



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

Select Board/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting
February 1, 2023; 6:00 p.m.
140 Worcester Street
West Boylston, MA 01583
Board Meeting Room 2nd Floor
Hybrid with Zoom

Members Present:
Barur R. Rajeshkumar, Chairman
Christopher A. Rucho, Vice Chairman 6:35pm
Marc Frieden, Clerk
Kristina Pedone, Selectwoman
Patrick J. Crowley, Selectman

Members NOT Present:

Invited Guests:
Jennifer Warren-Dyment, Town Administrator
Faye Zukowski, Municipal Assistant

**THIS MEETING WAS HELD VIRTUALLY IN A HYBRID SETTING
VIRTUAL MEETING INFORMATION:**

To Join Zoom Meeting

- <https://us06web.zoom.us/j/87876723839?pwd=NloySINNnwJsR09QWUVxYU9Fc0dyQT09>
- Meeting ID: 878 7672 3839
- Passcode: 01583
- Dial by your location: (646) 558-8656 US (New York)

Others Present:

MEETING CALLED TO ORDER

Pledge of Allegiance

CONVENE MEETING – 6:00 pm

- Roll call

PLEDGE OF ALLEGIANCE

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. Complaints or criticism directed at staff, volunteers, or other town

officials shall not be permitted. If we do not have Open Session items to discuss, other agenda items may be brought forward earlier.

REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING JANUARY 19, 2023 TO FEBRUARY 1, 2023: Town Payable Warrants FY2023-30 AND FY2023-31; Sewer Warrants FY2023-SE19, FY2023-SE20; Payroll Warrant FY2023-15, School Warrant FY2023-S14 and MLP FY2023 #16 AND #16A.

Motion Ms. Pedone moved to approve, Mr. Crowley second.

All in favor

Approved

***APPROVAL OF MEETING MINUTES:**

- **December 13, 2023**

Motion Mr. Crowley moved to approve, Ms. Pedone second.

All in favor

Approved

6:05 pm Public Hearing: To Consider Amending of Policies:

Mr. Frieden read the Public Hearing Notice.

A-1, Role of the Board of Selectboard

A-2, Role of the Town Administrator

A-4, Meeting and Agenda Procedures

A-5, Relations with Citizens

~~*A-6, Selectmen Subcommittee Assignments~~

Ms. Warren-Dyment stated the Board had set a goal to review all the policies. Mr. Crowley would like to review and have global change of Selectmen to “Select Board”, Selectmen to “the Board” and he/she to “they/them/their”.

Ms. Warren-Dyment stated A-1 just the change of Selectmen to Select Board. She stated A-2 same change of the name, Mr. Crowley request to add an embedded link to Special Act that is located on the town website. Ms. Warren-Dyment stated Policy A-3 was reviewed last year and suggested adding language to include “The Chairman is responsible for the final approval of the agenda” which is M.G.L. c.30A, s. 20(b), she also suggested edits to agenda items to what is typically listed. Mr. Crowley discussed the issue with a member requesting items and being denied, Ms. Warren-Dyment stated the Chair could deny items being placed on the agenda if that Chair chose. Ms. Pedone stated the Board had lots of discussion at the prior amendment. Ms. Warren-Dyment stated in her prior community this was posed to Town Counsel and they advised the Chair could stone wall a member from getting items on the agenda. Mr. Crowley stated there has never been this issue but would like to add language that if after two requests the item will be added without discretion of the Board. Ms. Warren-Dyment will check with Town Counsel. Mr. Crowley stated he would like the agenda draft sent out four business days ahead, Ms. Warren-Dyment would like emergency meeting language added. Ms. Warren-Dyment stated A-5 needed change of name and correction on the email address.

Motion Mr. Crowley moved to close the Public Hearing, Ms. Pedone second.

All in favor

Approved

Motion Mr. Crowley moved to approve changes as discussed to Policy A-1, A-2, and A-5, Ms. Pedone second.

All in favor

Approved

NEW BUSINESS:

- **Consider the Worcester County Retirement System Cost-of-Living Adjustment of an additional 2%, vote required:**

Ms. Warren-Dyment explained Governor Baker's passed legislation allowing additional 2% COLA for retirees subject to approval of the Retirement Boards and subsequent approval from towns. She stated on December 12th the Worcester Regional Retirement Board voted in favor of the increase for FY23 COLA increase and is only for retirees in the system for FY23. She stated the member communities now need to vote on the increase. Ms. Leslie Guertin, Town Accountant has completed a cost analysis for the Town. She stated typically the Worcester Regional Retirement Board approves a 3% COLA and is the maximum they are allowed to vote. She stated the additional 2% will be for FY23 only and is for retirees that were retired as of July 1st of 2022 would be eligible. She explained any COLA's that are approved are added to the base pension amount, Worcester Regional Retirement has voted their base is \$16,000.00. She stated this means the COLA is only applied to that base amount and not the entire pension amount. She stated once you approve a COLA it will add to base pension permanently. She presented a forecast for the Town and in FY2026 the town will see the increase in assessment and will cost the town \$22,900 and if approved by the minimum required 34 member towns than over ten years the cost would be \$309,000. She stated the Towns have until June 30 to take the vote. Mr. Crowley stated the town operated under the confines of proposition 2 ½ he cannot support this and would like a full board present for the vote. He would also like a Finance Committee recommendation even though this is a Select Board vote.

- **Consider voting Select Board designee(s) to serve on the negotiating committee on the Teamsters Union Local 170 (DPW/Cemetery) Negotiation Team:**

Mr. Rajeshkumar has been on committee in the past and would like to again unless someone else would, Ms. Pedone would like to be in the committee.

Motion Mr. Crowley moved to have Kristina and Raj be the Select Board designees to the DPW/Cemetery Negotiating Team, Mr. Frieden second.

All in favor

Approved

- **Consider voting to authorize the over expenditure of FY23 Snow and Ice Budget in accordance with Massachusetts General Laws, Chapter 44, Section 31D:**

Motion Mr. Crowley moved to authorize the over expenditure, Ms. Pedone second.

Mr. Crowley explained this is the budget that can overspend not can you lower the budget. He explained it is over expenditure is funded with Free Cash. Ms. Pedone asked how there can be an overage with the mild winter the town has had, Ms. Warren-Dyment explained the group procurement of supplies was much higher and the insurance claim on the salt shed was not fully filled last year and had to purchase more this year. She explained the salary lines are inline with where they should be but not the supplies. Mr. Crowley stated they have been treating the roads with salt and not plowing which cost more. Ms. Pedone asked why they do not use sand instead of salt, Mr. Crowley stated he believe it had something to do with cleaning the catch basins. Mr. Rajeshkumar believed it costs more to clean up post winter if the town used sand. Ms. Warren-Dyment believes the procurement of supplies is completed but there may be the possibility to need more. Mr. Crowley stated this is a blanket vote to over expend. Ms. Warren-Dyment stated the DPW Director and the Town Accountant have been watching the expenses on this account.

4-0-1 Mr. Rucho abstained

Approved

OLD BUSINESS:

None

APPOINTMENTS AND RESIGNATIONS:

- **Concurrence on the appointment of Dean Kochanowski to the Municipal Buildings Committee effective February 2, 2023 for a term to expire on April 30, 2026**

Motion Mr. Rucho moved to approve the appointment, Mr. Crowley second.

All in favor

Approved

TOWN ADMINISTRATORS REPORT (May contain Departmental updates, community reminders and announcements, project updates, etc. No votes will be taken).

1. **Charter Communications License:** On January 13, 2023 notification from the Department of Telecommunications and Cable was received stating the license with Charter Communications would be expiring on February 19, 2023. The license renewal process did begin with the Cable TV Advisory Committee in September 2020. The Committee met a number of times between 2020 and 2022 on the renewal.

Since receiving the letter, I have been in contact with the Department of Telecommunications and Cable, the Chair of the Cable TV Advisory Committee, and Charter Communications. The Department of Telecommunications and Cable is checking with their Counsel as to whether the license will lapse on its own or whether the Select Board will need to vote deny the renewal and request an extension to negotiate the renewal. Charter Communications has affirmed the terms and conditions of the current license will carry over until a renewal is executed. The proposed next steps are to re-engage the Cable TV Advisory Committee and to work the Department of Telecommunications and Charter Communications on whatever process is necessary.

Mr. Rucho stated this really is not a negotiation and is only cable and not programming or internet, he would like clarification on who owns the cables lines and invite Jonathan Fitch, General Manager for the Municipal Light Plant. Ms. Warren-Dyment stated the cable contract also provides funds to the PEG which is used to record and broadcast the meetings. Mr. Rucho stated the users are charged a small fee and that is the PEG funds. Mr. Rucho believes the contract if not renewed will continue as the current contract states.

2. **District Attorney Pedestrian Safety Grant:** The West Boylston Police Department received \$5,000 in funding from the District Attorney's Community Reinvestment and Crime Prevention Program to improve pedestrian safety on Prospect Street at the Wachusett Country Club. Specifically, the funding will be used to install a flashing beacon crosswalk sign to assist in safe crossings at this location. The District Attorney came to West Boylston to present the check on February 19th. Now that funds have been received, I have asked the DPW Director to coordinate the procurement and installation of the sign.
3. **Ambulance Billing Update:** Since the last meeting of the Select Board, Chief Sadowski has been in touch with the Worcester County House of Corrections to work towards collecting unpaid ambulance bills resulting from House of Corrections transports. He estimates there is approximately \$40,000 in uncollected bills which have now been sent to the Insurer for resolution.
4. **WRTA Service Adjustments:** Due to labor shortages, the WRTA has announced service adjustments to alleviated missed trips, reduce overtime, and reduce driver fatigue. Service adjustments went into effect on January 27, 2023. These adjustments affect Route 30 in West

Boylston. Twenty percent (8 inbound and 8 outbound) of Friday trips have been cut from this Route.

Ms. Pedone asked if this will effect our MBTA Community requirements.

5. **MIIA Wellness Grant:** This week I will be submitting an application through the MIIA Wellness Grant Program. Specifically, the application is for cardiovascular equipment for the Police Department and a program focused on stress and hostility management for staff as well as Board, Committee, and Commission members. I will keep the Board posted on the grant!
6. **Part Time Food Service Manager:** I am pleased to update the Board that we are very close to hiring a Part Time Food Service Manager for the Senior Center. The Director is in the final hiring stages and we anticipate the appointment will be on the Agenda for the next Select Board meeting. The Senior Center Director, Council on Aging, and Seniors are all very excited to launch the lunch program. The current plan is to start the program with three meals per week at a cost of \$5.00 per meal. Stay tuned for the launch date!\

Mr. Crowley asked if this lunch is for seniors only, Ms. Warren-Dymont believes the \$5 lunch is for seniors only, but can find out if others will be able to have lunch.

7. **Senator Robyn Kennedy:** I am working with Senator Kennedy's staff to have the Senator attend the February 15th meeting of the Select Board. We look forward to a cooperative relationship with the new Senator and are excited to formally welcome her to West Boylston.

Mr. Rucho would like to provide her with a list ahead of the meeting.

8. **Massachusetts Municipal Association Annual Meeting:** On January 20th-21st Barur Rajeshkumar, Christopher Rucho, Kristina Pedone, and I all attended the Annual Meeting of the Massachusetts Municipal Association. This was the first in-person Annual Meeting since 2020. We all attended informative workshops, met with vendors, reconnected with colleagues, and met new municipal folks. At the conference MIIA announced increased health insurance rates of between 1 and 10.5% (average of 5.6%). The average increase for property insurance is 3.9%. West Boylston should be hearing our final rates towards the end of February/beginning of March.
9. **FISP Meeting:** At the last meeting of the Capital Investment Board there was discussion about the capital items the Board has received. The thought is to get FISP involved early in the process to develop a plan for large projects that may be on the horizon. It is hoped a meeting can be schedule in February.

MEETINGS, INVITATIONS & ANNOUNCEMENTS:

- **Nominations papers are now available for the following positions and are due back April 18, 2023 by 5 pm 36 signatures of West Boylston registered voters are required:**
 - **Selectboard – One Seat/ 3-year term**
 - **School Committee – Two Seats/ 3-year term**
 - **Cemetery Trustees – One Seat/ 3-year term**
 - **Library Trustees – Two Seats/3-year term**
 - **Planning Board – One Seat/5-year term**
 - **Board of Light Commissioners – One Seat/3-year term**
 - **Board of Water Commissioners – One Seat/3-year term**
- **The Beaman Memorial Public Library is holding a number of events which can be found on <https://beamanlibrary.org> and highlights include:**

- Resume Review Workshop, February 4th at 11AM
- Addressing Family Stress and Depression Workshop, February 15th at 6:30PM and on Zoom
- A number of activities will be held for School Vacation Week
- The Senior Center is holding a number of events which can be found online at www.westboylston-ma.gov and in their newsletter and highlights include:
 - St. Patrick's Day at Nellie's Irish Pub in the Catskill Mountains on Saturday, March 11th
 - "Downton Abbey" Tea at the Silver Fountain Inn & Carriage House in Dover, NH on Saturday, May 6th

FUTURE AGENDA ITEMS/SELECT BOARD REPORTS:

- Mr. Rucho stated he attended MMA Workshops; regionalization and one thing he saw was rubber speed control and would like Jen to reach out to the company and get more information. She stated she passed the information off to the DPW Director. Mr. Crowley would like the Fire and Police to be involved before these are selected and installed.
- Ms. Pedone announced on February 3rd will be the last day for the SWAT Survey on Solid Waste.
- Ms. Pedone announced the Town Wide Clean Up will be held on April 22 .
- Ms. Pedone stated she would like to invite Helpsy Textile Recycling in to a future meeting.
- Ms. Pedone would like an update on SeeClickFix Software that the town once had or still has.
- Ms. Pedone would like to have an update on the Facility Manager, Mr. Rucho spoke to a few companies at the MMA that are third party.
- Ms. Pedone would like to look into a shared resource of a Town Wide Planner.

EXECUTIVE SESSION:

Executive Session under the provisions of Massachusetts General Laws, Chapter 30A, Section 21(a)(6), to discuss purchase, exchange, lease or value of real property (18 Malden Street Map 144 Parcel 43, Newton Street Map 143 Parcel 16, and Newton Street Map 143 Parcel 15) , and the Chair declares that an open meeting may have detrimental effect of the negotiating position of the public body.

Motion: Mr. Frieden moved into Executive Session under the provisions of Massachusetts General Laws, Chapter 30A, Section 21(a)(3), to discuss strategy with respect to litigation (West Boylston v. Regional Industrial Services Corp.; Worcester Superior Court C.A. No. 1985CV01758), and the Chair declares that an open meeting may have detrimental effect of the negotiating position of the public body, seconded by Mr. Rajeshkumar at 7:05 pm.

***Motion** Mr. Crowley moved to exit executive session and adjourn at 7:59 p.m.; Ms. Pedone second.*

Roll Call Vote

Mr. Frieden, yes

Mr. Rucho yes,

Mr. Crowley yes,

Ms. Pedone, yes

Mr. Rajeshkumar, yes

All in favor

Approved

Respectfully submitted,

Faye D. Zukowski, Municipal Assistant

Approved: _____

Barur R. Rajeshkumar, Chairman

Christopher A. Rucho, Vice Chairman

Marc Frieden, Clerk

Patrick J. Crowley, Selectman

Kristina Pedone, Selectwoman