



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

Select Board/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting
February 16, 2022; 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
Michael J. Kittredge III, Selectman

Members NOT Present:
Kristina Pedone, Selectwoman

Invited Guests:
Nancy Lucier, Town Administrator
Faye Zukowski, Municipal Assistant
Chief Dennis Minnich

Others Present: David Femia, Christopher Berglund, Kevin Duffy DPW Director, Gary Flynn, Ray Bricault

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:

- **January 19, 2022 Regular Session:**

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

All in favor

Approved

**REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING
FEBRUARY 3, 2022 TO FEBRUARY 16, 2022: Town Payable Warrants FY2022-32 and
FY2022-33; Town Payroll Warrant FY2022-16; Sewer FY2022 SE-19 & SE-20; MLP FY2022
#17 and School FY2022 S16.**

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

All in favor

Approved

Dennis Minnich, Sr., Chief of Police – Discussion on Traffic Enforcement

Chief Minnich discussed the concern for traffic enforcement at the school, he has a good working relationship with the Superintendent. He explained if something comes up, they communicate and work out a solution. He discussed a new project for tracking complaints in town, he stated once a complaint is received, they create a “punch a card”. He explained that he is unable to extract from the software of Regional Dispatch the information needed and instead if done by hand. He gave statistics on tickets written; 2019 had 441, 2021 had 304 tickets written, in 2019 had 165 accidents, 2021 had 170 accidents. He explained when a complaint is received, they plan to place a radar sign at the location of the complaint, once statistics are compiled, he plans to reach out to the complainant. He said a lot of complaints come in and in fact there are not infractions occurring in some cases. He would like to focus on locations of accidents and work on minimizing accidents. Mr. Crowley asked if the Chief has the statistics on accidents caused by recent icy road conditions, Chief Minnich responded that he is unsure why he has to make the call to the DPW Director. Mr. Rajeshkumar stated there are complaints from the same locations, Chief Minnich responded that he placed the signs up and also parked there himself and most people are not speeding. He explained there are hot spots of speeding and he assigns officers to those locations. He is hopeful that the new computer system will be able to create reports for the information. Mr. Rajeshkumar asked about getting more blinking speed signs, Chief Minnich responded they are expensive at \$2,700 but the batteries are terrible in them. He stated there is better signs that will communicate with a computer and he can request with finance committee for October. Mr. Rajeshkumar stated people complain about the school and people are cutting the line and they wanted to know who is in charge, Chief Minnich stated they place cones out to aid in traffic flow. Mr. Rucho asked when the Chief Minnich gives the reports does he up the patrols in the areas with speeding, Chief Minnich stated he makes a list of hotspots and gives to the officers. Mr. Rajeshkumar asked if the additional laptops have helped, Chief Minnich stated they are very helpful for the new ticketing system and road side reporting. He explained the new E-ticketing system eliminates the writing of ticket, mailing of tickets, Registry reporting it is all automatic. Chief Minnich would like to purchase the signs like Sterling has out. He stated some traffic changes may help with accidents. Mr. Crowley stated he would be interested in knowing how the process of handling complaints works and if the Board will also receive less complaints.

6:30 p.m. PUBLIC HEARING (cont.): Consider Amending Policy A-#4 Policy on Meeting and Agenda Procedures:

Mr. Crowley stated the Board does not follow policy and give an overview of how a current agenda is approved. He suggests the Board change how they are doing the agenda or change the policy. Mr. Rajeshkumar would like the Chair to add and delete items from the agenda. Mr. Rucho stated the only issue he has is getting the agenda on Friday afternoon for review before it gets posted is not enough time. He would like to see an on-going agenda of items and not just sent on Friday. Mr. Crowley asked Nancy what her process is setting the agenda for the next meeting. Ms. Lucier stated the agendas are ongoing and hopes that if she has scheduled someone for a future time to come in that that time would be respected. Mr. Crowley stated he would think that Nancy would discuss times with the chair. Mr. Rucho would like to have the agenda sent out to the Chair on Thursdays for review and then Friday afternoon be sent out to the Board. Ms. Lucier stated that they can try it and see how it works. She explained people need to know that agenda items will need to be sent in by Wednesday afternoon to be placed on the agenda. Mr. Crowley clarified that the policy does not explain that the Town Administrator creates the agenda, sends to the Chairman for approval and then out to the Board. Ms. Lucier stated she began sending the agenda to the chair and did not follow the policy and in the past, it was not reviewed by the Selectboard. Mr. Crowley like that it gets sent to the chair but would like the policy to reflect that. Ms. Lucier clarified the changes to be; all agenda

items will be sent to Town Administrator by 4 p.m. Wednesday preceding the meeting and on Thursday will send agenda to the Chair for approval and discussion, and then send out to the Board on Friday.

Mr. Rucho would like all agenda item documents to be in the packet on Friday when it is sent out including the Town Administrators report.

***Motion** Mr. Rajeshkumar moved to continue the public hearing until March 2; Mr. Crowley second.*

All in favor

Approved

Michael Schraeder – Review of Sewer Rates and Recommendation on FY23 Rates:

Mr. Schraeder stated annually they review the projections and the prior year's estimates. He stated the FY21 usage was up 13% residential and down 17% commercial, the operating expenses were up 2.8% and the CIP/ was down 11.1%, the revenue user charges were up 6.9% and non-rate revenue was down 34.6% and the retained earnings was up 20.5%. He stated the town had a good year and does not recommend a rate increase. He has met the new DPW Director and would like to revisit the capital plan to update. He stated non rate is any revenue that does not come from sewer billing like fees, or interest rates. Ray Bricault of the Finance Committee asked about the increase from FY21, Mr. Crowley it was an increase compared to the estimated projection. Mr. Bricault asked about the evaluation of capital, Mr. Duffy stated they are working on that.

***Motion** Mr. Crowley moved to keep sewer rates the same for FY23; Mr. Kittredge second.*

All in favor

Approved

Kevin Duffy, DPW Director:

- **Emergency Snow & Ice Policy:**

Mr. Kittredge requested this be discussed he feels the policy is not modern and does not reflect what should be done. He discussed pretreating of the roads is the key to having clear roads during a storm and also a cost savings. Mr. Kittredge discussed the weather call procedure which relies on the police to call the DPW in overnight and does not always work. He would like the Director to make recommended changes to the policy to make it current. Mr. Kittredge suggested using road sensors. Chief Minnich suggested the DPW handle the decision on when to send the trucks out. Mr. Duffy stated he is operating as the policy states and agreed it needs to be updated and is open to discussion. Mr. Rucho asked how the call out works now from dispatch and if Mr. Duffy comes to town when he is called. Mr. Duffy stated he access the call from dispatch and what the response needs to be and does not come out to check on the road status. Chief Minnich suggests the DPW have someone on call when there is weather forecasted in stead of relying on the police. Mr. Duffy agreed with the Chief and would like to have the policy amended. Mr. Crowley stated the road conditions are a public safety issue and would like the Director to forget the policy for now and make sure the roads are treated.

Mr. Rajeshkumar would also like to discuss in the future and get a cost estimate to use liquid salt. Mr. Duffy stated the salt shed is under repair and they were not able to use liquid salts as much this year due to the concern for wasting product if it was to get wet. Mr. Duffy stated he will get some prices as you can buy it treated or treat inhouse. Mr. Kittredge asked if there is still the 2,000-gallon tank, Mr. Duffy stated they still have it. Mr. Kittredge explained the residents like the roads to be clear and maintained.

Ms. Janette Flynn a school bus driver stated last week the roads were in terrible condition and unsafe. She would like to see the town pretreat and go out earlier than the buses. Mr. Duffy responded that they did not get a call to send trucks out. Mr. Rucho asked for clarification that the Director only send trucks out if he receives a call from dispatch, Mr. Duffy confirms that is what the policy states and that is what he was instructed to follow. Ms. Lucier stated the policy has been the same for many years. She stated she received a call from Ms. Flynn on Friday and this was the first complaint she received. Mr. Rucho feels the Director needs to make his own call of when to send trucks out, Mr. Kittredge stated this is why he wants to update the policy and wants the Director to have the ability to make the decision on snow.

Mr. Rucho asked the Director on salt reduction equipment and if they are working and shared a photo of the Senior Center driveway with excessive salt, Mr. Duffy responded it was most like over salted due to the truck used and layout of the driveway and awning columns. Mr. Duffy stated some of the trucks are older and the belts are not always working efficiently with the salt controllers. Mr. Duffy stated all but one truck has the salt calibrators on it.

Mr. Rucho requested the Director mark up the policy and submit the changes to the Town Administrator and then a public hearing will be scheduled. Mr. Duffy asked for confirmation that he will now have the authority to treat the roads as he sees fit, the Board confirms.

- **Mailbox Replacement Policy:**

Mr. Rajeshkumar requested this be discussed and received calls from residents he forwards to the Town Administrator, who then calls the DPW Director, who then goes out to review the mailbox damage. He stated the Director deemed the damage to be by the snow not the plow hitting the mailbox. He feels the town is using a loop hole of the weight of the snow is damaging the mailbox and not replacing the mailboxes. He stated there is no way to determine is the snow or the plow damages the mailbox and would like to change the policy and give the residents the \$40. Mr. Duffy disagrees that it is a loop hole and explains the snow if heavy and traveling at a rate of speed when it contacts the mailbox. He stated is there is direct contact it is very obvious. Mr. Rajeshkumar would like to change the policy. Mr. Rajeshkumar asked how mailbox claims have they received, Mr. Duffy stated ten and one was a direct contact they others were damaged by the weight of the snow. Mr. Kittredge would also like to update the policy so that the town automatically gives the resident the \$40 and let them handle the replacement and not the DPW employees. Mr. Kittredge stated there are times private plow drivers damage the mailboxes also. Mr. Duffy stated if it is determined to be direct contact the town is liable to replace and install the new mailbox, he feels the DPW has too much going on to be installing mailboxes after a storm. Mr. Rucho discussed having the amount paid out amended. Mr. Crowley stated none of the surrounding towns take responsibility for weight of snow damage. Mr. Rajeshkumar would like to have a public hearing to make changes to the policy. Mr. Crowley would like to raise the price and only pay if it is negligent operation of the driver. Ms. Maura Kelly a resident stated she has concerns that the town will just pay out the \$40 to a person who is unable to replace their mailbox due to age instead of repairing it for them. Mr. Rajeshkumar asked for area towns policies, Mr. Duffy stated the Board has received them in their packet.

- **Snow & Ice Operations:**

Was discussed under Emergency Snow & Ice Policy.

- **Acknowledge receipt of Update from John Scannell on Regional Recycling Center.**
- **We have received notification from the Attorney General's Office that the two bylaw changes passed at the October 16th town meeting have been approved. Neither take effect until the Town has satisfied their posting/publishing requirements which is to post in 5 public places, which the Town Clerk completed on February 2nd. (Town hall, fire department, senior center library, and town website).**
- **Consider Signing License Agreement with Captain Ron's Food Truck and Catering for the Wachusett Reservoir Triangle Picnic Area, effective April 2, 2022 until November 1, 2022 unless automatically renewed by the Selectboard for a period of up to 3 years:**

Mr. Rajeshkumar asked if there was any other interest, Ms. Lucier stated there has not been. Ms. Lucier stated she is requesting a one-year contract with availability in November to renew for three years if the Board chooses.

***Motion** Mr. Crowley moved to approve the one-year contract; Mr. Rajeshkumar second.
All in favor
Approved*

- **Update on the Town Administrator Search Sub-Committee:**
Mr. Rucho stated they met with a third consulting firm were hoping to have a meeting but they had a Zoom technical issue and are now hoping to have a meeting this week to choose a firm and may need a special meeting to accept the recommendation.

APPOINTMENT AND RESIGNATIONS:

- **Town Clerk Daymian Bartek – consider the following appointments for the Board of Registrars as recommended by the Town Clerk:**
 - **Jason Kunst – February 21, 2022 for a term to expire on April 1, 2025**
 - **Daymian Bartek – February 21, 2022 for a term concurrent with Town Clerk**

Ms. Daymian Bartek Town Clerk explained there is a vacancy on the Board of Registrars for a Republican member and they currently have one Unenrolled and two from the Democratic Party. She explained according to MA General Law they are required to have one person from each leading party. She reached out to the Republican Town Committee for a recommendation. Mr. Rucho stated typically a committee vacancy is filled by placing vacancy on website and people can send in application to be considered. He asked why this was not posted as they usually do, Ms. Bartek responded that the MA General Law allows for her to contact the Town Committee for recommendations. Mr. Rucho stated it says the Town Committee should give list of names, Ms. Bartek responded she was only given one name. Mr. Rajeshkumar would have liked to have more than one person named for the committee and would like to have a chance for others to apply. Mr. Crowley a member of the Republican Town Committee stated they have four members and were asked for a recommendation and they voted to recommend Jason Kunst. Ms. Lucier stated the last appointment to this committee was in August of 2020 and they have never advertised this position in the past. Mr. Rucho stated the law says it is an

appointment to be made in February/March, Ms. Bartek would like to get on that schedule. Ms. Daymian gave an overview of the responsibility of this committee and the use of a name stamp when verifying elections.

***Motion** Mr. Crowley moved to approve Jason Kunst and Daymian Bartek to the Board of Registrars as recommended by Town Clerk; Mr. Kittredge second.*

All in favor

Approved

TOWN ADMINISTRATOR'S REPORT

1. Green Communities Grant

I will be carrying this item over to a future report.

2. Pole Banner Kick Off

Last year we had 27 businesses participate in the Light Pole Banner Program and the banners were installed in late June. This year we plan to have all the banners hung by May 1st in time for our Memorial Day Celebration.

The cost is \$650 annually for a banner 30" x 60" and you will receive 2 banners one to be displayed from May to June and the other August to November. The proceeds from this program will go towards future Celebrations to be held in the town. Should you have any questions please contact the Town Administrators office at 774-261-4012. Renewals for existing banners will be sent out on May 1 with a due date of June 15th.

Program information and Pole Banner Applications have been posted on the Home Page of the website. Special thanks to the Municipal Light Plant who install and take down the Light Pole Banners.

Mr. Rajeshkumar would like the Celebrations Committee to discuss having fire works on the fourth of July. Mr. Crowley responded he is on the committee and there is \$10,192.50 in the fund and this would not buy much for fireworks and will not be any fireworks this year. He stated the committee focus on Memorial Day and not the fourth of July. Mr. Crowley will bring forward to the committee.

3. Approval of use of ARPA Funds

As previously reported, the town will be receiving \$2.4 million in ARPA funds. The funds are to be used over the next 4 years. The goal will be to use the funds for infrastructure and non-budgetary items. The reason the funds will not be used towards the budget, is that it would leave a deficit for the town to make up at the end of the four years. That was the approach we took with the marijuana revenues. The Selectboard previously approved the use of ARPA funds for the MS4 Permitting work being done by Weston & Sampson Services in the amount of \$238,000. Tonight, I am recommending the Board approve the expenditure of \$100,000 to finalize line striping and crosswalk painting, \$30,857.64 to pay for our membership in the Worcester Health Alliance, \$30,000 for repairs to the street sweeper, and \$100,000 for OPEB. By using ARPA funds for these allowable expenditures, we can build up our reserves with our Free Cash, which could be used to build up both our Stabilization Fund and our Capital

Investment Fund, we are prohibited from using ARPA monies for our Stabilization Fund and our Capital Investment Fund. If we are going to seriously look at a Strategic Plan for our buildings, using this one-time opportunity to commit Free Cash to building reserves will put us in a better position to allow for debt roll off to reduce the impact to the tax payers of debt excluded borrowing.

By approving the funds for the line striping, we can get those scheduled in early in the year. The street sweeper is now 9 years old, was initially in need of a few repairs and after further investigation, additional issues unfolded. I am being told that with these upgrades we should get another 7+ years out of the machine. If approved, we can get the machine, which is now down, in for repairs and back in time to sweep the streets this spring. Next week we have our OPEB Trust Annual Review. OPEB is one of the allowable uses of ARPA funds rather than to request funding from Free Cash at town meeting, which we have done over the past couple of years since we established the Trust.

Mr. Crowley asked about the \$30,000 for the membership for the Worcester Health Alliance and this is an annual budget not a onetime fund, Ms. Lucier responded the Alliance costs increase and was paid for out of CARES Act Funding. She explained Worcester is currently evaluating the cost to deliver public health to the Alliance towns. MR. Crowley asked if this is usually paid out of revolving funds, Ms. Lucier stated the revolving fund is almost depleted and this will need to be paid for out of the budget in the future. Mr. Rucho would like to vote this under new business not under Town Administrator's report. Ms. Lucier would like to get the sense of the Board and they could vote this next meeting.

4. New Requirements for MBTA Communities

The Town of West Boylston has been designated as an MBTA community under the category of 'MBTA adjacent'. As such, we are now required to comply with the new requirements of the Multi-Family Zoning Requirement for MBTA Communities, which was part of the Economic Development Bill. It requires that an MBTA community shall have at least one zoning district of reasonable size in which multi-family housing is permitted as of right and meets other criteria included in the status. If the town does not comply, we will not be eligible for certain grant funds, one of which is the MassWorks program, which we have been a recipient of in the past.

CMRPC has received funding from the state to support communities. We will be working with them with the town's contribution being in-kind hours from the Building Inspector and Planning Board, who will be actively engaging in the process. The first requirement we need to meet, before May 2, is to have CMRPC come out and provide a briefing to the Selectboard. We plan to have them come in at the April 20th meeting. Following that they will review our bylaws, develop a map and recommendations that will comply with the new regulations and present to the Planning Board, which will hopefully be completed for the October town meeting.

Mr. David Femia stated three years ago he attended a Housing Institute Conference and they had discussed MBTA, he asked if you had to have a station in your town and they stated no at that time and that it would not affect West Boylston. Ms. Lucier stated she is being told because the town is adjacent to Worcester the town meets the criteria. She stated the only towns around us that do not meet the criteria are Boylston, Clinton, Berlin, Bolton and Hudson. She reached out to

Representative O'Day for assistance. She wants the town to take the steps it needs so that they can obtain some grants for this.

MEETINGS, INVITATIONS & ANNOUNCEMENTS:

- **Tuesday, March 1, 1:30 – Sr. Center Winter Warmer Grab and Go Drive-Thru – Volunteers will be handing out a bag of goodies to warm you inside – no need to pre-register.**
- **Friday, February 18th, 6:30 – Trivia Night with Trivia Brothers - Email jwright@cwmars.org at least 24 hours prior to the program to register your team and then join Trivia Brothers Friday night via zoom.**
- **The West Boylston Board of Health met on February 9th, and due to the decrease in numbers of COVID-19 case counts and the Omicron waive coming down, they voted to rescind the Emergency Regulation regarding face coverings in all outdoor private common spaces in the workplace and indoor private spaces open to the public effective Friday, February 18th.**

Mr. Rucho does not believe this is what the Board of Health voted, but announced the mask mandate was rescinded as of Friday February 18th. And would like the wording of the vote clarified.

- **The Selectboard has been notified by the Water District that their new Pleasant Valley well, a project they stated back in 2015, went online as of Tuesday, February 8th.**
- **The West Boylston Police Department along with the Office of the Worcester County District Attorney Joseph D. Early and the Office of Massachusetts Consumer Affairs and Business Regulations will be hosting a presentation on Scams Targeting Older Adults on Tuesday, April 19th 10 a.m. at the West Boylston Police Station. Contact Detective Timothy Benson 774-450-3563 or tbenson@wboylstonpolice.com**

FUTURE AGENDA ITEMS/SELECTMANS REPORTS:

- Mr. Rucho would like an update on the Insurance Claim at the Salt Shed.
- Mr. Rucho stated the Marijuana Sub-Committee will be meeting on February 22, 2022 to discuss the delivery of marijuana.
- Mr. Rucho would like to thank MassCor for building the table in the meeting room and thanked the Municipal Light Department for helping get the desk in the room.

Motion Mr. Rajeshkumar moved to adjourn at 8:33 p.m.; Mr. Crowley second.

All in favor

Approved

Respectfully submitted,

Approved:

Faye D. Zukowski, Municipal Assistant

Christopher A. Rucho, Chairman

Barur R. Rajeshkumar, Vice Chairman

Patrick J. Crowley, Clerk

Michael J. Kittredge III, Selectman

Kristina Pedone, Selectman