



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

Board of Selectmen/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting December 20, 2017; 6:15 p.m.;Rm 210 Town Hall
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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

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), to discuss strategy with respect to collective bargaining (Cemetery Department), and Part 6 to consider the purchase, exchange, lease or value of real estate (D&S Realty). The chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Motion seconded by Ms. Bohnson. Roll call vote: Mr. Rajeshkumar yes, Mr. Rucho yes, Mr. Hadley yes, Mr. Crowley yes, Ms. Bohnson yes. Brian Maser of KP Law will participate via phone for the meeting. The Board will be returning to open session.

Motion Mr. Rucho at 7:12 p.m. to come out of executive session, seconded by Mr. Crowley. Roll call vote: Mr. Rucho yes, Mr. Crowley yes, Mr. Hadley yes and Ms. Bohnson yes.

PUBLIC COMMENT

No one present for this agenda item.

APPROVAL OF MEETING MINUTES:

December 6, 2017, regular session

Motion to Accept: Mr. Crowley

Seconded: Ms. Bohnson

Result: All in favor

December 6, 2017, executive session

Motion to Accept: Mr. Rajeshkumar

Seconded: Mr. Rucho

Result: All in favor

Review and vote to approve warrants for the period covering December 7, 2017 through December 20, 2017: payable warrants for the town FY2018-24 and 25, sewer enterprise warrant FY2018-SE-14, school warrant FY2018 S-10, Municipal Light Plant warrant FY18 #14A & #14B, and payroll warrant 2018-#1

Motion to Accept: Mr. Crowley

Seconded: Mr. Rajeshkumar

Result: All in favor

Vanessa Kuzmanovski, Personnel Board candidate

Ms. Kuzmanovski joined the Board. She has HR experience, works in recruiting, attended a Personnel Board meeting and is interested in serving.

Motion Mr. Rucho to appoint Ms. Kuzmanovski to the Personnel Board for a term to expire on June 30, 2020. Ms. Kuzmanovski added that she moved into West Boylston one year ago, and has been on town boards in the Town of Millbury. She and her husband selected West Boylston to live because it is half way between both their home towns. Ms. Bohnson asked her what she wanted to gain from volunteering for the position. Ms. Kuzmanovski wanted to get involved in the town in a structured way. Vote on the motion – all in favor.

NEW BUSINESS:

1. Consider approving the hiring of Larry Salate as temporary part-time plow driver for the Department of Public Works effective December 10, 2017 until May 31, 2018 at a rate of \$18.28/hr

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

2. Review Open Meeting Law Complaint from John Schlichte to the Board of Selectmen

Ms. Scheipers explained that the town is obligated to discuss this at a meeting and make a decision about what response we are going to make, if any. The two key items are the feeling from John Schlichte that the discussion the Board had at the November 15 meeting about paying Brittany Blaney as Access Coordinator for work done from July through October was not properly posted on the agenda to give notice. He is asking that it be done again. The other alleged violation is that the job description used to post the position was not accurate and was known to be inaccurate. In reviewing this with Town Counsel, Counsel did say our legal obligation in posting the agenda is it needs to include everything that the Chairman reasonably knows will be discussed for the meeting. The question is with the late addition of the stipend for the past work, did the Chairman know that it was something that needed to be discussed that night. We could look at it as not being a violation because it was not something the Chairman would have anticipated. That being said, we can add it to our agenda in January to revote it. The job description is not something that has to do with the Open Meeting Law.

Motion Mr. Rucho to send a letter to John Schlichte that the Board will include the action items on the next Board of Selectmen's meeting and will re-discuss and revote the issue at that time, seconded by Mr. Crowley, all in favor.

Motion Mr. Crowley to authorize the Chairman to submit to the AG office the necessary copy of the complaint and details regarding what actions the Board took to address the complaint at the subsequent Board of Selectmen's meeting, seconded by Ms. Bohnson, all in favor.

OLD BUSINESS

1. Consider voting to approve the business license for Vivian's for 2018

The Fire Chief has indicated that Vivian's is now in compliance with his department.

Motion Mr. Crowley to approve the issuance of the license, seconded by Mr. Rucho, all in favor.

2. Consider voting to approve the alcoholic beverage license and business license for Fynders, Inc. for 2018

Motion Ms. Bohnson to approve the issuance of the license, seconded by Mr. Crowley. The Board of Health has indicated that Fynders is now in compliance with them. Mr. Rucho noted that we did agree to ask the Water Department if the businesses were in compliance with them and the Water Department thanked us for asking. The list of businesses who have outstanding issues include Fynders, Keepers, Meola's, Il Forno and Steve's Pizza. Mr. Rucho feels this should be part of the licensing process. Mr. Rajeshkumar reminded the Board that they did discuss this at their last meeting regarding some of the Planning Board issues and the zoning violations. He thinks we should take this up at a future meeting. He added that it was discussed that things outstanding for five years could be grandfathered and he questioned how a zoning issue could be grandfathered. He feels that would be unfair. If the business is not in compliance with the Planning Board the business can go back to the Planning Board and fix it. We discussed this last year and the Board said we will look at it next year.

Ms. Scheipers and Mr. Hadley have been working with other board members and they are trying to work out a solution. Mr. Rucho has a copy of the minutes from 2016 when license renewals were discussed. He reports that Mr. Crowley stated he would not hold up the license this year, however, next year at this time if they do not get into compliance he would like to know why they are not in compliance. Mr. Rucho does not think it is fair as the Board keep saying it is not an issue to hold the license up for. Mr. Bohnson states that this is pertaining to a license and if we are going to make a change we need to give months of advanced notice. If we are changing the rules and grandfathering people, how do we say all of sudden you need to do this. She feels it should be six months to one year advanced notice if we are going to change the rules.

Ms. Scheipers reports that she did have a meeting with the chairman of the various committees and everybody felt confident there was a way to work this through and the site plan review process on a case by case process. The Chairman of the Planning Board felt we could come to an agreement and get people to the table on the remaining issues. Ms. Bohnson suggested that if it on an upcoming agenda, she would like to see what other towns require for businesses to get their licenses. Mr. Rajeshkumar states that the zoning inspector has to enforce the as-built requirements. When we issue the license the Board of Selectmen can you have an as-built outstanding. This has to be resolved for next year. Mr. Hadley agrees. Mr. Rucho states last year the minutes said next year. They are still not in compliance and the Board, as the licensing authority, could revoke the license. The statement is maybe next year we could revoke and we should discuss this in January. He would like the Water District and Municipal Light Plant included. Vote on the motion – all in favor.

3. Consider voting to sign employment contract with Building Commissioner Bentley Herget
Motion Mr. Crowley to approve and sign the contract, seconded by Mr. Rajeshkumar, all in favor. The contract runs from November 1, 2017 through June 30, 2018 and at this point we will take the position off contract and include it in the Personnel Plan.

4. Review comparable communities as designed by the Division of Local Services and vote to approve or add additional communities - Halifax, Ayer, Douglas, Westminster, Williamstown, Montague, Lunenburg

Ms. Scheipers explained that the communities we are using as comps for our personnel study are closely aligned with us in terms of income per capital, population, average single-family tax bill per capital, and overall town budget. These communities were identified by the Division of Local Services branch of the Department of Revenue. The original list included Dighton, Millis and Lancaster. We took off Dighton and Millis as we didn't think they were a good match and we also took off Lancaster, as they are typically not responsive. We added Lunenburg because they had certain positions we didn't have information on and they are about the same population as us. Mr. Rucho would prefer local communities and he does not think we are competing with Williamstown and Montague for jobs. He would like to look at communities near us that people might be looking for jobs at. Ms. Scheipers would like input from the Board on which communities they would like included in the review so we can move ahead with the project. If additional towns are added it will be a few weeks to get the data in. Ms. Bohnson suggested the Town of Boylston. Mr. Crowley noted that to get a true gauge we cannot compare ourselves to Holden or Worcester, we have to use communities with similar characteristics and DOR is telling us. They are the experts. He suggested going with the list because the people who do these types of projects are making the recommendations. Ms. Bohnson asked if these were the comps we used. Ms. Lucier advised that many years ago the Finance Committee establish benchmark communities, however, DOR is the agency most communities engage with for this type of project.

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

FISP UPDATE:

1. Update on project

Mr. Hadley reports that the senior center is coming along. We will be announcing a special town meeting for February 26, election on February 27, and a backup date for town meeting on February 28th should we have a snow storm. If town meeting approves, or not, the ballot will go forward. Informational sessions will take place at various locations around town.

2. Approval of Invoices, Change Orders and Contract Amendments

All invoices have been reviewed by the OPM and FISP prior to being placed on the Board's agenda.

- RAC Change Order #6 (police station) \$3,453.00 – Motion Mr. Rucho to approve the invoice, seconded by Mr. Crowley, all in favor.
- Caolo & Bieniek Associates Amendment #1 (senior center) \$18,700– Motion Mr. Rucho to approve the invoice, seconded by Mr. Rajeshkumar, all in favor.

- RAC Bldrs. Invoice #11 (final police station) \$257,449– Motion Ms. Bohnson to approve the invoice, seconded by Mr. Rucho, all in favor. The invoice will be held pending completion of punch list items.
- Cardinal Construction Invoice #5 (senior center) \$8,366.00– Motion Mr. Rajeshkumar to approve the invoice, seconded by Mr. Rucho, all in favor.
- Caolo & Bieniek Associates Invoice #5653 (police station) \$3,000– Motion Mr. Crowley to approve the invoice, seconded by Mr. Rucho, all in favor.
- Caolo & Bieniek Associates Invoice #5647 (senior center) \$53,500.00– Motion Mr. Rajeshkumr to approve the invoice, seconded by Mr. Crowley, all in favor.
- Lantel Invoice #9916979 (police station) \$41,216.36 – Motion Mr. Rucho to approve the invoice, seconded by Mr. Crowley, all in favor.
- Sterling Corp. Invoices #536586 & 536818 (police station) \$6,108.00– Motion Mr. Rucho to approve the invoice, seconded by Mr. Crowley, all in favor.
- Akuity Invoice #81855 (police station) \$5,572.00– Motion Mr. Rucho to approve the invoice, seconded by Mr. Crowley, all in favor.
- WB Mason Invoices (police station) #148102120, #148509298, #148864216, #149127284, #149323153, #149814464, #149839055, #149848575, #149851413, #150037318, #150088439, #150123387 total \$93,051.62– Motion Mr. Rajeshkumar to approve the invoice, seconded by Mr. Rucho, all in favor.

MEETINGS, INVITATIONS & ANNOUNCEMENTS:

1. Announce updates to the sidewalk snow removal process

The Board reminded the residents that we are addressing sidewalks in two different categories. Those that fall within the 24-hour period include: Central Street (Rte. 12 to Goodale Street), Crescent Street (from Central Street to the High School), Goodale Street (from Rte. 12 to the tennis courts), Prospect Street (from Lower Goodale Street to Franklin Street), Prospect St (from Woodland Street to the Worcester Line), Franklin St. (from Worcester Street to Prospect Street), Rte.12 (from Lower Goodale Street to Franklin Street), and Lower Newton Street (Across from the Library). The town works with the DPW to identify bus stops that the town will clear. The second category of sidewalks will be cleared as soon as possible by the Town following the end of the storm: Rte. 140 Temple St. (from Rte. 12 to just before the RR tracks), Main St (Rte. 12) (from the RR bridge through the causeway to the north entrance to Beaman Street), Sterling St (from Holt Street to Horseshoe Drive) North Main St. (from Beaman Street to the Town line). Library sidewalks and parking will be cleared before the next Library opening. All other sidewalks will not be cleared by the Town and any sidewalk under 5 feet in width cannot be cleared with Town equipment. This information will be posted on the DPW's website. The Board did not vote to require the sidewalks be cleared by the property owners.

2. Announce that the town received a MIIA Grant in the amount of \$7,255 which will be used to install heating cables on the roof and downspouts at the Library

3. Announce that the town will received a MIIA Flex in the amount of \$3,100 which will be used to updated some monitoring equipment at town hall and the DPW and to purchase an infrared camera for use at the school and other town buildings

FUTURE AGENDA ITEMS/SELECTMENS REPORTS:

Mr. Crowley wished everyone a Merry Christmas.

Mr. Rucho requested the January agenda include an item to appoint Brittany Blaney as the Interim Access Coordinator for WBPA-TV. The PEG Board is in the process of interviewing people.

Mr. Rajeshkumar wished everyone happy holidays and a happy, healthy New Year.

Motion to Adjourn at 7:45 p.m.: Mr. Crowley

Seconded: Mr. Rajeshkumar

Result: All in favor

Respectfully submitted,

Approved: January 3, 2018

Nancy E. Lucier, Municipal Assistant

John W. Hadley, Chairman

Christopher A., Vice Chairman

Barur R. Rajeshkumar, Clerk

Siobhan M. Bohnson, Selectman

Patrick J. Crowley, Selectman