



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

Board of Selectmen/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting September 5, 2018; 6:30 p.m.; Selectmen's Meeting Room, 140 Worcester Street
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Members Present Christopher A. Rucho, Chairman Patrick J. Crowley, Vice Chair Barur R. Rajeshkumar, Clerk Siobhan M. Bohnson, Selectman John W. Hadley, Selectman

Members NOT Present

Invited Guests:

Mr. Rucho convened the meeting at 6:30, all members are present.

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 2 to discuss contract negotiations with non-union personnel (building commissioner), 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. The Board will return to open session.

Motion Mr. Crowley to come out of executive session at 7:03 p.m., seconded by Ms. Bohnson. Roll call vote: Ms. Bohnson yes, Mr. Crowley yes, Mr. Rucho yes, Mr. Hadley yes, Mr. Rajeshkumar yes.

Meeting reconvened at 7:04 p.m.

PUBLIC COMMENT

No one came forward under this agenda item.

APPROVAL OF MEETING MINUTES:

1. August 15, 2018 regular session

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

2. August 15, 2018 executive session

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

3. August 30, 2018, regular session

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

7:05 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 ARTICLE XXIII - PUBLIC HEARING AND NOTICE for the purpose of considering amending the fee schedule for the Board of Selectmen to include a Permitting Fee of \$25 per day to be charged to Production Companies for filming within the town.

Mr. Rucho 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, September 5, 2018 at 7:05 p.m. for the purpose of considering amending their fee schedule to include a Permitting Fee of \$25 per day to be charged to Production Companies for filming within the town. The meeting will be held in the Meeting Room #210 of Town Hall, 140 Worcester Street, West Boylston. For additional information, or to review the proposed information, please contact the Office of the Board of Selectmen at 774.261.4012. All interested persons, groups, and agencies are invited to attend. Christopher A. Rucho, Chairman, August 22, 29, 2018.

At an earlier Board meeting we discussed posting information about the town on the website for the Mass Film Office to promote filming in Massachusetts. At that time Ms. Scheipers provided guidelines and a permit application. The guidelines included a fee of \$25 per day to be charged to the production company. This hearing is being held to modify the Board's fee schedule to include that fee. Ruslan Shamayev of 125 Lee Street asked if the \$25 is intended to have tax revenue, why then would the cost not be higher. Ms. Scheipers explained that by statute we have to set fees to some degree to cover the service. It is not meant to be a revenue fee. We did a search of what other communities are charging and \$25 was the average. This will list us on the Mass Filming Industry website. Mr. Rucho added that should a filming company come to town they would pay for things such as police details and that would be in addition to the \$25. Mr. Crowley noted that the idea is to try to attract production companies to come into town and these people would stay in town and go to eat lunch in town. The purpose is to get this on the website, it is marketing. Mr. Rajeshkumar states that down the road, we could increase the fee. No one else came forward to speak on this item.

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

Motion Mr. Crowley to approve the \$25 a day permitting fee, seconded by Mr. Hadley, all in favor.

Review and vote to approve warrants for the period covering August 15, 2018 to September 5, 2018: payable warrants for the town FY2019-08, 09 & 10, payroll warrant FY2019 #4 and #5, school warrant FY2019-S2, sewer warrant FY2019-SE05, and Municipal Light Plant warrant FY19 #6 and #7

Motion Mr. Crowley to approve the warrants as stated, second by Mr. Rajeshkumar, all in favor.

DPW DIRECTOR VERNON JACKSON

1. Update Lee Street Drainage Issue

Mr. Jackson reviewed the project with an engineer from the firm of Milone & MacBroom and they suggested two choices on its approach. The first is to direct the water to go down Goodale Street, or go around the corner to Goodale and then go off into the woods to disperse into the ground. The cost for the plan is \$18,000 and the estimate for the project is \$50,000. It would also require us to do some test borings. He noted that the condition happens right after it rains. He will try to get some grant money through the municipal vulnerability grant. Another option is we might want to widen the curb at the Holy Cross property and include the drainage issue within that project. Ms. Bohnson feels that this seems like a lot of money and is concerned we might get other requests such as this. Mr. Jackson advised that his guys previously put up some higher berm so the home doesn't get flooded. That handled it and in the winter they use a lot of salt. Mr. Crowley asked if the water is undermining the road. Mr. Jackson states it is not good for the road, and suggested holding off until we pulverize and pave the area. The road is not on the list of the bad roads listed the pavement management plan. It is more of a nuisance to the motorists. Mr. Rajeshkumar is familiar with the area and reports that if it rains it is a lot of water and you can hydroplane. The front yard of the house at that location gets flooded with water. It is the only area with a lot of water and down Lee Street the water goes slow. Mr. Hadley would rather wait until we are going to redo the road. Mr. Rucho feels the road is in pretty good shape compared to other roads. Mr. Jackson reports that he has \$186,900 available in Chapter 90. If we do want to widen the road we should ask Holy Cross to donate some land. Mr. Rucho would like to do something. Mr. Jackson will see if he can get this done through a municipal vulnerability grant and bring it back in November.

Motion Mr. Crowley to pass over this until a future date, seconded by Mr. Hadley, all in favor.

2. Update Malden Street Closing

The work on the bridge has been deferred until the Spring of 2019.

Ms. Bohnson asked if we could restrict the trucks coming into West Boylston from Holden via Goodale Street. Mr. Jackson suggested having CMRPC do a traffic study and noted that we have the same problem on Prospect and Laurel. Ms. Scheipers explained that typically Mass DOT will not limit truck traffic on a road unless there is a bridge or culvert that cannot allow a vehicle of a certain weight.

NEW BUSINESS:

1. Consider placing non-zoning articles on the Oct 15th warrant related to adult use marijuana facilities:
a) article to ban b) article to establish a sales tax

Mr. Rucho explained that this item is something the marijuana subcommittee requested. The Zoning Bylaw was referred to the Planning Board for public hearing. The subcommittee discussed whether or not we should have an article to ban as we had feedback from residents who wanted choices. The sub-committee wanted this brought before the Board to decide. They would also like to consider putting an article on to establish a sales tax. Mr. Crowley is against putting on an article to ban as he believes the residents in town already voted on it. Mr. Rajeshkumar feels we are giving a choice to residents. Ms. Bohnson feels this will confuse the public, disagrees with putting the article to ban on and agrees with Mr. Crowley. Mr. Rucho explained that the subcommittee noticed that a

lot of towns did it this way with choices. Mr. Rajeshkumar reports that at the last town meeting when the residents voted not to ban some of the residents complained that the article was not clear. Ruslan Shamayev of 125 Lee Street agrees with Mr. Rajeshkumar. He would like to see the ban question on the warrant. Mr. Crowley states it was presented to put a ban on recreational marijuana use and the vote was no. Mr. Shamayev was at town meeting and he didn't think it was clear.

Motion Mr. Rajeshkumar to include an article on the warrant to ban adult use of marijuana, seconded by Mr. Hadley. Mr. Rucho would like to bring the question back to the voters and give them the option. Vote on the motion – Messrs. Rucho, Rajeshkumar and Hadley yes; Mr. Crowley and Ms. Bohnson no.

Motion Mr. Crowley to include an article on the warrant to establish the highest sales tax rate allowed, seconded by Ms. Bohnson, all in favor.

2. Recognize the acceptance of the following donations for the Bandstand Committee and to approve expenditure of these funds for general purposes; \$134 in free will donations from August 19 concert and \$208.31 in free will donations from August 26 concert

Motion Mr. Hadley to accept the donations, second by Mr. Crowley, all in favor.

3. Review bids for surplus equipment and vote to accept or reject

Motion Mr. Hadley to accept the bid for 2 Full Size Lightbars from Mark Barakian in the amount of \$100.00, Couplings/Hoses/Nozzles bid of \$25 from Adam Last, Assorted Nozzles bid of \$25 from Mark Barakian, Forest Fire Pump Cans metal bid of \$7 from Gary Kaszowski, and Chimney Fire Can bid of \$1 from Gary Kaszowski, seconded by Ms. Bohnson, all in favor.

Motion Mr. Hadley to accept the bid for two Ground Monitor in the amount of \$50 from Mark Barakian, the bid for Chainsaws in the amount of \$175 from David Parker, the bid for Chainsaw Boxes in the amount of \$35 from David Parker, the bid for Assorted Hand Tools in the amount of \$23 from David Parker, the bid for Assorted Ropes in the amount of \$25 from David Parker, and the bid for the Stokes Stretcher in the amount of \$5 from Mark Barakian, seconded by Mr. Crowley, all in favor.

Motion Mr. Crowley to accept the following bids Master Box Indicator in the amount of \$25 from Mark Barakian, Minirae 2000 Meter in the amount of \$100 from Adam Last, Empty Toolbox in the amount of \$32 from David Parker, and Santa in the amount of \$10 from Mark Barakian, seconded by Mr. Hadley, all in favor

Motion Mr. Crowley to accept the following bids Leaf Vacuum trailer in the amount of \$106 from Gary Kaszowski, Billy Goat leave vacuum (8 hp) in the amount of \$40 from David Parker, and Two Walk behind air rakes in the amount of \$27 from Gary Kaszowski, seconded by Mr. Hadley, all in favor.

Motion Mr. Hadley to accept the following bids, a 2006 Ford F350 4X4, 136,000 miles in the amount of \$1,889.91 from Gary Kaszowski, and a 1993 ALM 9001, vehicle lift in the amount of \$300 from Jane Pettes, seconded by Mr. Rajeshkumar, all in favor.

4. Consider signing Agreement to Construction within Easement Area with the Girl Scouts of Central and Western Massachusetts, 1 Century Drive, Worcester and West Boylston

Carol Smiley of the Girl Scouts joined the Board. Ms. Scheipers explained that during the process off constructing the foundation they realized it impeded into a drainage easement area conveyed to the town by five square feet of space. Because the town owns that easement the town

needs to give them permission to impede into it. The agreement was reviewed by KP Law and it says that we will be sharing that five square feet area. Mr. Rajeshkumar noted that the Girl Scouts went before the Planning Board. Ms. Smiley explained that they proposed a different easement line and some how it was not recorded in the ANR. It is 14.6 square inches. They stopped all work when they discovered this. Mr. Rajeshkumar states you didn't go back to the Planning Board after the ANR.

Motion Mr. Hadley to approve the request and sign the Agreement, seconded by Mr. Crowley. Vote on the motion – Messrs. Rucho, Crowley, Hadley and Ms. Bohnson yes; Mr. Rajeshkumar no.

5. Initial Review of New and Updated Financial Policies (in preparation for public hearing in October)

Ms. Scheipers provided the Board with a packet of updated policies, which was one of the goals assigned to her. She worked on them with her finance team. They proposed the goal because they have five policies, which needs to be updated in accordance with the Municipal Modernization Act. They waited to release them to make sure they were in line with the state. The Department of Revenue had a set of best practice policies to use. We used those and came up with a set of 12 policies.

The Finance Committee Reserve Fund Transfers, Intra-departmental Transfers, and Spending in Excess of Appropriation Policies will remain as they are. The Investment Policy will be replaced. New Growth Taxation Revenue Policy will be updated. The Fund Balance Policy will be replaced with a Financial Reserve Policy. Cash Receipts, Cash Disbursements, Petty Cash, Tailings and Reconciliation of Cash Policies and Procedures will be separate policies. Post-Issuance Tax Compliance Procedures for Tax-Exempt Obligations and Other Tax-Benefited Obligations Policy will be left as is. They will add a Capital Plan Policy, and an Anti-Fraud Prevention Policy. Comments and edits from the Finance Committee have been included in the policy. The Board will provide comments to Ms. Scheipers and hearing will be scheduled for the October 3rd meeting.

6. Discussion Naming Committee (CR)

Mr. Rucho requested this agenda item because it is a committee we hardly ever uses. Mr. Rajeshkumar feels there are a lot of committees not functioning. He feels if we dismantle this and someone comes forward for a naming we don't have the committee. The Board has a policy associated with the Naming Committee. Ms. Bohnson thinks it may have had a purpose at one time but now she thinks we should disband it. Ms. Scheipers feels the Naming Committee would vet any proposal put forth and asked if the Board feels they could handle this. She recommends keeping the committee in place. It was noted that the committee consists of five members, currently there are four members listed, however, one of the members just moved out of town and now that Mr. Rajeshkumar is a Selectman he is not able to serve as no elected official can be members. Thus, there are two members for the five member committee.

Motion Mr. Hadley to disband the committee, seconded by Ms. Bohnson. Vote on the motion – Messrs. Rucho, Crowley, Hadley and Ms. Bohnson yes; Mr. Rajeshkumar no.

7. Consider approving candidate for position of Building Commissioner (tentative)

We will pass over this item.

OLD BUSINESS:

1. Vote to approve and sign the Police union contract

Motion Mr. Hadley to approve and sign the contract, seconded by Ms. Bohnson, all in favor.

2. Discuss if the Board wishes to pursue a Blight Bylaw under the continued Town Beautification goal

Mr. Crowley would like to pursue this. He will work with Mr. Hadley and get back to the Board of Health. We will get a copy of the bylaw just passed by Spencer.

TOWN ADMINISTRATOR'S REPORT

1. Report of Berlin/Boylston meeting on Regionalization of Emergency Services

Ms. Scheipers reports that she and Mr. Rucho attended a meeting in Berlin to discuss regionalizing public safety services with the towns of Berlin and Boylston. It was an interesting discussion with concerns voiced on both sides. No decisions were made and both boards will take the information back to their respective towns. The cost to do the study is \$20,000 and they would receive \$10,000 in grant money for the project. Boylston would like to have a public dialogue before moving forward. If anything comes up, Ms. Scheipers will inform the Board. Mr. Rucho pointed out that they were not recognized at the meeting or invited to be part of the meeting. He thought the price of the study was \$40,000. We already use mutual aid in our Fire Department with Boylston. Berlin and Boylston thought they were too far apart to merge. Mr. Rucho doesn't see anything coming out of this. He would ask Chief Welsh to come forward if he had an interest. Ms. Scheipers noted that on the fire side the chiefs have monthly meetings and they are interested in looking at ALS services. Mr. Rucho thinks sooner or later some of this stuff has to merge.

2. New Grant Awards

We received a DEP rant in amount of \$7,200 under the Sustainable Materials Recovery Program. These funds may be used for educational programs and recycling containers. We also received a \$7,700 MIIA Flex Grant which is being used to purchase 2 AED units with supplies for the Fire Department and three Energy Star dehumidifiers for the library.

3. First Issue of the West Boylston Municipal bulletin

The first issue has been released and is available on the website. Ms. Scheipers looks forward to feedback. She reports that 45 minutes after it was posted a resident called about the committee highlighted in this edition, which is the Transportation Committee. Mr. Rucho asked if there was a way people could just go onto the website and just read it. Ms. Scheipers advised that it is link.

4. Status of Opioid Litigation

Ms. Scheipers reports that we have had to supply information to KP Law one of the entities working with the national law firm. They are asking us to put together a more formal fact sheet which we need to get back to them. She asked the Board to authorize the Chairman to work with her and the two chiefs to finalize the document.

Motion Mr. Hadley to authorize Mr. Rucho to work on the project, seconded by Ms. Bohnson, all in favor.

5. Volunteer/Employee Spotlight

Mr. Scheipers thanked Norma Chanis and Rachel Peckar for their work in coordinating the town wide clean up event. She also thanked Rachel for her work on the website, which is being updated weekly. Norma is working on getting business volunteer and sponsors and setting up informational booths.

FISP UPDATE:

1. RAC Change order # 3 - \$21,964

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

2. Invoices

There are no other invoices for the board to consider.

3. General Project Updates

Mr. Hadley reports that the building is weather tight and they are working on other site work and drainage.

APPOINTMENTS AND RESIGNATIONS:

1. Concurrence on the appointment of Edward Ramstrom to the Historical Commission effective September 7, 2018 for a term to expire on April 30, 2021

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

2. Concurrence on the appointment of James Meola to the position of Constable effective September 7, 2018 for a term to expire on April 30, 2019 at a rate of \$13.25/hr.

Motion Mr. Hadley to concur with the appointment, second by Ms. Bohnson, all in favor. Mr. Rajeshkumar asked how many constables the town has. Ms. Scheipers advised that the others are police officers and Chief Minnich will use this individual in lieu of police officers at the elections.

3. Concurrence on appointing Ray Bricault to the Municipal Building Committee as the Finance Committee liaison effective September 7, 2018 for a term to expire on April 20 2021

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

MEETINGS, INVITATIONS & ANNOUNCEMENTS:

October 13 from 9-12 is the town-wide cleanup day, rain date is October 20th. There is information posted on the website.

Mr. Rucho attended the meeting on Village Zoning and found it to be interesting and a lot of good comments came out of it. He would like the follow up meeting, which is scheduled for October 1 at 7:00 p.m. to be held in the Selectmen's Meeting Room

September 20 at 7:00 we will have a public forum to get citizen input on the Housing Production Plan to identify housing types and needs within the town

Mr. Crowley informed the viewers that the I-190S ramp on Exit 4 will be closed from September 5 through October 15.

FUTURE AGENDA ITEMS/SELECTMENS REPORTS:

None this evening.

Motion Mr. Rajeshkumar at 8:21 p.m. to adjourn, second by Mr. Crowley, all in favor.

Respectfully submitted,

Approved: September 19, 2019

Nancy E. Lucier, Municipal Assistant

Christopher A. Rucho, Chairman

Patrick J. Crowley, Vice Chairman

Barur R. Rajeshkumar, Clerk

Siobhan M. Bohnson, Selectman

John W. Hadley, Selectman