



Town of West Boylston
140 Worcester Street, West Boylston, Massachusetts 01583

Select Board joint Meeting with Finance Committee

Date / Time / Location of Meeting

September 27, 2023, 6:00 p.m.

140 Worcester Street

West Boylston, MA 01583

Board Meeting Room 2nd Floor

Members Present:

Kristina Pedone, Chair

Patrick J. Crowley, Vice Chair

James Morrissey, Clerk

Barur R. Rajeshkumar

Marc Frieden

Members NOT Present:**Invited Guests:**

Jennifer Warren-Dyment, Town Administrator

Faye Zukowski, Municipal Assistant

THIS MEETING WILL ALSO BE HELD VIRTUALLY IN A HYBRID SETTING VIRTUAL MEETING INFORMATION:

To Join Zoom Meeting

- <https://us06web.zoom.us/j/87289496812?pwd=QUg2cHBMNmJid0ZIZk9BZTVGbXFzZz09>
- Meeting ID: 872 8949 6812, Passcode: 01583, Dial by your location: (646) 558-8656 US (New York)

This meeting will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly.

CONVENE MEETING – 6:00 pm

- Roll call

PLEDGE OF ALLEGIANCE***MOMENT OF SILENCE IN MEMORY OF GARY FLYNN**

PUBLIC COMMENT: This fifteen-minute period is an opportunity for the public to address their concerns and questions regarding town operations and programs to the Board. Except in urgent circumstances, any matter presented for consideration by the Board shall not be discussed in detail nor acted upon by the Board at this meeting. A scheduled time on a future agenda may be set at the Board's discretion.

6:00 P.M. JOINT MEETING WITH FINANCE COMMITTEE:

Ray Bricault called the Finance Committee Meeting to order.

- **Review and Approve Semi Annual Town Meeting Warrant for October 16, 2023**

Ms. Warren-Dyment presented a redline draft warrant that was reviewed by Town Counsel. She jumped ahead to Article 15, Amendment to the General Bylaws, adding Article XLII, "Discharges to the Drainage System" which is related to the MS4 Permitting. She had conversations with Jaurice Swartz of Weston & Sampson and Town Moderator who chairs the Bylaw Committee and requested to remove this article at this time and add to the May Town Meeting. Mr. Crowley asked if this impacts the compliance, Ms. Warren-Dyment stated the Town is currently out of compliance and believes due to the Town working on becoming compliant there should not be any issues. Ms. Warren-Dyment reviewed all the changes suggested from Town Counsel, Mr. Crowley expressed his discontent with Town Counsel making changes to articles that they have approved in the past. Ms. Warren-Dyment provides explanation for each article.

ARTICLE 1 - AUTHORIZATION TO HEAR THE REPORTS OF OFFICERS AND COMMITTEES OF THE TOWN

ARTICLE 2 - AUTHORIZATION TO PAY BILLS FROM PREVIOUS FISCAL YEARS

ARTICLE 3 - AUTHORIZATION TO MODIFY FISCAL YEAR 2024 APPROPRIATIONS AND OTHER NECESSARY ADJUSTMENTS TO THE FISCAL YEAR 2024 BUDGET

ARTICLE 4 - VOTE TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENT PURCHASES

***Motion** Mr. Crowley moved to include Article 1-4; seconded by Mr. Morrissey.*

All in favor

ARTICLE 5 - AUTHORIZATION TO TRANSFER FUNDS TO THE CAPITAL INVESTMENT FUND

ARTICLE 6 - AUTHORIZATION TO APPROPRIATE FUNDS TO THE OPEB TRUST FUND

ARTICLE 7 - VOTE TO APPROPRIATE FUNDS FOR COMMUNITY PRESERVATION FUND PROJECTS AS RECOMMENDED BY THE COMMUNITY PRESERVATION COMMITTEE

ARTICLE 8 – AUTHORIZATION TO APPROPRIATE FUNDS FROM COMMUNITY PRESERVATION FUND REVENUES

ARTICLE 9 - AUTHORIZATION TO APPROPRIATE FUNDS TO REDUCE THE FY24 TAX RATE

***Motion** Mr. Crowley moved to include Article 5-9; seconded by Mr. Morrissey.*

All in favor

ARTICLE 10 - VOTE TO ACCEPT NUHA CIRCLE AS A TOWN PUBLIC WAY

ARTICLE 11 - ACCEPTANCE OF MGL CHAPTER 39, SECTION 23D

ARTICLE 12 - AUTHORIZATION TO AMEND THE PERSONNEL BYLAW OF THE
GENERAL BYLAWS

Addition of Article XXI Personnel Bylaws, "Department Assistant DPW" to the Compensation
Classification Plan

ARTICLE 13 - AUTHORIZATION TO AMEND THE PERSONNEL BYLAW OF THE
GENERAL BYLAWS

Amendment to the Section N. Vacation s

***Motion** Mr. Crowley moved to include Article 10-13; seconded by Mr. Morrissey.*

All in favor

ARTICLE 14 - AUTHORIZATION TO AMEND THE GENERAL BYLAWS

Amendment of Article IV to add words "or wire"

***Motion** Mr. Crowley moved to include Article 14; seconded by Mr. Morrissey.*

All in favor

ARTICLE 15 - AUTHORIZATION TO AMEND THE GENERAL BYLAWS – REMOVE

Addition of Article XLII "Discharges to the Drainage System"

Finance Committee adjourned their meeting.

NEW BUSINESS:

- **Semi-Annual Town Meeting**

- **Review and approve Town Meeting Mailer**

Ms. Warren-Dyment explained she has requested a quote for postcards for the Town Meeting Mailer in replacement of the full-page mailer. She believes the post card will cost less and may be more attractive for people to read and pay attention to. She also explained the there is not a requirement to post in the mailer the public information about the Stormwater requirements and there are other ways to post public information.

- **Vote to Post the Warrant**

***Motion** Mr. Crowley moved to post the Warrant; seconded by Mr. Rajeshkumar.*

All in favor

- **Assign Motions – tabled to next meeting**

- **Consider Endorsing Articles – tabled to next meeting**

OLD BUSINESS:

- **Acceptance of Nuha Circle as Public Way (Refer Layout Plan to Planning Board for Review:**

Ms. Warren-Dyment explained the Street Acceptance Procedure requires a street acceptance packet be submitted three months in advance and this request was not submitted as required. She spoke with Town Counsel and the Board can waive their own submission timeline. She explained Town Counsel has reviewed the Title Certification Plan and other documents

submitted by the developers Attorney and stated it is acceptable as to form. She state VHB, the Towns' Engineer has reviewed and provided comments and the key comment was in regards to a drainage easement. She explained there is a deviation in the location of the easement and the Planning Board has discussed at length. She read comments submitted from Mr. Vignaly of the Planning Board that the DPW Director and Building Commission recommended the Planning Board accept. Ms. Warren-Dyment explained the next step in the process is to intend that this be accepted as a public way and forward to the Planning Board for comments and recommendations. She stated they have a posted meeting tomorrow, September 28th and they can review and send a report back to the Select Board by September 29th and then the matter would be back before the Select Board on October 4th after considering the report of the Planning Board.

Motion Mr. Crowley moved to vote its intention to lay out Nuha Circle as a public way, all as shown on a plan entitled "Definitive Subdivision Nuha Circle Prescott Street West Boylston, Massachusetts", dated October 2, 2014, prepared by Bertin Engineering, and recorded with the Worcester South District Registry of Deeds in Plan Book 912, Plan 113, which plan is on file with the Town Clerk, and to forward this vote and the plan to the Planning Board for its comments and recommendations pursuant to G.L. c. 41, §§81G and 81I.; seconded by Mr. Morrissey.

All in favor

- **Execute Certificate of Release from Allowable Use Restrictions Under Paragraph 1 of the Declaration of Covenants and Restrictions (Westland Circle, Worcester Registry of Deeds- Book 53008, Page 286**

Ms. Warren-Dyment gave the Board some background on the property and advised the Board that once a certificate of occupancy was issued for the homes on Westland Circle a Certificate of Release should have been issued at that time. She explained a recent title search found this had not been released. She requested the Board vote to partially release the lots from the allowable use restrictions.

Motion Mr. Crowley moved to Vote to partially release Lots 1, 2, 3, 4, 5, 6, as shown on the plan recorded with the said Registry in Plan Book 940, Plan 77 and Lots 7R and 8R as shown on the plan recorded with said Registry in Plan Book 944, Plan 92 from the Allowable Use Restrictions under Paragraph 1 of the Declaration of Covenants and Restrictions recorded with the Worcester District Registry of Deeds in Book 53008, Page 286; seconded by Mr. Morrissey.

All in favor

Motion Mr. Crowley moved to adjourn 6:40 p.m.; seconded by Mr. Frieden.

All in favor

Respectfully submitted,

Approved: _____

Faye D. Zukowski, Municipal Assistant

Kristina Pedone, Chair

Patrick J. Crowley, Vice Chair

James Morrissey, Clerk

Marc Frieden

Barur R. Rajeshkumar