



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

Select Board/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting September 22, 2021; 6:00 p.m. Zoom

Members Present Christopher A. Rucho, Chairman Barur R. Rajeshkumar, Vice Chair Patrick J. Crowley, Clerk Kristina Pedone, Selectwoman

Members NOT Present: Michael J. Kittredge III, Selectman
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Invited Guests: Nancy Lucier, Town Administrator Faye Zukowski, Municipal Assistant Kevin Duffy, DPW Director

Others Present: Finance Committee Members as a group via Zoom; Christopher Berglund, Ray Bricault,

Mr. Rucho convened the meeting at 6:00 p.m., roll call taken.
Chairman's Statement was read by Mr. Rucho:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Town of West Boylston Selectboard is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to view this meeting while in progress may do so by:

Join Zoom Meeting

<https://us06web.zoom.us/j/87882363963?pwd=ajVMVzNiMGVVanBTSGxnbUs5djgzdz09>

Meeting ID: 868 8098 9400

Passcode: 702867

Dial by your location

+1 646 558 8656 US (New York)

NEW BUSINESS:

- **Consider voting acceptance of all federal grants received relative to COVID-19 Relief including CARES, FEMA, and American Rescue Plan monies per MGL Chapter 44 Section 53A:**

Ms. Lucier explained the Board needed to accept the grant in order to move forward with the signing the proposal with Weston and Sampson to complete the storm water management; American Rescue Plan (ABR) funds which will be given to the town over the next year and will have four years to spend the \$2,414,270 in funds.

***Motion** Mr. Crowley moved to accept the grants that Mr. Rucho read, Mr. Rajeshkumar second.
Roll Call Vote*

Mr. Rajeshkumar, yes

Ms. Pedone, yes

Mr. Crowley, yes

Mr. Rucho, yes

All in favor

Approved

- **October 16, 2021 Semi-Annual Town Meeting:**
 - **Review, Approve and vote to close, sign and post October 16, 2021 Semi-Annual Town Meeting Warrant**

ARTICLE 1 - AUTHORIZATION TO HEAR THE REPORTS OF OFFICERS AND COMMITTEES OF THE TOWN

To see if the Town will vote to hear the reports of the officers and standing committees of the Town; or take any other action relative thereto.

Ms. Lucier stated this is a standard article.

ARTICLE 2 - AUTHORIZATION TO PAY BILLS FROM PREVIOUS FISCAL YEARS

To see if the Town will vote to appropriate a sum of money to pay bills being held by the Town Accountant from prior fiscal years for which no encumbered funds are available; or take any other action relative thereto.

Ms. Lucier stated they do not have any prior year bills at this time will pass over at town meeting.

ARTICLE 3 - AUTHORIZATION TO MODIFY FISCAL YEAR 2022 APPROPRIATIONS AND OTHER NECESSARY ADJUSTMENTS TO THE FISCAL YEAR 2022 BUDGET

To see if the Town will vote to raise and appropriate and/or transfer from available funds or from any unexpended balances of Fiscal Year 2022 appropriations hitherto made, to Fiscal Year 2022 appropriation accounts; or take any other action relative thereto.

Ms. Lucier stated at this time there is one request for a full-time employee out on sick leave and the shifts are being filled by other employees on overtime so a transfer to the Police Department budget and may need to revisit again in May.

ARTICLE 4 – AUTHORIZATION TO APPROPRIATE FUNDS FOR REPAVING THE DRIVEWAY FOR THE MIDDLE/HIGH SCHOOL

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$35,000 to repave the driveway for the Middle/High School or take any other action relative thereto

Ms. Lucier explained this is a request from the School Department. They turned back \$56,795.16 which flowed to Free Cash. She explained had they been able to secure a quote from a vendor they could have encumbered the funds but they were not able to do that. Mr. Berglund asked why this was not presented to the Capital Investment Board, Ms. Lucier stated she thought it was a wash and there is a great price and would like to fund with free cash. Mr. Bricault stated he is uncomfortable with this process but acknowledges this was brought to the CIB and they requested the DPW review the grade onsite and get a new quote. Mr. Bricault clarified the request from the CIB to the school and does not recall the request being clear. Ms. Pedone stated she is unsure of the concern of the CIB if they all agree it needs to get done and clarified the position of the CIB. Ms. Lucier stated they school consulted with D 'Ambrosia the contractor that completed sidewalk projects around town and they were able to get a quote for the school. Mr. Berglund asked if the school consulted with the DPW and explained the concern was for where the buses pull up. Mr. Bricault clarified that the concern was that the correct work was going to be done and did not hear back and does not believe the same process used in the spring was used this time. Mr. Crowley stated he shares the same concern that articles 4,5,7 and 8 should go before the CIB and be paid for out of Capital Investment Fund and then transfer from free cash that sum back to Capital Investment Fund. Mr. Rucho asked for clarification if they school went before them with this request, Mr. Berglund stated they did and at the time presented a bid that was two years old and were requested to come back with a current bid and opinion from DPW. Ms. Pedone stated the school did respond to the request of the CIB in April and what more information they needed to move forward and also asked what school projects have been funded by the CIB in the past. Mr. Rucho stated the issue is the process; these items should go before the CIB for a recommendation to the Board. Mr. Rucho asked why this process was different this meeting, Ms. Lucier stated these items are needed items and the CIB could still make a recommendation before town meeting. Mr. Pedone, Chair of the School Committee clarified that the School Committee did approach the Finance Committee back in April with the request to pave the driveway; they presented two quotes with two different methods of paving. He explained the Finance Committee asked the school to consult with the DPW Director and they did and received a price from him. Mr. Pedone clarified that the school submits capital requests annually and the Finance does not ever go forward with their requests with the exception of the WIFI in both schools. He stated the driveway is in very poor condition and would like to see this article go forward. Mr. Rajeshkumar asked why this was not sent to CIB, Ms. Lucier stated she decided to put on the warrant as she felt it was a wash but if the Board would like it as a capital article, she can make that change. She thought this article had gone to CIB in the spring and did not know they were waiting for more information. Mr.

Crowley would like all these articles to be moved under the expenditures of the CIB as they

have always done. Mr. Berglund stated the CIB could meet to discuss the capital items on the warrant prior to town meeting.

Motion Mr. Crowley moved to include Articles 1-3 as presented in the Warrant, Mr. Rajeshkumar second.

Roll Call Vote

Mr. Rajeshkumar, yes

Ms. Pedone, yes

Mr. Crowley, yes

Mr. Rucho, yes

All in favor

Approved

Mr. Crowley stated the article for CIB is a blanket article and the CIB brings forward items to be added to the warrant article as they have done in the past. Mr. Pedone asked if the CIB is an advisory Board, Mr. Bricault stated they make recommendations on capital items that should be brought to town meeting. He stated there is a process for how capital items are handled. Mr. Rucho asked if some of these projects could possibly be passed over, Mr. Berglund responded that is correct and discussed the process. Mr. Crowley explained the purpose of the CIB and that some items requested do not always make it to town meeting. Mr. Pedone asked what are the other ways to get funding from the town as the school has been submitting a plan annually and have never received approval on any of the projects. He explained most needs have remained the same due to not ever being funded. Mr. Rucho stated they can discuss at a future meeting. Mr. Bricault disagrees and would welcome a meeting in the future.

Motion Mr. Crowley moved to include Article 4 with standard language as they have used in the past; to expend funds out of Capital Investment fund, Mr. Rajeshkumar second.

Mr. Rajeshkumar asked if this will now go to the CIB, Mr. Rucho confirmed they will review all four items. Mr. Bricault stated typically they receive these items a month in advance and asked when would they need to have a meeting to move forward. Mr. Crowley stated they will need the list the night of the meeting, Ms. Lucier clarified that capital requests are requested in January and submitted to Finance Committee with the budget. She explained the forms go out in September and due January. Mr. Berglund will schedule a meeting soon so they can discuss the items and will be in touch with the departments with requests.

Roll Call Vote

Mr. Rajeshkumar, yes

Ms. Pedone, yes

Mr. Crowley, yes

Mr. Rucho, yes

All in favor

Approved

ARTICLE 5 – AUTHORIZATION TO APPROPRIATE FUNDS FOR PAVING AT THE MOUNT VERNON CEMETERY

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$50,000 to repave roadways within the Mount Vernon Cemetery, or take any other action relative thereto

We are awaiting a third quote. This is to repave the entrance way on Worcester Street opposite Wachusett Farms (340 feet) & the road that runs behind the GAR monument (197 feet).

ARTICLE 6 – AUTHORIZATION TO APPROPRIATE FUNDS FROM THE COMMONWEALTH TRANSPORTATION INFRASTRUCTURE FUND

To see if the Town will vote to appropriate the sum of \$792.40, said amount being the funds received from the Commonwealth Transportation Infrastructure Fund, to be used for transportation-related projects by the Department of Public Works; or take any other action relative thereto.

Ms. Lucier stated this is part of a statewide distribution of fees (uber) paid into the state's Infrastructure Fund and it can be used only for transportation related projects such as signage, which is what the DPW Director intends to use it for

ARTICLE 7 – AUTHORIZATION TO APPROPRIATE FUNDS FOR ONE-TON DUMP TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$45,000 to purchase a one-ton dump truck for the Department of Public Works or take any other action relative thereto

This will replace the 2006 Chevy Silverado Parks Division truck previously given to the town from the Water District

ARTICLE 8 – AUTHORIZATION TO APPROPRIATE FUNDS FOR MINI EXCAVATOR FOR THE DEPARTMENT OF PUBLIC WORKS

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$57,000 to purchase a mini excavator for the Department of Public Works or take any other action relative thereto

This would be revisited in May – needs further investigation on costs savings

Ms. Lucier stated the DPW Director has requested to not move forward with the truck at this time. Mr. Rucho this is why it needs to go before the CIB to be discussed. Mr. Crowley stated articles 4,5,7 and 8 will all be passed over and sent to CIB for discussion.

Motion Mr. Crowley moved to accept the grants that Mr. Rucho read, Mr. Rajeshkumar second.

Roll Call Vote

Mr. Rajeshkumar, yes

Ms. Pedone, yes

Mr. Crowley, yes

Mr. Rucho, yes
All in favor
Approved

ARTICLE 9 – AUTHORIZATION TO AMEND THE REVOLVING ACCOUNT
FOR THE RECREATION DEPARTMENT

To see if the Town will vote to amend the Revolving Account for the Recreation Department by inserting the below bolded verbiage:

REVOLVING FUND	AUTHORIZED TO SPEND FUND	REVENUE SOURCE	USE OF FUND	FY22 SPENDING LIMIT	SPENDING RESTRICTIONS OR COMMENTS
Recreation Program	Parks Commission	Recreation program user fees and donations collected by the Park Commission and proceeds derived from fund raising activities for the benefit of the recreation program	Costs of operating the recreation program including wage and salary expenses of the part-time employees and expenditures relative to fund raising activities for the benefit of the recreation program	\$50,000	

or take any other action relative thereto.

Ms. Lucier explained the Rec Department is planning on doing a Calendar Fundraiser this adjusts their Revolving Fund to use these proceeds as a Revenue Source and Use of Funds will also need to be adjusted.

ARTICLE 10 – AUTHORIZATION TO APPROPRIATE FUNDS TO THE
OPEB TRUST FUND

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Other Post Employment Trust Fund; or take any other action relative thereto.

Ms. Lucier stated we had a fund balance of \$287,378 coming out of our May Semi-Annual Town Meeting, once we get our Free Cash number, we will finalize this number.

ARTICLE 11 – AUTHORIZATION TO TRANSFER FUNDS FOR THE
CEMETERY
SALE OF LOTS ACCOUNT

To see if the Town will vote to transfer the sum of Twenty Thousand Dollars and No Cents (\$20,000.00) from the Sale of Lots Account for cemetery improvements; or take any other action relative thereto.

This was a request from the Cemetery Trustees. Funds to be used for cemetery Improvements including an application of lime and nutsedge grass killer, removal of 3 old large maple trees, planting new trees, development of new cemetery, repair of old headstones damages by large tree branches falling on them.

ARTICLE 12 – VOTE TO APPROPRIATE FUNDS FOR COMMUNITY PRESERVATION FUND PROJECT AS RECOMMENDED BY THE COMMUNITY PRESERVATION COMMITTEE

To see if the Town will vote that the following amount shall be appropriated from Community Preservation Fund Revenues, or transferred from prior year reserves for Community Preservation purpose:

Project	Total Appropriation	Source of Appropriation
Appropriations:		
To Fund for Affordable Housing Purposes: A grant to pay for community housing needs. Submitted by the West Boylston Affordable Housing Trust be expended under the direction of the Town Administrator.	\$ 25,000	\$25,000 from the fund balance designated for affordable housing.

Or take any other action relative thereto.

Ms. Lucier stated this is the annual ask of the Affordable Housing Task Force.

Motion Mr. Crowley moved to include Articles 6,9,10,11 and 12 in the Warrant, Mr.

Rajeshkumar second.

Roll Call Vote

Mr. Rajeshkumar, yes

Ms. Pedone, yes

Mr. Crowley, yes

Mr. Rucho, yes

All in favor

Approved

ARTICLE 13 - AUTHORIZATION TO TRANSFER FUNDS TO THE TAX LEVY STABILIZATION FUND

To see if the Town will vote to transfer a sum of money, not to exceed the FY21 Marijuana Local Excise revenue collected, from certified free cash to the Tax Levy Stabilization Fund, or take any other action relative thereto.

Ms. Lucier stated this is a one-time article to move the Marijuana funds into the Tax Levy Stabilization Fund \$97,000 and will have another portion coming in on October 1st. Mr. Crowley asked about any funds received after July 1st automatically goes into this account, Ms. Lucier stated correct this is a one-time article and the next article will become an annual article.

ARTICLE 14 – AUTHORIZATION TO APPROPRIATE FUNDS TO REDUCE THE FY22 TAX RATE

To see if the Town will vote to transfer a sum of money, not to exceed the fund balance of the Tax Levy Stabilization Fund, to reduce or stabilize the Fiscal Year 2022 Tax Rate, or take any other action relative thereto.

At this time, we have \$97,946.69 to transfer in, however, the May/June/July funds should be here by October 1. This will become an annual article. Mr. Crowley clarified this is to take the money out of the special fund and used to reduce the tax rate. He asked if this would continue to be an October meeting article or would it become May, Ms. Lucier stated ideally the May meeting and will become part of the standard budget process.

ARTICLE 15 – AUTHORIZATION TO TRANSFER FUNDS TO THE CAPITAL INVESTMENT FUND

To see if the Town will vote to transfer a sum of money to the Capital Investment Fund; or take any other action relative thereto.

We had a fund balance of \$553,208.07 coming out of our May Semi-Annual Town Meeting, once we get our Free Cash number we will finalize this number

ARTICLE 16 – AUTHORIZATION TO TRANSFER FUNDS TO THE STABILIZATION FUND

To see if the Town will vote to transfer a sum of money to the Stabilization Fund; or take any other action relative thereto.

We had a fund balance of \$1,416,704.04 coming out of our May Semi-Annual Town Meeting, once we get our Free Cash number, we will finalize this number

ARTICLE 17 – AUTHORIZATION TO AMEND THE GENERAL BYLAWS

To see if the Town will vote to amend ARTICLE XXIX- Department of Public Works by including the below bolded language:

There shall be established in the Town of West Boylston a Department of Public Works that shall be under the direction of the Select Board members through the Office of the Town Administrator. The Department of Public Works shall consolidate the functions of the Office of the Tree Warden, Streets and Parks Department and Sewer Department, and shall assume the responsibility for the management and operations of the Office of the Tree Warden, Streets and Parks Department, Sewer Department, and Cemetery Department;

Or take any other action relative thereto.

We have combined the Cemetery Department into a division of the DPW and This will amend the General Bylaw to include that change

Motion Mr. Rajeshkumar moved to include articles 13,14,15,16, and 17 to town meeting warrant, Mr. Crowley second.

Roll Call Vote

Mr. Rajeshkumar, yes

Ms. Pedone, yes

Mr. Crowley, yes

Mr. Rucho, yes

All in favor

Approved

ARTICLE 18 – AUTHORIZATION TO AMEND THE GENERAL BYLAWS

To see if the Town will vote to amend ARTICLE XXI – PERSONNEL BYLAW, M-Holidays by deleting the below italicized language and adding the bolded language

1. Observed Paid Holidays

Normal compensation will be paid for the eleven (11) twelve (12) holidays listed below to all employees regularly scheduled to work on such holidays:

New Year's Day	January 1
Martin Luther King, Jr. Day	Third Monday in January
President's Day	Third Monday in February
Patriots Day	Third Monday in April
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas Day	December 25

Or take any other action relative thereto.

Ms. Lucier state if approved this will include the Juneteenth Holiday to the list in the Personnel Bylaw. Mr. Rucho stated they usual have some discussion on items before they become and article. Ms. Lucier stated it was requested by a member of the Selectboard and placed on for discussion purpose. Mr. Rucho asked if Personnel Committee has discussed, Ms. Lucier stated they have not met but would be asked for a recommendation at town meeting. Mr. Crowley requested a vote on this article alone.

Motion Mr. Rajeshkumar moved to include article 18 to the town meeting warrant, Mr. Rucho seconded for discussion.

Mr. Rajeshkumar was a Holiday approved by the State and during the last union negotiations they were not able to give this Holiday. He stated the came before the Selectboard and was not approved since then it was approved by the State. He requested to bring to Board for discussion and requested it be added to an agenda item and it never was added. Mr. Crowley gave history of Juneteenth holiday and feels this holiday was reactionary by the State to Black Lives Matter. He gave his opinion of the Black Lives Matter movement and feels they pushed for Juneteenth to become a holiday. He feels Martin Luther King Jr. holiday represents and honors Civil Rights. Mr. Rajeshkumar feels this is a State holiday like it or not and feels the town should honor it, he would like it to be on the warrant and let the town decide. Mr. Rucho stated the process of this article is not the usual process, he believes it should have gone before the Personnel Committee for input. Mr. Bricault added that the State has other holidays that are not included on the list currently like Evacuation Day. Mr. Rucho would like this added to a future agenda item and Personnel Committee and possibly bring to another town meeting.

Roll Call Vote

Mr. Rajeshkumar, yes

Ms. Pedone, no

Mr. Crowley, no

Mr. Rucho, no

All in favor

Approved

ARTICLE 19 – REQUEST FOR ZONING CHANGE FOR 2 GOODALE STREET, WEST BOYLSTON

To see if the Town will vote to change a parcel known as 2 Goodale Street (A/K/A 114 Goodale St, Assessor Map 143 Parcel 68) from General Residence District to Business District

Which parcel is more specifically described as follows:

Beginning on the northerly sideline of Goodale Street, so-called, and at remaining land of the Boston & Maine Railroad at a point which is the center of a W.C.H., which point is 49.50 feet southwesterly from Station 461+67.23 on the center line location of the Terminal Division main line route of said Railroad;

Thence running northwesterly by said Goodale Street on a curve to the left having a radius of 292.67 feet, 166.03 feet to a point at land now or formerly of Worcester County Electric Company;

Thence turning and running by said last mentioned land on three courses as follows: North 11 degrees 06' 33" West 41.63 feet, North 32 degrees 44' 35" West 50 feet and South 57 degrees 15' 25" West 40 feet to land now or formerly of Alfred Prentice;

Thence turning and running North 32 degrees 44' 35" West partly by said last mentioned land and partly by Central Street, so-called, 295.46 feet to a point;

Thence turning and running North 04 degrees 47' 55" East still by said Central Street 48 feet to said remaining land of said Railroad;

Thence turning and running by said last mentioned land on four courses as follows: North 57 degrees 15, 25" East 54.75 feet, South 32 degrees 44' 35" East 422.22 feet, South 11 degrees 06' 33" East 36.62 feet and South 32 degrees 44' 35" East 123.22 feet to the point of beginning.

Or take any other action relative thereto.

The Planning Board has a public hearing scheduled for this evening on this request

Motion Mr. Crowley moved to include article 19 in the warrant, Mr. Rajeshkumar second.

Roll Call Vote

Mr. Rajeshkumar, yes

Ms. Pedone, yes

Mr. Crowley, yes

Mr. Rucho, yes

All in favor

Approved

ARTICLE 20 – AUTHORIZATION TO AMEND THE ZONING MAP

To see if the Town will vote to amend Section 2.3- District Boundaries to reflect Town Meeting-approved changes. (Add bolded wording)

The district boundaries shall be determined by concrete bounds separating the districts as shown on the zoning map prepared by the Central Massachusetts Regional Planning Commission, drafted in June of 1974 by Joseph F. Murr, with subsequent Town Meeting-approved boundary changes included. Figures in all cases serve as a guide, and the scale of the map may also be used. In cases of uncertainty, the boundary lines shall be determined by the Selectboard.

Or take any other action relative thereto.

Should the previous article be approved, we would need to amend the Town's zoning map through this action

Motion Mr. Rajeshkumar moved to include Article 20 to the town meeting warrant, Mr. Crowley second.

Roll Call Vote
Mr. Rajeshkumar, yes
Ms. Pedone, yes
Mr. Crowley, yes
Mr. Rucho, yes
All in favor
Approved

Motion Mr. Crowley moved to approve Review, Approve and vote to close, sign and post October 16, 2021 Semi-Annual Town Meeting Warrant, Mr. Rajeshkumar second.

Roll Call Vote
Mr. Kittredge, yes
Mr. Rajeshkumar, yes
Ms. Pedone, yes
Mr. Crowley, yes
Mr. Rucho, yes
All in favor
Approved

- **Consider voting to endorse articles**
Mr. Rucho asked if they can do this at the next meeting, Ms. Lucier requested the last two items be added to the next agenda.
- **Assign motions**

Ms. Lucier reminds everyone that Semi-Annual Town Meeting, Saturday, October 16th, 2021 at 10 a.m. Middle High School Baseball Field a.m.

Motion Mr. Rajeshkumar moved to adjourn at 7:05 p.m. Mr. Crowley, second all in favor.

Respectfully submitted,

Approved:

Faye D. Zukowski, Municipal Assistant

Christopher A. Rucho, Chairman

Barur R. Rajeshkumar, Vice Chairman

Patrick J. Crowley, Clerk

Michael J. Kittredge III, Selectman

Kristina Pedone, Selectman