



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

## **Select Board/Sewer Commission Meeting Minutes**

**Date / Time / Location of Meeting**  
**November 15, 2023, 6:00 p.m.**  
**140 Worcester Street**  
**West Boylston, MA 01583**  
**Board Meeting Room 2<sup>nd</sup> Floor**

**Members Present:**  
**Kristina Pedone, Chair via Zoom**  
**Patrick J. Crowley, Vice Chair**  
**James Morrissey, Clerk**  
**Marc Frieden**  
**Barur R. Rajeshkumar**

**Members NOT Present:**

**Invited Guests:**  
**Jennifer Warren-Dyment, Town Administrator**  
**Faye Zukowski, Municipal Assistant**

**THIS MEETING WILL ALSO BE HELD VIRTUALLY IN A HYBRID SETTING**  
**VIRTUAL MEETING INFORMATION:**

### **To Join Zoom Meeting**

<https://us06web.zoom.us/j/82729828300?pwd=P1eHfXTThYbfmKacIjzvleTbUF7kQc.1>

Meeting ID: 827 2982 8300

Passcode: 409558

Dial: 1-309-205-3325 US

This meeting will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly.

### **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.

**APPROVAL OF MEETING MINUTES:**

**September 20, 2023, Regular Meeting Minutes**

*Motion Mr. Rajeshkumar moved to approve; seconded by Mr. Morrissey.*

*All in favor*

**November 8, 2023, Regular Meeting Minutes**

*Motion Mr. Rajeshkumar moved to approve; seconded by Mr. Morrissey.*

*All in favor*

**REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING NOVEMBER 2, 2023 THROUGH NOVEMBER 15, 2023: Town Payable Warrants FY2024-19, FY2024-20; Payroll Warrant FY2024-10; MLP FY2024-11; and School Warrants FY2024-S8.**

*Motion Mr. Rajeshkumar moved to approve; seconded by Mr. Morrissey.*

*All in favor*

**Consider approving the hiring of Police Officer Matthew Seymour as recommended by Chief Dennis Minnich effective December 1, 2023, upon appointment Oath to be administered by the Town Clerk**

Ms. Warren-Dyment stated the appointment of Officer Seymour is to fill a vacancy. Chief Minnich introduced Officer Seymour gave some of his background. Officer Seymour thanked everyone for the opportunity to work in town and is excited to get started.

*Motion Mr. Morrissey moved to approve the appointment of Matthew Seymour; seconded by Mr. Rajeshkumar.*

*All in favor*

Ms. Daymian Bartek, Town Clerk read Officer Seymour his oath of office.

**6:05 PM PUBLIC HEARING: Consider the Application from F&F Restaurant Group L.L.C. doing business as (d.b.a.) The Manor Restaurant, 42 West Boylston Street, West Boylston, MA 01583 for an transfer of an On Premises, Restaurant, All Alcoholic Beverages license 00017-RS-1364 from Kitsta Corp doing business as (d.b.a.) The Manor Restaurant**

Mr. Morrissey read the public hearing notice.

Attorney William Philbin presented the request to transfer of license 00017-RS-1364 owned by Kista Corp dba The Manor to F&F Restaurant Group LLC dba The Manor.

*Motion Mr. Morrissey moved to close the public hearing; seconded by Mr. Rajeshkumar.*

*All in favor*

*Motion Mr. Morrissey moved to approve the transfer of license; seconded by Mr. Rajeshkumar.*

*All in favor*

**6:15 PM Consider application for Manager change for the M & T Hospitality LLC**

Mr. Morrissey read the public hearing notice.

Mr. Alton Topi explained the manager change is from himself to his business partner Mark White.

*Motion Mr. Morrissey moved to close the public hearing; seconded by Mr. Rajeshkumar.*

*All in favor*

*Motion Mr. Morrissey moved to approve the transfer of license; seconded by Mr. Rajeshkumar.*

*All in favor*

**6:20 PM Consider application for Manager change for Wachusett Inc.**

Mr. Morrissey read the public hearing notice.

Ms. Cara Cullen explained the manager change is from her father, Donald Marrone into her name.

*Motion Mr. Morrissey moved to close the public hearing; seconded by Mr. Frieden.*

*All in favor*

*Motion Mr. Rajeshkumar moved to approve the transfer of license; seconded by Mr. Rajeshkumar.*

*All in favor*

**6:25 PM PUBLIC HEARING: Classification Hearing in Conformity with M.G.L. CH 40, §56 to Establish Local Property Tax Rate or Rates for Fiscal Year 2024**

Mr. Morrissey read the public hearing notice.

Dennis Fitzpatrick, Board of Assessor and David Manzello, Regional Assessor from Regional Resource Group, presented the Tax Classification. Mr. Manzello gave an overview of terminology. He stated the Town will be raising \$21,535,037.48 in property taxes an increase of \$742,664.08 from last Fiscal Year based on the approved town budget. He stated levy ceiling is 2.5% of the full value of the town valuation and cannot levy taxes in excess of \$36,425,997. He stated the new growth figure is \$241,711 and the maximum allowable levy limit is \$21,548,879. He stated the excess levy capacity is difference between levy and levy limit and is \$13,841.52. Mr. Manzello gave the Board and overview of the types of tax classes and residential class makes up 83% and 17% is industrial. He explained the average tax bill for FY24 with a single tax rate will be \$14.78 but explained the valuations are up and the average home value is \$467,300. The Board of Assessors recommended a single tax rate for the town. Mr. Crowley and Mr. Frieden spoke in favor of a single tax rate.

*Motion Mr. Rajeshkumar moved to close the public hearing; seconded by Mr. Morrissey.*

*All in favor*

*Motion Mr. Rajeshkumar moved to votes in accordance with M.G.L., Ch. 40, Sec. 56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2024 tax rates and set the Residential Factor at 1.0, with a corresponding CIP shift of 1.0, pending approval of the town's annual tax recap by the Massachusetts Department of Revenue; seconded by Mr. Morrissey.*

*All in favor*

**OLD BUSINESS:**

- **Update on Ambulance Billing Rates from Fire Chief**

Chief Mark Sadowski and Deputy Bob O'Connell presented ambulance revenues since the rate increase last year which had not been reviewed for many years prior. Chief Sadowski explained since the increase there has been a significant improvement in revenues up to a 22% increase. He explained some outstanding billing needed to be written off due to time lapse for collection and lack of correct addresses. Deputy O'Connell gave an overview of the collections including

the Worcester House of Corrections and also the group homes. Chief Sadowski submitted for a grant to get reimbursement specifically for Medicare and Medicaid, and believes the Town will be awarded approximately \$42,000 in June for last year's ambulance service.

- **Nuha Circle Acceptance of Easements**

Ms. Warren-Dyment explained this is the last step for the town to accept the road before it gets recorded. Mr. Ali will be completing the plans and she requested the Board pass over until the December meeting.

#### **NEW BUSINESS:**

- **Consider approving the Vacation adjustment for Daymian Bartek, Town Clerk and Faye Zukowski, Municipal Assistant according to General Bylaws, Article XXI Personnel Bylaws, N- Vacations, Section 1 – Vacation Year and Accrual Rate Table.**

Ms. Warren-Dyment stated this was approved at town meeting and explained a request was made to Worcester County Retirement for years of service. Ms. Bartek has 5.5 years and Ms. Zukowski has 16 years. She stated Mr. Bartek will receive three weeks and Ms. Zukowski will receive four weeks with the adjustment. She explained the new vacation allowance will be prorated to the town meeting vote date.

*Motion Mr. Rajeshkumar moved approve, seconded by Mr. Frieden.*

*All in favor*

- **\*\*Consider approving a One Day Liquor License for M & T Hospitality Inc doing business as (DBA) The Mill Restaurant on December 3, 2023 for the Tree Lighting activities on the Common.**

*Motion Mr. Morrissey moved approve, seconded by Mr. Rajeshkumar.*

*All in favor*

- **\*\*\*Consider approve the Application for Transfer of Business License from Kitsta Corp doing business as (DBA) The Manor Restaurant to F & F Restaurant Group LLC doing business as (DBA) The Manor Restaurant of 42 West Boylston Street, West Boylston, MA**

*Motion Mr. Morrissey moved approve, seconded by Mr. Rajeshkumar.*

*All in favor*

- **APPOINTMENTS AND RESIGNATIONS:**
- **~~\*\*\*Consider the Town Administrator appointment of Peter Gerhard as Department of Public Works Director and ratify Employment Agreement~~**
- **\*\*\*Consider the Select Board appointment of Doug Urquhart to the Cultural Council for a term to expire April 30, 2026**

*Motion Mr. Rajeshkumar moved approve, seconded by Mr. Frieden.*

*All in favor*

- **\*\*\*Consider an Employee Contract with, Sheryl Keddy as Interim Department Assistant**

*Motion Mr. Rajeshkumar moved approve, seconded by Mr. Frieden.*

*All in favor*

- **\*\*\*Acknowledge resignation of Jessica Prichard, Department Assistant- Inspectional Services effective November 27, 2023**

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

1. **New Occupational Health Provider:** As of November 10, 2023, Reliant Medical is no longer providing occupational medicine services. The Town is now working with American Family Care (AFC) for such services. There are minor increases to some of the service costs.
2. **Thank you from Princeton:** The Town of Princeton recently sent letter of thanks to the Town of West Boylston for their assistance following the September 12, 2023 flooding, stating, “your immediate response to Ben Metcalf of our Highway Department was instrumental in getting our Town promptly back to close to ‘normal’”.
3. **Regional Animal Control:** The Central Massachusetts Regional Planning Commission (CMRPC) organized a meeting with the Town of West Boylston, Boylston, Berlin, Lancaster, and Harvard to discuss the possibilities of regionalizing Animal Control services. These discussions are in their beginning phases and there would not likely be any changes prior to the next Fiscal Year. The Town Administrator will keep the Board updated as the discussions progress.
4. **Trash Bag Fees:** The Solid Waste Advisory Team (SWAT) has completed their analysis on raising trash bag fees. They are preparing a presentation for the Select Board to consider their recommendation on a fee increase and will come before the Board in December. The Town of West Boylston has the lowest Pay-As-You-Throw fees in the Commonwealth and fees have not been raised in fifteen years.
5. **Municipal Managers Association Conference:** The Town Administrator will be attending the Manager’s Association conference in Worcester on Thursday and Friday morning this week. The conference will largely be discussing Codes of Conduct for public meetings, civility, decorum, and communication. The Town Administrator looks forward to bringing back good information to the Town of West Boylston.
6. **Veteran’s Day Breakfast and Veterans Coffee:** Thank you to all the Veterans who came together for the Veteran’s Day Breakfast last Friday at the Senior Center, to the Senior Center, Jacob Webb, and most importantly, to the Veterans themselves for their service. Additionally, the first monthly veteran coffee hour was held this morning at the Senior Center, with over 20 folks in attendance.
7. **Winter Parking Ban:** Notice went up today on the Town website and social media regarding the winter parking ban. The ban is from December 1<sup>st</sup> to April 15<sup>th</sup> and whenever inclement weather is forecast. During this time, there is no parking on the street from midnight to 5:00 a.m. or during winter weather conditions.

Mr. Crowley would like to have as future agenda item and create a policy.

8. **Mixer Field- Supplemental Budget:** Representative O’Day was successful in including an amendment to a Supplemental Budget bill to extend the time to expend the funds for Mixer Field to June 30, 2024. We hope this amendment will remain in the final version of the bill.
9. **Firefighters Collective Bargaining:** The Town Administrator received notification this week from the Firefighters Union, Local 5054, that they would like to begin bargaining. At the next

meeting of the Select Board, the Town Administrator will ask for two Select Board members to join the negotiating team.

10. **Library Director:** The Trustees of the Beaman Memorial Library have selected Michael Long as West Boylston's new Library Director. He will be joining the Town on December 11<sup>th</sup>. Once settled, we will invite him to appear before the Select Board to introduce himself to the community.

#### **MEETINGS INVITATIONS & ANNOUNCEMENTS:**

- Assistance is requested with flag removal from Veteran's graves - please meet at Mount Vernon Cemetery, Saturday, November 18th at 9:00 am.

#### **FUTURE AGENDA ITEMS/SELECT BOARD REPORTS:**

None

#### **\*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 litigation (Town of West Boylston v. Gabriel, 23 MISC 000532) and the Chair declares that an open meeting discussion may have a detrimental effect on the bargaining position of the public body.

**\*\*\* 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 (DPW Director) and the Chair declares that an open meeting discussion may have a detrimental effect on the bargaining position of the public body.

Mr. Crowley declared a detrimental effect and will be adjourning following the session.

Motion Mr. Rajeshkumar moved enter into executive session under the provisions of Massachusetts General Laws Chapter 30a, Section 21(A), purpose 3 to discuss strategy with respect to litigation (Town of West Boylston v. Gabriel, 23 MISC 000532) and the Chair declares that an open meeting discussion may have a detrimental effect on the bargaining position of the public body, And 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 (DPW Director) and the Chair declares that an open meeting discussion may have a detrimental effect on the bargaining position of the public body, seconded by Mr. Frieden at 7:03 p.m.

#### **Roll Call Vote:**

*Roll Call Vote*

*Mr. Frieden, yes*

*Mr. Rajeshkumar, yes*

*Mr. Morrissey, yes*

*Mr. Crowley, yes*

*All in favor*

**Motion** Mr. Morrissey moved to come out of executive session to adjourn, seconded Mr. Frieden.

## Roll Call Vote

*Mr. Frieden, yes*  
*Mr. Rajeshkumar, yes*  
*Mr. Morrissey, yes*  
*Mr. Crowley, yes*  
*All in favor*

## ADJOURN MEETING.

***Motion** Mr. Morrissey moved to adjourn at 8:47 p.m.; seconded by Mr. Frieden.*  
*All in favor*

Respectfully submitted,

Approved: \_\_\_\_\_

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Faye D. Zukowski, Municipal Assistant

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Kristina Pedone, Chair

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Patrick J. Crowley, Vice Chair

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James Morrissey, Clerk

\_\_\_\_\_  
Marc Frieden

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Barur R. Rajeshkumar