



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

Select Board/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting
August 17, 2022; 6:00 p.m.
140 Worcester Street
West Boylston, MA 01583
Board Meeting Room 2nd Floor

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

Members NOT Present:

Invited Guests:
James Purcell, Interim Town
Administrator
Faye Zukowski, Municipal Assistant
Leslie Guertin, Town Accountant

Others Present: Attorney Thomas Jaffarian, David Femia, Ken Cleveland,

MEETING CALLED TO ORDER

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:

- **June 15, 2022 Regular Session**

Motion Mr. Crowley moved to approve; Mr. Rucho second.
All in favor
Approved

- **June 29, 2022 Executive Session not be released**

Motion Mr. Rucho moved to approve; Mr. Crowley second.
All in favor
Approved

- **June 29, 2022 Regular Session**

Motion Mr. Crowley moved to approve; Mr. Rucho second.
All in favor
Approved

REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING JULY 21, 2022 TO AUGUST 17, 2022: Town Payable Warrants FY2023-04, 05, 06 and 07; Sewer FY2023-SE02 and FY2023-SE03; School Warrant FY2023-02 and FY2023-03; Town Payroll FY2023-02 and FY2023-03 and MLP FY2023-02 and 04.

Motion Mr. Crowley moved to approve; Mr. Rucho second.
All in favor
Approved

6:10 p.m. Public Hearing on the resubmittal of Application of Brown Rice Thai 2, Inc. dba Brown Rice 2, 184 West Boylston Street, West Boylston, MA 01583 for an On Premises, All Alcohol, Restaurant License:

Mr. Frieden read the public hearing notice. Attorney Thomas Jaffarian representing Brown Rice Thai 2, Inc submitted the application packet to the town. He explained the owners have experience with liquor service as they hold a license in other communities with no issues.

Motion Ms. Pedone moved to close public hearing; Mr. Crowley second.
All in favor
Approved

Motion Ms. Pedone moved to approve the resubmittal of Liquor Application for Brown Rice Thai 2, Inc dba Brown Rice of 184 West Boylston Street for and On Premises, All Alcohol Restaurant License; Mr. Crowley second.

All in favor
Approved

6:20 p.m. Public Hearing on the Change in Municipal Building Office Hours:

Mr. Frieden read public hearing notice. Mr. Purcell stated the Board had discussed at a prior meeting and requested the two offices come back with hours that will work for their department. He stated the Board had desire for uniform office hours and believes the proposed hours are the best they can do. Ms. Pedone had concern with offices not being open full time, Mr. Crowley stated the Treasurer Collector has a lot of back-office work to complete unlike the Town Clerk who services the public. Mr. Rajeshkumar stated the Town Clerk is proposing Monday to Friday 8 a.m. to 4 p.m. and Treasurer Collector Monday, Tuesday and Thursday 8:30 a.m. to 3:30 p.m., Wednesday 8:30 a.m. to 5:00 p.m. and Friday 8:30 a.m. to 3:00 p.m. Mr. Purcell stated the Treasurer Collectors office has child obligation and cannot open at 8:00 a.m. Ms. Pedone stated we should not have a full-time employee being paid if the door is not open to the public. She also believes the Town Clerk has just as much back-office work, Mr. Purcell stated transactionally the Treasurer Collectors office is much busier. Mr. Crowley stated these offices are completely different but yet the Board wants them to operate the same. Mr. Rucho would like to see Monday, Tuesday, Thursday and Friday all close at 3:30 p.m. Mr. Rucho would like to consider office hours if we have staff change in the future. Mr. Purcell stated either request does not compromise the public service and accommodations for staff aid in retention in the long run. Leslie Guertin, Town Accountant gave an overview of the tasks that the Treasurer Collectors office handles and that they had a reduction of five hours with the retirement of Linda Ritter. She explains in person transaction or not it is the same time for processing is required. She stated the back room work time is very important and requires lots of reporting

that shared with other departments such as hers. Ms. Pedone asked Leslie what her office hours are, Leslie responded 9-3:30 p.m. but that she is a 40-hour position and her Assistant is 35 hours. Mr. Friedan asked if the ideal office hours were 32 for all the offices, Ms. Pedone stated she would not like to see any reduction of hours.

Motion Mr. Rucho moved to close public hearing; Mr. Crowley second.

All in favor

Approved

Motion Mr. Rucho moved to approve Treasurer Collectors hours to Monday, Tuesday, Thursday and Friday 8:30 a.m. to 3:30 p.m. and Friday 8:30 a.m. to 5:00 p.m. and Town Clerk Monday through Friday 8:00 a.m. to 4:00 p.m.; Ms. Pedone second.

Mr. Crowley stated he will be voting no as he would like to have the hours as requested by the Treasurer Collector.

3-2-0 Mr. Crowley and Mr. Rajeshkumar voted no

Approved

KEVIN DUFFY, DPW DIRECTOR:

- **Winter Recovery Assistance Program (WRAP):**

K. Duffy stated the town received \$168,094 and can be used on rehab, resurfacing, signage, storm drains in roadways and sidewalks. Mr. Purcell stated these lines up with the Chapter 90 program and this is an additional supplement from the State. Mr. Crowley asked if the town can anticipate this amount going forward, Mr. Purcell stated most likely not.

- **Consider Approving Snow Plow Contractor Rates:**

K. Duffy explained they received little interest last year due to the rates which have not changed since 2012-2013. He requested to increase the rates as presented to the Board. Mr. Rucho asked what the rates were last year, Mr. Duffy stated they were \$65 for ¾ ton with 8ft plow, \$70 for ¾ ton with 9ft plow, \$70 for one-ton 4x4 with 9ft plow, \$80 for one-ton 4x6 with 9ft plow, \$106 for 6-wheel dump with 10ft plow minimum, \$105 for skid steer. . He is requesting to increase to \$75 for ¾ ton with 8ft plow, \$82 for ¾ ton with 9ft plow, \$90 for one-ton 4x4 with 9ft plow, \$96 for one-ton 4x6 with 9ft plow, \$106 for 6-wheel dump with 10ft plow minimum, \$105 for skid steer.

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

All in favor

Approved

- **Road Construction and Materials Bid Results:**

K. Duffy stated the Bid results are in and he would like to go with all the low bidders with the exception of accepting an additional bidder for Bituminous Concrete picked up to allow for two options available. He explained the low bidder is in Oxford and second low bidder is in Lunenburg. Mr. Crowley asked if this is allowable under state procurement, Mr. Purcell stated it is allowable and many communities do this to be sure to have available product.

Motion Mr. Crowley moved to accept the bids as presented including the two low bids for Bituminous Concrete Type I picked up; Ms. Pedone second.

All in favor

Approved

- **165 Hartwell Street Sewer Abatement Request:**

K. Duffy stated this is a commercial property and they had a significant water leak external to the building of approximately 300,000 gallons. He stated the owner paid the water bill and is current.

He explained the repair was made upon the meter reading and expects they will submit an additional abatement request when the next billing is received.

Motion Mr. Crowley moved to approve the abatement in the amount of \$5,718.61; Ms. Pedone second.

All in favor

Approved

Ms. Pedone thanked Kevin for his quick response by him and the DPW to a vandalism complaint at the school.

NEW BUSINESS:

- **Vote to extend current Weston and Sampson Services Agreement to October 3, 2022:**

Mr. Purcell stated the service agreement is expiring on September 3 and is out to bid currently. He stated a pre-bid conference was held on Monday. He requested a one-month extension of the current agreement.

Motion Mr. Rucho moved to approve the extension; Mr. Crowley second.

All in favor

Approved

- **Vote on ARPA Appropriations and Amendments, Town Accountant:**

Ms. Guertin gave the Board an update on the ARPA rules on deadlines. She explained they interpreted the requirement of commitment was that a vote of the Board was only needed. She has now confirmed that this was not voted correctly and needs the Board to rescind the vote taken on April 6, 2022 for OPEB, MS4 Permits and BOH Worcester Alliance appropriations and reappropriate the same qualifying expenditures but as recommended by the auditors. She stated there are also two additional fund requests have come in and she suggests completing these at the same time, increase in cost of \$2,429 DPW Toro Ground master Mower and \$30,000 to engage in engineering for Library Boiler in order to be considered for grants. She stated the Finance Committee met on Monday and voted in favor of all items. Mr. Purcell stated he an earmark request through Senator Chandlers office is in Economic Development Legislation that has not been acted on as of yet. He supports the use of ARPA funds for this project. Mr. Rajeshkumar asked how long will the ARPA funds be available to the Town, Leslie responded they are unsure and recommends using it sooner than later. Mr. Rucho asked if they are still doing the FY24/25/26 for OPEB just not putting in the motion, Ms. Guertin stated the motion to fund the OPEB for the four fiscal years will now be used for FY23 Retirees Health Insurance. Ms. Guertin explained that the use of these funds for Retirees Health Insurance will then allow for \$400,000 to flow to free cash and then be used towards the OPEB in FY23/24/25/26. Mr. Crowley clarified the intent is to use towards OPEB but there is no guarantee. Ms. Guertin stated the Board could vote to place funds in OPEB at the fall town meeting. Mr. Crowley asked if they could fund \$400,000 this fall instead of \$100,000 for FY23/24/25/26, Ms. Guertin stated the town has a policy state that any excess will be used towards OPEB.

Motion Mr. Frieden moved to rescind the April 6, 2022 vote to appropriate ARPA funding for the following projects: OPEB \$400,000 FY23/24/25/26, Future 4 Years MS4 Permits \$200,000 FY23/24/25/26 and Board of Health Worcester Alliance Membership \$100,000 FY24/25/26; Ms. Pedone second.

All in favor

Approved

Motion Mr. Frieden moved to appropriate ARPA funding for the following qualifying expenditures: Retiree Health Insurance Premiums FY23 \$400,000, Sewer – FY23 O&M Expenses \$200,000 and Board of Health Actual Expenses for the period March 3, 2021 through December 31, 2024 \$100,000; Mr. Rucho second.

All in favor

Approved

Motion Mr. Crowley moved to approve the request for \$2,429 for DPW Toro Mower due to increase and \$30,000 for Engineering for Library Boiler; Ms. Pedone second.

All in favor

Approved

Mr. Purcell thank Leslie for her simplification of a complicated issue.

Vote to Sign September 6, 2022 State Primary Warrant as requested by Daymian Bartek, Town Clerk:

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

All in favor

Approved

- **Consider approving the hiring of Paul Cawley as a fractional-time Municipal Custodian for the Senior Center effective August 22, 2022 at a rate of \$15.41 and up to 10 hours per week:**

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

All in favor

Approved

- **Vote to open the warrant for article submissions for Semi Annual Town Meeting to be held on October 17, 2022:**

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

All in favor

Approved

OLD BUSINESS:

- **Discussion on Regional Facilities Manager**

Mr. Purcell updated the Board that he spoke with the Town of Leicester representatives and they not interested at this time due to acquisition of the Becker College Campus and their needs are much more than a shared service. He explained the idea of a shared service is not going to happen. He explained the town could use this position especially with Chief Welsh retiring, as he was always helpful. Ms. Pedone would like to review the job description and get it reposted. Discussion on shared service with the school, Mr. Purcell stated that relationship does not typically work due to needs at the same time. Mr. Crowley stated this has been advertised for too long and would like to make it a goal to get this done.

- **Update on Opioid Settlement Funds:**

No update at this time will place on a future agenda item.

- **Consider approving the Disposal of Surplus Property:**

***Motion** Mr. Rucho moved to approve; Mr. Crowley second.*

Mr. Crowley asked the process for the public to bid on these items, Ms. Zukowski stated they will be using Municibid this year and the Board will vote at future meeting to accept bid results and would be advertised in every place possible.

All in favor

Approved

TOWN ADMINSTRATORS REPORT

- Mr. Purcell stated the ADA Transition Plan Draft has been presented to the Disability Commission. Mr. Crowley stated the Disability Commission will be reviewing and have a deadline of September 10 to get comments back to Collins Center and a final draft will be sent to town for acceptance by the Board in September.

RESIGNATIONS

- **Acknowledge the resignation from Kathleen Casey from the Council on Aging effective June 29, 2022**
- **Acknowledge the resignation from David Lauzon as the Veterans Service Officer effective August 31, 2022**
- **Acknowledge the resignation from Michael McConville from the Disability Commission effective August 15, 2022**

FUTURE AGENDA ITEMS/SELECT BOARD REPORTS:

- Mr. Crowley stated the Parks Facilities Commission is waiting on a engineered design of the drainage for Mixter Field and cost, once received he may come before the Board for a request to use ARPA funds for drainage project. He stated they are also waiting to updated cost for the layout chosen and they will be approaching the CPC for supplemental grant funding. He stated \$150,000 was approved by the State but still is not enough.
- Ms. Pedone stated the Economic Development Committee has installed a new sign installed near Pinecroft. She explained they updated the policy and there are only two outstanding businesses that have not paid yet. She stated they are working on a business meeting in the future.

EXECUTIVE SESSION:

Consider entering into executive session under the provisions of Massachusetts General Laws Chapter 30a, Section 21(A), purpose 3 to discuss strategy with respect to contract negotiations with non-union personnel Town Administrator Candidate and the Chair declares that an open meeting discussion may have a detrimental effect on the bargaining position of the public body.

- **Motion: I move to enter into executive session under the provisions of Massachusetts General Laws, Chapter 30a, Section 21(A), Purpose 3 to discuss strategy with respect to contract negotiations with the Town Administrator Candidate, and the Chair declares that an open meeting discussion may have a detrimental effect on the bargaining position of the public body.**

APPOINTMENTS

- **Appointment of the Town Administrator Jennifer Warren-Dyment, Town Administrator:**

Motion Ms. Pedone moved to appoint Jennifer Warren-Dyment as Town Administrator; Mr. Crowley second.

All in favor

Approved

- **Approval of Town Administrator contract:**

Motion Mr. Rucho moved to approve the contract; Ms. Pedone second.

All in favor

Approved

- **Concurrence on the appointment of Bryan Levangie to the Celebrations Committee effective August 22, 2022 for a term to expire April 30, 2025:**

Motion Mr. Crowley moved to approve the appointment; Mr. Rucho second.

All in favor

Approved

Motion Mr. Rucho moved to adjourn at 9:01 p.m.; Mr. Crowley second.

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 Friedman, Clerk

Patrick J. Crowley, Selectman

Kristina Pedone, Selectwoman