



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

Board of Selectmen/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting March 21, 2018; 7:00 p.m.; Rm 210 Town Hall
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Members Present John W. Hadley, Chairman Christopher A. Rucho, Vice Chair Barur R. Rajeshkumar, Clerk Patrick J. Crowley, Selectman
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Members NOT Present: Siobhan M. Bohannon, Selectman

Invited Guests:

Welcome – Call to Order

Time: 7:00 pm

Mr. Hadley called the meeting to order at 7:00 p.m.

PUBLIC COMMENT – 7:05PM:

Robert Chisholm, 91 Hillside Village Drive, the Council on Aging liaison to FISP joined the Board. He states that several weeks ago the Board held a hearing on the proposal to terminate the lease and move the senior center operations to a temporary location for the period of May 1 until the new senior center is operational in the spring of 2019. This move was being done to accommodate the landlord of Hartwell Street who was planning major construction there. This cause quite a furor both publicly and privately amongst the seniors who were protesting this location, myself included. It seems that when our concerns were brought to the attention of the Board you were listening. At the March 4th Council on Aging meeting it was reported that some of the most salient concerns had been addressed and resolved. Collectively, you should be applauded for creating a win, win, win, win, win situation. One, the seniors will be moving into a \$5.7 million dollar senior center next spring. Two the Congregational Church will be receiving substantial additional income for allowing the seniors to take up temporary quarters there, and at no cost to the town. Three, the town will benefit by having approximately \$4 million of new construction on the tax rolls in the future. Four, the town will also be relieved of paying rent during this transition period of about \$30,000. Five, and furthermore, the landlord has agreed to contribute \$30,000 to the senior center. Yes, during the transition there will be severe disruption to senior center programs and activities but in totality that will be a relatively small price to pay. As a matter of fact it might be a blessing if it prompts more volunteers to step forward and help out during this difficult time. You and your Board have my gratitude, and in my opinion, you should be congratulated for a job very well done thank you.

APPROVAL OF MEETING MINUTES:

March 1, 2018, regular session

Motion to Accept: Mr. Rajeshkumar

Seconded: Mr. Crowley

Result: All in favor

March 1, 2018, executive session

Motion to Accept: Mr. Rucho

Seconded: Mr. Rajeshkumar

Result: All in favor

March 7, 2018, regular session

Motion to Accept: Mr. Rajeshkumar

Seconded: Mr. Rucho

Result: All in favor

March 7, 2018, executive session

Motion to Accept: Mr. Crowley

Seconded: Mr. Rucho

Result: All in favor

March 14, 2018, regular session

Motion to Accept: Mr. Rajeshkumar

Seconded: Mr. Rucho

Result: All in favor

Review and vote to approve warrants for the period covering March 14, 2018, 2018 to March 21, 2018: payable warrants for the town FY2018-37 & 38, payroll warrant FY2018 #19, school FY2018-S15, and Municipal Light Plant warrant Y18 #21

Motion to Accept: Mr. Crowley

Seconded: Mr. Rucho

Result: All in favor

7:15 p.m. Public Hearing: in conformity with the requirements of the General Bylaws of the Town of West Boylston, ARTICLE XXIII - PUBLIC HEARING AND NOTICE for the purpose of considering amendments to Policy L-2, the Lowering of the United States Flag Flying to Half Staff Over Municipal Property

Mr. Hadley opened the public hearing and Mr. Rajeshkumar read the following notice. Public notice is hereby given, in conformity with the requirements of the General Bylaws of the Town of West Boylston, ARTICLE XXIII - PUBLIC HEARING AND NOTICE, that the Board of Selectmen will meet on Wednesday, March 21, 2018, at 7:15 p.m. for the purpose of considering amendments to Policy K-2, the Lowering of the United States Flag Flying to Half Staff Over Municipal Property. The meeting will be held in the Selectmen's Meeting Room of the town offices located at 140 Worcester Street, West Boylston. For additional information, or to review the proposed information, please contact the Office of the Board of Selectmen/Town Administrator at 774.261.4012. All interested persons, groups, and agencies are invited to attend. John W. Hadley, Chairman March 7, 14, 2018.

The hearing is being held to review the policy and determine whether any amendments need to be made. Mr. Rucho does not see any issues with the policy, which speaks to how the flag goes to half staff for various departments. Mr. Hadley also feels the policy is very clear. Mr. Crowley pointed out that bullet #3 reads that if it is brought to the attention of this Board that an individual, who in the opinion of the Chairman of the Board of Selectmen has contributed significantly to the betterment and welfare of the town, the flag on the common could be lowered. He encouraged residents to contact the office should that situation occur so the Board would be aware. Bill Martin, member of the original committee who developed the policy, joined the Board. He explained that the policy was established 19 years ago and he would like to know what the proposal is to change the policy. Mr. Hadley advised that someone complained that they didn't think the town had the right to lower the flag and they were told that we had a policy. Mr. Martin commented that he felt the policy has worked well especially now that the Fire Department is taking care of lowering the flag. There is no one else present wishes to speak on this item.

Motion Mr. Rucho to close the public hearing, seconded by Mr. Crowley, all in favor.

NEW BUSINESS:

1. Drawing for islands/squares

The Board has two islands available, the island at Routes 12/14 and the island at Laurel/Keyes Streets. The first island drawn was the island at Routes 12/140 and that will be adopted by Central Mass Safety Council. The second island at Laurel/Keyes Streets will be adopted by Jeff Legendre and neighbors. The Board thanked them for their willingness to help out.

2. Consider voting to sign fire truck and ambulance contract

The Board previously voted to move ahead with the purchase of the new ambulance and fire truck. The contracts for both now need to be signed. The contracts are with Greenwood Emergency Vehicles out of North Attleboro. The price of the fire truck is \$573,737 and the ambulance is \$294,800. The documents have been reviewed by town counsel and the vendor agreed to include a penalty clause. If they are late in their delivery they will pay the town \$100 a day after 30 days.

Motion Mr. Crowley to sign the contract for the fire truck, seconded by Mr. Rucho, all in favor.

Motion Mr. Rucho to sign the contract for the ambulance, seconded by Mr. Crowley, all in favor.

7:30 p.m. Public Hearing: in conformity with the requirements of the General Bylaws of the Town of West Boylston, ARTICLE XXIII - PUBLIC HEARING AND NOTICE for the purpose of considering amendments to Policy K-5 Workmen's Compensation Policy

Mr. Hadley opened the public hearing and Mr. Rajeshkumar read the following notice. Public notice is hereby given, in conformity with the requirements of the General Bylaws of the Town of West Boylston, ARTICLE XXIII - PUBLIC HEARING AND NOTICE, that the Board of Selectmen will meet on Wednesday, March 21, 2018 at 7:30 p.m. for the purpose of considering amending Policy K-5, Workmen's Compensation Policy. The meeting will be held in meeting room #1 of the Municipal Office Building, 140 Worcester Street, West Boylston. For additional information, or to review the proposed information, please contact the Office of the Board of Selectmen/Town

Administrator at 774.261.4012. All interested persons, groups, and agencies are invited to attend. John W. Hadley, Chairman March 7, 14, 2018.

The changes to the policy are minor to eliminate confusion within the language. Checks equal 60% of the individual's pay and we have always allowed our employees to use available sick leave to make up the difference between the 60% and their full pay. This change will eliminate the mention of the number of sick days and in its place just include a general statement that they are allowed to use accumulated sick leave to bring them to their full pay. It is a choice by the employee and not a requirement. If an employee does not have sick time then they will only get the 60%. There is no one present to speak on this item.

Motion Mr. Rucho to close the public hearing, seconded by Mr. Crowley, all in favor.

Motion Mr. Crowley to approve the policy as amended, seconded by Mr. Rucho, all in favor.

NEW BUSINESS (cont):

3. Consider request from West Boylston Housing Authority to waive PILOT payment in the amount of \$5,221

We have received a letter from the Housing Authority requesting that the town formally vote to waive the PILOT payment that the Housing Authority should give to the town. The new management company is getting everything documented. Mr. Crowley asked if this is only for the current year or indefinitely. He suggested having this as a future agenda item and making it a policy. Mr. Rucho suggested making a motion to waive the payment, however, he also noted that future boards could change that vote and it has never been waived in the past. Mr. Crowley doesn't believe we need to revisit this each year. Ms. Scheipers suggested waiving the payment until such future time that a future Board reconsiders the issue.

Motion Mr. Crowley to waive the Housing Authority PILOT payment until such future time that a future Board reconsiders the issue, seconded by Mr. Rucho, all in favor.

4. Consider recognizing and accepting donations for the Library in the amount of \$3,204.20 for lost or damaged books and other materials, donations for the use of printers and copier, and donations given to support the general needs of the library, and approve expenditure of these funds for general purposes

Motion Mr. Rajeshkumar to accept the donations, seconded by Mr. Crowley, all in favor.

FISP UPDATE:

1. Vote to award and sign the following contracts: OPM Services and General Contractor

Mr. Hadley reports that FISP has requested the Board approve Collier Construction as the OPM for the senior center project and RAC Builders as the general contractor.

Motion Mr. Crowley to approve Collier Construction as the OPM for the senior center project at a price of \$110,600, seconded by Mr. Rucho, all in favor.

Motion Mr. Crowley to approve RAC Builders as the General Contractor at a cost of \$4,251,130 with 1-3 ad alternates and to sign the Notice to Proceed, seconded by Mr. Rucho, all in favor.

7:40 p.m. Public Hearing: in conformity with the requirements of the General Bylaws of the Town of West Boylston, ARTICLE XXIII - PUBLIC HEARING AND NOTICE for the purpose of considering amending the office hours for the Office of the Town Clerk

Mr. Rucho opened the public hearing and Mr. Crowley read the following notice. Public notice is hereby given, in conformity with the requirements of the General Bylaws of the Town of West Boylston, ARTICLE XXIII - PUBLIC HEARING AND NOTICE, that the Board of Selectmen will meet on Wednesday, March 21, 2018 at 7:40 p.m. for the purpose of considering amending the office hours for the Office of the Town Clerk. The meeting will be held in the Municipal Office Building, Selectmen's Meeting Room, 140 Worcester Street, West Boylston. Proposed hours are as follows: Monday, Tuesday, Thursday 8-4 p.m.; Wednesday 8-6 p.m.; and Friday 8-2 p.m. For additional information, or to review the proposed information, please contact the Office of the Board of Selectmen/Town Administrator at 774.261.4012. All interested persons, groups, and agencies are invited to attend. John W. Hadley, Chairman, March 7, 14, 2018

Town Clerk Elaine Novia joined the Board. Now that the position has gone from 31 to 40 hours a week, Ms. Novia sat with Ms. Scheipers to discuss expanding office hours. It was decided that Wednesday would be the long day as that is the day other offices within the building, including the Treasurer/Collector and the Board of Assessors are open. Rather than 8-6, Mr. Rucho suggested 9-7. Ms. Novia agreed. There is no one present to speak on this issue.

Motion Mr. Rucho to close the hearing, seconded by Mr. Crowley, all in favor.

Motion Mr. Rucho to change the hours of the Town Clerk to Monday, Tuesday and Thursday 9-4; Wednesday 9-7 and Friday 8-2, seconded by Mr. Crowley, all in favor.

DPW DIRECTOR VERNON JACKSON

1. Supernor – consider paying for grinder pump

Mr. Jackson provided the Board with a list of all homes given a deferment for sewer connections and those looking for sewer pumps. The resident at 81 Pine Arden requested one back in 2006. The main lateral went in during 2003 and at the time there was no mandatory hook up in Phase one. Between 2003 and 2006 they discovered that the pipe was at ten feet and they thought it was at 14-feet. He couldn't hook up his basement bathroom. He could hook up everything else in the house other than that bathroom. In 2006 he requested DCR pay for the pump due to the error, however, it was after the 18-month period when DCR was giving the pumps out to those who connected right away. After that 18-month period you would have to pay for your own pump. Mandatory hook up started with Phase 2 when we realized that the system was not going to work correctly unless people hooked up.

Mr. Crowley asked had they timely hooked up they would have received a free grinder pump. Mr. Jackson replied yes. Anyone who hooked up since then paid for their own pump. The cost of the pump with installation is between \$10,000-\$25,000. At that time the town also offered 0% interest loans. The list, which was developed in 2011 is still the list. Mr. Crowley asked if there is anything on why they didn't try to hook up. Mr. Jackson has nothing on that. He did speak with Val Pruneau who as on the Board of Health and he indicated that the system was put in too high and at the time Mr. Supernor approached DCR they were not paying for any more pumps. Mr. Crowley noted that absent anything that says something different, he had a court order to connect, didn't do it, and now he wants to sell his house and he would like the town to pay for the pump. Mr. Jackson noted that he could go gravity with the whole house and just install a small pump for the bathroom. The Board made no motion on this request.

2. Announce that the town will be getting \$290,386 in Chapter 90 funds for FY2019 and report on 2018 streets and list of streets to repair in 2018

Mr. Jackson reports that we will receive \$290,386 in Chapter 90 funds and it leaves us \$445,874 in uncommitted Chapter 90 funds. He intends to pave six or seven of the streets on the list.

3. Mr. Jackson has received a couple of requests to add sidewalks to the 24-hour list. One is Stillwater Heights. Children walk down the street to the bus stop and the other is Rivington Drive. Ms. Scheipers noted that the policy has a provision on bus stop locations, it does not list the stops. She asked the Board if they felt this would require a public hearing. Mr. Rucho cautioned that we are going to get back to doing all the sidewalks again. Mr. Crowley feels that with both of these streets the children could walk along the street, noting that the only people who go down the street are those residents who live there. He does not feel it is necessary, it is not a busy road and they can walk out on the streets along the road. Mr. Jackson reports that there are five residents who do their sidewalks. Mr. Rucho feels the intent is for busy roads. Mr. Hadley voiced concern that Stillwater Heights has a hill going down. Mr. Rucho pointed out that everyone of those sidewalks have residents abutting them.

4. The 2018 Sweeping Schedule

The schedule along with the brush dump schedule are posted on the town's website. Mr. Rucho feels the sweeping should be quick this year as we have not used as much sand as we had in the past.

On another note, Mr. Jackson reports that he ran into a gentleman he knew at DOT and he put in a request to fix the intersection of routes 12 and 140. This spring they will come out and mill and pave the intersection at night to remedy the rutting in the road. Mr. Rucho asked about the Route 140/Boylston line project. Mr. Jackson reports that they will be back this summer. They pulled out two catch basins which caused an icing issue we didn't have before. Those will be reinstalled. They also removed a catch basin on Beaman Street, which has caused another icing situation and will need to be reinstalled.

Mr. Rajeshkumar asked about plowing private roads. He received a request from a resident on Howard Ave. It is a private road, not up to town standards. Mr. Crowley thanked the DPW for doing a great job clearing the streets this winter. Mr. Rucho asked if the salt is costing more money. Mr. Jackson noted that up until the last three storms we were at \$140,000 less. We calibrated all the trucks. We will also save on the sweeping. If they have a trouble area they will hit the blast button and apply a heavier dose.

NEW BUSINESS (cont):

5. FY2019 Revenue Projections and Preliminary Operating Budget Review

Ms. Scheipers states when we did the review of the revenue estimates, the Board asked for information about how are revenue estimates compared this year to last year and in FY19, the 24,507,828 is \$1 million more than was predicted last March. In October of last year we did take this into account with the final local aid receipt number and that revenue prediction was increased to \$23,670,000. We are \$850,000 over last year. This is the preliminary budget, all the town departments provided requests. In total we are looking at a budget that include a 1% cost of living adjustment, step increases and vacation buy backs. It does not account for any additional dollars for additional compensation that may be determined to be necessary or as a result of the wage study. We have three

union contracts we are negotiating with including police, DPW and Cemetery. While we have a number in the budget negotiations are not yet completed and the number may need to be revised.

Moderator line item level funded

Board of Selectmen line item level funded

Town Administrator – increase this line item to include cost of living adjustment, vacation buy back and the contractual increase for the Town Administrator.

Finance Committee – line reduced to \$32,000

Town Accountant – this line item includes cost of living adjustment, vacation buy back and the contractual increase for the Town Accountant

Town Audit – reduce this line item from \$35,000 to \$32,000.

Assessors' - this line item includes cost of living adjustment, vacation buy back

Treasurer/Tax Collector –this line item includes cost of living adjustment, vacation buy back

Town Counsel – this line item is being level funded and we are backing out \$5,000 for permitting boards to get more technical advice from sources other than KP Law.

Computer Services – we have issued an RFP and until we complete that process we have put in a place holder number.

Town Clerk – this line item includes cost of living adjustment, vacation buy back.

Elections – line item level funded.

Planning Board – line item includes cola.

Town Hall – line item level funded

Public Safety Building – this item will be reduced by 1%. Mr. Rucho would like to change this to Fire Station.

Town Report- line item will remain the same.

WBPA-TV – this line is offset by Charter license fees

Facilities Manager – new line item shared with the school \$48,400. The salary, which will be shared with the school is \$84,000. The town will pay for a 5-hour a week clerk, \$3,000. Other charges will cover vehicle gas and memberships to associations. Mr. Rucho asked if this is definite as the Board has questions about what he is going to do. Ms. Scheipers has not yet finalized the job description, which needs to be approved by the Personnel Board. The position will not be filled until town meeting approves the operating budget.

Total General Government is at \$1,251,981 a 3.6% increase.

Police Department – this line item will be increased to \$1,687,471.

Fire Department – this line item will be increased to \$776,161. Mr. Crowley asked Chief Welsh about manning of the department. The Chief states we need to come up with a plan that will reduce overtime. We would need at least two people and the number does not include an increase in staff. He is working with the Town Administrator on options.

Public Safety Communications – this covers the cost of our assessment for regional dispatch.

Building Department – this line item, \$95,087 also covers the salaries for the other inspectors, which are based on inspections.

Sealer of Weights – this line item is being level funded.

Emergency Management – the Chief has a new CERT team in space and this line will increase by 50%.

Animal Control – this line will increase to \$16,800. We were looking for someone to regional this service with and nothing came of it. We will remain on our own and this will cover the Animal

Control Officer and also cover barn inspections. We may have to modify some of the other values in the line item as we need to send dogs to another kennel as ours is not heated. Mr. Rucho would like the residents to try to understand that a simple thing like Animal Control services we couldn't find anyone who was interested in regionalizing with us.

Total public safety is \$2,755,799.

Education. The School Department

Total education is \$12,045,000, a 3% increase. It is slightly below the 67% agreement with the schools, however, the Superintendent is okay with that. They understand the importance of us having a Facility Manager and the \$145,000 we are getting through the Green Communities grant is going fully to the schools and should save them \$25,000 annually in energy savings.

Public Works is \$746,427

Snow and Ice Removal – this line item will be increased by 2%, \$166,800

Street Lights are reduced to \$57,522

Trash and disposal is per the contract, \$413,700.

Landfill – this line item is now covered by the lease of the landfill for the solar farm.

Cemetery is up to \$99,902. It reflects a new union contract. Mr. Crowley asked if we are anticipating more hours for the part/time employee. Ms. Scheipers explained that this person is being paid seasonal wages, it would be a part-time, 32.5 hour a week position.

Total Public Works is \$1,483,551.

Board of Health operates on a revolving fund

Council on Aging this line item will be \$80,516. With the relocation of the senior center we have made some modifications. Steve Migridichian will be paying for the custodian's salary. We also removed the purchase services portion of the budget which paid for the rent. We added in funds to pay one quarter of the time in the new building.

Veterans' Services is being reduced to \$105,750. The benefits portion of the budget is being reduced to \$100,000. Mr. Crowley pointed out that the state reimburses the town 75% of the benefits the year after they are paid out.

Library – this item will be increased to \$413,305.

Debt management will be funded at \$886,811

Regional Planning Assessment Wachusett Earthday and Wachusett Greenways will be funded at \$6,946.

Total employee benefits will be funded at \$5,223,969, it is a fixed cost of the town. The Insurance Advisory Committee will be coming to the Board with recommendations on active employees. We still do not have figures for the retirees.

ESCO Payment this is funded at \$224,033. Mr. Crowley noted that because 97% of the work was done at the school, this is assigned to the school.

Ms. Scheipers has set some additional money aside, \$24,000, to be used for potential wage adjustments from the compensation study. The total budget is \$24,477,828 and does not include that \$24,000 set aside. It will be done through a raise and appropriate article and those funds will be put into those line items at the October town meeting. The budget is a 4% increase over last year and it will be sent to the Finance Committee first thing tomorrow morning.

6. Review of May Annual Town Meeting Action Items Timeline

This evening the Town Administrator will present her preliminary FY2019 Budget Recommendation to the Board of Selectmen as part of the Board of Selectmen's Meeting. On April 2, 2018 the FY2019 Budget Recommendations goes to the Finance Committee, April 2 – April 13, 2018 the Finance Committee Budget Review Sessions take place, April 4, 2018 is the Deadline for Warrant Article Submission for May 21, 2018 Annual Town Meeting, April 18, 2018 – Warrant Articles to be given to the Board of Selectmen at its regular meeting, April 25, 2018 – Board of Selectmen's Public Work Session to Close and Approve Draft Warrant for the May 21, 2018 Annual Town Meeting, May 3, 2018 – Warrant will be Printed and Posted, and May 21, 2018 is the Annual Town Meeting

OLD BUSINESS:

1. Continue discussion about amendments to Policy on Business License Applications

The Board previously discussed this. The key concern is on the process for renewal or approval is there any reason for denial of renewal. One of the points brought up is are we able to take into consideration unpaid water and electric charges that might exist. Brian Riley of KP Law has said that in his opinion the Board of Selectmen or other town licensing authorities should not use unpaid water or electric bills as a basis to deny a license or permit application. That being said, if an applicant has water and electrical charges unpaid for the last twelve months and they have been committed to the tax bill, the Board could use the process set forth in Article XXIV of the General Laws to deny, suspend or revoke but it requires a hearing and notice to the applicant to discuss the issue of non-payment with the applicant prior to making any decision. He further suggested that the town may want to amend the bylaw and delete the 12 month requirement which makes the bylaw much more convenient and effective. Mr. Rucho asked do you know why in his opinion he says we can't. Ms. Scheipers noted that in a previous email dated February 20 he says a licensing authority may attach reasonable conditions to a license beyond those that may be stated in the General Laws or in a town bylaw. With regard to alcoholic beverage licenses, if the application is denied, suspended, or revoked, the applicant or license holder may appeal to the ABCC and in his experience with the ABCC it does not favor denial or disciplinary action that is unrelated to General Law c138, the liquor laws. The ABCC will deny a renewal if the licensee owes state taxes, is behind on unemployment insurance, or if it finds the owners are not US citizens, those are reasons for denial. Similarly, a suspension based on the establishment serving minors or intoxicated patrons in the past may be grounds for non-renewal. Mr. Riley believes that if a license was denied just based on unpaid water and electric bills he believes the ABCC would overturn that.

Mr. Rucho asked about sewer and taxes, would it be overturned for that? Ms. Scheipers added the bylaw only applies when there are local fees, assessment, betterments or other municipal charges that are owed to the town. This would apply to unpaid property taxes or various fees owed directly to the town, including unpaid non-criminal tickets, but such bills must be at least twelve months overdue. Based on that, unpaid water or electric bills would not fall under the bylaw because the Water District and Municipal Light Plant are in most respects independent from the town.

Mr. Crowley states if we decide that in order to issue a common victuallar license part of what they would need to be in good standing with their water and electric bill, they could have still have a liquor license, but without a food license we get to the same spot.

Mr. Rucho noted that at first counsel says if it is an appeal, what he has found is the ABCC will agree with the town on only a couple of things and then he jumps from that to our bylaws. He doesn't say anything about non-renewal because of unpaid tax and sewer that the appeal would be an issue. If we add water and electric to it, the other two things we currently do not renew licenses for are also items that they would not agree with anyway.

Mr. Scheipers pointed out in the long email there is a section that reads the Board of Selectmen could use Article 24 of the General Bylaws to deny or suspend a liquor or common victualler license for unpaid charges, provided that the charges are stated on the Tax Collector's list as required in Section 3 of the Bylaw. The bylaw is enacted in accordance with the General Law that has a very specific list of licenses that are exempt, none of these three licenses are included in that exemption which includes open burning, bicycle permits, sales of articles for charitable purposes, clubs associations dispensing food or beverage licenses, dog licenses, fishing, etc. and does not apply to entertainment licenses for businesses with a liquor or common victualler license.

Mr. Crowley asked if we are talking liquor licenses if they owe taxes or sewer we can deny a liquor license. Mr. Rucho disagrees and pointed out that the attorney is saying if the denial is appealed there are only a few issues the ABCC would agree with the town on. Ms. Scheipers will get additional clarification should the Board wish it. She thinks what he is specifically referring to is the issue of unpaid water or electric bills as he is stressing it goes beyond the town and that the town has a specific bylaw that says we will not issue licenses if they owe taxes to the town. Town counsel is saying that the word town does not relate to the Water Department or the Light Plant.

Mr. Rucho pointed out counsel's language which states that in his experience the only thing the ABCC would favor a denial or disciplinary action for that are unrelated to the scope of the liquor law. He questions how unpaid taxes or sewer are related to the liquor laws. Mr. Scheipers noted that they are not, however, the town has a bylaw that says we will withhold licenses to people who owe money for nonpayment of town taxes.

Mr. Rucho would like clarification on if the town were to deny the liquor license because of non-payment of town taxes, is that something the ABCC would overturn. Mr. Crowley called attention to the last paragraph which reads in reading Article XXIV, I note that it has not been amended to take advantage of recent statutory amendment to General Laws. The amendment significantly eliminated the requirement that in order for overdue taxes or other charges to be used, they must be outstanding for at least 12 months. He reads this as if you deny for taxes or other things due directly to the town that would be approved. Mr. Rucho is reading counsel's sentence, 'in my experience the only thing they favor a denial or disciplinary action for is the liquor laws MGL Chapter 138.' Ms. Scheipers thinks what he is saying is in order for the town to make as strong case as possible to deny because of non-payment of taxes we will make a stronger case for ourselves if we amend Article XXIV of our general bylaw to take advantage of the recent statutory amendment.

Mr. Crowley feels we are focusing on the liquor license laws, and pointed out that we have as a town a common victuallar license to serve food. If we want to make it that part of getting a license is that you have to pay your water and electric bill we could. We would lose if we were not going to renew the liquor license. However, if we make it our policy that you are in compliance or you have an active payment agreement in place to be paying your bill we will get to the same spot. Currently we ask for compliance with all our license renewal from the various department. Mr. Rucho would like to leave it the way we have it and put in water and sewer, taxes and electric.

Mr. Scheipers explained the attorney is saying in order for the bills to get committed to your tax bill there needs to be a certain local acceptance of the statute we would need to put this on the

town meeting warrant. Mr. Crowley added we have a Board of Selectmen's Policy that says you have to be in compliance with all these departments. The liquor license is not governed by town it is governed by the state. We are in control of the other licenses. They could have their liquor license, but no other licenses. Mr. Hadley pointed out that we would have to have a public hearing to amend the policy.

Mr. Rucho asked about the 12-month provision. Ms. Scheipers states in order to adopt the local acceptance statute it would require a vote of the voters at a district meeting. If those statutes had been adopted by the MLP or the Water District then those charges could appear on the tax bill. She checked with the town clerk to see if there was a vote of the MLP or Water District and she had no record of that. Jon Fitch advised that the MLP accepted that statute.

Mr. Rucho noted that there is still a question about the Planning Board's zoning violations. Ms. Scheipers advised that the permitting boards are moving ahead with that and trying to reach consensus. Mr. Rucho disagrees if the issue is more than six years old then we cannot look at it anymore. To him, the way to get around this is to keep putting the town off. It was agreed to revisit this at the first meeting in June so we don't have to revisit it at license renewal time.

2. Update on Board and Town Administrator's goals

The first board goal is enhance economic development. The chairs of the various permitting boards have been meeting once a month to discuss ways to improve the permitting process for new and existing businesses and they are now copied on each other agendas and minutes to keep all boards up to date on their activities.

The second goal is establish a formal town beautification program. A meeting was held with the Board of Health to discuss a blight bylaw or non-bylaw options for making improvements. We have also identified town building and facilities for repair or upgrading including exterior improvements at the DPW and the installation of an irrigation system at town hall. Mr. Hadley and Mr. Crowley are working with the Board on Health on the blight bylaw. The DPW is also surveying existing signs to identify missing or deteriorated signs, will develop a cost estimate and bring it to the board.

The third goal is a citizen and employee survey. A Northeastern University student will be working on this with Mr. Rucho and Mr. Rajeshkumar. CMRPC has provided a basic template for an online version of the draft. Draft questions for an employee satisfaction survey are being gathered.

The fourth goal is an RFP for the Tivnan Drive property. The previous RFP needs to be updated and the date for that to go out is going to be pushed up a bit. Any project would need town meeting approval. It was noted that the middle section of the property is steep. The MLP is proposing a magnetic wheel on the lower section near the solar field. Mr. Rucho commented that the remaining land needs a lot of work.

The first Town Administrator goal is a complete review and overhaul of all job descriptions. All non-union job descriptions have been reviewed with department heads and been updated. The Personnel Board will be reviewing the documents for a spring approval.

The second goal is to develop a 5-year revenue and expenditure projections. A draft plan has been developed with the assistance of an intern from Assumption College, editing is being done and when completed it will go to the Finance Committee. Mr. Crowley recommends after town meeting for that. Ms. Scheipers reports that the student had to go back to her home country and is not available to meet with us.

The third goal is to develop a Facility Manager position for FY19. A job description has been provided to the Board. The school will pay 50% of the costs. It will be one full-time manager and one five-hour a week clerk on the town's side. Total cost is \$95,300. The manager will also have use of

an existing town vehicle. Mr. Rucho asked if it would be cheaper to sub things we want our Facility Manager to do. Mr. Hadley feels we need to discuss this at a future meeting. Mr. Rucho voiced concern that the school employees are under a union. Ms. Scheipers pointed out that the job description tells the expectation and the intended qualifications. In terms of how it would work on the school side the individual would not be dealing directly with the union employees. They would be dealing directly with the school business manager. When you look at the scope of duties the manager would be involved with planning, maintenance, and construction projects. He would develop annual maintenance plans for all the building and develop capital plans. On the town's side it would include some minor building repairs, and oversight of building vendors. The job description has been approved by school administrator. It could be considered as an outsourced position. If the Board would like to consider that option she recommends a meeting with the school superintendent and a representative from the library to discuss that option. Mr. Rucho states that he didn't think the cost would be that much. Mr. Crowley asked if the position is addressed in the compensation study. Ms. Scheipers replied that it is and there are a number of towns that have that position, the lowest salary offered is the town of Boylston at \$76,000. Mr. Rucho thinks a lot of the towns do not have the position.

3. Town Clerk Stipend

Ms. Scheipers explained that we have been working on determining a value for the Town Clerk for the period when she was the Town Clerk and operated the office alone. Ms. Scheipers met with the Personnel Board for their guidance. We also reached out to other communities and there are no other towns that offer stipends. The Personnel Board made a recommendation to increase the rate of her hourly pay by 5% for the six week period from January 3 to February 26. That comes out to \$290. They also recommend that a certain amount pass before a stipend is given. They are saying if somebody works for one or two weeks it should not be a stipend. They are recommending anything over 45 days the department head would be deserving of additional compensation. They feel that department heads would be able to maintain basic department operations. She received a stipend for her acting position and she had six weeks when she was Town Clerk, acting as the department head but didn't have anyone working under her. So take her daily rate and increase it by 5%, the additional money would be \$290. Both Messrs. Hadley and Rucho do not feel that number is sufficient. Mr. Hadley suggested 10%.

Motion Mr. Rucho to provide a 10% stipend to the Town Clerk for the six weeks, January 3 through February 26, she was working alone, seconded by Mr. Hadley, all in favor. Mr. Rucho thinks we need to work on this and have something in place. Ms. Scheipers noted that the Personnel Board is working on this.

4. Consider joining the Class Action Suit on opioids

Mr. Hadley requested this agenda item and noted that this doesn't cost anything to join. The compensation will come later from buying all the Nar can and various things like that. Ms. Scheipers reports that STAM held a meeting last week and Mark Reich of KP Law explained that the communities could jump on at no expense to the town and they are hoping it would go to a settlement situation and not a court case to be argued. The settlement would be shared by the member communities. The attorney involved would take a percentage of the settlement. It would only be revenue positive for the communities. KP Law is in the process of developing an informational sheet and will put together a sample motion should the Board wish to join the law suit. Mr. Crowley pointed

out that the town will need to do some work on this as we need to pull together what our costs are. We will vote on this on April 4th.

5. Initial TIF discussion for 127 Hartwell Street

Steve Migridichian developer and owner of 127 Hartwell Street joined the Board. Cogmetics, Inc. a division of the Coughlin Companies has asked him to inquire about a TIF on behalf of their investment and his investment. The existing building is 55,000 square feet. They are going to make an initial investment to renovate that pursuant to the landlord's investment and the tenant will make an additional investment of an unknown amount. Their investment into the building is about \$2.5 million and the tenant has asked them to expand that by another 25,000 square feet for a cost of \$2 million by the landlord, for a total of 8,000 square foot building. The tenant will spend at least \$500,000 with custom cleaning rooms, furniture and equipment. There will be a benefit to real estate and personal property taxes. Total investment around \$5 million. It was noted that if they are a certified manufacturing company they are exempt from personal property taxes.

Mr. Hadley asked who would the TIF benefit. Mr. Migridichian states that the TIF benefits the landlord because it stays with the property owners, but with a triple net lease it will be similar to Curtis. They initiated the TIF as the landlord but the benefit is to the new business as they pay the taxes, rent and utilities. Mr. Crowley noted that when Curtis came into town they said in order to make this work for us we need to negotiate a TIF. He asked the benefit to the town is what. In this case it is a done deal and the town doesn't need any additional benefit. Mr. Migridichian advised that the TIF is only for the new value. Mr. Crowley does not see a benefit to the town as this is a done deal, we previously offered a TIF to lure the business in. Mr. Migridichian added it is 130 jobs and they will do that with or without a TIF. Mr. Crowley feels it would make no sense for the town. Mr. Migridichian states he is not here on their behalf it is a request he initiates on behalf of the tenant. Mr. Rucho pointed out that the last time Curtis came in because they were looking at other towns. This company is coming in. Mr. Migridichian noted that they signed a long-term lease and they will be here a long time in town.

6. Discussion on consideration of bylaw to regulate recreational marijuana establishments

The Board discussed this a few meetings ago and Ms. Scheipers contacted the Planning Board to spear head a committee to see what would be necessary. The Planning Board thinks it would be good to coordinate an effort, however, they feel it should be done by the Board of Selectmen and once the criteria is developed they could review the wording and hold a public hearing. Marc Frieden and Paul Anderson offered to work on the project along with Zoning Board of Appeals members David Femia and Andrew Feland. Mr. Rajeshkumar feels we need to establish a bylaw to address such things as where the stores can be located, boundaries from schools and the number of stores. Mr. Crowley added that if the town does not take action they have to be 500-feet from a school. Mr. Rajeshkumar reports that the KP Law strongly recommends municipalities do a bylaw and the state started receiving applications on April 1. Ms. Scheipers added that if we were to regular this we could assign fees so there is a revenue source as well. Mr. Hadley recommends the Board assign two members. Mr. Rajeshkumar reports that Grafton did a bylaw and he would like to work on this. Mr. Rucho feels this is going to be a lot of work for the town and offered to work with the group

Motion Mr. Crowley to assign Mr. Rucho and Mr. Rajeshkumar to work as the Board's liaison to develop a recreational marijuana bylaw, seconded by Mr. Hadley, all in favor.

Mr. Femia reports that he attended a conference at Holy Cross on Saturday and he spoke with a man from Grafton who was willing to come out and speak with us if we needed help.

FISP UPDATE:

2.Invoices: CBA Invoice #5717, Sr. Ctr \$17,850 & Invoice #5718, Sr. Ctr \$18,134.78

Due to the fact that at the FISP meeting John McMillan didn't have any back up on the invoices this item will be tabled.

APPOINTMENTS AND RESIGNATIONS:

1.Concurrence on the appointment of the following police officers from the Town of Boylston to work details at the rate of \$43.00 for the period covering April 1, 2018 through June 30, 2018: Timothy Trubiano and Kenneth Johnson

Motion Mr. Rucho to concur, seconded by Mr. Rajeshkumar, all in favor.

2.TENTATIVE - Approving hiring of Margot Wattu as Production Assistant for WBPA-TV

We will pass over this item this evening.

MEETINGS, INVITATIONS & ANNOUNCEMENTS:

1.The Move Date for the COA offices and Senior Center to the First Congregational Church is targeted for the week of April 17th.

FUTURE AGENDA ITEMS/SELECTMENS REPORTS:

Mr. Rajeshkumar reports that different people are talking about the incident that happened at the student walk out. Ms. Scheipers does not know anything more than what they talked about the other day. There was concern about PEG equipment being taken away. There was a student who asked permission to record the auditorium gathering that was scheduled. Mr. Rajeshkumar questioned what happened. Ms. Scheipers doesn't have any other information. Mr. Rucho states it is something for the School Committee and he thinks the Superintendent would be the best person to answer the questions. Ms. Scheipers knows that one of our Production Assistants texted the PEG Coordinator and asked if it was okay to record the assembly that was scheduled. She said it sounds like a smart thing to do. Ms. Scheipers doesn't know if it happened or not the student attempted to record the actual walk out and it was not discussed with the PEG Coordinator and the school took the PEG equipment from the student. It is her understanding that there was a Facebook post on that.

Mr. Rucho reports that there was a presentation by the Regional Board of Health, Fire Chief and Police Chief entitled The Teenager Brain Under Construction. It was very interesting and he thanked those departments who organized the event He wishes that it was announced at the Selectmen's meeting it was a very good presentation.

Motion Mr. Rucho at 9:42 p.m. to enter into executive session under the provisions of Massachusetts General Laws, Chapter 30A, Section 21(A), Part 2 to discuss contract negotiations with non-union personnel (Police Chief), seconded by Mr. Rajeshkumar. Roll call vote: Mr. Rajeshkumar yes, Mr. Rucho yes, Mr. Hadley yes, Mr. Crowley yes. The Board will reconvene in open session.

Motion Mr. Crowley at 10:00 to come out of executive session, seconded by Mr. Rucho. Roll call vote: Mr. Rajeshkumar yes, Mr. Crowley yes, Mr. Rucho yes, Mr. Hadley yes.

The Board reconvened in open session.

Employment Contract with Police Chief Dennis Minnich

Ms. Scheipers reports that the Board met in executive session and have discussed and agreed to enter into a three year contract with Chief Minnich. The salary allows for a \$4,000 increase in year one and 2% in years 2 and 3. It also increases the amount of time the Chief must provide for notice to the town if he intends to resign, clarifies sick leave buy back, provides for a new start date of March 3 and allows for a continuing education incentive of 20%.

Motion Mr. Rucho to approve the contract with all the changes, seconded by Mr. Crowley, all in favor.

Motion to Adjourn at 10:00 p.m.: Mr. Crowley

Seconded: Mr. Rucho

Result: All in favor

Respectfully submitted,

Approved:

Nancy E. Lucier, Municipal Assistant

John W. Hadley, Chairman

Christopher A., Vice Chairman

Barur R. Rajeshkumar, Clerk

Patrick J. Crowley, Selectman