



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

Board of Selectmen/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting April 4, 2018; 6:15 p.m.; Selectmen's Meeting Room, 140 Worcester Street
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Members Present John W. Hadley, Chairman Barur R. Rajeshkumar, Clerk Patrick J. Crowley, Selectman Siobhan M. Bohnson, Selectman

Members NOT Present Christopher A. Rucho, Vice Chair
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Invited Guests:

Welcome – Call to Order

Time: 6:32 pm

CONVENE MEETING – 6:32PM:

- Roll call

Motion Mr. Rajeshkumar at 6:32 p.m. to enter into executive session under the provisions of Massachusetts General Laws, Chapter 30a, Section 21(A), Part 3 to discuss contract negotiations with union personnel (police, fire, cemetery), seconded by Mr. Crowley. The Chair declared that an open meeting discussion may have a detrimental effect on the bargaining position of the public body and announced that the Selectboard will reconvene in open session. Roll call vote: Mr. Rajeshkumar yes, Mr. Hadley yes, Mr. Crowley yes.

Motion Mr. Rajeshkumar at 7:08 p.m. to come of executive session, seconded by Mr. Crowley. Roll call vote: Ms. Bohnson yes, Mr. Crowley yes, Mr. Hadley yes, Mr. Rajeshkumar yes.

The Board reconvened at 7:09 p.m.

PUBLIC COMMENT

No one is present this evening under this agenda.

Review and vote to approve warrants for the period covering March 21, 2018 to April 4, 2018: payable warrants for the town FY2018-39 & 40, payroll warrant FY2018 #20, school FY2018-S16, and Municipal Light Plant warrant FY18 #22

Motion to Accept: Mr. Crowley

Seconded: Mr. Rajeshkumar

Result: All in favor

Kenneth Lombardi, Director NFP Corp – recommendation on health insurance

Ken Lombardi and Joy Layden of NFP and Marcia Cairns, Chair of the Insurance Advisory Committee joined the Board. He reports that they met with the Insurance Advisory Committee, the board that discusses the health care plans on an annual basis. The health care plan will renew with Fallon at an 8.53% rate adjustment. The way the rates are created are by the claims data. One of the things they did with the IAC was to introduce a couple of ideas. Last year we moved from Harvard Pilgrim to Fallon. Fallon offered a couple different options including Direct Care, which is a lower cost product. They recommended to IAC to continue looking at the plan. We had not yet introduced any increase in deductibles. What they did this year is recommend consider tweaking the plans to reduce the rates of the increase and introduce a deductible with co-pays remaining the same. There is a \$250 deductible for Select Care for certain expenses you have to pay out of pocket and \$500 for family members. That preserved the entire plan in its current state for the Direct Care. There were no plan design changes. They introduced the idea of deductibles and educating the members on how the deductibles work. We will have a meeting to educate the employees on how this will work. The IAC recommended we move in that direction and the town still has to reach out to each of the individual unions who need to ratify the recommendations. Once they are on board we will have a unanimous approval. They are meeting with the other large union as they are looking for information. With regard to the percentage split, the majority of the employees are at 70/30. Ms. Bohnson thinks the deductible sounds very low to her. Mr. Lombardi noted that they are trying to balance some recommendations.

Ms. Bohnson asked if we went out to bid or only spoke with Fallon. Mr. Lombardi advised that we have been with one insurance carrier for six months. We thought it would make sense to send out an RFP but we thought it would not be a good idea. He thinks we are moving bodies over to the Direct Care Plan and we may consider a competitive bidding in the future. Ms. Bohnson asked about other carriers and was told that only the retirees have other carrier options.

Ms. Scheipers states that if we are able to get all the unions to agree to this we will have some cushion in the health insurance budget and we will come back for a formal vote on April 18.

NEW BUSINESS:

1. Review and discuss Open Meeting Law complaint from John Schlichte

We have received an Open Meeting Law complaint from John Schlichte alleging that a violation took place at the January 17, 2018 Selectmen's meeting because the Board did not allow him to ask questions. Mr. Crowley does not think this is an open meeting violation. This is to voice an opinion and he started asking questions and at that time Mr. Rucho, who was serving as the Chairman, said no, that is not what the Public Comment section is for. The description for the Public Comment section of the Board's agenda reads as follows, '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. Scheipers noted that he did state his question during the meeting, however, the Board decided there was no need to bring this up.

Mr. Rajeshkumar states the way Mr. Schlichte is interpreting the Public Comment agenda item is the Board can address questions and concerns and his questions were regarding town operations. When he tried to ask the Board some questions Mr. Rucho said you cannot ask any questions. The way Mr. Schlichte understood this agenda item, he could ask questions. He thinks there could be a language problem. Mr. Crowley feels the agenda states any matter would not be discussed in detail or acted upon by the Board. We listened and the Chairman didn't feel it warranted being added to a future agenda item and it is clear to Mr. Crowley that it is not an open meeting law violation. Mr. Rajeshkumar states Mr. Schlichte was trying to ask a question. Mr. Hadley suggested forwarding this to the Attorney General's office.

Ms. Scheipers advised that the Board may want to vote if they felt a violation occurred. We will send the Attorney General a letter saying it was discussed and the Board feels no violation occurred and no action is needed. Under Public Comment you can bring comments forward to be considered at another time it is not time to discuss in detail. Mr. Schlichte's states he was told during his intended remarks that there was to be only public comments and no questions would be allowed. Ms. Scheipers added that the Board could determine, if it was urgent enough, to discuss right then and there. If you do not believe it is urgent you have the ability to say you might bring it forward at another meeting or you may decide it doesn't need to be further discussed. She suggested the Board review the video. Mr. Rajeshkumar pointed out that under the Public Comment section of the agenda, it mentions 'questions'. At the meeting Mr. Rucho was serving as the Chair and at that time he said you cannot ask questions. Mr. Crowley states that in reading the minutes of the meeting they do say you cannot ask any questions. It was agreed to bring this up at the next Board meeting. We will send a letter to the Attorney General's office telling him what we plan to do and copy Mr. Schlichte.

2.ABM Peer Review – review of consultant proposal

Mr. Crowley reports that the proposal says we can do this for you at a cost of \$5,200, however, we think you are wasting your money as it is unlikely to change the Measurement and Verification approach. Mr. Hadley states they are saying ABM is going to win no matter what. Mr. Crowley spoke with Pete from the Finance Committee and told him about this and Pete said he thinks it would be a waste of money. He would rather not spend money to have somebody tell us they are in accordance with the contract and they have met state guidelines. The Board decided not to go forward.

Ms. Scheipers advised that ABM placed us on notice that they have a quality control company who would like to interview the town about our perceptions of ABM. She asked Mr. Crowley if he would like to be part of the process adding that Board feedback would be welcomed. Mr. Crowley is available after April 25th.

3.DCR request for consideration of siting ALB wood disposal facility

Mr. Hadley does not believe this would be a good idea for the town. Ms. Scheipers advised that this was not a formal request, it came through the website, and they are reaching out to all area towns. The good news is Nancy Lucier met with an ALB representative and there has not been any recent activity of the beetle found in town.

Motion Mr. Crowley to let them know we are not interested, seconded by Ms. Bohnson, all in favor.

4.BOS spokesperson – consideration of assignment of authority

This item will be tabled until Mr. Rucho is available.

5.Consider approving the hiring of Glenn Parker as seasonal laborer for the DPW effective April 9th until October 31, 2018 at a rate of \$14.62 an hour

Motion Mr. Crowley to approve the hiring, seconded by Mr. Rajeshkumar, all in favor.

OLD BUSINESS:

1.Next steps for cemetery land acquisition

This item will be tabled until Mr. Rucho is available.

TOWN ADMINISTRATOR'S REPORT

1.St. Pierre housing proposal

The St. Pierre family has reached out to the town to get feedback from staff on the feasibility of development a retirement community style housing project on their 24-acre parcel. We had a meeting with the building inspector, DPW. Water, MLP, Fire and Police. No obstacles were identified.

2.FY18 legal expenditures to date

The balance in the FY18 legal budget is \$43,997 as of the end of February.

3.Rt 12/Rt 140 intersection paving project

We have received formal notice that beginning in early April the state will mill and repave the intersection of Routes 12 and 140. They will adjust drainage structures, do line painting and improve signage. The work will be done in coordination with the police and fire departments. This is to improve the quality of the pavement. If and when we get a TIP project, that is when that intersection will be redesigned.

4.Misc updates

We have applied for a grant from the state for software and services to upload all sewer and water tie-in cards. It would allow staff to access infrastructure information and includes the ability for our staff to easily upload updated documents.

At the end of March we have a \$166,621 deficit in snow and ice and \$225,000 in Free Cash was reserved for that item.

FISP UPDATE:

1.Proposed Senior Center Project Construction Sign

The Board would like to edit the sign by removing the words 'New' and "south elevation".

Motion Mr. Crowley to approve the sign with those two changes, seconded by Ms. Bohnson, all in favor.

2. Consider voting on OPM Services Contract with Colliers

The contract is not yet ready, however, Ms. Scheipers recommended the Board authorize the Chairman to sign with the provision that the language must be approved by town counsel.

Motion Mr. Crowley to authorize the Chairman to sign with the provision that the language must be approved by town counsel, seconded by Ms. Bohnson, all in favor.

APPOINTMENTS AND RESIGNATIONS:

Board of Health: Robert J. Barrell & Michaun Fowler; Con Cmsn. Assoc Member: Allen Phillips; Council on Aging: Janice Ash & Barbara Mard; Cultural Council: Lauren Espe & Janet Johnson
Animal Inspector: Steven Jones; Assist Animal Inspec: Robert Barrell; Hazardous Waste Co-Ordinator: Thomas Welsh; Asst. Hazardous Waste Co-Ordinator: Allen R. Phillips; Gov Rep. to C.M.E.M.S.C.: Bill Nicholson; Ambulance Rep to CMEMSC: Colby Fiske; First Responder Rep to CMEMSC: Richard Ellbeg; Emergency Mgmt. Director: Thomas Welsh; Assist Emergency Mgmt. Director: Allen R. Phillips; Cert Coordinator: Jesse Boucher; Right-To-Know Coordinator: Thomas Welsh; Forest Warden: Thomas Welsh; Parks Commissioner: Jeffrey Legendre & James Pedone (School); Police Dept. Chief Of Police: Dennis W. Minnich; Constable: Dennis Minnich, Thomas M. Balvin, Francis Glynn, Anthony Papandrea, & Michael Pavone; Matron: Mary E. Almstrom and Abbi E. Parkinson; Town Counsel: KP Law; Town Common & Bandstand Use Advisory Cmte.: M. Patricia Barrie & John F. McCormick; Asst. Building Inspector: Richard Breagy, Louis Pepi & Christopher Lund; Wiring Inspector: Michael J. Capone; Assistant Wiring Insp: Dennis Dean & Michael Franciosi; Assist. Plumbing/Gas Insp: Eric Johnson; Economic Dev Cmte.: John Hadley; Town Scholarship Cmte. Janet Johnson & Karen Fotos (School Designee); Solid Waste Advisory Team: Barur Rajeshkumar; Agricultural Cmsn.: Sighle Philbin; Celebrations Cmte.: Peter Rotando, Michael J. Mulryan & John F. McCormick; and Facilities Implementation & Strategic Planning Cmte.: Patrick Crowley, Siobhan Bohnson, Barur Rajeshkumar, Christopher Rucho and John Hadley.

Motion Mr. Crowley to concur with the above list of appointments, seconded by Mr. Rajeshkumar, all in favor

MEETINGS, INVITATIONS & ANNOUNCEMENTS:

1. Request of BOS of how they would like to be notified of events not announced at BOS meetings

Ms. Scheipers explained the reason why she included this on the agenda is she wants to make sure she is meeting the Board's expectations on getting announcements. She asked if the Board is all set with website notifications or are there things that they are relying on the staff getting the information to them. Mr. Crowley has no issues and Mr. Rajeshkumar prefers email. Mr. Hadley noted that Mr. Rucho was concerned that there was a special event at the Wachusett Country Club dealing with the teen brain and a specialist in that field was at the event to discuss the effects on teenagers from alcohol and drugs. Ms. Scheipers asked if it the Board's expectation that she would forward those things to them. She would like to know when it is that they are sent special notifications as this evening was advertised in the newspaper, the electronic sign and sent via the list serve. Mr. Rajeshkumar suggested putting this off to the next meeting as it was a question raised by Mr. Rucho.

Mr. Bohnson added that if the Board is meeting and we know something is coming up we could also make the announcement.

2. Announcement by Economic Development Task Force as to which business will appear on the Gateway Sign

Mr. Hadley announced that Reservoir Garage was the business drawn, it is our first paying customer and it will be advertised on the Gateway Sign until June 30.

FUTURE AGENDA ITEMS/SELECTMENS REPORTS:

Mr. Crowley does not feel there is enough signage around Goodale Park and noted that he previously suggested a flashing crosswalk. He asked if the DPW Director could install pop-up crosswalk signs on Goodale and Crescents Streets that say stop for pedestrians in crosswalks.

Mr. Crowley requested the Board include review of the charter for the Capital Investment Board on a future agenda.

Mr. Crowley pointed out that this evening the Board appointed 30 or so appointments and he thanks those residents who stepped forward to volunteer their time. He also encouraged people to step forward and volunteer.

Mr. Hadley reports that he has the Board's review of the Town Administrator and a workshop will be scheduled prior to the next meeting of the Board.

Motion to Adjourn at 7:56 p.m.: Mr. Crowley

Seconded: Mr. Rajeshkumar

Result: All in favor

Respectfully submitted,

Approved: April 18, 2018

Nancy E. Lucier, Municipal Assistant

John W. Hadley, Chairman

Barur R. Rajeshkumar, Clerk

Siobhan M. Bohnson, Selectman

Patrick J. Crowley, Selectman