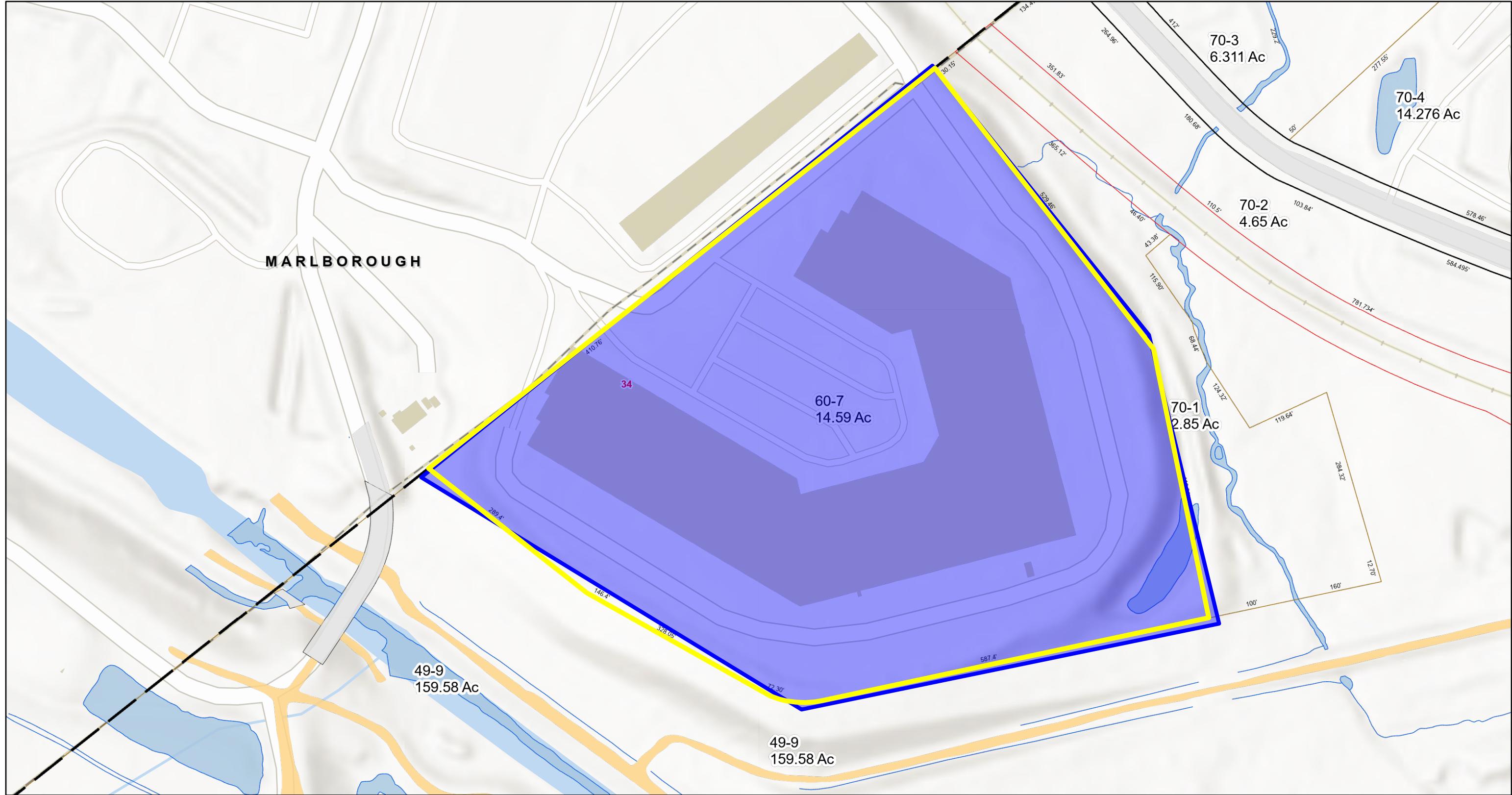
1 inch = 140 Feet

0 140 280 420

June 20, 2024

CAI Technologies
Precision Mapping. Geospatial Solutions.

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

INTEROFFICE MEMORANDUM



To: Select Board
From: William J. Cundiff, P.E. , DPW Superintendent
Date: 07/08/2024
RE: CMRSWC Intermunicipal Agreement

The enclosed amendment to the original Regional Inter-Municipal Agreement simply conveys operational lead responsibility from the Town of Spencer to the Town of Shrewsbury. It is my understanding that this is a result of a retirement in Spencer. Accordingly, other aspects of the Regional Inter-Municipal Agreement remain unchanged.

AMENDMENT NO. 1
TO THE
INTERMUNICIPAL AGREEMENT FOR PARTICIPATION IN THE CENTRAL
MASSACHUSETTS REGIONAL STORMWATER COALITION

This Amendment No. 1 is entered into this _____ day of _____,

2024, by and among the Town of Spencer, a Massachusetts municipal corporation acting by and through its Board of Selectmen ("Spencer"), the Town of Shrewsbury, a Massachusetts municipal corporation acting by and through its Select Board, and the Town of Southborough, a Massachusetts municipal corporation acting by and through its Select Board and amends that certain agreement entitled Intermunicipal Agreement for Participation in the Central Massachusetts Regional Stormwater Coalition (the "Agreement").

RECITALS

WHEREAS:

1. Spencer and the Town of Southborough entered into the Agreement pursuant to the provisions of M.G.L. c. 40, section 4A and the Agreement has a current term of July 1, 2020 to July 1, 2025.
2. The Agreement provides that Spencer shall be the "lead community" for the Central Massachusetts Regional Stormwater Coalition ("CMRSWC"), a regional, efficiency-driven stormwater compliance project involving multiple member towns as described therein, whereby Spencer would provide certain services, including the collection funds from member communities of the CMRSWC and the management and expenditure of said funds as authorized by the CMR WC Steering Committee.
3. Shrewsbury is a member of the CMRSWC.
4. Paragraph 1 of the Agreement provides that if Spencer is no longer able to serve as the lead community, the CMRSWC Steering Committee shall identify another member community to serve as the fiscal lead.
5. Spencer seeks to have Shrewsbury replace Spencer as the lead community and Shrewsbury is willing to replace Spencer as the lead community as set forth in the Agreement, such that Shrewsbury will provide the services currently provided by Spencer for the remainder of the term of the Agreement.

NOW THEREFORE, the parties hereto agree that:

1. The Agreement is modified by replacing the Town of Spencer with the Town of Shrewsbury to serve as the role of lead community and assume the duties thereof.

2. All funds collected and held by the Town of Spencer pursuant to the terms of the Agreement shall be transferred to the Town of Shrewsbury and managed in accordance with the terms of the Agreement.
3. All other terms of the Agreement not amended hereby remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to set their hands and seals on the date below written.

TOWN OF SPENCER
By its Town Administrator
As authorized by vote of Board of Selectmen

gbs

Date: 5/20/2024

TOWN OF SHREWSBURY
By its Town Manager
As authorized by vote of the Select Board

on _____, 2024

Date: _____

TOWN OF SOUTHBOROUGH
By its Town Administrator
As authorized by vote of the Select Board

on _____, 2024

Date: _____