



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

## **Board of Selectmen/Sewer Commission Meeting Minutes**

<b>Date / Time / Location of Meeting</b> August 15, 2018; 6:30 p.m.; Selectmen's Meeting Room, 140 Worcester Street
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<b>Members Present</b> Christopher A. Rucho, Chairman Patrick J. Crowley, Vice Chair Barur R. Rajeshkumar, Clerk Siobhan M. Bohnson, Selectman John W. Hadley, Selectman
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<b>Members NOT Present</b>
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<b>Invited Guests:</b>
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### **CONVENE MEETING – 6:30PM:**

- Roll call

Motion Mr. Rajeshkumar at 6:30 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), and to discuss strategy with regard to litigation, the Town vs Robert Tashjian, 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. Rucho yes, Mr. Hadley yes, Mr. Crowley yes, Ms. Bohnson yes. ZBA Chairman Christopher Olson will join the Board for this discussion.

Motion Mr. Hadley at 6:55 pm. to adjourn and return to open session, seconded by Ms. Bohnson. Roll call vote: Ms. Bohnson yes, Mr. Crowley yes, Mr. Hadley yes, Mr. Rucho yes, Mr. Rajeshkumar yes.

The Board reconvened at 7:00 p.m.

### **PUBLIC COMMENT – 7:05PM:**

There is no one present for this item.

### **APPROVAL OF MEETING MINUTES:**

July 25, 2018 regular session

Motion Mr. Hadley to approve, second by Mr. Crowley, all in favor.

July 25, 2018 executive session

Motion Mr. Rajeshkumar to approve, second by Mr. Hadley, all in favor.

August 8, 2018, regular session

Motion Mr. Hadley to approve, second by Mr. Rajeshkumar. Vote on the motion- Messrs. Rucho, Rajeshkumar and Hadley yes; Mr. Crowley and Ms. Bohnson abstain as they were not present.

**REVIEW AND VOTE TO APPROVE WARRANTS: I move that we approve the following warrants for the period covering July 26, 2018 through August 15, 2018; payable warrants for the town FY2019-07; payroll warrant FY2019 #04; and Municipal Light Plant warrant FY19 #5 and #5A**

Motion Mr. Crowley to approve the warrants as stated, seconded by Mr. Hadley, all in favor.

### **John Scannell update on Recycle Center**

Mr. Scannell reports that things continue to run well. They completed a solar project and the Municipal Light Plant was very helpful with that. They also did some reorganization to the swap center. They closed it in late December to January to spread it out and it helped a lot. They continue to run hazardous waste collections six times a year. It helps each of the town's satisfy DEP requirements for recycling grants. Because of a clause in their Memorandum of Agreement with the town that says they won't do any of those events in frozen ground conditions, they avoid holding those collections in April and November. They would like to do a later April and one in November. Mr. Crowley asked if the town should sign a new MOA. Mr. Scannell asked if the Board had any issue it would be for next year. In looking at the website, Mr. Rucho noted that one is scheduled for November of 2018. Mr. Scannell will check on that.

Mr. Scannell reports that in theory you can dry out latex paint, however, people are paying to dispose of it. They hooked up with a new company that tries to recycle latex paint. People do not tend to open the can and dry it, which they can do and then they can dispose of the can in their trash. Mr. Crowley asked if they are feeling any impact on China's push back of purchasing those items. Mr. Scannell states that they are finding that disposal of product is becoming more of an issue, the value of products has dropped, and we will see how that plays out.

Mr. Rajeshkumar asked Mr. Scannell to explain the retention ponds. Mr. Rucho states that he has heard there is standing water all of the time. Mr. Scannell explained that there are parts of it that will have standing water. The first basin is lined and that will have standing water. They hold the water and the aquatic biologist checks them, they have no issues with misquote larvae. When it fills to a certain point it will go to the second basin. They have not seen larvae and they do not spray. Mr. Rucho thought the basins were supposed to drain. Mr. Scannell advised that the basins are lined with a barrier so if there is a vehicle accident with an oil spill it will not infiltrate into the ground. Mr. Rajeshkumar asked if they find larvae what will they do. Mr. Scannell states they will look into what can be done, we would look at alternatives if we think it is an issue. He will check on how often the basins are examined for larvae and report back to the Board.

Mr. Rucho asked in regards to the sidewalk over the causeway, has it been cleaned up? Ms. Scheipers advised that Mr. Jackson sent a crew over to clean it. Mr. Scannell states it is not DCR property. Part of the reason it was recommended to pave the entire width of the sidewalk and not leave a grassy corridor was because there were issues raised, it is a DOT property. Ms. Scheipers will check with District 3. Mr. Rucho pointed out that when we had the hearing on the project DOT

said they maintain some sidewalks, and they said they have areas they plow sidewalks. We will ask DOT and Rep. O'Day who was also at the hearing.

### **DPW Director Vernon Jackson**

#### **1. Consider voting to sign contract with Leed Salt**

Mr. Jackson reports that we got a great price on the salt. Last year it was \$71.70 a ton and this year it is \$61.47 for the green treated salt. If we have icy conditions he may use sand. Last year they used sand once or twice and it helps out with the sweeping. He will be putting together a report for the Finance Committee on the cost savings.

Motion Mr. Crowley to sign the contract with Leed Salt, second by Mr. Rajeshkumar, all in favor. Ms. Bohnson questioned why the decrease. Mr. Jackson advised that the next lowest bid was \$69 a ton.

#### **2. Sewer Abatement Request - David Edelberti**

This item will be passed over this evening.

Mr. Jackson reports that they paved Crescent Street today, they are a little behind because of the rain, and they put us in for the last couple of weeks in September. The Library project is proceeding. They need to mill the road and then pave it. It didn't add any new parking spaces and Mr. Jackson tried to match what they had on the other side of the street. The Odd Fellows side of the street will be no parking. Thus far he hasn't had any complaints from anyone.

### **NEW BUSINESS:**

#### **1. Consider signing Request for Watershed Determination of Applicability for determination on the Gambaccini property off of Maple and Pierce Streets**

Ms. Scheipers explained that this was put forward by Paul Menard, Chair of the Cemetery Trustees. The Gambaccini property was the first choice property. The test holes showed that it has adequate area for the water table. Mr. Menard was contacted by Vincent Vignaly who informed him that the town would need to move forward with a Watershed Determination of Applicability for DCR. Mr. Menard is requesting the Board approve the application. If we agree to move ahead we would have to obtain permission from the property owner. There is no fee for this.

Motion Mr. Hadley to authorize the Cemetery Board to move ahead with the application and seek permission from the property owner to do so, seconded by Mr. Crowley, all in favor.

#### **2. Acknowledge receipt of Policy & Procedure No. 3.02, Lockup & Holding Facility**

This is the policy we have waited for to be able to fully use the cells in the police department. It deals with all arrests and lock up procedures.

Motion Mr. Hadley to acknowledge receipt and approve, seconded by Mr. Crowley all in favor. Mr. Crowley asked if this had been vetted by legal. Ms. Scheipers advised that legal for the Police Chief's Association provided that service.

#### **3. Recognize the acceptance of the following donations for the Bandstand Committee and to approve expenditure of these funds for general purposes; \$500 sponsor from the Cultural Council, \$141 in free will donations from July 29 concert; and \$250 sponsor donation from Vignaly Family**

Motion Mr. Crowley to accept the donations with an edit to the donation from the Vignaly Family which should be \$200, seconded by Mr. Rajeshkumar, all in favor.

#### 4. Discussion regarding asking to join the Berlin / Boylston Public Safety Regionalization Talks

Mr. Rucho spoke with Ms. Scheipers about this. They have a meeting scheduled for August 22<sup>nd</sup>. The agenda packet includes a copy of a document from CMRPC which indicates the different aspects of what would be discussed. Ms. Scheipers noted that this came up in a conversation with the Fire Chief. He was speaking in favor of trying to get to the table to address the whole ALS issue for the region. He agreed we should try to get to the table to have a discussion. Mr. Rucho offered to attend on behalf of the Board.

Motion Mr. Crowley to join the regionalization discussion and have Mr. Rucho represent the Board, seconded by Mr. Hadley, all in favor.

#### 5. Approve next round of Community Compact Best Practices

Ms. Scheipers reports that at the end of October we will be done with our first round of Community Compact activity. Once they are complete we are eligible to apply again. In reviewing the options and getting feedback from the Board Ms. Scheipers recommends we apply for the following three areas. Reduce Municipal Solid Waste and Increase Recycling. This is in response to the ongoing concerns we have about recycling. We would develop waste contracts that are fiscally, environmentally and otherwise beneficial to the town. The second is Financial Management to develop a long range plan for casting model, it would be a model we could use to plug in various assumptions. And the third is under HR. The town previously completed several different compensation studies through the use of consultants. We are currently finalizing a compensation study in house. She recommends we take advantage of best practices and have then assist with a full classification and wage study plan.

Ms. Scheipers noted that Mr. Crowley put forward the Financial Management best practice. She also considered Information Technology Best Practice to develop a long-term strategy to include capital and operating expenses. She thinks the town is in very good shape with its Informational Technology system and with our new IT vendor we will be in a good shape with capital planning. Regional and shared services is something we could do on our own. Mr. Crowley doesn't have any issue with the three suggestions Ms. Scheipers put forward. Ms. Scheipers noted that even if we do not choose the IT Best Practice we are still eligible to apply for the IT grants

Motion Mr. Hadley to accept the 3 Community Compact Best Practices, seconded by Mr. Crowley, all in favor.

#### 6. Discussion regarding accepting Mason's donation of Old Stone Church stained glass windows for senior center or other

Mr. Rucho reports that this was previously in front of FISP and he asked that it be brought up to the Board. Since that meeting he was at a restaurant and they had something like this hanging on a wall and it was not back lit. He asked if we had reached out to the Historical Society. Ms. Scheipers is not aware. She noted that there was discussion at FISP that there was very little wall space at the senior center for the windows to be hung. There would be costs associated with this and any restoration is CPA fund eligible. It is being brought to the Board to make a decision.

Discussion ensued. Mr. Crowley would like to take them even if they sit in a cellar for 20 years. He thinks it would be crazy not to take them. Mr. Rucho is concerned about storing them,

how many times do we move them, and if we try to throw them away it might be costly. He thinks we should reach out to the Historical Society. Mr. Crowley pointed out that the Historical Society approved the CPC grant given to the Masons for the windows. Mr. Hadley would like to know how many windows they have. Mr. Crowley thinks three or four. Mr. Rucho will reach out to the Historical Society and report back. Mr. Hadley asked if we take one, do we have to take them all.

Motion Mr. Crowley to have Mr. Rucho serve as the Board's designee on this, seconded by Mr. Hadley, all in favor.

#### 7. Discussion regarding Establishing Permit Fees and Application for filming of Movies, etc.

Ms. Scheipers reports that one year ago she attended a meeting and there was a representative there from the Mass Film Office which has been established to promote filming in Massachusetts. They urge communities to post their information on their website so we can entice the movie industry and show them the benefits of coming to our community. She thanked Jay Givan who worked on putting together the necessary data base of all the sites that would be attractive to the filming industry including restaurants, hotels and livery services. We have all of these within a very short distance from us. The Economic Development Task Force said they would endorse moving ahead with this. The Film Permit Guidelines and an Application for any Production Company would have to be filled out if they were interested in filming in town. We suggested \$25 a day and they would need to have a permit from the Board of Selectmen and identify the town services it would need such as police details, DPW road closures. It would require the Board of Selectmen to give final approval and requires sign offs by the police chief, public works and fire chief. Ms. Scheipers would like these in place before we put our information on the website. The Board thinks it is a great idea.

The Board thinks this is a great idea. If they film in town they would need written permission of private property owners. They may stage on town roads. They will pay all costs associated with support services needed from the various town departments. The Board would like to proceed and schedule a public hearing if one is needed to set the fee.

#### 8. Consider voting to award a 3-year contract with Regional Resources Group for assessing services and authorize the Town Administrator to sign the contract

This is a service outsourced by the Board of Assessors. We issued an RFP and received one response from our current vendor RRG. The price proposal is excellent with the first year being \$100 less than what we are now paying. The Chairman of the Board of Assessors is in agreement with this.

Motion Mr. Crowley to award the contract to RRG and have the Town Administrator sign the agreement, seconded by Ms. Bohnson, all in favor.

### **OLD BUSINESS:**

#### 1. Review and approve the action items for the chosen FY19 Select board and Town Administrator Goals

The Board goals are to develop a policy to fund OPEB, minimize taxes/keep budget from going up, adding the island at Route 12/140 under Town Beautification, formalizing a communication plan/policy, develop a proposed action plan for DPW/Cemetery merger, establish a Recreational Marijuana Bylaw, and develop a Town Facilities Manager position. The document provides a basis of what success would look like with action steps and due dates. Both Messrs. Rucho and Hadley offered to work on the island goal. The Board is amenable to that. In addition, town beautification and the surveys will continue. Mr. Crowley offered to work on the OPEB Policy. The Communication

Plan Sub-committee will be a September agenda item. Messrs. Hadley and Rucho offered to work on cemetery goal and Mr. Rucho will work on the Marijuana Bylaw.

## **TOWN ADMINISTRATOR'S REPORT**

### **1. Tivnan Drive RFP Non Response**

We did not get any responses to the RFP and it was agreed to wait for somebody to come forward with an interest. Mr. Hadley suggested issuing an annual RFP.

### **2. Oct 15th Town Meeting Article Submission Deadlines**

The deadline for money articles is August 31 and the deadline for all other articles is September 7<sup>th</sup>. Articles should be submitted to the Town Administrator's office. If it is a ten-taxpayer petition it needs to go to the Town Clerk for confirmation of registered voters. The Marijuana Sub-Committee is discussing the article they will be putting on the warrant. We will have our discussion at the September 5<sup>th</sup> meeting. The bylaw will be referred to the Planning Board for its public hearing. The Board could vote to have the sub-committee refer the bylaw to the Planning Board.

Motion Mr. Crowley to have the sub-committee refer the bylaw to the Planning Board, seconded by Ms. Bohnson, all in favor. Mr. Crowley asked if any communities have adopted the 3% tax for marijuana sales. Ms. Scheipers advised that it would require a separate bylaw and it could be done in October. She will double check to see if it is a town meeting vote or a Board of Selectmen vote. She will have an answer for the Monday night meeting.

### **3. DPW Paving Project Updates**

This was covered earlier by the Director

### **4. Update on Building Inspector Hiring**

We received four applications, interviews were held on Monday and we have one very strong candidate. References are being checked and Ms. Scheipers will bring forward a candidate at the September 5 meeting. Mr. Hadley asked if Ms. Scheipers put any thought into including the Facilities Manager duties into the position. Ms. Scheipers will consider hiring that person for that position as well. If it doesn't work she will come back to the Board with an RFP to outsource. It has not been fully discussed with the gentleman.

### **5. LUCA Update**

We did submit our LUCA documents to the US Census Bureau. We found 400 household units missing from the records. This is important as Massachusetts loses more than \$1,000 per person in annual federal funding for each person not counted.

### **6. New Grants**

The state has allocated \$150,000 to West Boylston for the purpose of funding architectural design and engineering services for the renovation of the Fire Station. It was submitted by Rep. O'Day. We will be working with them on the necessary paperwork and it will be discussed with FISP. We will be using CMRPC for assistance with developing proposed language for a zoning bylaw to regulate adult use marijuana facilities. The value of the grant is yet to be determined and we will add them to our grant spreadsheet.

### **7. FY18 Budget Closeout Report/FY19 Revenues**

The Town Accountant is still working on that. We did find out that our net state aid amount ended up being \$3,280 below our budgeted number. We absorbed that into the Overlay amount. We are in good shape for FY19.

#### 8. Other Updates

The Tashjian vs. Chief Minnich and the Town of West Boylston legal case was dismissed. 9. October 13th is the Town-wide Cleanup date with a rain date of October 20<sup>th</sup>. Ms. Scheipers thanked the residents and members of the committee for their work on this. The log for the event is Team Up to Clean Up. They are putting together a web page and Ms. Scheipers hopes members of the Board will volunteer to clean up their streets. Mr. Crowley asked if we still plan to have something in the town meeting mailer on this. Ms. Scheipers is looking into getting businesses to sponsor some of the supplies such as gloves, grabbers, waters and tee shirts for the volunteers. Mr. Rucho is getting information on the shorts. They meet again next Friday. The event is 9-12. If people cannot do the clean up on that day they could do it in advance. They will work with anybody willing to work on the clean up.

#### **FISP UPDATE:**

##### Senior Center project update

Mr. Hadley reports that the roof is finished and windows are being put in. It is coming along.

##### Invoices:

Caolo & Bieniek Associates: 1) Inv. #5818 for \$9,817.50 ; 2) Inv. # 5825 for \$5,913.51

Motion Mr. Hadley to approve, seconded by Mr. Rajeshkumar, all in favor.

RAC Builders, Inc.: Inv. # 4 for \$491,837

Motion Mr. Rajeshkumar to approve, seconded by Mr. Hadley, all in favor.

Colliers International: 1) Inv. # 21738 for \$9,216.67; 2) Inv. # 21924 for \$9,252.05

Motion Mr. Crowley to approve, seconded by Mr. Hadley, all in favor.

Alliance: Inv. # 59580881 for \$3,049.00

Motion Mr. Rajeshkumar to approve, seconded by Ms. Bohnson, all in favor.

KP Law: Inv. # 116979 for one charge of \$425.50

Motion Mr. Hadley to approve, seconded by Mr. Rajeshkumar, all in favor.

Yankee Engineering and Testing: Inv. # 25137 for \$753.00

Motion Mr. Rajeshkumar to approve, seconded by Mr. Hadley, all in favor.

Reimbursement to the Police Department Supply Line for AED unit and cabinet invoices - Physio-Control, Inc: Inv. # 118054900 for \$1,995.00 and . Boundtree: Inv. # 82921573 for \$217.00

Motion Mr. Crowley to approve, seconded by Ms. Bohnson, all in favor.

Change Order #2 Caolo & Bieniek Associates \$46,491.00

Motion Mr. Hadley to approve, seconded by Mr. Crowley, all in favor.

#### **APPOINTMENTS AND RESIGNATIONS:**

1. Concurrence on the appointment of Marc Frieden to the Economic Development Task Force effective August 16, 2018 for a term to expire on April 30, 2020

Motion Mr. Crowley to concur with the appointment, second by Mr. Hadley, all in favor.

2. Concurrence on the appointment of Michaun Fowler to the Celebration Committee effective August 16, 2018 for a term to expire on April 30, 2021

Motion Mr. Hadley to concur, second by Mr. Crowley, all in favor. Ms. Scheipers noted that Michaun is interested in establishing other activities such as the scarecrow contest. Ms. Bohnson noted that the It's a Celebration Committee and the Celebration Committee have such similar names it is often confusing and she wonders if we could come up with another name for the Celebrations Committee which is a town committee.

### **MEETINGS, INVITATIONS & ANNOUNCEMENTS:**

Marijuana Study Sub-committee Public Forum to review the draft Bylaw – Tuesday, Aug 14<sup>th</sup> at 7pm

Mr. Rucho reports that the subcommittee met and ten to twelve residents attended the meeting, we had a few questions and they looked at the bylaw. The next public hearing will be before the Planning Board. If people have questions they could contact the Town Administrator for answers. The subcommittee is meeting again Monday night and will approve the final language, which will be posted on the website. The Planning Board may add an additional meeting to their schedule to hold the public hearing prior to the October town meeting.

### **FUTURE AGENDA ITEMS/SELECTMENS REPORTS:**

There are none at this time.

Motion Mr. Crowley at 8:20 p.m. to adjourn, second by Mr. Rajeshkumar, all in favor.

Respectfully submitted,

Approved: September 5, 2018

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Nancy E. Lucier, Municipal Assistant

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Christopher A. Rucho, Chairman

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Patrick J. Crowley, Vice Chairman

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Barur R. Rajeshkumar, Clerk

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Siobhan M. Bohnson, Selectman

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John W. Hadley, Selectman