



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

Select Board/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting
December 14, 2022; 6:00 p.m.
140 Worcester Street
West Boylston, MA 01583
Board Meeting Room 2nd Floor
Hybrid with Zoom

Members Present:
Barur R. Rajeshkumar, Chairman
Christopher A. Rucho, Vice Chairman
Marc Frieden, Clerk
Patrick J. Crowley, Selectman
Kristina Pedone, Selectwoman

Members NOT Present:

Invited Guests:
Jennifer Warren-Dyment, Town Administrator
Faye Zukowski, Municipal Assistant
Kevin Duffy, DPW Director

Others Present: Ken Cleveland, David Femia and Anand Patel

MEETING CALLED TO ORDER

Pledge of Allegiance

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.

APPROVAL OF MEETING MINUTES:

- **September 21, 2022**

Motion Mr. Rucho moved to approve, Mr. Crowley second.

All in favor

Approved

- **October 5, 2022**

Motion Mr. Rucho moved to approve, Mr. Crowley second.

All in favor

Approved

**REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING
DECEMBER 1, 2022 TO DECEMBER 14, 2022: Town Payable Warrants FY2023-23 and FY2023-
24; Sewer Warrants FY2023-14; Payroll Warrant FY2023-12 and MLP FY2023 #11**

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

All in favor

Approved

**Continued Public Hearing from November 30, 2022: Amendment of Policy A-3 Policy on
Establishment and Adoption of Policies.**

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

All in favor

Approved

**6:05 PM PUBLIC HEARING: Amend Policy G-3 Emergency Plan for Ice Control and Snow
Removal.**

Mr. Frieden read the public hearing notice.

Mr. Kevin Duffy, DPW Director stated in the spring he was tasked with reviewing and recommending edits to the Board. He explained the most important suggested changes are to the DPW Director has the ability if the conditions warrant or forecast warrants pretreat the roadways or be more proactive during off hours. He stated they reviewed the policy in entirety and found some discrepancies. They amended the list of private ways and added a section for developments as there are many that are not maintained by the town. Mr. Rajeshkumar asked about Hillside Village, Mr. Duffy stated that will need to be added to the list. Mr. Crowley requested to have language in Ice Control Policies B and C to reference the same in regards to staff reporting. He asked for clarification on clearing of fire hydrants, Mr. Duffy stated the responsibility of Water District. He cannot discuss their operations or priorities during a snow storm. Mr. Crowley would like the policy to reflect what really happens with fire hydrants during a storm. Ms. Pedone asked if the Water District was contact for clarification on this policy. Ms. Jennifer Warren-Dymont stated a written response from Superintendent of Water District that stated there is not a written policy or procedure but if a major snow event occurs, they will go out and assist with clearing hydrants. He also explained the Fire Department has also helped in the past after a blizzard, Ms. Warren Dymont stated there is not changes to the Fire Hydrant Section. Mr. Crowley would like to make amendments to this section. Mr. Crowley stated he is not comfortable with the Water District not having a policy and our policy stated it is their responsibility. Mr. Rucho requested clarification on who is legally responsible for clearing. Ms. Warren-Dymont suggested some changes removing all language in regards to the Water District, Mr. Crowley and Ms. Pedone state they do not have issues with language. Ms. Pedone asked for clarification on the change from Public Safety to Central Dispatch notifies the DPW of road conditions, Ms. Warren-Dymont explained all call from residents or police go through dispatch for weather incidents. Mr. Duffy stated the change to allow the DPW to make the decision during off hours will prevent the DPW from waiting for a callout from dispatch. Ms. Pedone asked if this change was vetted through other emergency departments and school, Ms. Warren-Dymont stated they had a meeting several months back and proposed changes were discussed. Mr. Cowley discussed the section on Rental of Equipment and that in an

emergency calling and soliciting quotes may not be realistic, Mr. Duffy stated they will follow all procurement and will change that section to reflect that. Ms. Warren-Dyment request partial approval of the policy leaving out approval of the Fire Hydrant language until clarification is met. She stated this will be helpful for the Director to be able to use his discretion during the upcoming snow events. She explained this was an issue in the past and would like this partially approved. Mr. Rucho stated he considers this policy for emergency snow and ice controls not the day to day snow control. Mr. Duffy is operating his department as if this policy has been approved. Ms. Pedone asked for clarification for this policy as she thought this policy was the overall snow and ice control policy not emergency only. Ms. Warren-Dyment stated it would be interesting to know the origin of the policy. She explained this policy is very descriptive and does not allow for flexibility on decision making. Mr. Crowley stated the DPW Director is a professional and is hired to oversee the operations and questions why the Selectboard is weighing in with this policy. Mr. Rucho stated if they need any policy at all maybe it should only be in regards to call in overnight or weekends with dispatch. Mr. Frieden also stated the street list should also be left on a policy. Mr. Frieden stated in their goal setting they wanted to get operation manuals completed and the day-to-day snow operations would be included in the manual, Mr. Crowley agreed.

Recess: 6:38 pm

Return: 6:46 pm

Ms. Warren-Dyment read meeting minutes from March 20, 1996 when the policy was first adopted and was focused on better response. Mr. Crowley confirms this needs to be in the operations manual. Ms. Pedone stated this was created due to bad winter and believes it was created for emergency responses overnight, weekends or prior to school opening. Mr. Rucho feels there needs to be a policy but only for emergency response not day to day. Ms. Warren Dymment suggests the Board allow the DPW Director to use his best judgement, continue the public hearing and make more edits and review again at a future meeting.

***Motion** Mr. Crowley moved to continue public hearing until January 4th meeting, Ms. Pedone second.*

All in favor

Approved

NEW BUSINESS:

- **Consider approving the following individual as Alternate Snow Plow Driver effective December 1, 2022 until May 1, 2023 at a hourly rate of \$20.71 pending completion of all pre-approval requirements.**
 - **Rob MacKenzie**

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

All in favor

Approved

- **Request to extend Host Community Agreement (HCA) with Ganesh Wellness, Inc for their Product Manufacturing License.**

Anand Patel and Nino Patel of Ganesh Wellness requested extension of the Host Community Agreement (HCA) for Product Manufacturing License. Mr. Anand Patel stated they were waiting to proceed with the Product Manufacturing until the retail was up and running. He stated the Final License with the State is anticipated for approval around March 2023 and are in final steps of getting it completed and a inspection was completed today with the Cannabis

Control Commission (CCC). He requested for another year extension but is hopeful to open sooner but is up to the CCC.

Motion Mr. Rucho moved to extend until January 6, 2024, Ms. Pedone second.

All in favor

Approved

Consider Approving the Business License Transfer of Auto Repair and Class III License from Walter C. Cranston & Sons Inc owned by Marilyn Cranston to new owner Jeffrey R. Cranston

Motion Mr. Rucho moved to approve, Mr. Crowley second.

Mr. Rajeshkumar asked if all paperwork is in order, Ms. Zukowski confirmed it is.

All in favor

Approved

- **Consider approval of 2023 ABCC Liquor License Renewals for the following:**

- American Legion Post 204 Inc. Club
159 Hartwell Street

Motion Mr. Rucho moved to approve without fee, Mr. Crowley second.

All in favor

Approved

- Wachusett Inc. dba Wachusett Country Club All Alcohol Restaurant
187 Prospect Street
- Steve Paskalis dba Steves Pizza Wine and Malt Restaurant
341 West Boylston Street
- Kitsta Corp dba The Manor Restaurant and Lounge All Alcohol Restaurant
42 West Boylston Street
- Webø Seafood Inc dba West Boylston Seafood Wine and Malt Restaurant
321 West Boylston Street
- M & T Hospitality Group LLC dba The Mill All Alcohol Restaurant
185 West Boylston Street
- Oli's Italian Eatery LLC All Alcohol Restaurant
339 West Boylston Street
- JAG Business LLC All Alcohol Restaurant
175 West Boylston Street
- Nola Cajun Kitchen LLC dba Nola Cajun Kitchen Wine and Malt Restaurant
340 West Boylston Street
- Chang's Bamboo Garden Inc dba Bamboo Garden All Alcohol Restaurant
45 Sterling Street
- Brown Rice Thai 2 Inc dba Brown Rice 2 Thai Cuisine All Alcohol Restaurant
184 West Boylston Street
- W Boylston Pkg Store Co All Alcohol Package Store
293 West Boylston Street
- Wachusett Wine and Spirits dba Wachusett Wine and Spirits All Alcohol Package Store
21 Franklin Street
- KC Brothers LLC dba Wachusett Farms Wine and Malt Package
Store
106 Worcester Street
- CED Management Inc dba The School Yahd General On-Premises
216 West Boylston Street

Motion Mr. Rucho moved to approve as printed in the agenda, Mr. Crowley second.

Mr. Rucho asked if everything is up to date, Ms. Warren-Dyment stated everything is up to date but

wanted the Board to know that one entities landlord is not up to date on taxes and is not the fault of the business owner. Mr. Crowley asked if the business is current with rent, Ms. Zukowski stated she did not know. Mr. Rucho does not believe the town can hold a license if not business is not paying rent to landlord. Ms. Zukowski stated the businesses are taxes personal property and there is not an issue with those taxes. Mr. Rajeshkumar asked the license is not held how will the town collect, Ms. Warren-Dymment stated the Tax Collector has mechanisms to collect the taxes. She agrees the Board should not hold licenses due to landlords having outstanding taxes but wanted to note it for transparency to the Board.

All in favor

Approved

- **Consider approving the Business Licenses for 2023 appended and posted with the agenda.**

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

Mr. Crowley asked if all taxes are up to date for these businesses also, Ms. Warren-Dymment stated there is one business that again the owner of property owes taxes but the property is under agreement and the outstanding taxes will be collected at transfer.

All in favor

Approved

APPOINTMENTS AND RESIGNATIONS:

- **Consider the appointment of Christopher J. Berglund to the Affordable Housing Trust effective December 15, 2022 for a term to expire on June 30, 2024.**

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

All in favor

Approved

TOWN ADMINSTRATORS REPORT (May contain Departmental updates, community reminders and announcements, project updates, etc. No votes will be taken).

1. Tax Rate Recapitulation and Tax Rate Approval: The Tax Rate Recapitulation ("Recap") form has been submitted and the FY23 tax rate has been certified by the Bureau of Accounts. The FY23 tax rate is \$15.58 (FY22 was \$17.68). Thank you to the Town Accountant and the Assessors for their work in completing these submissions in a timely fashion.

2. Hazard Mitigation Grant: The Town has applied for \$30,000 in grant funding to update the Hazard Mitigation Plan through MEMA. Our current plan was approved in 2018 and is set to expire on February 21, 2023. If approved, we will assemble a core team to update the plan with a goal of making the community more resilient from natural hazards and reducing overall vulnerability from natural hazards. The Town worked with CMRPC to submit the application and if funded, will be working with CMRPC to conduct outreach to the community through the update process. Having a current plan helps the community obtain future funding for hazard mitigation projects such as culvert repair and replacement. We are hopeful we will be selected for this funding opportunity.

3. ADA Transition Plan: The ADA Self-Assessment and Transition Plan are nearly complete. The final step is to work with FinCom/Capital Investment Board to plug in the identified projects into our existing capital plan. Once this step is completed the Disability Commission will approve the final plan and send the plan to the Select Board. At this point, the plan will also be placed on the Town website. The Select Board must then hold the plan open for a thirty-day comment period before the plan is finalized.

4. Christmas Tree Drop Off: Residents can begin dropping off their Christmas trees at the DPW on December 27, 2022. Trees can be dropped off through January 13, 2023. Please

ensure all decorations, including tinsel have been removed from the tree prior to drop off.

5. Additional LIP Project: In addition to the LIP projects the Select Board heard about last evening, there is the possibility of one additional proposal. The proposed location is on Crescent Street. I will be meeting with the Developer this week to determine if this project will also be put forward as a LIP.

Mr. Frieden asked why there are so many LIP projects before the Board. Ms. Warren-Dyment responded it is hard to say but could be economics.

6. Staff Holiday Party: Town staff will be having a holiday party in the evening on December 22nd. We are hoping to start a great tradition that can be expanded next year to a location to include Board, Committee, and Commission members!

FUTURE AGENDA ITEMS/SELECT BOARD REPORTS:

- Mr. Crowley gave an update on the Christmas Tree Lighting Event, 175 residents attended was a great turn out.
- Mr. Crowley stated Santa will be traveling on the Fire Truck on December 18th
- Ms. Pedone stated on Friday, December 17th from 6-8pm the High School Class of 2025 will be holding a Penny Sale.
- Mr. Frieden asked if the Town Calendar can be synched with personal phone, Ms. Warren-Dyment will find out.
- Mr. Rajeshkumar would like a Pride Park update at a future meeting.

***Motion** Mr. Crowley moved to adjourn at 7:15 p.m.; Mr. Frieden second.*

Mr. Rajeshkumar wished everyone Happy Holidays.

Roll Call Vote

Mr. Frieden, yes

Mr. Rucho yes,

Mr. Crowley yes,

Ms. Pedone, yes

Mr. Rajeshkumar, yes

All in favor

Approved

Respectfully submitted,

Approved:

Faye D. Zukowski, Municipal Assistant

Barur R. Rajeshkumar, Chairman

Christopher A. Rucho, Vice Chairman

Marc Frieden, Clerk

Patrick J. Crowley, Selectman

Kristina Pedone, Selectwoman