



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

Select Board/Sewer Commission Meeting Minutes

| |
|--|
| Date / Time / Location of Meeting December 15, 2021; 6:00 p.m. 140 Worcester Street West Boylston, MA 01583 Board Meeting Room 1st Floor |
|--|

| |
|---|
| Members Present Christopher A. Rucho, Chairman Barur R. Rajeshkumar, Vice Chair Patrick J. Crowley, Clerk Kristina Pedone, Selectwoman |
|---|

| |
|---|
| Members NOT Present: Michael J. Kittredge III, Selectman |
|---|

| |
|--|
| Invited Guests: Nancy Lucier, Town Administrator Faye Zukowski, Municipal Assistant |
|--|

Others Present:

PUBLIC COMMENT: This fifteen-minute period is an opportunity for the public to address their concerns and questions regarding town operations and programs to the Board. Except in urgent circumstances, any matter presented for consideration by the Board shall not be discussed in detail nor acted upon by the Board at this meeting. A scheduled time on a future agenda may be set at the Board's discretion. Complaints or criticism directed at staff, volunteers, or other town officials shall not be permitted. If we do not have Open Session items to discuss, other agenda items may be brought forward earlier.

- Gary Braxton of 95 Pierce Street wanted to respond to the December 1st meeting when the truck traffic was discussed and he believes the number of trucks was incorrectly stated. He claims there are many more and provided number of trucks he counted on certain days. He read a couple statements from his other neighbors in regards to the number of trucks and concerns for traffic.
- Karen Carlson of 96 Pierce Street wanted to confirm the number of tractor trailer trucks day and night and does not believe they should be permitted to travel in residential neighborhoods. She stated last February the neighbors unofficially counted the trucks and had over 55-60 trucks. She believes currently there could be 80-100 trucks a week as it is day and night. She discussed a possible reroute solution to have trucks on Route 140 to turn on Worcester Street. Mr. Rucho stated the town discussed placing signs at a prior meeting and is hopeful this will help and can revisit at a future meeting if needed. Ms. Lucier stated they are trying the signage while they continue working on an alternate route with Worcester.
- Diane Rue of 97 Pierce Street asked why only part of Pierce was paved in the past and asked if it was to accommodate trucks, Ms. Lucier stated she had received a call regarding this and has driven down and viewed. She contacted the DPW Director and they have gone down and

placed material. Ms. Lucier stated four or five years ago the Chapter 90 road project paved that area and it was decided then not to pave the dead-end side of Pierce Street due to the small amount of traffic. Mr. Rucho stated the road was not paved due to the truck traffic.

APPROVAL OF MEETING MINUTES:

- **December 8, 2021 Executive Session:**

Motion Ms. Pedone moved to approve, Mr. Rajeshkumar second.

4-0-1 Mr. Crowley abstained

Approved

REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING DECEMBER 1, 2021 TO DECEMBER 15, 2021: Town Payable Warrants FY2022-23 and FY2022-24; Town Payroll Warrant FY2022-12; MLP FY2022 #12 and School FY2022 S11.

Motion Mr. Crowley moved to approve; Mr. Rajeshkumar second.

All in favor

Approved

6:05 p.m. PUBLIC HEARING: Application of Kitsta Corp, 42 West Boylston Street, West Boylston, MA 01583 for an Alteration of Premises:

Mr. Rajeshkumar read the Public Hearing Notice. Ms. Lucier stated the Manor constructed a patio during covid to accommodate more patrons and is looking for a permanent change of license to include this area. Saavas Fotaidis confirmed the request to add permanently to license. Mr. Rajeshkumar asked if this will add seating, Mr. Fotaidis stated it will not increase the seating capacity. Mr. Rajeshkumar asked if he has ample parking, Mr. Fotaidis responded yes. Mr. Rucho stated the Manor has ample parking even is seating was added. Mr. Rajeshkumar asked about once covid is over will they come back for a request to make changes for capacity, Mr. Crowley clarified the capacity is not changing. Mr. Rucho stated the Selectboard has no jurisdiction over the parking. Ms. Lucier stated this request was vetted to all the departments with no issues or concerns reported. Mr. Carol of Henry Street asked about the hours for patio, Ms. Lucier stated typically they are open until 10 p.m. but is up to the Selectboard as the Local Licensing Authority. He also asked about the lighting and if it will affect the neighbors, Mr. Tony Fotaidis responded the lighting on the patio will not affect Henry Street and there will not be any changes to the current lighting on the property. Mr. Rucho stated the license now says 1 a.m., Ms. Lucier stated the Board can make any restrictions at anytime if they wanted. Mr. Carol asked if bands will be allowed out on the patio, Mr. Rucho asked if the Board can make those restrictions. Ms. Lucier stated the Board can make any restrictions they want as the LLA. Mr. Fotaidis stated they want to be good neighbors and asked they come to him if they have issues. Mr. Crowley stated he has no issues voting on the license as is and revisit if issues come before them.

Motion Mr. Crowley moved to close the public hearing; Mr. Rajeshkumar second.

All in favor

Approved

Motion Mr. Crowley moved to approve the alteration of premises Mr. Rajeshkumar second.

All in favor

Approved

Mr. Rajeshkumar exited the meeting 6:30 p.m.

6:15 p.m. PUBLIC HEARING: Application of KC Brothers LLC d.b.a. Wachusett Farms, 106 Worcester Street, West Boylston, MA 01583 for multiple changes; Change of Manager, Change of Officer/Director, Change of Ownership Interest:

Mr. Crowley read the Public Hearing Notice. Attorney Arthur Pearlman gave the Board and overview of the changes requested; change of ownership of the LLC, change of manager of the LLC, and change of manager of Liquor License. He explained there will be no changes to the operation of the establishment. Mr. Rucho asked about the current hours, Mr. Pearlman stated they are not changing.

Motion Mr. Crowley moved to close the public hearing; Ms. Pedone second.

All in favor

Approved

Motion Mr. Crowley moved to approve the change; Ms. Pedone second.

All in favor

Approved

Mr. Rajeshkumar entered the meeting 6:35 p.m.

PATRICK INDERWISH, CHAIR, PARKS FACILITIES COMMITTEE:

- **Consider voting to sign Contract for Designer Services with Warner Larson for the Mixer Field Project:**

Patrick Inderwish stated they have received from town counsel approval of the contract with Warner Larson for the Mixer Field Project. Ms. Lucier stated town counsel reviewed and all insurances have been checked. Mr. Crowley stated this same firm designed the tennis and basketball courts.

Motion Mr. Crowley moved to approve the contract with Warner Larson; Ms. Pedone second.

All in favor

Approved

Mr. Inderwish asked the board for assistance obtained the CAD files for the Senior Center project from Places.

JOSEPH EVANGELISTA – Request for reconsideration to pay for a grinder pump for 34 Carol Drive:

Joseph Evangelista gave the Board an overview that in 2009 John Dipitro came before the board. He explained the sewer lines were installed in early 2000's and street lateral were proposed to be installed 14' but instead was installed at 7' confirmed by Weston and Sampson. He stated lack of oversight by the town and not corrected. He stated West Boylston Realty Group paid eleven betterments for the line that was unusable totaling around \$41,000 and \$10,000 to Mr. Dipitro. He stated twenty-two betterments approximately \$82,000 for 104 Shrine Avenue which abuts Carol Drive and was part of the same property. He explained the buildings were assessed by units and not the flow like commercial is usually treated. He is requesting the Sewer Department assist in making the connection possible with the addition of a sewer ejector pump. He explained after installation the building owners would be responsible for all future maintenance and repairs. He proposed two different pumps approved by Weston and Sampson and the cost with installation will be around \$10,500 and \$18,500 and is asking the Board to help get the sewer line connected. Ms. Lucier correct Mr. Evangelista that the town did not put the sewer line in but was a project completed by DCR and that the error was not of the town. Mr. Crowley asked what they are using currently for

sewerage, Mr. Evangelista stated they are using a septic. Ms. Lucier asked if he was looking to sell the property, Mr. Evangelista stated he has people interested. She advised according to the towns connection rules he will be required to connect prior to sale. Mr. Evangelista stated there is not a line there to connect to and that is why there needs to be a pump. Ms. Lucier stated the town accepted the connection when DCR requested. Ms. Lucier stated Mr. Westerling made a determination in 2010 and Mr. Duffy agreed with that determination. Mr. Rucho stated there are some people Mr. Crowley believes they should go with the advice of the two DPW Directors. Mr. Evangelista asked if he can request a deferment, Ms. Lucier stated he will have to request that from the Board of Health.

NEW BUSINESS:

- **Update on MS4 Permit:**

Ms. Lucier provided the Board with an update from the DPW Director and provided them with an email that had the updates but stated they are making good progress. Mr. Crowley would like to know how far they are from being in full compliance.

- **Consider approving the following individual as Alternate Snow Plow Driver effective December 15, 2021 until May 1, 2022 at an hourly rate of \$20.71:**

Colin McKee

***Motion** Mr. Crowley moved to approve; Ms. Pedone second.*

Mr. Crowley asked if an end date is needed for all these individuals, Ms. Lucier stated the rate will change and it is only a seasonal position. Mr. Rucho stated it needs to end or else they would forever be an employee. Mr. Rucho stated if they are on payroll but not working there is a cost.

All in favor

Approved

- **Juneteenth holiday discussion:**

Vanessa Kuzmanovski explained the Personnel Board voted to have this added as a Holiday in the Personnel Bylaw. Mr. Rajeshkumar asked if this has to go to the town meeting, Ms. Lucier stated yes. Ms. Pedone asked if the union contracts would need to be amended if this is approved, Ms. Lucier stated DPW and Cemetery contracts state it would be added, the Police and Fire would need to be impact bargained and School is usually not in session. Mr. Rucho stated they would need to negotiate with those unions. Mr. Rucho asked is the Board would like it on the town meeting warrant. Mr. Crowley stated he is not in favor.

***Motion** Ms. Pedone moved to add to the next town meeting warrant; Mr. Rajeshkumar second.*

Mr. Rucho stated there is not a cost to the town, Ms. Lucier stated the only cost would be for DPW call in. Ms. Kuzmanovski stated this may be an additional benefit people applying for jobs in town. Ms. Kuzmanovski stated the State and Federal government added this Holiday and many towns are adding or discussing it.

3-1-0, Mr. Crowley voted no

Approved

- **Website as Official Posting Site for Meetings:**

Mr. Rucho thought they had previously voted on this. Mr. Rucho explained the official posting is outside the town clerk's office and stated it is not always updated.

***Motion** Mr. Crowley moved to make the website the official posting place for all meetings; Ms. Pedone second.*

Mr. Rajeshkumar asked what happens if the website is down and would like the posting board a backup. Mr. Crowley stated if the website goes down it will not be for days it may be a matter of hours. Ms. Lucier stated MGL states if a website was down for more than six hours a meeting must be reposted to another date. Ms. Lucier stated all meetings are posted at the Fire Department currently as a backup. Mr. Rucho stated Faye had used in the past a electronic device to view the posting and he would like to see something like that if the town clerk agreed.

3-1-0, Mr. Rajeshkumar voted no

Approved

Ms. Lucier stated a Public Hearing should be held to amend the policy on public notices in town hall.

- **Consider voting to approve 3-year employment contract between Town Accountant Leslie Guertin and the Town of West Boylston:**

Motion Mr. Rajeshkumar moved to approve; Ms. Pedone second.

All in favor

Approved

- **Consider approving the following Alcoholic Beverages Licenses for 2022 renewal:**

Motion Mr. Crowley moved to approve the American Legion Post without a fee; Ms. Pedone second.

All in favor

Approved

Motion Mr. Crowley moved to approve all Alcohol Beverage Licenses as listed in the agenda; Mr. Rajeshkumar second.

All in favor

Approved

- **Consider approving the Business Licenses for 2022 appended and posted with the agenda:**

Motion Mr. Crowley moved to approve the American Legion Post Licenses without a fee; Mr. Rajeshkumar second.

All in favor

Approved

Motion Mr. Rajeshkumar moved to approve all the business licenses as posted in agenda; Ms. Pedone second.

Mr. Rucho asked if all the departments have been contacted, Ms. Lucier stated they have an everything is all set. Mr. Rucho asked about one license that the Board of Health had an issue with, Ms. Lucier stated she reached out to the Board of Health and also the Police Chief and he responded he has no issues. Ms. Pedone asked about the fine that was issued and if that has been cleared up.

Motion Mr. Crowley moved to rescind the vote on all of the Liquor licenses with the exception of the American Legion; Mr. Rajeshkumar second.

All in favor

Approved

Motion Mr. Crowley moved to approve all of the liquor licenses with the exception of KC Brothers LLC dba Wachusett Farms; Mr. Rajeshkumar second.

All in favor

Approved

Motion Mr. Crowley moved to approve liquor licenses and all other town licenses for KC Brothers LLC dba Wachusett Farms assuming they have paid the fine and Board of Health has no other issues or violations; Ms. Pedone second.

All in favor

Approved

Motion Mr. Crowley moved to approve all business licenses listed in agenda that have not already been voted on; Ms. Pedone second.

All in favor

Approved

- **Town Administrator's Review:**

Mr. Rucho stated the Board reviews the Town Administrator annually. He sent out the review documents out to the Board and did not receive any feedback. He said if the Board does not want to review the Town Administrator this process is useless or if they just want to pass on the review this time. Mr. Crowley stated this is a deficiency of the Board but Nancy is retiring in less than six months and if she wants one, they will do one. He believes this should be in the contract going forward and they should be sure to get this completed going forward. Ms. Lucier stated she does not have a problem with this but she did send the documents out on July 15, Mr. Rucho stated that is correct and he sent it out to the Board as the process is. Mr. Crowley states this is not reflection on her that the Board did not act on this.

Motion Mr. Crowley moved to forego the current Town Administrator between now and the end of the current contract; Mr. Rajeshkumar second.

3-1-0, Mr. Rucho voted no

Approved

TOWN ADMINISTRATOR'S REPORT

1. **Town Meeting Schedule May 16, 2022**

Ms. Lucier explained she will present the preliminary FY23 Budget recommendations to the Selectboard at the March 17, 2022 meeting, Town Meeting Article will be accepted until April 1, 2022, all town meeting articles including capital will be provided to the Selectboard at the April 20, 2022 meeting. The warrant will be reviewed, signed, and closed on April 17, 2022 and will be posted on the 29th. Town Meeting will be held May 16, 2022 at the Middle High School auditorium.

2. **Update on Green Communities Projects**

In 2017 the town was designated a Green Community and was awarded a grant in the amount of \$145,435. Since that time the town has annually submitted requests and received funding in each of the competitive grant rounds. For this funding round the town is requesting projects totaling \$99,046. The projects will be LED upgrades at the Shepard Building this will help reduce energy us, LED upgrades and controls at the DPW Building which will bring a savings of \$1,116 annually, pump stations that need indoor and outdoor LED lighting upgrades; Woodland Street Wastewater Pumpstation, Worcester Street pumpstation and the Thomas Basin pumpstation will be a savings of \$988 annually for one \$1,068 for another and \$352 for the other. A high efficiency boiler will be installed at the DPW to replace a 20-year-old which has 75% efficiency. The new unit will be High Efficiency stainless steel gas fired boiler and will save the town \$1,135 annually and will come with a

\$1,500 incentive. Ms. Lucier stated she has put in request for \$5,000 for a hybrid police interceptor vehicle, this would save the town \$5,000 annually in fuel costs. The town should know results of

Mr. Crowley asked about asbestos abatement at the Shepard Building and if these upgrades will pose and issue, Ms. Lucier stated the review was with the Fire Chief so they are aware. She explained they still have funds left in the Asbestos line-item that could be used. She stated the Fire Chief has submitted a capital request for \$75,000 to finish all the fire station upgrades that they wanted to do.

APPOINTMENTS AND RESIGNATIONS

- **Concurrence on the reappointment of Leslie Guertin as Town Accountant effective January 1, 2022 for a term to expire on December 31, 2024**

Motion Mr. Crowley moved to approve; Ms. Pedone second.

All in favor

Approved

- **Concurrence on the appointment of Kristina Pedone to the Solid Waste Advisory Team effective December 20, 2021 for a term to expire on April 30, 2024**

Motion Mr. Crowley moved to approve; Mr. Rajeshkumar second.

All in favor

Approved

MEETINGS, INVITATIONS & ANNOUNCEMENTS:

- **December 18, 2021 – Santa Rides the Fire Truck Schedule:**
 - **Leave Fire Station at 2:00 p.m.**
 - **Senior Center, 120 Prescott Street 2:05 p.m.**
 - **Wachusett Country Club, 187 Prospect Street 2:20 p.m.**
 - **West Boylston Cinema, 101 West Boylston Street 2:35 p.m.**
 - **West Boylston Town Common Bandstand, 77 Worcester Street 2:50 p.m.**

Ms. Pedone stated the West Boylston Athletic Association is putting on a Hot Cocoa 5K walk/run on January 9th, \$10 for kids and \$20 for adults.

Ms. Pedone stated Light It Up West Boylston on December 18th and registration open now there will be a contest fundraiser and maps will be available. Last day to register in tonight.

FUTURE AGENDA ITEMS/SELECTMANS REPORTS:

-Mr. Crowley stated Celebrations Committee held tree lighting with much success.

-Mr. Crowley offered reminder to keep hydrants clear in your neighborhood.

-Ms. Pedone stated she is on the Town Administrator Search Committee they have met and reviewed the three proposed consultants and have reached out and has received interest from one of the consultants. She stated they plan to set up interviews with all three consultants within the next few weeks.

-Mr. Rucho discussed creating an open issues log that was used in the past to be used to have status of issues discussed.

-Ms. Pedone would like an update on the repairs to the intersection at CVS, Ms. Lucier stated the Water Department is getting bids for the repair.

Motion Mr. Rajeshkumar moved to adjourn at 7:41 p.m.; Ms. Pedone second.
All in favor
Approved

Respectfully submitted,

Faye D. Zukowski, Municipal Assistant

Approved:

Christopher A. Rucho, Chairman

Barur R. Rajeshkumar, Vice Chairman

Patrick J. Crowley, Clerk

Michael J. Kittredge III, Selectman

Kristina Pedone, Selectman