



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

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

<b>Date / Time / Location of Meeting</b> <b>December 6, 2023, 6:00 p.m.</b> <b>140 Worcester Street</b> <b>West Boylston, MA 01583</b> <b>Board Meeting Room 2<sup>nd</sup> Floor</b>
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<b>Members Present:</b> <b>Kristina Pedone, Chair via Zoom</b> <b>James Morrissey, Clerk</b> <b>Marc Frieden 6:05 p.m.</b> <b>Barur R. Rajeshkumar</b>
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<b>Members NOT Present:</b> <b>Patrick J. Crowley, Vice Chair</b>
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<b>Invited Guests:</b> <b>Jennifer Warren-Dyment, Town Administrator</b> <b>Faye Zukowski, Municipal Assistant</b>
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### **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.

**\*REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING NOVEMBER 16, 2023 through DECEMBER 6, 2023: Town Payable Warrants FY2024-21, FY2024-22 and FY2024-23; Payroll Warrant FY2024-11; MLP FY2024-12; Sewer Warrant FY2024-SE11; and School Warrants FY2024-S9.**

*Motion Mr. Rajeshkumar moved to approve; Mr. Morrissey second.*

*Approved*

*All in favor*

**6:05 p.m. PUBLIC HEARING: Consider creating a Policy on “Winter Parking Ban”**

Mr. Morrissey read the public hearing notice.

Ms. Warren-Dyment explained the board typically votes annually on the Winter Parking Ban and this would create a policy and will annually be in place.

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

*Approved*

*All in favor*

*Motion Mr. Rajeshkumar moved to approve and adopt the policy; Mr. Morrissey second.*

*Approved*

*All in favor*

**6:30 p.m. Recognition of Years of Fire Service**

Chief Mark Sadowski and Representative O’Day presented the Fire Department staff recognition awards for years of service, Captain Mark Barakian with 40 years of service, Firefighter Scott Barakian with 42 years of service, Firefighter Bill Nicholson with 25 years of service and Deputy Bob O’Connell with 30 years of service who was not present to accept award. Fire Chief Sadowski was also awarded for his 30 years of service.

**NEW BUSINESS:**

- **Consider Sewer Abatement Request**

- **14 Angell Brook Drive**

Ms. Warren-Dyment stated the Butch Jackson, Interim DPW Director recommended not approving the abatement due to a leaking toilet and still discharges into the town sewer system.

*Motion Mr. Rajeshkumar moved to grant the Sewer Abatement Request; Mr. Frieden second.*

*1-3-0, No-Mr. Rajeshkumar, Mr. Frieden and Mr. Morrissey*

*Motion failed*

- **99D Hartwell Street - passed over**

- **Solid Waste Advisory Team presentation and recommendation on Pay-as-you-throw (PAYT) Bag Fees**

Ms. Ann Ramminger presented to the Board a recommendation to increase the bag fees to \$18 for a sleeve of 10 large bags and \$10 for sleeve of 10 small bags. She explained there had not been a bag increase in fourteen years and is one of the lowest trash bag costs in the State. She stated MA Department of Environmental Protection recommends an PAYT bag fee increase every 3-5 years. She presented a cost comparison from 2018 to 2023 for the trash disposal cost (tipping fee), curbside collection cost, town bag cost and the net bag fee revenue. She stated the recycling rate

has decreased in the past couple years and believes lower bag fees are partially the issue. She explained the Town currently spends \$514,000 to \$580,000 for trash collection and the increase revenue from the bag's fees will offset the cost for collection. Ms. Warren-Dyment stated the Board will need to post a public hearing as the next step for increasing the fee. Mr. Rajeshkumar discussed the locations that sell the bags and that most places only allow for cash payments due to the credit card fee associated with the sale.

**Consider the Town Administrator appointment of as Thomas Degnan, Department of Public Works Director and to ratify Employment Agreement.**

*Motion Mr. Morrissey moved to approve; Mr. Frieden second.*

*Approved*

*All in favor*

- **Execute Certificate and Release of Lien for Property Located at 24 Blake Ave, in the Matter of Town of West Boylston v. O'Connell**

She explained the Town demolished the building on the property and a lien was placed on the property and has now been paid. She explained this is to release the lien.

*Motion Mr. Rajeshkumar moved to approve; Mr. Morrissey second.*

*Approved*

*All in favor*

- **\*Authorize Town Administrator to vote on behalf of the Town of West Boylston at the MIIA Annual Meeting**

*Motion Mr. Morrissey moved to approve; Mr. Frieden second.*

*Approved*

*All in favor*

- **Review Select Board Goals and Objectives from November 5, 2022**

Ms. Pedone reviewed the goals that were set and how they were worked on, and stated they are ongoing goals.

- **Consider approving Goals and Objectives for Select Board**

Mr. Frieden read the new goals that were set at a meeting held by the Select Board on December 2, 2023.

*Motion Mr. Morrissey moved to approve; Mr. Frieden second.*

*Approved*

*All in favor*

- **Consider approving Goals and Objectives for Town Administrator**

Ms. Pedone explained the format was changed this year to make Smart Goals; measurable, achievable, relevant and timed. She gave an overview of the goals that were set and agreed upon.

*Motion Mr. Morrissey moved to approve; Mr. Frieden second.*

*Approved*

*All in favor*

- **Consider voting Select Board designee(s) to serve on the Negotiation Committee on the International Association of Firefighters Local 5054 (Fire Union) Negotiating Team**

*Motion Mr. Rajeshkumar moved to appoint Mr. Morrissey and Mr. Frieden; Ms. Pedone second.*

*Approved*

*All in favor*

- **\*Consider approval of 2024 ABCC Liquor License Renewals for the following:**

• American Legion Post 204 Inc. 159 Hartwell Street	Club
• Wachusett Inc. dba Wachusett Country Club 187 Prospect Street	All Alcohol Restaurant
• Steve Paskalis dba Steves Pizza 341 West Boylston Street	Wine and Malt Restaurant
• Kitsta Corp dba The Manor Restaurant and Lounge 42 West Boylston Street	All Alcohol Restaurant
• Webo Seafood Inc dba West Boylston Seafood 321 West Boylston Street	Wine and Malt Restaurant
• M & T Hospitality Group LLC dba The Mill 185 West Boylston Street	All Alcohol Restaurant
• Oli's Italian Eatery LLC 339 West Boylston Street	All Alcohol Restaurant
• JAG Business LLC 175 West Boylston Street	All Alcohol Restaurant
• Nola Cajun Kitchen LLC dba Nola Cajun Kitchen 340 West Boylston Street	Wine and Malt Restaurant
• Chang's Bamboo Garden Inc dba Bamboo Garden 45 Sterling Street	All Alcohol Restaurant
• Brown Rice Thai 2 Inc dba Brown Rice 2 Thai Cuisine 184 West Boylston Street	All Alcohol Restaurant
• W Boylston Pkg Store Co 293 West Boylston Street	All Alcohol Package Store
• Wachusett Wine and Spirits dba Wachusett Wine and Spirits 21 Franklin Street	All Alcohol Package Store
• KC Brothers LLC dba Wachusett Farms Store 106 Worcester Street	Wine and Malt Package
• CED Management Inc dba The School Yahl 216 West Boylston Street	General On-Premises
• Triplet Trust LCLC dba Route 12 Pickle 184 West Boylston Street	General On-Premises

**Motion** Mr. Rajeshkumar moved to approve 2024 Licenses conditional upon successful completion of all annual requirements; Mr. Frieden second.

**Approved**

**All in favor**

**Motion** Mr. Rajeshkumar moved to waive fee for American Legion Post 204 Inc.; Mr. Morrissey second.

**Approved**

**All in favor**

- **\*Consider approving the Business Licenses for 2024 appended and posted with the agenda**

**Motion** Mr. Rajeshkumar moved to approve 2024 Licenses conditional upon successful completion of all annual requirements; Mr. Frieden second.

**Approved**

**All in favor**

***Motion** Mr. Rajeshkumar moved to waive fee for American Legion Post 204 Inc.; Mr. Morrissey second.*

***Approved**  
**All in favor***

#### **OLD BUSINESS:**

- **Nuha Circle Acceptance of Easements**

Ms. Warran-Dymont explained this is the final step for the Town to accept Nuha Circle as a public way. She stated the developer has provided a grant of easement and explained the location of the easement is not changing what the town will be accepting. She stated there was a side agreement made in regards to the shed that is encroaching the easement. She explained the town is acceptance the easement in its location on the plans recorded not the as-built plan.

***Motion** Mr. Rajeshkumar moved to approve Nuha Circle easement acceptance; Mr. Morrissey second.*

***Approved**  
**All in favor***

#### **APPOINTMENTS AND RESIGNATIONS:**

- **Acknowledge resignation from George Tignor, Building Commissioner effective November 14, 2023**
- **Consider the Town Administrator Appointment of Stephen Warren as the Assistant Wiring Inspector effective December 7, 2023 at a rate of \$35 per inspection**

***Motion** Mr. Rajeshkumar moved to approve; Mr. Frieden second.*

***Approved**  
**All in favor***

- **\*\*Consider the Select Board Appointment of Susan Gomes to the Cultural Council effective December 6, 2023 with a term to expire April 30, 2026**

***Motion** Mr. Rajeshkumar moved to approve; Mr. Morrissey second.*

***Approved**  
**All in favor***

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

1. **Pride Park Ribbon Cutting:** Pride Park is officially open! While school and after school programs are in session the playground is closed for school use only due to safety. Thank you to all who attended the ribbon cutting this morning. Thank you to Representative Jim O'Day and Senator Robyn Kennedy; the Select Board, the Parks Commission, the Pride Park Advisory Committee, the Community Preservation Committee, DPW, School Committee, Superintendent, Principals, Teachers, Page Contracting and Mark Smith, Weston & Sampson, M.E. O'Brien, Katie Denis, Nancy Lucier, the community at-large, and students of Major Edwards Elementary.
2. **Tax Rate Approval:** On November 17, 2023, the Town was notified that the FY24 tax rate of \$14.78 has been approved. Thank you to Leslie Guertin, the Town Accountant and David Manzello, the Assessor on their work in submitting the Tax Rate Recapitulation (Recap).
3. **FY25 Operating Budget:** The Town Administrator met with Department Heads to ask them to begin to develop (if they have not started) their FY25 operating budgets this Friday. We will start

to put the budget together in early January and begin to make adjustments with the release of the Governor's budget.

4. **DPW Director:** Tom Degnan began in West Boylston as DPW Director on Monday. Interim Director Butch Jackson met with Tom on Monday to help the transition and has offered support if required going forward. Tom is already putting together his list of ideas for the Department. The Town Administrator will ask that he attend the next meeting of the Select Board to introduce himself to the community.
5. **MIIA FY 24 Risk Analysis:** Last week MIIA came out for their annual risk analysis review. We are still carrying the large loss at Town Hall from February 2021. This was a \$1.13M loss. We have a mandatory requirement for the development of a facilities management program to include regular inspections of and corrective actions for building envelopes, mechanical systems and water systems as well as preventative maintenance. We are carrying some large losses with Workers Compensation, with a 3-year loss ratio of \$184,000. We have a mandatory recommendation to develop a lifting/material handling e no identified concerns with professional liability. The mandatory recommendations are due by March 31<sup>st</sup>.
6. **MCPPO Course:** This week, I am taking the first of three courses to obtain my MCPPO designation to become a Certified Public Purchasing Official. I am taking advantage of a pilot program offered by the Inspector General to take the course for free, which otherwise would have come at a cost of \$1,885. If the pilot program continues next year the School Business Agent will take advantage of the course.
7. **Department Assistant- Inspections:** Interviews have begun for the Department Assistant-Inspections position. We have some promising candidates and hope to have someone in the position by the beginning of January. In the meantime, Sheryl Keddy has been covering the Department for 20 hours per week.
8. **Assistant Town Clerk Position:** Lynn Harding-McGrail has announced that she will be retiring from her position at the end of the year. The position was posted this week. Ms. Harding-McGrail was a twenty hour per week benefitted position. The Town Clerk has asked that the position be increased to thirty-two hours per week and is approaching the Personnel Board to ask the job description be amended accordingly. We thank Lynn for her many years of service to the Town and will be formally announcing her retirement on the next agenda.
9. **Hazardous Materials Emergency Preparedness Award:** The Fire Department has been notified they are receiving \$5,000 for their FY23 Hazardous Materials Emergency Preparedness Award. These funds assist municipalities to "develop, improve, and carry out emergency plans" within the National Response System and the Emergency Planning and Community Right-To-Know Act (EPCRA) of 1986. Specifically, funds can be used for training, emergency planning, and equipment and supplies.
10. **Edward J. Byrnes Justice Assistance Grant (JAG) Program Award:** The Police Department has been notified they are receiving a JAG Award in the amount of \$22,862. The funding will be used to support traffic control efforts through the purchase of electronic speed signs.
11. **Recycling Dividends Program Award:** The Town of West Boylston will be receiving \$10,200 from the Sustainable Materials Recovery Program. This program helps to pay for our participation in the recycling center. We will also be utilizing these funds to purchase benches made from recycled material at Pride Park.
12. **DPW Training:** Four members of the DPW recently participated in free training through Bay State Roads on spreader calibration. This course teaches participants how to properly calibrate salt and sanding machines to save money and reduce environmental impact.

- 13. Affordable Housing Trust- Housing Production Plan:** The Affordable Housing Trust will be working via sub-committee to develop a Request for Proposals to update the Town's Housing Production Plan. The Committee did apply for a grant earlier in the year to fund this effort, but unfortunately were not selected as a recipient. I have offered to be of assistance to the sub-committee in their RFP development.
- 14. Green Communities Annual Report:** The Town's Annual Green Communities Report has been submitted. During the late summer/early fall we worked with CMRPC, a consultant, and the Green Communities Regional coordinator. The consultant identified potential projects at the Town Hall and Police Station. However, after consultation with the State coordinator it was determined the projects would not be competitive as the return on investment was not high. In November, the consultant inspected various components of the Middle/High School that had been identified in the Colliers report. He is recommending a full retro-commissioning of the HVAC systems including controls and further review of the hydronic distribution balancing. We will be working towards this and other projects at this for the Spring Green Communities round.
- 15. Regional Dispatch Center:** The Town of Holden is now operating the Regional Dispatch Center as its own town agency. They have created an Administrative Director position and the Police Chief will no longer be directing the Center.
- 16. West Boylston Lions Football State Champions:** On Wednesday, November 26th, the West Boylston Lions Football team secured the Division 8 Championship at Gillette Stadium. This is the second championship in a row. Congratulations to the entire team and coaching staff.
- 17. Flag Request:** West Boylston, like many municipalities across the Commonwealth, was contacted by the Pro-Life Legal Defense Fund to fly their flag in West Boylston. Although the Town does not have a written policy, I responded that we only fly the United States flag and the Town flag. At times, the Town has flown the POW-MIA flag. These flags have all been identified as "government speech". If the Town should fly a flag that is not "government speech" then we would have to honor all requests to fly flags.
- 18. Mixer Field Funding Extension:** Town Administrator confirmed with Representative O'Day's office the funding for Mixer Field remained after the Governor signed the supplemental budget yesterday.

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

- **Winter Parking Ban in effect December 1<sup>st</sup>**

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

- Ms. Pedone would like the Facilities Manager create an ADA list update on projects that have been completed.
- Ms. Pedone announced SWAT will host Town Wide Clean Up Day will be held on April 22<sup>nd</sup>, a Textile Drop Off will be held April 14-22. There will also be a Textile Drop off January 8<sup>th</sup> at Town Hall.

#### **ADJOURN MEETING.**

*Motion Mr. Rajeshkumar moved to adjourn at 7:26 p.m.; seconded by Mr. Morrissey.  
All in favor*

Respectfully submitted,

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Faye D. Zukowski, Municipal Assistant

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

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Kristina Pedone, Chair

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Patrick J. Crowley, Vice Chair

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James Morrissey, Clerk

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Marc Frieden

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Barur R. Rajeshkumar