



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

Board of Selectmen/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting May 2, 2018; 6:15 p.m.; Selectmen's Meeting Room, 140 Worcester Street
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Members Present John W. Hadley, Chairman Christopher A. Rucho, Vice Chair Barur R. Rajeshkumar, Clerk Patrick J. Crowley, Selectman Siobhan M. Bohnson, Selectman

Members NOT Present

Invited Guests:

Welcome – Call to Order

Time: 6:15 pm

CONVENE MEETING – 6:15PM:

- Roll call

Motion Mr. Rajeshkumar at 6:15 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. Rucho yes, Mr. Hadley yes, Mr. Crowley yes, Ms. Bohnson yes.

Motion Mr. Rucho at 7:25 p.m. to come of executive session, seconded by Ms. Bohnson. Roll call vote: Ms. Bohnson yes, Mr. Crowley yes, Mr. Rucho, Mr. Hadley yes, Mr. Rajeshkumar yes.

The Board reconvened at 7:26 p.m.

PUBLIC COMMENT

No one is present this evening under this agenda.

APPROVAL OF MEETING MINUTES: April 18, 2018 regular session

- Motion to Approve: Mr. Rajeshkumar
- Seconded: Mr. Rucho

- Result: Messrs. Hadley, Rucho, Rajeshkumar, Bohnson yes; Mr. Crowley abstains as he was not present.

Review and vote to approve warrants for the period covering April 1, 2018 to May 2, 2018: payable warrants for the town FY2018-43 & 44, sewer FY2018 #26, school warrant FY2018 #S-18, and Municipal Light Plant warrant FY18 #24

- Motion to Approve: Mr. Crowley
- Seconded: Mr. Rajeshkumar
- Result: All in favor

Karyn E. Clark, Director Worcester Division of Public Health /Central MA Regional Public Health Alliance - Renewal of Intermunicipal Agreement

Karyn Clark joined the Board with Phil Leger and Board of Health Chair Robert Barrell. This evening the Board will consider renewal of the 3-year intermunicipal agreement with the City of Worcester. Ms. Clark explained that they provide community health services, are working with the Police Chief on substance abuse prevention, and provide emergency preparedness services. The only service they do not work with the town on is our nursing services. The only difference is they will now provide Title V services on a per diem basis. Communities in the Alliance have a 26 member team and work with the towns of Grafton, Leicester, Shrewsbury, Holden and Millbury. They are a regional health district and the only local accredited health department. The Board of Health still has their autonomy. Mr. Barrell noted the benefit to the community is we have access to professional people in specific fields and grants. They are a professional team backing up the Board of Health. Currently the Board of Health contracts out their Title V services to a private firm. The Alliance does Title V inspections for Leicester, Holden, Shrewsbury and Grafton. Right now they mail their Title V information to their engineering firm and Mr. Leger attends their meetings and answers any questions the Board has at their meetings. Mr. Barrell did indicate that he would use the engineering firm on a larger project. The pricing is the same. Mr. Leger pointed out that they also provide a 24-hour on-call backup to the Board of Health. They outlined the breakdown of the Title V per diem fees. Mr. Barrell explained that something they might get called out for is nuisance calls such as a septic smell and Worcester will go out to investigate. The first year of the contract will cost \$21,269.40. Mr. Barrell noted that they operate solely on their fees, no tax levy. They contract with Sutton for their nursing contract at a cost of \$600. However, he is not sure they can continue without additional fees in subsequent years.

Motion Mr. Crowley to approve entering into the renewal agreement, seconded by Ms. Bohnson, all in favor.

7:15 Public Hearing: In conformity with ARTICLE XXIII - PUBLIC HEARING AND NOTICE, Consider Adopting a Policy on Notice of Pregnant Workers' Fairness Act

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, May 2, 2018 at 7:15 p.m. for the purpose of considering adopting a Policy on Notice of Pregnant Workers' Fairness Act. The meeting will be held in the Municipal Office Building, Selectmen's Meeting Room, 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, advertised on April 18, and 25, 2018.

Ms. Scheipers explained that the state issued new legislation that went into effect on April 1 regarding the Pregnant Workers Fairness Act. It prohibits discrimination against an employee due to pregnancy or a condition related to pregnancy including lactation or the need to express breast milk for a nursing child. We have already met our obligation and this policy was also recommended in order for us to be fully compliant.

The Board has no questions and there is no one present to speak on this item.

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

Motion Mr. Rucho to approve the policy, seconded by Mr. Rajeshkumar, all in favor.

Vernon Jackson, DPW Director

1. Update DPW site improvements

Mr. Jackson joined the Board and updated them on the site improvements he has made at the DPW. He has checked the waste oil tank for any leaks and regraded everything in the area in front of the tank to prevent runoff from going down into the tank containment area. He removed the guard rail in front of the property, took away the sand pile and planted grass. He would like to install a sign at that location and have a bark mulch pile for residents. They scraped and painted the main DPW door and painted a new entrance sign for the door. He will repave the parking lot as funds allow. They fixed the gate that closes off the back of the building. The Board asked him to look at the access point behind the fire station. They have a couple of old jail cells he would like to get rid of and will look at demolishing them. He is identifying surplus items. The heat in the kennel is working and they are clearing it out. They are going to paint the fire escape. There is a property dispute on the DPW parking lot. The Board recalled the town surveying that property. Mr. Rucho suggested marking it off and the abutter will have to dispute it. Mr. Hadley asked if we still use the kennel. Ms. Scheipers noted as needed, yes. Mr. Jackson is working on disposing of the old tires. If we change the working in our recycling bylaw to include tires he could use funds in the revolving fund line to pay for that. They routinely remove their scrap metal and those funds go into the revolving fund.

2. Update sign replacement program

Mr. Jackson reports that he has 42 missing signs, it will cost \$4,200 to replace them and they are Chapter 90 eligible. He will check with the grant writer to see if there are any grants available. He noted that we are also missing a lot of stop signs. He checked with the state and we are not required to put them anywhere. The Board recommends installation along major roads only. Ms. Bohnson suggested consulting with the Police Chief.

3. 2018 Chapter 90 Projects

Mr. Jackson has a list of streets, he will now put them out to bid, and as soon as he has price proposal he will bring them forward.

4. Library Parking/Sidewalk Project Next Steps

Mr. Jackson will be re-bidding this project and is hoping he will get better pricing. The Board would like to go ahead with this project. He reports that mid-Newton to Goodale Street will be paved on Thursday.

5. Tier 3 Sidewalk Grant Start-up

We received \$193,000 to install sidewalks from Pine Arden to the school. He is using a new engineering company and he will use Chapter 90 to cover the engineering services. Mr. Rucho asked if we had updated the pavement management plan. Ms. Scheipers noted that we had CMRPC update it through the Community Compact and Mr. Jackson will be able to update road conditions going forward. Mr. Jackson reports that next year all of the streets will be in good condition.

6. Crosswalk Stanchions on Goodale & Crescents

Mr. Jackson spoke with the police chief who is in favor of the stanchions, but he does not want them in the road. He thinks turning traffic will take them out and suggested putting them at the crosswalk with one on each side of the road. Mr. Jackson noted that he has them in his town and they get knocked over all the time. Mr. Rucho suggested putting in lights. Mr. Crowley is concerned Little League season is here, the new fencing is helpful for ground balls, but people fly down Goodale Street and we need to do something. He would like them on Goodale Street at the parking lot and at the two cross walks on Crescent. He feels flashing lights would be ideal, but costly. Mr. Rucho feels something needs to be done to slow the cars down and he thinks we should look at the price of lights. For now the Board would like to put up the stanchions and go with the Chief's recommendation and locate them on each side of the street. In total we will need 6. Ms. Bohnson asked if flashing lights are Chapter 90 eligible or is there a grant available. Mr. Jackson will look into it.

7. Other items

With regard to the trackless machine Mr. Jackson reports that he will be pulling his request off the warrant. He spoke with a lot of towns and they said it is not uncommon to have a lot of breakdowns. It is only five years old and they feel they can fix it for around \$1,000. It is a versatile piece of equipment. They are also requesting a new truck, it will be a F-250 with a plow for the Director to use. The Facilities Manager will take his current truck. They are also asking for funds to purchase another mower. The 2011 unit is a high end residential mower and by getting the new machine they will have two good x-mart machines. He thinks he could get \$5,000 for the 2011.

Mr. Jackson reports that he has a grant opportunity from Municipal Vulnerability Preparedness Grant. Due to climate change they are expected a lot of bad weather. This is a planning grant and we could get \$10,000 to \$15,000, work with CMRPC and have a planning workshop. Once we get the workshop together we can apply for various items including salt sheds and generators. He asked the Board's permission to apply.

Motion Mr. Crowley to approve and authorize the Chairman to sign any documents, seconded by Mr. Rucho, all in favor.

Mr. Rucho asked about the Route 140/Boylston line project. Mr. Jackson reports that they are going to reinstall the two gutter inlets they removed as part of the project and they need to add the additional signage. The Beaman Street one-lane going over the bridge will be removed on Friday and they will pave Routes 12/140 the week of May 10th.

OLD BUSINESS:

1. Review of Charge of Capital Investment Board

Mr. Crowley requested this agenda item based on a conversation he had with Finance Committee Chairman Ray Bricault. The charge says they are to review all expenditure of \$20,000 or greater having a useful life of at least five years. All officers, boards, and committees, including the

Selectmen and the School Committee, shall by September 1st each year give to such Board, on forms prepared by it, information concerning all projects anticipated by them to need Town Meeting action. His understanding is that is not happenings. Mr. Bricault joined the Board. He states that there is lack of uniformity. After meeting with the schools they indicated at the end of the year if they have excess money they may choose to purchase various capital items the CIB may or may not have seen. He asked Ms. Scheipers for the charter he would like to know how the CIB charges goes with the School Committee's autonomy. They are looking for guidance in their charge or how they should approach this. He cannot say that there is specific purchase they may have taken that they would have objected to, but it is a question of what the process is. Mr. Hadley asked about the procedure.

Ms. Scheipers explained that the school is asked, as is every other department, to put together their capital list to submit to the CIB for review and recommendations. There are times when the school district has put forward capital plans and there are times when we have determined that there are some items that may be under the purview of the CIB but they make the decision to undertake that themselves within their own budget funds or school choice funds. The School Superintendent indicated that there are times when there are time sensitive issues and to bring it before the CIB it would not work. Ms. Scheipers thinks we need clarification, is it our expectation that all school capital needs go to the CIB.

Mr. Hadley asked how often the CIB meets. Mr. Bricault noted typically between spring and fall for town meeting. If they are called they would setup a meeting. Ms. Scheipers noted the school superintendent express concern that if all their projects had to go to the CIB they would find themselves in a position that some of their projects would not be approved. They would prefer being outside of the CIB review. Mr. Crowley likes the idea of having an outside group say this makes sense and the CIB is supposed to look at everything over \$20,000. As it is written they are supposed to be look at it and he thinks it is a good thing. To say because it is within our budget you gave us we are going to buy whatever we want without outside oversight is short sighted. Ms. Bohnson suggested inviting the School Superintendent in to meet with the Board so they have a voice. The Board feels it would be appropriate to have the School Committee come in. Mr. Rucho voiced his concern that if the school haws money left in their budget he doesn't think this policy says they can tell the school what they can do with it. Mr. Crowley feels the CIB can look at an item and say we do not think you should do that, and the school can say we are going to do it anyway. The CIB reviews and gives a recommendation. It is looked at from a fiscal view point rather than we have this money and this would be a nice item to have. He added that the CIB always looked at items over \$20,000 some are not funded out of the CIB, but through raise and appropriate or Chapter 90.

Mr. Bricault noted that there were a number of occasions that they were surprised by the purchase. There was enough uncertainly on how he reads the language he would like clarification. He likes a uniform process. It was agreed to meet with the School Committee. Mr. Rucho noted that the School is their own board. Mr. Crowley noted that the CIB is appointed by the Moderator. Mr. Bricault would like to know how does it fit in the overall plan, what is the second check for all the other town departments, and these things are all looked at. Mr. Rucho thinks it is everything under the Town Administrator. He also thinks before we invite the school in we should discuss what we are asking them. He also suggested speaking with them about sharing computer services and the facility person. Ms. Bohnson does not think the \$20,000 is a good dollar figure. Mr. Bricault noted that they have not broached that issue. Mr. Berglund, who also served on the CIB, advised that a capital plan

from the town is submitted to them for each department with schedule of replacement and it gives the town an overview of how to manage those assets. The school does not provide a list.

Mr. Bricault reports that the Finance Committee did discuss the capital article and they have a few questions they will forward to the Town Administrator. One of the open items was the new truck being requested for the DPW Director. He would be able to plow, they discussed the trade in value and will have an answer on whether they recommend this or not before the next Board of Selectmen's meeting.

NEW BUSINESS

1. Consider request for a Reserve Fund Transfer in the amount of \$15,000 for the Fire Department

Chief Welsh joined the Board. He is having a major issue with his CPR unit. It would cost as much to repair the unit as it would to purchase a new one. It is a Lucas 2 automatic CPR machine. The battery failed, circuit board failed and the motor failed. It is \$12,000 to fix and \$15,000 for a new unit. They are coming out with a new machine that would cost \$10,600. They are asking for a Reserve Fund Transfer not to exceed \$12,000. Ambulance 2 has a similar unit. It takes the place of one person doing CPR. We purchased the machine in 2012 and he asked the manufacturer why it didn't have a warning. There are contracts we can sign up for. They have a \$300 a year menu plan and the new machine has the capability of being diagnosed through the internet. They are going to pay for the \$300 a year service for the other Lucas 2. The new machine comes with a warranty. Mr. Bricault asked if this is something that could be funded under the sunset communications article. The Chief indicated that it could not.

Motion Mr. Crowley to approve a Reserve Fund transfer not to exceed \$12,000, seconded by Ms. Bohnson, all in favor.

NEW BUSINESS (CONT):

1. Finding a date for Board's annual goal setting retreat

Ms. Bohnson suggested two sessions. The Board will provide available dates to have two weekday evening meetings. The Board will send along dates they have available.

2. Request for a one-day Transient Vendor and Common Victuallar Permit for their June 15, 2018 end of the year event Vendors include The Dog Father, Jerry's Tastee Freeze and Anzios Brick Oven Pizza

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

3. Recognize the acceptance of the following donations for the Bandstand Committee and to approve expenditure of these funds for general purposes: \$265 from Clinton Savings Bank, \$265 from The Manor, \$265 from Michael Casey, DMD, \$265 from Oriol Health Care, \$265 from Miles Funeral Home, and \$265 from Menard's Auto Body

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

OLD BUSINESS:

1. ABM – Measurement and Verification for 2018

Ms. Scheipers reports that Eileen McHugh of the Mass Department of Energy Resources would like us to give careful consideration before we let ABM off the hook as it is their obligation that everything is working as needed for the town to get our maximum energy savings and if not they need to come in and tweak the system. If we take them out of the picture it relieves them of that. Mr. Rajeshkumar noted that when Roger Pontbriand met with the Board he indicated that they had not been in during the last year. Ms. Scheipers advised that ABM has now put the report in the right format and submitted it to DOER.

Chief Welsh reports that he reached out to them a while back because half the lights in his garage are not working. He has called, left messages and no reply. Mr. Crowley prefers they do not do the next round of M&V as he doesn't trust them and he feels they will get it to work in their favor. He feels they are disingenuous, it is like the fox guarding the hen house and it is the state's fault. Ms. Scheipers noted that if we decide not to go with ABM there are other companies that can do this at a lower cost. Ms. Scheipers will call them tomorrow about Chief Welsh's issue. The Board agreed to include this on the next agenda. Mr. Rucho asked if we have a new company come in and they say things are completely wrong are there any legal steps the town could take. Ms. Bohnson suggested checking with the other departments included in the ESCO project to see if they have any issues with the work that was done.

2. BOS Spokesperson – Consideration of assignment of authority

Mr. Hadley noted this is an issue because one person cannot talk for the board. Mr. Rucho stated a spokesman would be if somebody asks you a question you must talk to the Board's spokesman. We are all elected and we can all talk to the press. He doesn't think this is necessary. Mr. Crowley asked if somebody is going to put out this is the position of the Board, it would come from the Town Administrator. Mr. Rucho noted that when he is at a meeting and he stands up to speak he would say this is my opinion. No one feels this is needed, everybody can answer the questions they can.

Ms. Scheipers clarified the reason it was brought up was because of what is placed on social media. Mr. Hadley states no one person an answer for everybody. Mr. Rajeshkumar states as a Board of Selectmen if somebody asks a question you can respond as an individual who is on the board. If he responds it is his own view on the board. Mr. Crowley added that you can say the Board of Selectmen voted on that matter. Ms. Bohnson thinks it is important to be careful when answering something as they may see you as a Selectman and not a resident. Mr. Rajeshkumar advised in other town they do have Board of Selectmen's Facebook Pages. As a Selectman, he has a Board of Selectmen's Facebook Page and he posts from the town's website for information. All postings are supported by some formal posting. Mr. Crowley replied, you have a Raj Facebook Page. He thinks all the information is readily available on the website for any project and he doesn't think we need social media to document information.

3. Next Steps for Cemetery Land Acquisition (tentative)

There is a site visit planned at a piece of property the Cemetery Board is interested in. It is March 9th at 6:00 p.m. We will post it should a quorum be present. Mr. Rucho would like to see if some of the land could be used for something else other than a cemetery.

TOWN ADMINISTRATOR'S REPORT

1.IT Services Contract Update

The IT Services contract ends June 30th, we issued an RFP with proposals being due this Friday. A team of department heads have agreed to evaluate the proposals and Ms. Scheipers anticipates having a vendor contract ready for the Board's June 6th meeting.

2.Carima Appeal Dismissal

The appeal has been dismissed on the original court ruling, upholding the town's enforcement of that provision of the zoning bylaw is now in effect. With the revision of that section of the zoning bylaw it better clarifies what types of trucks are prohibited in a residential area. The new section of the zoning bylaw is in effect.

3.Asian Long Horn Beetle Trapping

Additional ALB trapping will be done over the summer. Locations include along I-190 in our northwest corner of town, along both the north and south shores of the reservoir, along Shrewsbury Street and the most southern tip of town by the Worcester and Shrewsbury lines. DCR staff will be out officially scouting these areas and seeking access permission over the next month or so.

4.Fall Town Wide Cleanup Planning

Ms. Scheipers has a staff meeting on Friday morning to begin preliminary planning for the fall town-wide event. John Scannell will be part of the planning team. Mr. Crowley suggested including that in the town meeting mailer to let people know.

5.Housing Production Plan Update

We will move ahead with this now that we have received \$15,000 through the Compact Community Grant. An RFP to seek consultants will be sent out.

6.Town Wide Planning Update

The TWPC is working to finalize the next four chapters of the plan including Zoning, Open Space, Cultural, Historic and Finances. We will be seeking public feedback on the draft chapters later this spring.

7.Other updates

We are still seeking public suggestions for goals and objectives to be considered for the next fiscal year.

FISP UPDATE:

The senior center ground opening is scheduled for Saturday, May 5 at 11:00 a.m.

APPOINTMENTS AND RESIGNATIONS:

1. Brittany Blaney, PEG Coordinator will be resigning as of May 7, 2018

MEETINGS, INVITATIONS & ANNOUNCEMENTS:

1. We are accepting applications from businesses for the Gateway sign for the period covering July through September
2. May 15, 2018 – Planning Board public hearing to consider establishing a Zoning Bylaw for the temporary moratorium on the sale and distribution of recreational marijuana
3. Beaman Memorial Public Library Annual Arts and Crafts Exhibit The exhibit will be on display from May 15– 25 during Library hours. The Opening night Artist Reception will be held on Tuesday, May 15 at 6:30 p.m.
4. May 8th - 6:00 p.m. - Board workshop at Police Station
5. May 30th, 1:00 p.m. - Council on Aging - Free Ice Cream Social – seniors are invited to stop by and check their new temporary quarters at the First Congregation Church, 26 Central Street – Please rsvp so they know how many attendees to provide for.

FUTURE AGENDA ITEMS/SELECTMENS REPORTS:

Mr. Crowley would like to review the adopt an island policy. Currently it reads you can only have one name on the sign to say you get a sign. He didn't see anything wrong with the sign that had two names on it so he would like to look at amending the policy. He also thanked Brittany Blaney for her hard work as PEG Coordinator.

Reminder that Candidates Night is May 15th at 6:30.

Motion Mr. Rucho at 9:07 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. Rajeshkumar. 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 not reconvene in open session. Roll call vote: Mr. Rajeshkumar yes, Mr. Rucho yes, Mr. Hadley yes, Mr. Crowley yes, Ms. Bohnson yes.

Motion Mr. Rajeshkumar at 10:55 p.m. to come of executive session, seconded by Mr. Rucho. Roll call vote: Ms. Bohnson yes, Mr. Crowley yes, Mr. Rucho, Mr. Hadley yes, Mr. Rajeshkumar yes.

Motion to Adjourn at 10:55 p.m.: Mr. Rucho

Seconded: Mr. Rajeshkumar

Result: All in favor

Respectfully submitted,

Approved: May 16, 2018

Nancy E. Lucier, Municipal Assistant

John W. Hadley, Chairman

Christopher A. Rucho, Vice Chairman

Barur R. Rajeshkumar, Clerk

Siobhan M. Bohnson, Selectman

Patrick J. Crowley, Selectman