



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

Select Board/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting

April 19, 2023; 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
Kristina Pedone

Members NOT Present:

Patrick J. Crowley

Invited Guests:

Jennifer Warren-Dyment, Town Administrator
Faye Zukowski, Municipal Assistant

**THIS MEETING WAS HELD VIRTUALLY IN A HYBRID SETTING
VIRTUAL MEETING INFORMATION:**

To Join Zoom Meeting

- <https://us06web.zoom.us/j/87289496812?pwd=QUg2cHBMNmJid0ZlZk9BZTVGbXFzZz09>
- Meeting ID: 872 8949 6812
- Passcode: 01583
- Dial by your location: (646) 558-8656 US (New York)

MEETING CALLED TO ORDER

Pledge of Allegiance

CONVENE MEETING – 6:00 pm

- Roll call

PLEDGE OF ALLEGIANCE

APPOINTMENTS AND RESIGNATIONS:

- **Consider approving the hiring of Police Officer Michael St. Martin as recommended by Chief Dennis Minnich effective May 1, 2023.**

Chief Minnich introduced Officer Michael St. Martin, Officer St. Martin gave the Board his background and stated he will be graduating on Thursday from the Police Academy.

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

Roll Call Vote

Mr. Frieden, yes
Mr. Rucho, yes
Ms. Pedone, yes
Mr. Rajeshkumar, yes
All in favor
Approved

- **Consider the appointment of Sergeant Timothy Benson as the Records Access Officer for the Police Department.**

Motion *Mr. Rucho moved to approve, Mr. Frieden second.*

Mr. Frieden, yes
Mr. Rucho, yes
Ms. Pedone, yes
Mr. Rajeshkumar, yes
All in favor
Approve

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:

- **March 1, 2023 Regular Meeting Minutes**

Motion *Mr. Rucho moved to approve with changes, Mr. Frieden second.*

Mr. Frieden requested to add in comments he made at this meeting, to be that the letter the Select Board signed does not restrict them in offering possible lower cost housing. And would also

Mr. Frieden, yes
Mr. Rucho, yes
Ms. Pedone, yes
Mr. Rajeshkumar, yes

All in favor
Approve

- **March 1, 2023 Executive Session Meeting Minutes, not for release**

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

Motions withdrawn

Tabled

- **March 6, 2023 Executive Session Meeting Minutes, not for release**

Tabled

REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING APRIL 5, 2023 THROUGH April 19, 2023: Town Payable Warrants FY2023-41 and FY2023-42; Payroll Warrant FY2023-21; School Warrant FY2023-S18 and FY2023-S19 and MLP FY2023 #22.

Motion *Mr. Rucho moved to approve, Mr. Frieden second.*

Mr. Frieden, yes

Mr. Rucho, yes
Ms. Pedone, yes
Mr. Rajeshkumar, yes
All in favor
Approve

6:05 pm Continuation of Public Hearing from April 5, 2023: To Consider Creating:

- **Policy relative to the use of the Reservoir Triangle for Food Trucks, such Policy to include a fee.**

Mr. Frieden read the Public Hearing notice.

Ms. Warren-Dyment updated the Board the vendors have began the season on a contract extension using the prior year contract. She explained she created a policy using the prior RFP as a guide, it includes space for up to two licenses for mobile food trucks, April 1st to November 30th annually, preference for prior vendors and a fee of \$2,500. She explained it does not require to be at the site but rather allows them to use the site. Mr. Frieden suggested having the term of the contract be January 15th to January 14th annually but operations to be April 1st to November 30th and also to allow vendors to utilize outside of the operational times upon notification to the town one week prior. Mr. Rucho would rather expand the term and allow them to operate anytime during the term. Mr. Rajeshkumar asked about the porta-potties, Ms. Warren-Dyment stated the Board voted mid contract last year to pay for the one handicap accessible porta potty for the remainder of last year's term but would be up to the Board if they wish to continue as a courtesy. Mr. Rucho believes the Town should provide the porta-potty. Mr. Frieden would like to be sure that there are plenty of picnic tables available on the triangle, Mr. Rajeshkumar does not feel the Town should provide for the vendors. Ms. Pedone has concerns with the porta-potty's being vandalized and the vendors are not always there. Ms. Warren-Dyment stated if the Town will be paying and providing the porta-potties it will need to be incorporated into the policy, if the town will be providing them at will it will not need to be incorporated into the policy. Mr. Rucho would like to have a reason for a fee that is being charged, Ms. Warren-Dyment stated the funds will go to the Economic Development Task Force funds. Mr. Rucho stated both vendors will need to agree to wanting the porta-potty onsite and paying for it, Ms. Warren-Dyment does not believe the town can request the vendor pay for the porta-potty and that the two vendors spilt the cost. Mr. Frieden would like clarification on who the authority of the contract is. Discussion on the term of the contract, Mr. Rajeshkumar would like to term to begin on March 1st, Ms. Warren-Dyment stated this is a license to use town facilities and not to enhance a private business. Mr. Frieden would like to add a seven-day notice for termination and a vote to be taken at a Select Board meeting and would also like to allow for subletting in the event that the licensed vendor cannot make it to the location. Ms. Pedone does not agree with subletting the location. Mr. Rucho would like to remove any mention of Board of Health and add that the vendors must meet all Board of Health requirements. Ms. Warren-Dyment stated she has received all Mr. Friedens comments prior to this meeting and will review. Mr. Rajeshkumar stated there seems to be many changes to approve. Mr. Rucho would like the Select Board to decide the vendors annually not the Economic Development Committee, Ms. Warren-Dyment stated if the Board would like to choose and not hold drawing than this would need to go back to RFP process. She explained the difference of the RFP versus the Policy and that the Board would need to decide which way they want to decide. Ms. Warren-Dyment stated the current vendors expressed they did not like the application process that it was cumbersome with a lot of requirements. Mr. Rajeshkumar would like to continue the public hearing until May 17th and the vendors can continue to operate under the old contract.

NEW BUSINESS:

- **Consider approving Letter as suggested by MMA to the CCC:**

Ms. Warren-Dymont presented the letter which is a template from MMA and the CCC is currently working on changes to the Host Community agreements. She explained the legislation was not specific on what would happen to Host Community Agreements already in place but MMA is looking for support for not looking retroactively when regulations are drafted.

***Motion** Mr. Rucho moved to send letter, Mr. Frieden second.*

Mr. Frieden, yes

Mr. Rucho, yes

Ms. Pedone, yes

Mr. Rajeshkumar, yes

All in favor

Approve

- **Consider accepting the North Main Street Sidewalk Improvements Bid recommended by the DPW Director and authorizing the Town Administrator to execute any agreement or contract that follows.**

Mr. Kevin Duffy, DPW Director stated the bid opening was held on April 14th and funding is through a State Earmark and remaining WRAP (Winter Recovery Assistance Program) Funding. He stated Lazaro Paving Corp was the low bidder at \$275,985 and they met all requirements of bid requirements. He recommends moving forward with this project and authorize the Town Administrator to sign contract with Lazaro Paving Corp. Mr. Duffy stated they will complete sidewalks approximately from DCR Access Driveway to Town line. He stated the work will need to be completed by June 30th.

***Motion** Mr. Rucho moved to accept bid from Lazaro and for the Town Administrator to negotiate and sign a contract, Ms. Pedone second.*

Mr. Frieden, yes

Mr. Rucho, yes

Ms. Pedone, yes

Mr. Rajeshkumar, yes

All in favor

Approve

- **Consider Approving Town Meeting Mailer.**

Ms. Warren-Dymont presented the Town Meeting mailing to include requirements of the policy of the Select Board, and MS4 information. Ms. Warren-Dymont stated there were concerns for the accessibility of the site of Town Meeting at the School and she presented a plan to use the Senior Center which holds 200 persons and an overflow room. She stated there is concern for parking spaces and is exploring options to include a shuttle. Mr. Rucho asked if there could be a waiver issued to have at school, Ms. Warren-Dymont stated there are two options if held at school; hybrid for those that request accommodations but this is a logistically extremely difficult and the other option is meeting held in two locations school and senior center or town hall again logistically difficult. She has spoke to Mike Edwards of the Collins Center and the MA Office of Disabilities is looking for communities to partner with for a pilot with to explore incorporating technology into meetings and she offered the town to participate. She stated there are many complications and technology concerns with holding Town Meeting not at the school. She explained the ADA Compliant issues that are at the school. Ms. Warren-Dymont stated there are concerns with someone filing an open meeting law complaint that the location is not ADA Compliant. She is requesting the Board make a decision tonight or schedule a special

meeting next week to decide on the location in order to have the Town Meeting Warrant posted on time.

Tabled

- **Consider Location for Annual Town Meeting**

Tabled

- **Concurrence on the following April 2023 Town Administrator Annual Appointments:**

Agricultural Commission	Daniel Mercurio	YEARS 3
Ambulance Representative to C.M.E.M.S.C.	Colby Fiske	YEAR 1
Animal Control	Steven Jones	YEAR 1
Animal Inspector	Steven Jones	YEAR 1
Assistant Wiring Inspector	Dennis Dean	YEAR 1
Assistant Wiring Inspector Alternate	William Potenti	YEAR 1
Assistant Plumbing/Gas Inspector	Eric Johnson	YEAR 1
Board of Assessors	Bradford C. Dunn	YEARS 3
Celebrations Committee	Betty Jean Lane	YEARS 3
Conservation Commission	William Chase	YEARS 3
Conservation Commission	Carl Haarmann	YEARS 3
Constable	James Bartlett	YEAR 1
Constable	Dennis Minnich	YEAR 1
Constable	Richard Petit	YEAR 1
Council on Aging	Siobhan Bohnson	YEARS 3
Council on Aging	Thomas Mullin, MD	YEARS 3
Cultural Council	Patricia Barrie	YEARS 3
Cultural Council	Kim Hopewell	YEARS 3
Assistant Emergency Management Director	Robert O'Connell	YEAR 1
Fence Viewer	George Tignor	YEAR 1
First Responder Representative to C.M.E.M.S.C.	Richard Ellbeg	YEAR 1
First Responder Representative to C.M.E.M.S.C.	Jesse Boucher	YEAR 1
Government Representative to C.M.E.M.S.C.	William Nicholson	YEAR 1
Hazardous Waste Coordinator	Robert O'Connell	YEAR 1
Historical Commission	Nancy Barakian	YEAR 3
Historical Commission	Sandra Carlson	YEAR 3
Historical Commission	Barbara Deschenes	YEAR 3
Historical Commission	Robert O'Connell	YEAR 3
Insurance Advisory Committee	James Bartlett	YEAR 1
Insurance Advisory Committee	Marcia Cairns	YEAR 1
Insurance Advisory Committee	Leslie Guertin	YEAR 1
Insurance Advisory Committee	Paul Osterberg	YEAR 1
Insurance Advisory Committee	Roger Pontbriand	YEAR 1
Insurance Advisory Committee	Keith Wiley	YEAR 1
Matron	Abbi Parkinson	YEAR 1
Municipal Buildings Committee	Raymond J. Bricault Jr.	YEAR 1
Parks Commission	Paul Scally	YEARS 3
Parks Facilities Committee	James O'Day	YEARS 3
Parks Facilities Committee	Erin Palumbo	YEARS 3
Plumbing/Gas Inspector	George Mioglionico	YEAR 1
Solid Waste Advisory Committee aka SWAT	Norma Chanis	YEARS 3
Solid Waste Advisory Committee aka SWAT	Duane Henry	YEARS 3

Town Common and Bandstand Use Advisory Committee	Patricia Barrie	YEARS 3
Town Scholarship Committee	Kim Hopewell	YEARS 3
Town Scholarship Committee	Joyce Kujala	YEARS 3
Wiring Inspector	Michael Capone	YEAR 1

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

Mr. Frieden, yes

Mr. Rucho, yes

Ms. Pedone, yes

Mr. Rajeshkumar, yes

All in favor

Approve

- Consider approving the following April 2023 Select Board Annual Appointments:

List will be forthcoming

By-laws Committee	David Femia	YEAR 1
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By-laws Committee	David Mercurio	YEAR 1
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Motion Mr. Rucho moved approve as printed in the agenda, Mr. Frieden second.

Mr. Frieden, yes

Mr. Rucho, yes

Ms. Pedone, yes

Mr. Rajeshkumar, yes

All in favor

Approve

- **Consider signing a Proclamation for Quality Barber Studio on the occasion of their ribbon cutting.**

Ms. Warren-Dyment stated the Select Board is invited to a Ribbon Cutting at 10 a.m. on April 21st.

Motion Mr. Rucho moved approve, Mr. Frieden second.

Mr. Frieden, yes

Mr. Rucho, yes

Ms. Pedone, yes

Mr. Rajeshkumar, yes

All in favor

Approve

- **Consider signing a Certificate of Appreciation for Sergeant Anthony Papandrea on the occasion of his Retirement of 27 years of service to the Town of West Boylston**

Motion Mr. Rucho moved approve, Mr. Frieden second.

Mr. Frieden, yes

Mr. Rucho, yes

Ms. Pedone, yes

Mr. Rajeshkumar, yes

All in favor

Approve

OLD BUSINESS:

None

APPOINTMENTS AND RESIGNATIONS:

None

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

1. **Kudos to the West Boylston Fire Department:** I would like to publicly recognize the West Boylston Fire Department for their incredible work fighting a large brush fire Friday into Saturday. In addition to this fire, crews have been responding to fires across the district these last several weeks.
2. **House Ways and Means Budget:** On Wednesday April 12th, the House Ways and Means Committee released their version of the FY24 budget. Unrestricted General Government Aid was reduced slightly, but Chapter 70 was increased. There are many months until the final budget is passed and signed by the Governor. Representative James O'Day has filed an amendment for \$200,000 for Pride Park and \$125,000 for ADA upgrades to municipal buildings. I would like to publicly thank Representative O'Day for his advocacy on behalf of West Boylston.
3. **Semi-Annual Town Meeting Location:** Semi-Annual Town Meeting location logistics are currently being discussed. One option is to hold the meeting at the Senior Center. At this point, I am requesting a general sense of the Board on moving Town Meeting to the Senior Center.
4. **Joint Meeting of the Select Board and Finance Committee:** Due to conflicting schedules, a Joint Meeting of the Select Board and Finance Committee could not be arranged. On May 3rd, during the regular meeting of the Select Board, the warrant will be discussed and voted upon. The Finance Committee will meet separately to make their recommendations. A draft of the warrant will be shared with the Select Board this week. Any members who have questions about any of the warrant articles or budget in advance of the May 3rd meeting are encouraged to discuss them with the Town Administrator.
5. **Castus System:** The Castus system is currently not allowing new videos to be uploaded. PEG staff is working with the vendor to trouble shoot the system. In the meantime, videos will be uploaded to the YouTube site.
6. **Quality Barber Studio Ribbon Cutting:** The Select Board has been invited to the ribbon cutting for Quality Barber Studio, located at 360 West Boylston Street (Meadowbrook Plaza). The ribbon cutting will be this Friday at 10AM.
7. **Pride Park Equipment:** The new playground equipment for Pride Park Phase 1 has been ordered. Thank you to the Select Board for voting to use ARPA funds so this order could take place. Katie Denis of KMA, LLC reviewed the equipment prior to the order and has confirmed the requirements of the 2010 ADA Standards and 521 CMR have been met.
8. **ADA Transition Plan:** I had a meeting with Mike Edwards of the Collins Center to discuss the final steps required to complete the ADA Transition Plan. There is a meeting with Department Heads tomorrow to have them assist with the feedback required to complete the plan.

9. **DPW Collective Bargaining Agreement Negotiations:** Negotiations with the Teamsters Union Local 170 are set to begin on Monday, April 24th. The Chairman and Ms. Pedone will be on the negotiating team as voted on by the Board.

FUTURE AGENDA ITEMS/SELECT BOARD REPORTS:

- Mr. Rucho requested a letter be sent to the owner of the Plaza on West Boylston Street which houses Subway and thank them for the update being completed and welcome them to town.
- Ms. Pedone reminder to the public of the Town Wide Clean Up Day will be this Saturday and following Clean up will be at School Yahd.

***Motion** Mr. Rucho moved to adjourn at 7:29 p.m.; Mr. Frieden 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

Kristina Pedone, Chairman

Patrick J. Crowley, Vice Chairman

James Morrissey, Clerk

Marc Frieden

Barur R. Rajeshkumar