



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

Select Board/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting
June 7, 2023; 6:00 p.m.
140 Worcester Street
West Boylston, MA 01583
Board Meeting Room 2nd Floor

Members Present:
Kristina Pedone, Chair via Zoom
Patrick J. Crowley, Vice Chair
James Morrissey, Clerk via Zoom exited 7:05 p.m.
Marc Frieden
Barur R. Rajeshkumar

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

- Roll call

Mr. Rajeshkumar welcomed James Morrissey to the Board and congratulates him on his election.

Pledge of Allegiance

MOMENT OF SILENCE IN MEMORY OF DAVID MERCURIO

Mr. Rajeshkumar read a statement.

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.

- Ms. Karen Hennessey of 89 Malden Street stated she had attended the May 30th Tree Warden Public Hearing; she filed objection to the removal of the trees at the Mixter property and would like to withdraw her objection at this time. She asked the Board to consider the recommendations of the Open Space and Recreation Committees to purchase additional open space.

APPROVAL OF MEETING MINUTES:

- March 22, 2023 Regular Meeting Minutes

Motion Mr. Crowley moved to approve subject to correction; Mr. Frieden seconded.

Mr. Frieden requested an amendment of the education line increase be corrected from 14.27% to 4.27%

Roll Call Vote

Mr. Rajeshkumar, yes

Mr. Crowley, yes

Mr. Frieden, yes

Ms. Pedone, yes

Mr. Morrissey, present

Approved

- April 5, 2023 Regular Meeting Minutes

Motion Mr. Frieden moved to approve; Mr. Crowley seconded.

Mr. Frieden requested an amendment to the minutes that he would like to be able to offer this opportunity to all employees in regards to vacation.

Roll Call Vote

Mr. Rajeshkumar, yes

Mr. Crowley, yes

Mr. Frieden, yes

Ms. Pedone, yes

Mr. Morrissey, present

Approved

REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING MAY 18, 2023 THROUGH JUNE 7, 2023: Town Payable Warrants FY2023-47, FY2023-48 and FY2023-49; Payroll Warrant FY2023-24; Sewer Warrant FY2023-SE32, FY2023-SE33, and FY2023-SE34, School Warrant FY2023-S22 and MLP FY2023 #25 and FY2023 #26.

Motion Mr. Crowley moved to approve; Mr. Frieden seconded.

Roll Call Vote

Mr. Rajeshkumar, yes

Mr. Crowley, yes

Mr. Frieden, yes

Ms. Pedone, yes

Mr. Morrissey, yes

Approved

BOARD REORGANIZATION – SELECTBOARD & BOARD OF SEWER COMMISSIONERS

- **Vote: Chair, Vice Chair and Clerk**

Motion Mr. Crowley moved to appoint Kristina Pedone as Chair; Mr. Morrissey seconded.

Roll Call Vote

Mr. Rajeshkumar, no

Mr. Crowley, yes

Mr. Frieden, yes

Ms. Pedone, yes

Mr. Morrissey, yes

Approved

Motion Ms. Pedone moved to appoint Patrick Crowley as Vice Chair; Mr. Rajeshkumar seconded

Roll Call Vote

Mr. Rajeshkumar, yes

Mr. Crowley, yes

Mr. Frieden, yes

Ms. Pedone, yes

Mr. Morrissey, yes

Approved

Motion Ms. Pedone moved to appoint James Morrissey as Clerk; Mr. Crowley seconded

Roll Call Vote

Mr. Rajeshkumar, no

Mr. Crowley, yes

Mr. Frieden, no

Ms. Pedone, yes

Mr. Morrissey, yes

Approved

Ms. Pedone takes over as Chair for the meeting.

6:05 PM PUBLIC HEARING: To consider creating a Policy relative to the Senior Tax Work-Off Program.

Mr. Crowley read the Public Hearing notice.

Ms. Warren-Dyment explained at the May 2023 Town Meeting the Town adopted Chapter 59 Section 5 to formally establish the Senior Tax Work off Program effective FY2024. She stated the adoption does not create the program rules so a policy is needed to set rules. She has created a policy using Division of Local Services Informational Guideline Release (IGR) also known as IGR 21-20 from July 2021. She explained these changes how the Town handles the Senior Tax Work off and may appear to be very different than how it has been handled in the past. She explained the program will end on October 31st annually in order to process the abatement, Assessors to commit the taxes and abatement to be applied. She explained this fiscal year the program will run July to October and hours will be prorated. She explained the participants are volunteers not employees of the Town therefor they will no longer receive paychecks and instead

will be a manual adjustment to the January 1st tax bill that is due February 1st. She explained the IGR limits the total amount to \$1,500 annually the Board will need to decide what the hourly rate is which cannot be less than the Federal Minimum Wage and not more than the State Minimum Wage of \$15 per hour, the town currently pays \$13 per hour. She suggests the Board not place a per hour wage but just have State Minimum Rate and each year they can take a vote and not need to change the policy. She explained participants would need to apply each year and the number hours is based on \$1,500 divided by the hourly rate. She stated in the past this was funded out of an article about will now be paid out of the overlay as prescribed by MGL. She stated the number of participants would be decided after the Town Administrator, Accountant and Assessor discusses the amount of available funds from the overlay, she recommends 12 for this year. She stated the applicants will have no State withholding but will have Federal tax withheld. Ms. Warren-Dyment stated the Board will need to decide how many people living in the household can participate in the abatement but will still be capped at \$1,500 abatement. Ms. Pedone would not like to limit applicants from working in multiple locations. Mr. Crowley agreed and would like to see people utilize the program; he asked if all twelve positions are filled currently. Ms. Warren-Dyment stated the program was run out of the Senior Center and believes if it run out of town hall that more applicants may come forward. Mr. Crowley does not see an issue with having multiple people from one household participating but would like it equally split 50/50 to avoid an administrative burden. Mr. Rajeshkumar asked what types of work they are doing, Ms. Warren-Dyment stated DPW billing, and Senior Center check in and greeting. Mr. Crowley has concern with the split if it will take some time for them to become familiar for what task they are working. Mr. Rajeshkumar recommends trying the 50/50 split and if it does not work change next year. Ms. Warren-Dyment stated the Board will need to decide if people that are or are not domiciled can participate. Mr. Crowley stated he would like preference to be for those domiciled and low income, the Board discussed this situation. Ms. Pedone would like them to be a domiciled in West Boylston, Mr. Morrissey also agreed. Mr. Frieden believes this is a grey area and gives example that someone could live in their home but the home is in trust to another family member and maybe would like to not make it so specific. Ms. Warren-Dyment stated in the IGR there is language regarding domicile but the Board would have needed to accept at Town Meeting and they did not. Mr. Crowley recommended changing the language to “the volunteer does not need to be domiciled on the property to qualify for the program but preference will be given to those that are domiciled on their property”. Ms. Warren-Dyment stated the program does not need to have any income or asset limitations but the Board could decide to keep current language that participants must income level as Worcester County Medium income level, she recommended not having income limit as it will create an administrative burden. Ms. Pedone supports not having income limit to allow for more applicants, Mr. Morrissey agreed. Ms. Pedone discussed having no income limitations this year and review next year and if there is an influx, they can add back in the medium income would get preference. Ms. Warren-Dyment stated if there are more applicants than positions available then selection will be lottery or any other objective selection method as determined by the Town Administrator.

Motion Mr. Rajeshkumar moved to close the public hearing; Mr. Frieden seconded
Roll Call Vote

Ms. Pedone, yes
Mr. Crowley, yes
Mr. Morrissey, yes
Mr. Frieden, yes
Mr. Rajeshkumar, yes
Approved

Motion Mr. Crowley moved to adopt Policy L-26 with changes to have Wage be Massachusetts Minimum Wage, Program Eligibility does not need to be domiciled but will have preference and Option 1 for #5(There are no income or asset limitations to be eligible for the Program) and Option 2 to be 50/50 split (More than one qualifying owner of the parcel may earn abatement. If both spouses own the property each would qualify separately for the Program, then either could work the entire number of hours or each could work half of the time to make the total number of hours); Mr. Morrissey seconded

Roll Call Vote

Ms. Pedone, yes
Mr. Crowley, yes
Mr. Morrissey, yes
Mr. Frieden, yes
Mr. Rajeshkumar, yes
Approved

6:10 PM PUBLIC HEARING: To consider creating a Policy relative to Hiring

Mr. Crowley read the Public Hearing notice.

Ms. Warren-Dyment discussed the two main goals for removing from Bylaw and creating Policy in place of bylaw. She explained in this policy it will allow for internal and external posting to be concurrent and qualified internal candidates will be given preference. And the second goal was to not have to publish in postings in newspaper. She explained now that this is policy and not a bylaw it will allow for changes if needed. She explained one other change is the hiring authority will have discretion on consultation from department head, board, committee or commission for interview process. She stated if a Board, Committee or Commissions holds interviews they would need to be public so the hiring authority can instead consult with these Boards, Committee or Commissions. She explained this is a copy paste from the bylaw and changes as she discussed were made to create the policy. Ms. Warren-Dyment stated the effective date will be once the Attorney General reviews the Bylaw approval from Town Meeting.

Motion Mr. Crowley moved to close the public hearing; Mr. Frieden seconded

Roll Call Vote

Ms. Pedone, yes
Mr. Crowley, yes
Mr. Morrissey, yes
Mr. Frieden, yes
Mr. Rajeshkumar, yes
Approved

Motion Mr. Crowley moved to approve with the change's outlines and also approval from the Attorney General; Mr. Morrissey seconded

Roll Call Vote

Ms. Pedone, yes
Mr. Crowley, yes
Mr. Morrissey, yes
Mr. Frieden, yes
Mr. Rajeshkumar, yes
Approved

NEW BUSINESS:

- **Consider objections raised at the May 30, 2023 Tree Warden Public Hearing.**

Ms. Pedone explained objections were filed from the Tree Warden Public Hearing on May 30th and the Board will need to decide whether to uphold the objections or dismiss the objects as the Board does not agree with them. She stated three objections two have since been withdrawn and she read the only objection from Neil Peterson of 67 Malden Street. She stated Mr. Peterson wanted a qualified professional to provide a recommendation if the trees should be removed or not and the Town has received a recommendation from Warner Larson Landscape Architect that the seven trees should be removed. Ms. Pedone read the recommendation of Warner Larson. Mr. Rajeshkumar stated the Town is actively working on the Mixter Park and there is a plan to replace trees along the road and he supports taking down trees.

Motion *Mr. Frieden moved to overrule the objection; Mr. Morrissey seconded.*

Roll Call Vote

Ms. Pedone, yes
Mr. Crowley, yes
Mr. Morrissey, yes
Mr. Frieden, yes
Mr. Rajeshkumar, yes
Approved

- **Acknowledge and accept donations on behalf of the Town received from the West Boylston Council on Aging between January 1, 2023 through March 31, 2023:**
 - **\$890.00 from local residents to be used for events and programs at the West Boylston Senior Center.**

Motion *Mr. Crowley moved to accept; Mr. Rajeshkumar seconded*

Roll Call Vote

Ms. Pedone, yes
Mr. Crowley, yes
Mr. Morrissey, yes
Mr. Frieden, yes
Mr. Rajeshkumar, yes
Approved

- **Acknowledge and accept donations on behalf of the Town received from the West Boylston Police Department from an anonymous donation of \$23,000 to be used for Police Department expenses.**

Motion *Mr. Rajeshkumar moved to accept donation; Ms. Pedone seconded.*

Roll Call Vote

Mr. Rajeshkumar, yes
Mr. Crowley, yes
Mr. Frieden, yes

Ms. Pedone, yes
Approved

- **Discussion on Summer Meeting Schedule**

June 21st
July 19th
August 9th

- **Consider Designating other Select Board Assignments for 2023-2024**

- Earth Removal Board – Mr. Frieden
- Town Wide Planning Committee – Mr. Frieden
- Upper Blackstone Water Pollution Abatement District (alternate) – Mr. Crowley
- MBTA

Ms. Warren-Dymont does know what this Committee does, Mr. Crowley would like to eliminate this committee.

- Parks Facilities Committee – Mr. Rajeshkumar and Mr. Morrissey
- Massachusetts Water Resource Authority (alternate) – Mr. Morrissey
- Affordable Housing Trust Board of Trustees – Mr. Rajeshkumar
- Central Massachusetts Regional Planning Commission (alternate) – Mr. Rajeshkumar
- Bylaws Committee – Ms. Pedone
- Economic Development Committee – Mr. Morrissey
- Municipal Buildings Committee – Mr. Crowley
- Transportation Committee Ex. Officio – Mr. Frieden
- PEG Board – Mr. Morrissey

Motion Mr. Frieden moved to approve appointments for a one-year term; Mr. Crowley seconded.

Roll Call Vote

Ms. Pedone, yes
Mr. Crowley, yes
Mr. Morrissey, yes
Mr. Frieden, yes
Mr. Rajeshkumar, yes
Approved

- **Consider voting on Signatures of Authority for FY2024**

Motion Mr. Crowley moved to approve Ms. Pedone and Mr. Morrissey; Mr. Rajeshkumar seconded.

Roll Call Vote

Mr. Rajeshkumar, yes
Mr. Crowley, yes
Mr. Frieden, yes
Ms. Pedone, yes
Approved

Motion Mr. Rajeshkumar moved to approve the Police Department signatures of authority for Dennis Minnich, James Bartlett, Richard Petit, Thomas Balvin, Timothy Benson and Christine Mazeika; Mr. Crowley seconded.

Roll Call Vote

Mr. Rajeshkumar, yes
Mr. Crowley, yes
Mr. Frieden, yes
Ms. Pedone, yes
Approved

- **Consider approving the hiring of Rick McGrail for the Part-Time position of Van Driver for the Council on Aging, at Grade C, Step 2, \$18.37 effective contingent upon successful pre-employment process.**

Motion Mr. Rajeshkumar moved to approve; Mr. Frieden seconded.

Roll Call Vote

Mr. Rajeshkumar, yes

Mr. Crowley, yes

Mr. Frieden, yes

Ms. Pedone, yes

Approved

- **Consider approving the request from CED Management Inc dba The School Yahd of 216 West Boylston Street, West Boylston, to change the hours of operation.**

Caraline Giguere of CED Management dba The School Yahd requested to change the licensed hours to cover any events that may extend past the current hours. These hours requested will not be regular hours but optional for events. She stated the requested hours are Monday – Friday 11 am to 12 am, Saturday 10 am to 12 am and Sunday 10 am to 8 pm. Mr. Crowley asked her to give a brief description of the premises, Ms. Giguere provided. Ms. Pedone thanked them for the facility use for the Town Wide Cleanup Day.

Motion Mr. Frieden moved to approve the change of hours request; Mr. Crowley seconded.

Roll Call Vote

Mr. Rajeshkumar, yes

Mr. Crowley, yes

Mr. Frieden, yes

Ms. Pedone, yes

Approved

OLD BUSINESS:

APPOINTMENTS AND RESIGNATIONS:

- **Consider appointment of Cliona Archambeault to the Finance Committee effective June 8, 2023 for a term to expire on June 30, 2026**

Motion Mr. Rajeshkumar moved to approve; Mr. Crowley seconded.

Roll Call Vote

Mr. Rajeshkumar, yes

Mr. Crowley, yes

Mr. Frieden, yes

Ms. Pedone, yes

Approved

- **Concurrence on the Moderators appointment of Cliona Archambeault to the Capital Investment Board for a term to expire on June 30, 2026**

Motion Mr. Crowley moved to approve subject to Moderators appointment; Mr. Frieden seconded.

Roll Call Vote

Mr. Rajeshkumar, yes

Mr. Crowley, yes

Mr. Frieden, yes

Ms. Pedone, yes

Approved

- **Concurrence on the Moderators appointment of Jason Brockway to the Capital Investment Board for a term to expire on June 30, 2024**

Motion Mr. Crowley moved to approve subject to Moderators appointment; Mr. Frieden seconded.

Roll Call Vote

Mr. Rajeshkumar, yes

Mr. Crowley, yes

Mr. Frieden, yes

Ms. Pedone, yes

Approved

- **Acknowledge resignation from Sharon Emond, Recreation Director effective May 25, 2023.**

Ms. Warren-Dyment explained she requested a meeting with Recreation Director, Town Accountant and Chair of the Parks Commission. She read the email that she sent to the Director requesting the meeting and she received a resignation shortly after the email was sent.

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

1. Memorial Day 2023: A thank you to all involved in the Memorial Day Exercises remembering those service men and women that made the ultimate sacrifice in service to this country. The speeches and exercises were incredibly moving.

Special thanks to the American Legion Post 204, the Gold Star Mothers, our Veterans, the West Boylston Police and Fire Departments, the Boy Scouts and Girl Scouts, the West Boylston Middle School Band and Chorus, Master Sergeant Mark Wilmot, USMC (retired), Deacon Martin Beck of Our Lady of Good Counsel, Rev. Cheryl Meacham of Oakdale United Methodist Church, Pastor Julie Cedrone of the First Congregational Church, our current Veterans' Service Officer Jacob Webb and our former VSO Douglas Horka and Michael Mulryan of the Celebrations Committee.

2. West Boylston High School Graduation 2023: The High School held graduation exercises on June 2nd. For those that were not able to attend- WBPA-TV filmed the event and the video is available on our website. Congratulations to all of the graduating seniors and well wishes for your next chapter!
3. Facilities Manager: Charles "Chuck" Goss has been selected for the position of Facilities Manager that is shared with Sterling. He began work the week of June 5th and had his first official day in West Boylston today. Prior to his first official day we toured the municipal buildings so that he could get a feel for the various facilities. Mr. Goss will be invited to attend a meeting of the Select Board in the near future.
4. Legislative Earmark: Senator Robyn Kennedy has secured a legislative earmark for the Town of West Boylston in the amount of \$75,000 for ADA upgrades to municipal buildings. This earmark is in addition to the \$150,000 earmark secured by Representative O'Day for upgrades to Pride Park. The House and Senate budgets will now go to Conference Committee and it is hoped both earmarks will prevail through the process.
5. Housing Production Plan Update: Thanks to the efforts of Chris Berglund of the Affordable Housing Trust, an application was submitted to the One Stop for Growth Development Continuum grant program to update the Town's 2018 Housing Production Plan. If funded, this grant will

assist the Town in updating its strategy to meet the affordable housing needs. The total funding request is for \$41,750.00 and would allow the Town to work with a consultant to update the Plan. Thank you Chris!

6. **Open Space and Recreation Plan (OSRP) Update:** Together with the Central Massachusetts Regional Planning Commission (CMRPC), the Town applied for Planning Assistance funding through the Executive Office of Energy and Environmental Affairs to update the Town's Open Space and Recreation Plan. The Town is requesting \$11,250.00 in funding that would be coupled with District Local Technical Assistance and Local Planning Assistance as well as in-kind commitment of Town staff time. An OSRP is a tool through which the Town can plan for the future of its conservation and recreation resources. In addition, having an approved OSRP is a prerequisite for several grant programs.
7. **MassDOT Passing Signs Grant:** As of December 2022, there is a new law entitled "An Act to Reduce Fatalities". As part of this law, operators of motor vehicles must pass bicyclists at a safe distance of not less than four (4) feet and at a reasonable speed. Through MassDOT, the state is providing safe passage signage to municipalities. The Town has requested nine (9) large signs and four (4) signs that will be installed by Town staff. The signs will be installed on roads in the vicinity of the Reservoir where many bicyclists routinely ride.
8. **Town Meeting Bylaw Changes:** The Town Clerk has submitted all of the General and Zoning Bylaw articles approved at the May Town Meeting to the Office of the Attorney General. The Attorney General has acknowledged the submission and review is expected to be completed by August 29, 2023.
9. **Barron v. Kolenda Decision:** As a result of the decision in Barron v. Kolenda, SJC-13284 (the "public comment case"), the Massachusetts Municipal Association and Municipal lawyers across the Commonwealth have been analyzing the decision and have begun to hold training sessions on the practical results of the decision. This week I attended a webinar entitled "Regulating Comments at Public Meetings: The Legal and Operational Perspective". I suggest the Select Board have a workshop-style meeting in the near future to discuss the implications of this decision and whether any policy amendments or a new policy may be appropriate.
10. **Newly Elected Select Board Member Trainings:** The Massachusetts Municipal Association is holding a free training this Friday from 8:30 AM to 3:15 PM. Although this program is geared towards newly elected members, it is open to any Select Board member who would like a refresher or an opportunity to network with colleagues. The training will cover Open Meeting and Public Records Laws, Municipal Finance and Budgeting 101, Tips to Get you Started, Sources of State and Federal Funding, and Collaborative Decision Making. Please let the Office know if you would like to be registered for the event.
11. **Cooling Hostility Workshop:** On Friday June 16th from 9:30 AM to approximately 11:30 AM at the Senior Center. This workshop is open to all Board, Committee, and Commission members in the Town of West Boylston (as well as staff). Jerry Posner, an accomplished training specialist, speaker, strategic coach and author, will provide tools, techniques and strategies for cooling potentially hot situations. He will cover assessing and understanding causal factors; managing stress triggers; avoiding unnecessary arguments; asking the right questions; communicating with empathy and compassion; recovering from mistakes; and outlining effective ways to calm yourself. It is not too late to RSVP!

12. Recreation-Related Events: There are two recreation-related events that were scheduled prior to the resignation of our Recreation Director. I have stepped in to assist with these two events. The first is a Charcuterie making event on June 22, 2023 at 6PM at the Senior Center. We are running this event at cost for the vendor. Participants can make a charcuterie box for \$40 or a board for \$60. The second event Magic Show with magician Steve Charette on June 28th at 7PM at the Senior Center. The cost is \$5 per person with a maximum of \$15 per family. Interested parties can sign up and obtain tickets in the Office of the Select Board.

FUTURE AGENDA ITEMS/SELECT BOARD REPORTS:

- Mr. Crowley gave a Celebrations Committee update the first Movie Night will be on June 16th snacks will be provided and will continue on third Friday of July and August.
- Mr. Rajeshkumar reminded everyone the Band Concerts are the 3rd Fridays of the month.

***Motion** Mr. Rajeshkumar moved to adjourn 7:35 p.m., Mr. Crowley seconded.*

Approved

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