



**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> April 3, 2019; 7:00 p.m.; Selectmen's Meeting Room, 140 Worcester Street
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<b>Members Present</b> 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> Christopher A. Rucho, Chairman
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<b>Invited Guests:</b>
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In the absence of Mr. Rucho, Mr. Crowley will serve as Chair and he convened the meeting at 7:00 p.m.

### **PUBLIC COMMENT**

No one came forward for this agenda item.

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

1. March 20, 2019

This item will be passed over this evening.

### **REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING MARCH 12, 2019 TO APRIL 3, 2019: Town Payable Warrants FY2019-39 AND FY2019-40; Sewer FY2019-SE20; Payroll P/R 2019-13; MLP #19; School FY2019-S15; AND MLP #27**

Motion Mr. Rajeshkumar to approve the warrants as listed, second by Mr. Hadley, all in favor.

### **Treasurer/Collector Bonnie Yasick - Board to sign the BAN paperwork for the fire truck borrowing**

Ms. Yasick joined the Board to report that the ban is for the fire truck, in the amount of \$575,000. We received two bids; one from Easthampton Savings Bank at 2.24% and another from Century Bank at 2.5%, we budgeted 3%. We will pay down \$115,000 on June 14<sup>th</sup> then town meeting will have to approve an additional \$85,000 for the equipment. Because we are paying down the ban

by \$115,000 we will add the \$85,000 and go for five years. Every year we renew the ban and after five years you have to do the borrowing.

Motion Mr. Hadley to sign the ban paperwork, second by Ms. Bohnson, all in favor.

## **NEW BUSINESS:**

### **1. Request for transfer of license issued to Shannon's Pizza**

Mina Gadelrab joined the Board. He explained that used to work at Shannon's and now he would like to return to West Boylston. He will be purchasing the business and renting the space. The owner wanted to sell, he intends to keep everything the same, even the hours. He lives in Southbridge and will be looking for an apartment closer by. He obtained all his Board of Health certificates of Monday.

Motion Mr. Hadley to approve the license transfer, second by M r. Rajeshkumar, all in favor.

### **2. Acknowledge list of capital items from CIB**

The Board requested that the CIB provide to them by April 1 a list of all capital items being requested. That list includes the following: DPW Parking Lot Paving \$130k, Library Foof Replacement - \$105k, Computer Package - \$23k - may not be eligible as it is piecing together smaller packages to rationalize being over \$20k, HVAC Rebuild - \$38k, and Chimney repointing ( below \$20k threshold); Fire Gear for new Fire Truck - \$83,019 and Forestry Utility Truck - \$87,500, Police one cruiser - but this would not be on the CIB article as it is included in the budget. At the next meeting we will have the list of which capital items the CIB is recommending for town meeting. At the next meeting we will have a report on what items CIB is recommending.

### **3. Consider annual request from West Boylston PTA for Transient Vendor and Common Victullar Licenses for their June 14, 2019 Major Edwards end of the school year event (Jerry's Tastee Freeze is the only vendor not currently licensed by the town)**

This is their annual event and the permit is being requested by the PTA, which is a non-profit so fees are waived.

Motion Mr. Hadley to approve the permit, second by Ms. Bohnson, all in favor.

### **4. Consider approving the hiring of James Novia to the position of custodian for the new senior center, effective April 22, 2019, at Grade 1, Step 1 \$12.21 an hour for 9 hours a week**

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

## **7:15 p.m. – PUBLIC HEARING: APPLICATION OF JAG BUSINESS LLC, d/b/a WB STREET GRILLE, 175 WEST BOYLSTON STREET FOR AN ALL ALCOHOLIC BEVERAGES POURING LICENSE**

Mr. Crowley opened the public hearing and Mr. Rajeshkumar read the following notice. Notice is hereby given that the Board of Selectmen of the Town of West Boylston will hold a public hearing on the Application for an All Alcoholic Beverage Pouring License for JAG Business LLC, d/b/a WB Street Grille, 175 West Boylston Street. The public hearing will be held on Wednesday, April 3, 2019 at 7:15 p.m. in The Selectmen's Meeting Room, #210, of town hall, 140 Worcester

Street, West Boylston, MA. All interested persons, groups, and agencies are invited to attend. Christopher A. Rucho, Chairman, advertised on March 22, 2019.

Ana Snow joined the Board with her husband Chris and her son. She explained that she lives in Spencer, is interested in opening up another restaurant and they have had a restaurant in Spencer for eight years called The Black and White. They plan to be open 7 days a week for lunch and dinner, family style dinner, date night, they will use some of the menu items from their other restaurants and will have wines on tap. They are looking to expand their menu portfolio. They thought West Boylston would be a great place, it seems like a good community, and everybody has been easy to work with. Ms. Bohnson asked what attracted you to West Boylston. Ms. Snow replied we didn't want to go too far from where we are and you are demography similar being a smaller town. They intend to keep both restaurants. They may be open one night a little later. Ms. Bohnson asked if they were involved with the redesign and the changes. Ms. Snow is renting the building and is involved in the design with the new equipment. They hope to open the end of June. Mr. Snow states that it is much more friendly of an atmosphere and casual. Ms. Bohnson asked if they knew anything about the Town of West Boylston. Ms. Snow grew up in Holden and knows people who work in town and it feels like a small town with a big heart, like its slogan. Ms. Bohnson pointed out that small businesses are very important to the town. Ms. Bohnson has looked into the building a couple of times and thinks it looks good. Mr. Snow adds that their ambition is an outdoor dining experience and a deck off the front portion. They see a lot of potential. There are no questions from the audience.

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

Motion Mr. Hadley to grant the All Alcoholic Beverage Pouring License for JAG Business LLC, second by Mr. Rajeshkumar, all in favor.

Motion Mr. Hadley to grant the Common Victuallar License and Entertainment License, second by Ms. Bohnson, all in favor.

## **NEW BUSINESS (cont):**

### **5. Refer Petitioned Zoning Bylaw Article to the Planning Board for Public Hearing**

Mr. Crowley reported that today Attorney General Maura Healey struck down Brewster's ban on recreational marijuana establishments, citing a similar decision by land court judge about a ban in Charlton because the town had already passed zoning around recreational cannabis, the town was prohibited from passing a subsequent ban through a general bylaw.

Motion Mr. Hadley to refer the zoning bylaw article to the Planning Board for Public Hearing, second by Mr. Rajeshkumar. Vote on the motion – Messrs. Crowley, Rajeshkumar and Hadley yes; Ms. Bohnson abstains.

### **6. Recognize the acceptance of donations made to the Library between June 27, 2018 and March 19, 2019 in the amount of \$2,473.40 from payments for lost or damaged books and other materials, donations for the use of printers, copier and fax machine, memorial gifts and other donations given to support the general needs of the library and approve expenditure of these funds for general purposes**

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

### **7. Consider Request for two Intradepartmental Transfer from the Department of Public Works**

Interim DPW Director Gary Kellaher joined the Board. He explained that both requests are coming out of the Salaries line item. Both the line items the funds are being transferred into, Purchased Services and Supplies, have currently less than 1% remaining from the original budgeted amounts. He has forecasted his payroll needs to the remainder of the year and after this transfer he will have a \$22,000 surplus.

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

Mr. Rajeshkumar asked Mr. Kellaher if he has made any decisions on which roads he intends to repave. Mr. Kellaher has been reading the Pavement Management System Report done in June of 2018. To bring the roads up to snuff, it will cost the town \$600,000 a year for a 5-year program for a full band aid fix. He would like to follow his judgement and noted that this report was done with a person driving a car and somebody taking notes on what they thought. The balance in Chapter 90 is \$185,670 with an additional \$260,000 coming in by town meeting. He would like to include in this current years bid price upper Hartwell Street, which is roughly \$22,000, Hosmer Street, \$51,280, Temple \$70,847 and Keyes \$26,000, all band aid fixes. It would put us over what we have for funds and leave us with one left. The first three are \$181,000 it is an overlay a band aid.

He would like to see a road built with full depth reclamation and that would more than double the price. This pricing is only for a 1-1/2" of bituminous concrete, only an overlay. These are the projects he would like to see done before the end of the next fiscal year. He will fill out the project requests forms and submit them to the Board. He recommends we do this as quickly as possible. There are things in the bid process that were not bid and full depth reclamation is one of them, however, he is confident he could get it bid at the price he had for another community. He would like to do Keyes Street first and then save Temple for the new money, it is 4,500 feet, which is almost one mile. To him it is better to do two streets correctly than four with just an overlay. He will also check to see if Route 140 is a state road. Ms. Bohnson would like to know which part of the road will be done. Mr. Hadley likes the idea of doing two roads the correct way and not a band aid approach. Mr. Crowley asked the difference in life. Mr. Kellaher noted that an overlay gives you 3-5 years and a full depth reclamation gives you 20 years. We will add this to the next agenda in two weeks. Mr. Crowley also feels we should do the project the right way. Mr. Hadley thanked Mr. Kellaher for doing a great job in the installation of the new gateway sign. Mr. Kellaher reports that the crew is working together as a team and he appreciates that they are willing to work with him.

### **7:30 p.m. – PUBLIC HEARING: APPLICATION OF NOLA CAJUN KITCHEN LLC, D/B/A NOLA CAJUN KITCHEN, 340 WEST BOYLSTON STREET FOR A WINES AND MALT BEVERAGES POURING LICENSE**

Mr. Crowley opened the public hearing and Mr. Rajeshkumar read the following notice. Notice is hereby given that the Board of Selectmen of the Town of West Boylston will hold a public hearing on the Application for a Wines and Malt Beverages Pouring License for Nola Cajun Kitchen, LLC d/b/a Nola Cajun Kitchen, 340 West Boylston Street. The public hearing will be held on Wednesday, April 3, 2019 at 7:30 p.m. in The Selectmen's Meeting Room, #210, of town hall, 140 Worcester Street, West Boylston, MA. All interested persons, groups, and agencies are invited to attend. Christopher A. Rucho, Chairman, advertised March 22, 2019.

Man Robert Nguyen, manager of record and Jay Jiang representing the LLC joined the Board. Mr. Nguyen explained that he is requesting a beer and wine license for Nola Cajun Kitchen. He has been in discussions with the building inspector, police chief and fire chief and his architect is working

on a plan to access the patio from inside his building and secure the area for the patrons. Ms. Bohnson asks so business is doing well? Mr. Nguyen reports that the community has been very supportive. Parents are bringing their kids in and they really like the gator. The sense is the community is enjoying Cajun food. If this is approved they will keep the same hours and they want to be able to offer their patrons a beer or a glass of wine. They have a patio on the right hand side of the building. People will be able to access the patio from inside and it will have a fence around the patio to keep patrons safe.

Mr. Hadley voiced concern about the cars and insuring there is a sufficient barrier around the patio. Mr. Nguyen reports that he went over the plan with the police chief. He also spoke to the Chief about cars not stopping at the stop sign and instead cutting through his parking lot. He asked the Chief if there is anything he could do as he is concerned about his safety after he exits his business. Mr. Rajeshkumar noted that cars are parking on the left hand side towards the parking lot and he thinks he may have to do something with his parking lot. There are no questions from the audience.

Motion Mr. Rajeshkumar to close the public hearing, second by Mr. Hadley,

Motion Mr. Hadley to grant the request from Nola's Cajun Kitchen for a Wines and Malt Beverages Pouring License second by Ms. Bohnson, all in favor.

## **OLD BUSINESS:**

1. Request from Tracy & Paul Weldon, 176 Pierce Street - reconsideration of sewer abatement request

The Sewer Commission previously voted at the February 20<sup>th</sup> meeting not to approve the request for a sewer abatement. The individual put in a new lawn and they felt that because the water didn't go through the sewer system that they should be granted an abatement. In addition to their denial letter they were provided copies of the Board's two policies, one of Sewer Abatements and the other the policy on Second Meters. Ms. Weldon has requested the Sewer Commission reconsider her request as she stated that she spoke with Butch the public works sewer department and he told her that as long as she could provide proof that the water was used for lawn, she was all set. Ms. Lucier spoke with former Director Butch Jackson and he recalled that Ms. Weldon contacted him after she received her sewer bill, which included the additional water usage for the lawn installation. He told that that if she could prove the water was used for her lawn he would recommend an abatement, however, he gave no guarantee that the Commissioners would agree. The Board took no further action on this agenda item.

## **FISP UPDATE:**

General Update on Senior Center

Mr. Hadley reports that they are working on minor finishing touches and plan to move in next week. All issues with the telephones and computers have been resolved.

## **INTERIN TOWN ADMINISTRATOR'S REPORT**

1. Grant Report

The grant report includes grants from the various departments including the school. It also responses from our two grant writers when Ms. Lucier inquired as to whether or not they had been contacted by any town departments for assistance with grants. Theo Jordan has had no contact with any town departments in over a year and three emails to Carey Souda went unanswered.

## 2. Town counsel

Through February 28, 2019 we have expended 50.64% of our \$80,000 budget. With regard to Brossi vs ZBA, the Court has set a new trial date of June 21, 2019. A pre-trial conference to resolve pending evidentiary matters was also scheduled for June 17, 2019

## 3. Snow & Ice Update

As of the April 1 warrant we have overexpended snow and ice in the wages line item by \$5,666.92 and in the supplies and purchased line items by \$206,168.08 for a total of \$211,835. Ms. Lucier will provide details on how we will deal with funding this at town meeting.

## 4. Retirement of Treasurer/Collector

Bonnie Yasick has notified the town that she will be retiring in June. Ms. Lucier met with her and the Town Accountant and put together a time line, a copy of which is provided in the report. This past Monday the job was posted internally. Ms. Lucier also reports that Betty Pichierre who has been the long-time clerk in the office has also announced her retirement. Today that job was also posted internally.

## 5. Community Survey

The Community Survey is now closed. Hand written surveys are in the process of being entered and we will have a final number shortly.

## **APPOINTMENTS AND RESIGNATIONS:**

1. Pavel Loven has tendered his resignation from the Finance Committee – we now have 2 vacancies on that Board should you be interested, please fill out an Application to serve on a Board or committee located on website.

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

1. The 2019 Street Sweeping Schedule has been posted online. Please do not place any debris, leaves, sticks, trash or rocks in the street that may damage the equipment. Also do not park on the street during your scheduled week.

2. April 5, 7 p.m. Library Fundraiser at The Manor, tickets \$25

3. April 9, 5-8 p.m. at the West Boylston Dairy Queen join us on National Library Worker's Day – 10% of the proceeds will go to the Endowment

4. April 27<sup>th</sup>, 9-12 Town-wide Clean Up – registration is open online

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

Mr. Rajeshkumar reports that he was at CMRPC and they have a Safe School Route Program he would like the town to look into. He also mentioned the Complete Streets Program. Ms. Lucier reports that she met with the School Superintendent and the engineering firm who is working on the design of the sidewalk project being funded through the Complete Streets Program. The sidewalk is going from Pine Arden Drive across Crescent Street in front of the Middle/High School. The engineering company agreed to a slight shimming of the entrance and exit to allow for better visibility of walkers in the area.

Mr. Hadley would like to ask the Board of Health if they would support a ban on the use of plastic bags in West Boylston. Mr. Rajeshkumar reports that SWAT has asked Senator Chandler and

Representative O'Day to support the proposed legislation, Senate Bill 261, to ban plastic bags throughout Massachusetts.

With regard to the 2020 Census the Board would like to know if the Town Clerk would need any additional funds.

Ms. Bohnson would like an update on the search for the permanent Town Administrator

Motion Mr. Rajeshkumar at 8:05 p.m. to adjourn, second by Mr. Hadley, all in favor.

Respectfully submitted,

Approved: April 17, 2019

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Nancy E. Lucier, Municipal Assistant

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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