



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

Select Board/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting

April 5, 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 6:35pm
Marc Frieden, Clerk
Kristina Pedone
Patrick J. Crowley

Members NOT Present:

Invited Guests:

Jennifer Warren-Dymont, 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=QUg2cHBMNmJid0ZIZk9BZTVGbXFzZz09>
- 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

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:

- August 17, 2022 Executive Session Meeting Minutes, not for release

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

All in favor

Approved

- **February 15, 2023 Regular Meeting Minutes**

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

All in favor

Approved

- **February 15, 2023 Executive Session Meeting Minutes, not for release**

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

All in favor

Approved

REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING MARCH 16, 2023 THROUGH April 5, 2023: Town Payable Warrants FY2023-38, FY2023-39 and FY2023-40; Sewer Warrants FY2023-SE26, FY2023-SE27 and FY2023-SE28; Payroll Warrant FY2023-19 and FY2023-20; School Warrant FY2023-S16 and FY2023-S17 and MLP FY2023 #21.

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

All in favor

Approved

6:05 pm Public Hearing: 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.

Chair Rajeshkumar stated the policy is not complete at this time and would like to continue the Public Hearing to a future meeting.

Motion Mr. Rucho moved to continue the Public Hearing to April 19, 2023 at 6:05 p.m., Mr. Frieden second.

4-0-1 Mr. Crowley abstained

Approved

6:10 pm Public Hearing: To Consider Amending of Policies:

- **A-4, Meetings and Agenda Procedures**

Mr. Frieden read the Public Hearing notice.

Ms. Warren-Dyment provided an amended policy and discussed the one item remaining; if one member of the Board requested an agenda item and it be required of the Chair to add it. She consulted with Town Counsel and they confirmed that is the case. She stated under Section 9 Future Agenda Items/Select Board Reports; added in was "All such requests shall be placed on an agenda within the next two public meetings"

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

All in favor

Approved

Motion Mr. Crowley moved to approve A-4 with changes as noted, Mr. Rucho second.

All in favor

Approved

6:15 pm Public Hearing: To Consider the Disability Bylaw submitted by the Disability Commission for potential inclusion on the Annual Town Meeting Warrant.

Mr. Frieden read the Public Hearing notice.

Ron Mendard, Marcia Cairns, Kim Hopewell and Lisa Thompson of the Disability Commission introduced themselves and Ms. Hopewell called their meeting to order. Ms. Hopewell presented the proposed Bylaw to the board and explained the background and establishment of the Disability Commission. She stated the Disability Commission is requesting the Board include on the May town meeting warrant for vote of the Town.

***Motion** Mr. Crowley moved to close public hearing, Mr. Rucho second.*

All in favor

Approved

***Motion** Mr. Rucho moved to approve recommending to Town Meeting, Mr. Rucho second.*

All in favor

Approved

The Disability Commission adjourned and exited the meeting.

NEW BUSINESS:

- **ARPA Request from DPW**

- **Additional Funds for F550 One-ton Stainless Dump Truck**

Ms. Warren-Dyment stated the Board previously approved the purchase of a DPW F550 One-Ton Stainless Dump and needs additional \$7,984.59.

***Motion** Ms. Pedone moved to approve the request of \$7,984.59 of ARPA Funds for the F550 One-Ton Stainless Dump Truck, Mr. Rucho second.*

All in favor

Approved

- **Municipal Vulnerability Preparedness Grant Match**

MS. Warren-Dyment stated Kevin Duffy, DPW Director is applying for MVP Grant using services of Weston and Sampson. She stated the program is to analyze issues related to climate change, the Director is submitting for map, inventory and analysis of culverts in town. She explained this grant requires a local match of \$30,000 from ARPA funds and if grant is unsuccessful, the funds will be returned. Mr. Duffy stated this will also include public outreach and training for DPW Staff, and the grant is due May 4th. Mr. Rajeshkumar asked about bringing to Town Meeting, Ms. Warren-Dyment stated this would require the use of Free Cash and she does not have that in the plan for spending and the vote to expend can be rescinded if the grant is not approved.

***Motion** Mr. Rucho moved to approve the use of ARPA for the grant match, Mr. Crowley second.*

Motion and second withdrawn

***Motion** Mr. Crowley moved to use \$30,000 of ARPA funds as an MVP grant match and ask CIB to consider bringing to Town Meeting as a capital expenditure, Mr. Rucho second.*

All in favor

Approved

- **Return of unexpended funds from Leaf Collection System.**

***Motion** Mr. Crowley moved to approve the return of \$321.93, Mr. Rucho second.*

All in favor

Approved

- **Consider approving an One Day Common Victualler License and One Day Vendor License for Mike Vending LLC, 144 Shrewsbury Street Boylston, MA 01505 for the Little League Opening Day Parade on April 30, 2023.**

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

All in favor

Approved

- **Consider approving an Annual Common Victualler License for Cordials Catering and Beverage located at 360 West Boylston Street Suite 106 West Boylston.**

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

All in favor

Approved

- **Consider an Amendment of Class II Motor Vehicle License to West Boylston Getty, 21 West Boylston Street, to increase the allowable amount of unregistered motor vehicles from 8 cars to 30 cars.**

Mr. Hassam Yagamore owner of West Boylston Getty would like to increase allowable vehicles to 30 cars. He explained he purchased the lot next door and would like to utilize the lot. Ms. Pedone stated her concern is creating a precedence for other businesses along route 12. Ms. Warren-Dyment stated the Building Commissioner submitted comments and suggested this go to the Planning Board for review and may need a Site Plan Review. Mr. Rajeshkumar stated anything over 15 cars will require a Site Plan Review and suggested Mr. Yagamore contact the Building Commissioner and Planning Board. Ms. Warren-Dyment stated he would need to seek approval from the Planning Board and if approved come back before the Select Board to amend license. Mr. Yagamore requested to have approval for 15 cars on the lot of 19 West Boylston Street, Mr. Rucho stated the application would need to be changed and he will need to go to the Planning Board. Mr. Rajeshkumar stated the application requested amendment for 21 West Boylston Street.

- **Consider authorizing the Town Administrator to Accept the MIIA Health Benefits Trust and Altus Dental with Vision Plan FY24 Rates as Recommended by the Insurance Advisory Committee**

Marcia Cairns of Insurance Advisory Committee (IAC) and Ken Lombardi of NFP discussed the rates received from MIIA. He believes the Town received favorable rates from MIIA with a 3.48% increase. He explained they are not making any recommendations to modify the plan benefits at this time. Mr. Lombardi described the town's HRA (Health Reimbursement Arrangement), they increase the deductible of the plan and the town implemented the HRA which automatically paid some of the increased costs of the members. He stated this saved the town approximately \$500,000 using this strategy.

Motion Mr. Crowley moved to go with the recommendations the plans for next year, Mr. Frieden second.

All in favor

Approved

- **Present Preliminary List of Town Meeting Warrant Articles and FY24 Capital Requests**

Ms. Warren-Dyment presented the list of articles that have been submitted for the Annual Town Meeting:

- Authorization to hear the reports of Officers and Committees of the Town
 - Standard Article- Anticipating Finance Committee Report
- Authorization to borrow in anticipation of revenue and to enter into a compensating balance agreement with a bank
 - Standard Article- Allows the Town to borrow and go out to bid for banking services
- Authorization to expend funds in anticipation of reimbursement of state highway assistance aid
 - Standard Article- Allows the Town to accept Chapter 90 funds and to borrow in anticipation of these funds. Current FY24 estimate is \$288,038
- Authorization to amend the Personnel Bylaw and to amend the Classification and Compensation Plan so as to provide employees a cost-of-living pay increase in FY2024 (2%)
 - Standard Article- Adjustment of wages of non-union personnel

- Authorization to set the salary of Elected Officials
 - Standard Article- Moderator, Select Board, Planning Board, Cemetery Trustees (all \$1.00 each) and \$300 each for the Municipal Light Board
- Authorization to transfer unexpended funds from Fiscal Year 2023 appropriations
 - Standard Article- Transfer unexpended FY23 balances to those accounts with deficiencies. Also referred to as the “budget fix” article.
- Authorization to pay bills from a previous fiscal year
 - Standard Article- Several bills are anticipated (Local IQ ads, Amazon, and Reliant pre-employment physicals are known)
- Authorization to appropriate money to the Sewer Enterprise Account for Fiscal Year 2024
 - Standard Article- Appropriation of sewer revenues and funds to offset the cost of running the sewer system
- Fiscal Year 2024 Omnibus Budget Appropriation Article
 - Standard Article- FY24 Operational Budget
- Vote to Appropriate Funds for Capital Improvement Purchases
 - Standard Article- FY24 Capital from Free Cash and Capital Investment Fund (see FY24 Preliminary Capital Plan)
- Appropriation to fund and Elderly Community Services Program
 - Standard Article- This article will be different than in years past or may be passed over. 2021 IGR from DLS clarified the program. Funds to be paid out of overlay not free cash or other funds. Placeholder for the time being.
- Mr. Crowley would like to have the work off program paid at minimum wage.
- Authorization to amend General Bylaws Article XL Revolving Funds
 - Establishment of Revolving Fund for Senior Center Meals Program
 - Establishment of Revolving Fund for Eversource Road Repair. This is a placeholder for the time being as the type of fund required is still being researched.
 - Authorization to amend the Recycling Revolving Account
 - Authorization to amend the Landfill Lease Revolving Fund. This is a placeholder for the time being as the amendment is still being discussed.
- Departmental Revolving Funds
 - Standard Article- Sets revolving fund spending limits
- Vote to appropriate funds for Community Preservation Fund Projects as recommended by the Community Preservation Committee
 - Standard Article- Placeholder for the time being until CPC votes on specifics.
- Supplement the vote taken under Article 18 of the May 17, 2021 Semi-Annual Town Meeting relative to Pride Park renovations
 - Placeholder for the time being. This article would allow the full expenditure of the \$250,000 appropriated for Pride Park
- Authorization to amend General Bylaws Article II- Town Officers and Duties
 - Article would require all Boards, Committees, and Commissions to submit a copy of their minutes to the Town Clerk
- Authorization to amend General Bylaws Article XXI Personnel Bylaws
 - Article would amend the Personnel Bylaws in Section J- Hiring Procedures and Section N- Vacations
- Authorization to amend the General Bylaws by adding Article XLI- Commission on Disability Bylaw

- Bylaw submitted by the Commission on Disability
- Authorization to amend Section 1.4 of the Zoning Bylaw
 - Relative to non-conforming uses- submitted by the Planning Board
- Authorization to amend Section 2.4 of the Zoning Bylaw
 - Relative to lots in two districts- submitted by the Planning Board
- Authorization to amend Section 3.6 of the Zoning Bylaw
 - Relative to site plan review- submitted by the Planning Board
- Authorization to amend Section 4.3 of the Zoning Bylaw
 - Relative to habitable buildings per lot- submitted by the Planning Board
- Authorization to amend Section 5.1 of the Zoning Bylaw
 - Relative to accessory uses- submitted by the Planning Board
- Vote to accept MGL c.41, s.110A
 - This local acceptance statute allows Town Offices to remain closed on Saturdays- submitted by the Town Clerk
- Vote to accept MGL c.59, s.5, clause 22G
 - This local acceptance statute allows exemptions for persons who reside in a property that is owned by a trustee, conservator, or other fiduciary for the person's benefit if they would be eligible for other specific exemptions
- Authorization to appropriate funds to the OPEB Trust Fund
 - Standard Article- \$25,000 in Free Cash is planned to supplement the \$75,000 appropriated at the Fall Town Meeting
- Authorization to appropriate funds to the Capital Investment Fund
 - Standard Article- Placeholder for the time being
- Authorization to appropriate funds to the Stabilization Fund
 - Standard Article- Placeholder for the time being
- Authorization to appropriate funds to the Municipal Building Fund
 - Not a standard article- Plan to appropriate \$20,000 from Free Cash

Mr. Crowley asked about the standard article for CPC that directs funds into each category, Ms. Warren-Dymment will add to warrant.

Ms. Pedone asked for clarification on the article for revolving funds for Senior Center Meals Program, Ms. Warren-Dymment clarifies that this is to cover costs associated with the program not to fund the position.

Ms. Pedone asked for clarification on the article for amending the personnel bylaw on vacation, Ms. Warren-Dymment stated this allows for flexibility but not a given when hiring new employees. She is hopeful this will be a hiring benefit for new employees that have municipal experience. Mr. Frieden believes the town should be able to offer this opportunity to all employees regardless of background.

Ms. Warren-Dymment gave an overview of the Preliminary Capital Plan.

FY24 Preliminary Capital Plan Capital Item	Amount	Source
Major Edwards Steam Boiler	\$255,000 +	CIF
Special Education Van	\$36,000	ARPA Re-Allocation

Culvert Study- Local Match	\$30,000	ARPA
Culvert Study- Grant	\$90,000	Grant/External Funding
DPW Cemetery Development Study	\$110,000	Grant/External Funding
Library HVAC Solution Study	\$100,000	Grant/External Funding
DPW- Flail Mower Attachment	\$36,000	Free Cash
Fire- SCBA Bottles	\$97,500	Free Cash
Fire- Replacement Turnout Gear	\$75,000	Free Cash
Police Cruiser	\$54,803	Operating Budget

OLD BUSINESS:

- **MS4 Permit Compliance Update, Presented by Weston & Sampson and DPW Director**
Jaurice Swartz with Weston and Sampson and Kevin Duffy the DPW Director present an update on the MS4 Permit Compliance. Mr. Duffy stated since Ms. Swartz's update almost two years ago many items have been completed. She gave an overview of what MS4 permit regulates Municipal Separate Storm Sewer Systems (all public drainage infrastructure and point discharge) with 250 communities covered under this permit. She gave an overview of the program and where West Boylston is with process of compliance with their permit. She stated the Year 5 MS4 Annual Report is due September 28, 2023 and be prepared to present Regulations for Town Meeting in October. Mr. Frieden gave his comments on the presentation and suggested wording he would like included which will add protections for property owners, include all projects regardless of size, and enforcement for neighbors if affected. Mr. Crowley asked if the appropriated ARPA funds will be sufficient to complete this permit, Mr. Duffy stated it should be sufficient to get through the next few years of permitting.

APPOINTMENTS AND RESIGNATIONS:

- **Concurrence on the appointment of John Riley to the Council on Aging, effective April 6, 2023 to fill an unexpired term through April 30, 2024.**

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

All in favor

Approved

- **Consider approving the hiring of Jessica Prichard as Department Assistant- Inspections, Grade D Step 2, effective April 17, 2023 contingent upon a successful CORI and Pre-Employment Physical**

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

All in favor

Approved

- **Acknowledge resignation from Victoria Straitt as PEG Coordinator effective April 10, 2023.**

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

1. **Supplemental Budget:** Last week, the Governor signed a Supplemental Budget which contained many non-budgetary items. These included extending pandemic-related provisions such as outdoor dining services, remote participation in public meetings, and reduced quorum for Town Meeting.
2. **North Main Street Sidewalk Improvements:** DPW Director Kevin Duffy has placed out to bid the North Main Street Sidewalk Improvements Invitations to Bid. The bid opening will be on April 14, 2023. As a reminder, this project has been made possible due to a \$200,000 legislative earmark obtained in the FY23 budget.
3. **Worcester Street Curbing and Sidewalk:** As folks may have noticed, MassDOT is reconstructing the sidewalks and curbing on Worcester Street (Route 12) from the Reservoir to the Common. Although a temporary inconvenience while construction is ongoing, the sidewalk will be greatly improved.
4. **Culvert Replacement Municipal Assistance Grant Program:** DPW Director Kevin Duffy has applied to the Division of Ecological Restoration's Culvert Replacement Municipal Assistance Grant Program for the Prescott Street project. He is seeking funds to complete the design and permitting of the removing and replacing the structure. He has requested \$118,000 in funds to support this effort.
5. **Pride Park Meeting:** As a reminder to those in the community, there will be a meeting on Pride Park tomorrow evening at 6PM in the Senior Center. Weston and Sampson will be presenting on the design and engineering progress and two design options. There will also be a discussion and potential vote on the design options and project funding.
6. **Prescott Café:** The Prescott Café at the Senior Center is now up and running. The menu for April has now been posted and there is a great variety of options. Meals are on Tuesdays and Thursdays and are at the cost of \$5.00 for all persons.

Mr. Rucho would like to know if this is age restricted or open to everyone, Ms. Warren-Dyment will get clarification but believes it is open to everyone.

7. **Bone Density Presentation & Clinic:** On Wednesday, April 12th there will be a free bone density screening and presentation at 1PM at the Senior Center. The free screening will be conducted by the VNA Wellness Nurse. Advance reservations are required.

FUTURE AGENDA ITEMS/SELECT BOARD REPORTS:

- None

Motion Mr. Rucho moved to adjourn at 8:05 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,

Faye D. Zukowski, Municipal Assistant

Approved: _____

Barur R. Rajeshkumar, Chairman

Christopher A. Rucho, Vice Chairman

Marc Frieden, Clerk

Patrick J. Crowley, Selectman

Kristina Pedone, Selectwoman