



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

Board of Selectmen/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting November 7, 2018; 6:30 p.m.; Selectmen's Meeting Room, 140 Worcester Street

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 p.m. All members are present.

Motion Mr. Rajeshkumar to enter into executive session under the provisions of Massachusetts General Laws, Chapter 30a, Section 21(A), Parts 2 and 3, to discuss a) strategy with respect to contract negotiations with non-union personnel, (the Building Commissioner), and b) to discuss strategy with respect to litigation with the demolition contractor for the Mixer Building and the Chair declares that an open meeting discussion may have a detrimental effect on the bargaining position of the public body, second by Mr. Hadley. Roll call vote: Mr. Rajeshkumar yes, Mr. Hadley yes, Mr. Rucho yes, Mr. Crowley yes, Ms. Bohnson yes. The Board will reconvene in open session.

Motion Mr. Crowley at 7:06 p.m. to adjourn, second by Ms. Bohnson. Roll call vote: Ms. Bohnson yes, Mr. Crowley yes, Mr. Rucho yes, Mr. Hadley yes, Mr. Rajeshkumar yes.

The Board reconvened at 7:11 p.m.

PUBLIC COMMENT (tentative) 7:05PM

David Sweetman, 23 Newton Street joined the Board to discuss parking options on lower Newton Street. He provided them with a sketch and congratulated everyone involved with the lower Newton Street sidewalk project which extended parking on the Library side of the street and eliminated parking on the other side of the street. He recommends we extend the Library side off street parking in the outside travel lane from the condos up to Prospect Street. Mr. Hadley would like the DPW Director to review the plan and we will discuss this at a future meeting.

APPROVAL OF MEETING MINUTES:

October 15, 2018 regular session

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

October 17, 2018, regular session

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

October 24, 2018, regular session

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

Review and vote to approve warrants for the period covering October 18, 2018 TO November 7, 2018: payable warrants for the town FY2019-17; 2019-18, 2019-19; sewer FY2019-SE10; FY2019-SE11; school FY2019-S6, MLP #12, #13, and payroll 2019-09

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

PUBLIC HEARING: In accordance with General Bylaws ARTICLE XXIII - PUBLIC HEARING AND NOTICE, that the Board of Selectmen/Sewer Commissioners will meet on Wednesday, November 7, 2018 at 7:15 p.m. for the purpose of considering amendments to the sewer rates

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/Sewer Commissioners will meet on Wednesday, November 7, 2018 at 7:15 p.m. for the purpose of considering amendments to the sewer rates. The meeting will be held in Conference Room #210 of Town Hall, 140 Worcester Street, West Boylston. For additional information, or to review the proposed changes, please contact the Office of the Town Administrator/Board of Selectmen at 774.261.4012. All interested persons, groups, and agencies are invited to attend. Christopher A. Rucho, Chairman, advertised October 24, 31, 2018.

Michael Schrader of Tighe and Bond joined the Board. The purpose of tonight is to update the Board on the end of the year 2018 sewer data. When they did their study we generated a set of rate increases based on projections and then you check in to see how it is going. Usage in FY17 was .8% lower. In FY18 it was 2.1% lower. Expenses in FY18 were .28% higher than projected, about \$4,000 and revenue was .28% more than projected so we are about \$3,000 ahead. It looks like after this FY19 and FY20 you can back off the rate increases. His recommendation is go ahead with the 8% now and noted that we implemented this half way through the year and you used less water. Mr. Crowley asked if the numbers include the I&I spending. Mr. Schrader indicated that they did. Revenues are \$7,000 higher than projected. He recommends going ahead with the rate increase and we may have less future increases than predicted. Mr. Crowley would rather see slow and steady rather than 8,8,8,4,4,3,3. He also thinks the town should work with the Finance Committee for a target goal for revenue.

Mr. Schrader noted that the average bill is \$113 and in FY18 it went to \$122.00 a \$40 a year increase. There is no one in the audience who wishes to speak on this.

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

Motion Mr. Crowley to approve an 8% increase in sewer rates, second by Mr. Hadley, all in favor.

Lisa Clark Vicklund, Director Council on Aging & Janice Ash, Chairman of the Council on Aging discuss money Steve Migridichian will be giving to the Council on Aging

Ms. Scheipers noted that Steve Migridichian will be giving the first of his two \$15,000 gifts to the Council on Aging before the end of the calendar year. According to the agreement, the Board of Selectmen approve what the funds will be used for and they are to cover costs related to the senior center. Ms. Vicklund explained that because there are a number of items not in the project budget, including kitchen supplies, a television for the classrooms, computer lab in focus machine, temporary stage they would like to use the gift to purchase them. She noted that the kitchen appliances are in the budget.

Steve Migridichian, who is in the audience this evening, noted that when the monetary gift was negotiated his request was specific that the gift would be an item of goods, material substance with a long term life. He suggested developing a list of items with dollar values and he could pick out the gifts. Ms. Vicklund states that the dollar amount for the items she mentioned is under the \$15,000. Mr. Migridichian reiterated that whatever funds they committed to up to \$30,000 he would like them earmarked for use at the senior center. Ms. Vicklund will prepare the list with prices. Mr. Crowley suggested outside furniture as that it not included in the project budget. Ms. Vicklund reports that they sent out a donation letter to different companies. Ms. Bohnson asked if they had heard back on any donations and if they are doing anything else for fund raising. Ms. Vicklund reports that they have a couple of people they are waiting to talk to about donations. Webster First is giving \$200 this year and will be able to give more next year. Ms. Bohnson thought we discussed a fundraising plan and a group of people working on it. Ms. Vicklund does not have a group of people, they did have someone who was spear heading the fund raising, but no longer. Ms. Bohnson asked if they will note on the item that it was donated by a certain person so they can get credit for it. Ms. Vicklund will have a donation wall.

Mr. Rucho asked if the Friends of the COA voted not to do fund raising. Ms. Ash reports that they received horrible comments that came word of mouth and it wasn't good feedback. People said you just built the building and you are asking for funds. Corporate and business donations are moving forward.

Ms. Vicklund advised that the list right now are things the general contractor is asking about as they are supposed to be owner supplied. Steve Migridichian's recommendation for fundraising is to come up with an internal and external seasonal list of items businesses could select from. You could select a \$500 list or a \$700 list which would detail what you would get.

Request from Funny Guys, LLC, 216 West Boylston Street for a pledge of the Alcoholic Beverage License

Chris Clark joined the Board. He explained that he is here this evening requesting the Board's approval of a Pledge of his license. In order for him to secure financing Bay State Savings is requiring that of him. Everything is in order.

Motion Mr. Hadley to approve the pledge of the license, second by Mr. Crowley, all in favor.

NEW BUSINESS:

1. Marijuana Application review options and decision

Ms. Scheipers is in the process of looking at the best way to proceed with the process. The subcommittee looked at what process had been used by other communities. There are two available, one is an informal application process. With that process you develop a deadline and the Board of Selectmen would review the applications, interview the applicant and the Board would make a recommendation on the two retail applications. They negotiate a Host Community Agreement. The other option is to do an RFQ or RFP. We advertise it to the public, let them know you are doing an RFP. You provide them with direction as to what is required, you would have evaluation criteria and review all the applications received and make a decision about which application you would like to give consideration to and then you negotiate a Host Community Agreement and they begin the process with the Planning Board for a Special Permit. The RFQ would generate a lot more interest. If you decide to go with an application process you are required to notify applicants currently interested and it could get started more quickly.

Mr. Rucho asked do you have any idea of the percentage of towns do what. Ms. Scheipers noted that a number are doing the RFQ. Mr. Rajeshkumar would like to do an RFQ for broader exposure. Ms. Scheipers added realistically trying to expect proposals back before Thanksgiving would not be feasible. The RFQ would need a Review Committee and the Board of Selectmen would decide who would be that Review Committee. They would go through them and use predetermined evaluation criteria. The RFQ tells everybody in advance what criteria you are going to use to evaluate the application. The basic application package you could tell them this what we will be looking for. Mr. Rucho asked if we do an RFQ and get 7 applicants and they all meet all the criteria is it the first one who walks in the door and if either of those fail then we go with the next one? Ms. Scheipers noted that the bylaw spells out who is first in line and the certification by the state. They tell the Planning Board they have the notice from the State and they have a Host Agreement. That creates the first in line for the two retail facilities. You need to put the criteria in the RFP. With a simple application process the Board of Selectmen has the ability to make the decision. If you consider them eligible they have a location, lease agreement, financial backing, equal experience in developing dispensaries it may come down to the interview process and based on the interview you could rank the application. If they are all equal you could do it in order received.

Ms. Bohnson suggested weighting the different categories in the RFQ process. The Board suggested using the size of the building as a higher weighted score. Colonel Booth, who is in the audience this evening, states that they have gone through both versions. They are an applicant in Worcester, they did an RFQ with a deadline and allowed a rolling deadline, 22 applicants for that and then another 30 came in for 15 available licenses with 4 allocated to the medical group. If you do an RFQ you will get 20, 30 or 40 different groups. Worcester is going on for six months and have not yet decided. It depends on how fast you want your dispensaries open. Keep in mind when it comes to deciding Worcester looks at local ties to the community and speed to market gets priority status in the area. They are a medical Cannabis group. It is when you want to market it.

Erik Williams agrees with everything said. He has both recreational and medicinal experience. With an RFQ you will get a bunch of applications and they will be extensive, could be thousands of pages. When you have an RFQ you put it all in. He doesn't think it is a good way to go. Once you do scoring it opens it is up to legal issues. He thinks we need to make sure it fits with the character of the community. He doesn't believe they are all funded. You need to be able to dig in deeply and look at the people who are here already and made an effort. He is here representing one client. If an RFQ goes you will get many applications. He doesn't think that is where the Board wants to go. The host community agreement you are looking at fast tracking that, hand it out freely, make sure it has 3%

local hiring. Some towns ask who will write the biggest check to the town. The Cannabis Control Commission is looking at a lot of host agreements that are illegal. There is legislation that will be popping up if you go above and beyond the 3% the Cannabis Control Commission may say you are illegal and shut you down. Mr. Rucho thinks one of the criteria is the smaller applicants will be ready first. Mr. Williams likes the idea of just opening it up and giving it three weeks. Mr. Hadley asked if there is a review fee we can charge.

Ms. Scheipers noted that KP Law did say it is not unreasonable to have a \$5,000 deposition for each application for a technical review fee. The document would be worded in such a way so if we needed additional funds we could ask for them. The documents might need to be reviewed by KP Law or by a CPA for review of financial backing. Mr. Rajeshkumar noted that these applicants have already gone through other towns. Mr. Hadley asked if we could limit the application to 10 pages. Mr. Crowley would not want to limit it and noted that when we interviewed architects their applications were 150 pages. Mr. Rucho asked do we want to go with an RFQ or an application process. Mr. Crowley thinks RFQ process and not a rolling process with a quick turn around. Mr. Hadley agrees and have a three week period and then have the subcommittee review them.

Ms. Bohnson asked if we could limit the amount of applications. Ms. Scheipers replied no. Mr. Crowley thinks we should add a Finance Committee member to the subcommittee. Mr. Rucho doesn't know how many of the current finance committee members have financial expertise outside of town finances. Mr. Crowley thinks they should look at the financial backing of the applications. Mr. Hadley suggested hiring somebody with the \$5,000 to review the financials. Mr. Hadley asked if it had to be bonded. Ms. Scheipers doesn't see how that would play in on this, but did note that they would need a Certificate of Good Standing with the state. Mr. Williams noted when it comes down to finances we are talking about two dispensaries, somebody would spend two or three million, and they would show the business plan and financing is one of the easiest things to show.

Ms. Scheipers provided the Board with information on the two options available. The first is a Request for Qualifications. The RFQ would have criteria we would rate on such as strength of finances, funding, size of facility, secured source of product. The other option is the application process which is far less formal. With an RFQ it is a more formal process in that the Review vommittee is rating the proposals and it is much more formal that the Board of Selectmen interviewing. KP Law said we need to provide adequate notice provisions for an RFQ and it is a minimum two weeks. Ms. Scheipers feels three or four weeks would be better. Mr. Rucho would like to include in the RFQ that you must have a location based on the zoning and noted that there are not a lot of locations. Colonel Boothe, a gentleman interested in getting one of the town's licenses, noted that the same guy he is renting to could go with multiple companies.

Discussion ensued with Mr. Rajeshkumar suggesting we include criteria on the application. Mr. Rucho feels we could do as much with the application so why go with an RFQ. Mr. Crowley noted that there are two people in attendance here this evening who have an interest and a landlord who is interested. He feels if it is easier to go with an informal application process where there could have been a better applicant out there with an RFQ. Since we can only have two stores Mr. Rajeshkumar thinks we should go with a big store at one location as the town would get a better tax benefit. He thinks we should look at location and size of stores. Mr. Rucho would not want to make location of the store a criteria because we have a bylaw that speaks to that. Rob Fuller, who is in the audience this evening and is a landlord, states with the RFQ process the big guys could have applications to you in the morning. It is a matter of how much time you want to invest and delay the start.

Mr. Hadley thinks the application process would work best with a time limit. Mr. Rucho feels the same people will contact us whether it is an RFQ or an application. Ms. Scheipers pointed out that we have no way of knowing what we are going to get for responses. We would post it on our website and let interested parties know. Mr. Rucho reports that the day after we approved the bylaw we received some calls. Colonel Boothe noted that the town will have to decide if they want to go with a local or a huge company. Mr. Crowley asked how many people have expressed an interest. Ms. Scheipers reports that she has had three applicants interested in specific locations in town and a number of calls from real estate agents calling for marijuana brokers. She estimated 20 people.

Mr. Hadley would like an application process with a time limit of three weeks and have the subcommittee review them. Ms. Scheipers recommends opening up the application process and notify those parties who are interested. She will finalize the application document and recommends the subcommittee approve the document before the notice is put on the website. Mr. Williams noted that he has clients who are those large multi-national companies and those who are the small companies. He states you do not want the big ones. They have zero intentions of ever being here. They can only have three so they are out brokering them. Mr. Rajeshkumar asked if it needs to be advertised anywhere else but on the website. Ms. Scheipers does not believe we need to and she will get a draft application process to the subcommittee for them to review and approve.

Motion Mr. Hadley to go with the application process, a three week time limit, \$5,000 deposit and the subcommittee will look at it three weeks from when the subcommittee approves the paperwork, second by Mr. Crowley all in favor.

2. Discussion regarding search for new Town Administrator

Discuss make up of search committee

Mr. Hadley recommends the committee be comprised of two residents, two members of the Board and one member of a board/committee/or employee.

Motion Mr. Crowley to have the search committee made up of two residents, two members of the Board and one member of a board/committee/or employee, second by Mr. Hadley, all in favor. The Board will accept applications and they will select the members. We will use the same form we use for residents to serve on a board or a committee. The advertisement for the subcommittee will include a deadline to apply by November 26th. It was agreed that the Board would review the applications on November 28th or December 5th. They will invite the applicants to the meeting.

Review previous ad

Ms. Bohnson would like to reduce the years of experience from 5 to 3 because of the size of the town and the budget. We will remove the language pertaining to the town only having two town administrators in 21 years and we will amend the budget number. We will insert salary will be commensurate with experience.

Motion Mr. Hadley to approve the ad with the changes as requested, second by Mr. Crowley, all in favor.

Discuss time line

It was decided that we would send the ad out as soon as it is updated and we will use January 2, 2019 as the deadline for applications.

Discuss hiring an interim town administrator

It was decided that the interim would need to be hired by January 11 or 15th. Mr. Rucho prefers putting this discussion off at this time. The Board did decide that they would advertise the

opportunity on the town's website and make some phone calls. It would be to work on or about January 15.

3.Consider voting to approve exception from 20B conflict of interest for the following two Cemetery Department employees: Kevin McKee and Lance Watkins

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

4.Consider approving the following individuals as seasonal snow plow drivers driving town vehicles for the Department of Public Works effective November 11, 2018: Donald MacKenzie, West Boylston, Robb MacKenzie, West Boylston, Kevin McKee, Jefferson and Lance Watkins, Jefferson

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

OLD BUSINESS:

1.Consider amending the membership number for the Economic Development Task Force (JH)

Mr. Hadley reports that he spoke with Mr. Chase and he will be resigning from the committee.

Motion Mr. Hadley to amend the membership of the committee to five members, one member of the Planning Board, one member of the Board of Selectmen and three residents, second by Mr. Crowley, all in favor.

TOWN ADMINISTRATOR'S REPORT

1.Additional C90 allocation

We received notice from MassDOT that we will be receiving an additional \$58,077 in Chapter 90 funds. The DPW Director will be putting together a plan for the additional funds.

2.FY20 Budget Process

Ms. Scheipers reports that she is waiting for the final recap numbers to be put together by the Board of Assessors and the Town Accountant. We will be going with level funding for local aid and local receipts. One of the goals the Board set was to look at cost savings. That will be a key part of her budget review with the various department heads.

3.Update on Landfill monitoring wells

The repair and replacement work on the wells at the landfill will begin on November 19th. Our engineer has been keeping DEP in the loop on where we are to be in compliance with their directive to study the 1,4 Dioxane migration. Ms. Scheipers will continue to update the Board.

4.Update on 92 N. Main Street court case

The ZBA was able to successfully negotiate a settlement with the owner of 92 N. Main Street on the changes in the number of bedrooms and other modifications made to the original 40B comprehensive permit. They approved modifications to allow for 9, one-bedroom units with dens in Building C as well as other minor modifications. The permit will be amended to reflect their decision.

5.Assumption College Intern Project – Proposal to develop a general town Facebook page

Ms. Scheipers is working with a group of interns from Assumption on trying to improve our public interaction through the use of media. They had been looking at the town's website and were not able to make any strong recommendations on how to improve that. They are recommending the town develop a Facebook page. The Council on Aging, and Police and Fire Departments all have Facebook pages. They suggest that there is a certain demographic that would not look at the town's webpage and they feel by using Facebook it would be a better way to reach out to individuals and faster information dissemination. They said if we are looking to target the 28-65 year olds they feel moving forward it is a more effective way to provide information. It would appear on the West Boylston home page and provide us with the ability to link to other pages. They feel most people go on Facebook so if we post five to seven times a week the people will see the messages we want them to see. It would be linked to the town calendar and they feel it would create more traffic on the website. Mr. Hadley asked who would keep it up. Ms. Scheipers recommends it be multiple people to post. Currently people in the various departments have authority to update their webpages so she would recommend having those same people authorized to post on Facebook. Mr. Rucho doesn't think we should add anything else and he noted that town meeting was not even on the town's website. Ms. Scheipers advised that it was. He doesn't think the town webpage is being updated and now we are thinking 5-7 posts a week. He asked about something on the website and was told the person doesn't handle that part. He thinks a future agenda item should be how we add information to the town's website and who is responsible. Ms. Scheipers noted that if the town would like to move ahead with a Facebook page the interns would establish it for us.

6.FY18 Audit

We just completed our audit and there were no findings.

7.Legal Expenditures update

The FY19 legal budget is still tracking favorably. Through September we have expended 17%.

8.DCR Land Acquisition Update

We received notice that DCR acquired a 4.6 acre parcel of property by eminent domain for water protection. Going forward the town will not recoup what we would get for this parcel through the normal tax process. Mr. Rucho suggested speaking to our legislators about this the next time they come in.

9.New Business Initiatives – Ground Breaking for new Girl Scout headquarters

Ms. Scheipers attended the ground breaking and reports that they spoke highly about West Boylston.

FISP UPDATE:

Approval of invoices and expenditures

Change Order #5, \$21,146 – motion Mr. Hadley to approve, second by Mr. Crowley. This is being done because it is a budget fix and lowered the cost of what we had originally budgeted.

Other updates

Mr. Hadley reports that things are moving along and we may have heat and electricity in the building. They discussed the issue about the water in the field and the trenches are filled with water because of all the rain. Mr. Rucho pointed out that the field gets a lot of water and everything in the ground is designed to be in the ground and before it is closed everything will be weather tight.

APPOINTMENTS AND RESIGNATIONS:

1. Concurrence on the appointment of Marion Karsina to the Insurance Advisory Committee as the designee of the Teachers' Association effective November 8, 2018 for a term to expire on April 30, 2020

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

2. Concurrence on the appointment of Carl Haarmann as a full member of the Conservation Commission effective November 8, 2018 for a term to expire on April 30, 2020

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

MEETINGS, INVITATIONS & ANNOUNCEMENTS:

1. November 12th, 9:00 a.m.-11:00 a.m. Veteran's Day Thank You Breakfast at Council on Aging
2. Parking Ban begins November 15 through April 30th – no parking on the street from midnight to 5:00 a.m. – also no parking on the streets during daytime hours when it would hamper snow removal efforts

FUTURE AGENDA ITEMS/SELECTMENS REPORTS:

Last week Mr. Rajeshkumar was approached by residents who asked why the police department cruisers just say police and not the town of West Boylston as neighboring towns do have the town printed on the cruiser. Ms. Scheipers thinks it would be better to have the Chief come in to speak to that. It was agreed that we will get a report from the police chief.

Motion Mr. Crowley at 9:25 p.m. to adjourn, second by Mr. Hadley, all in favor.

Respectfully submitted,

Approved: November 28, 2018

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