



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

Select Board/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting November 3, 2021; 6:00 p.m. Zoom

Members Present Christopher A. Rucho, Chairman Barur R. Rajeshkumar, Vice Chair Patrick J. Crowley, Clerk Michael J. Kittredge III, Selectman Kristina Pedone, Selectwoman
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Members NOT Present:

Invited Guests: Nancy Lucier, Town Administrator Faye Zukowski, Municipal Assistant Kevin Duffy, DPW Director

Others Present: Sue Grant, John Fitch MLP, Tony Meola MLP, Win Handy MLP, Jim Pedone, Attorney Robert Hennigan, Ken Cleveland, Daymian Bartek, Sherry Ngan, Vanessa Kuzmanovski, Jason Junst, Christine, iPhone, Lingsang Jiang, Enovia, and David Femia

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:

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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:

- **October 6, 2021 Regular Session:**

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

- **October 6, 2021, Executive Session:**

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

Roll Call Vote

Mr. Kittredge, yes

Mr. Rajeshkumar, yes

Ms. Pedone, yes

Mr. Crowley, yes

Mr. Rucho, yes

All in favor

Approved

REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING OCTOBER 7, 2021 to NOVEMBER 3, 2021: Town Payable Warrants FY2022-17 and 18; Town Payroll Warrant FY2022-09; Sewer FY2022 SE-10 & 11; MLP FY2022 #9; and School FY2022 S9.

***Motion** Mr. Crowley moved to approve; 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

Vanessa Kuzmanovsky, Chair, Personnel Board: Juneteenth:

Ms. Kuzmanovsky introduced herself and explained the Board is hoping to have Juneteenth as a paid Holiday for the town employees. She understands this has been previously discussed and gave the Selectboard some background on the Holiday. She stated forty-seven states recognize the

Holiday and Massachusetts began recognizing this as a paid Holiday this year. She stated this is way to be a progressive organization and do better. Mr. Rucho asked if the Personnel Board voted to add this holiday to the Personnel Bylaw, Ms. Kuzmanovsky responded they did. Mr. Rucho stated they will bring to another Board meeting if needed for discussion and then add to Town Meeting Warrant to amend bylaw. Ms. Lucier stated they will have until May to add this to Town Meeting Warrant.

6:10 p.m. Public Hearing on the Application for a transfer of All Alcohol Restaurant License from Choey Lee's Galley II, Inc. to Chang's Bamboo Garden, 45 Sterling Street, West Boylston, MA 01583 for an On Premises, All Alcohol, Restaurant License:

Ms. Pedone read the Public Hearing Notice. Ms. Lucier stated the business is on compliance with all town departments. Attorney Robert Hennigan representing the buyers Sherry Ngan and Lingsang Jiang and was translator for husband Minghui Zhang. He explained they have entered into a purchase agreement with current owners, entered into negotiations with landlord Paul Lanarski of Causeway Realty Trust and have a draft lease agreement. He explained there are not any structural changes of property. He stated the financing is in place with \$50,000 being used to purchase and financial records are included in application. He stated Sherry will be the manager of facility and has experience in food service for many years and is TIP Certified in Massachusetts. He explained she currently lives in Pennsylvania and intends to move to Holden if sale goes through. He explained Minghui worked for Choey Lee's for over six years but left for a bit to be with wife and baby and plans to move back here also. He stated they plan to operate business as it has for many years.

Motion Mr. Crowley moved to close the Public Hearing; Ms. Pedone second.

Roll Call Vote

Mr. Kittredge, yes

Mr. Rajeshkumar, yes

Ms. Pedone, yes

Mr. Crowley, yes

Mr. Rucho, yes

All in favor

Approved

Motion Mr. Crowley moved to approve the license request as requested; Mr. Kittredge second.

Roll Call Vote

Mr. Kittredge, yes

Mr. Rajeshkumar, yes

Ms. Pedone, yes

Mr. Crowley, yes

Mr. Rucho, yes

All in favor

Approved

6:15 p.m. JOINT MEETING WITH MUNICIPAL LIGHT PLANT BOARD TO FILL VACANCY UNTIL THE JUNE 7, 2022 TOWN ELECTION:

Mr. Rucho read the Public Notice. Mr. Rucho asked for applicants to give introductions.

- Ms. Sue Grant of 14 Newton Street, grew up coming to West Boylston and has lived in town less than a year. She worked for Kraft Foods as a Marketing Research Executive for 30 years and had expertise as Consumer Insight. She was also her condo association for twelve years. She explained she has interest in serving community and has time being retired.

- Mr. Jason Kunst of 515 Prospect Street, resident for 15 years. He has been employed by Sysco Systems Network Security and is interested in technology behind electricity. He owns electric cars, and solar on roof. He likes saving money and technology. He would like to assist on a 5G fiber network for the town.
- Mr. James Pedone lifelong resident of town. He has worked 21 years for Dell Technologies which was EMC Corporation prior. He serves on many Boards in town. He explained he has extensive background with networking and technology. He believes the current Board does an excellent job managing the Light Department and like to see that the rates remain low and the Light Plant continues to provide excellent service.

Mr. Rajeshkumar asked if there is a conflict of interest. Mr. Rucho stated a conflict of interest is up to the individual person to declare. Mr. Rajeshkumar stated one of the candidates and the Selectboard member are married. Ms. Pedone stated she will not be voting or asking the candidates questions. Mr. Rucho asked if all applicants plan to run for the position at the next election, they all responded yes.

Motion Mr. Crowley moved to nominate Jim Pedone; Mr. Rajeshkumar second.

Motion Mr. Rajeshkumar moved to nominate Sue Grant; Mr. Handy second.

Roll Call Vote

Selectboard

Mr. Kittredge, voted for Mr. Pedone

Mr. Rajeshkumar, voted for Ms. Grant

Ms. Pedone, no vote voiced

Mr. Crowley, voted for Mr. Pedone

Mr. Rucho,

Municipal Light Plant Board

Mr. Handy, voted for Ms. Grant

Mr. Meola, voted for Mr. Pedone

Mr. Rucho stated the vote was 4-2 with Mr. Pedone being chosen for the vacancy until June 7, 2022. He advises Mr. Pedone that he should arrange with the Town Clerk to be sworn in. He thanks all applicants that were interested in this vacancy. Mr. Rucho stated the Light Plant, Directors and Board are great and thanked them for providing a great service to the town. Mr. Crowley added positive comments also to the MLP for the service they provide. Mr. Rucho would like to invite the Director in to a future meeting to discuss what they are working on in town if he is interested.

DPW Director Kevin Duffy:

• **Lee/Goodale Street:**

He received paper copies from a consultant with possible solutions to the water issue which is not an easy fix due to ledge in the area. He explained one solution would be through private property with two easements and would require tree removal. The second option is run down to the parking area and nature trail adjacent to 157 Lee Street and connect to an existing drainage swale and is the solution he would like to recommend. He estimated the cost to be \$250,000 for the construction for the first option and if they connected to the existing swale cost estimated at \$276,000 but if they constructed a detention basin the cost would be \$260,000 but would require more maintenance. Mr. Rucho stated he viewed the location this weekend and stated this is a major issue. Mr. Crowley agreed with the recommendation of the DPW Director and asked how old the cost estimates are, Mr. Duffy was unsure of exact date but is within the last couple months. Mr. Kittredge asked if the DPW employees will be able to complete any of the labor to help keep costs down. Mr. Duffy stated that is possible but feels an outside contractor would be best suited for this job

with the concern of ledge. He stated the DPW can complete some of the final work. Ms. Lucier stated there is not enough Chapter 90 funding currently but could be added to a future meeting but believes it would be a town meeting article. Ms. Pedone asked if MR. Duffy believes there could be other options since he was not part of the original discussion, he responded that he feels these are good options. Mr. Rajeshkumar stated this project has been discussed for a long time and would like to see it completed.

- **DPW Budget Update:**

Mr. Duffy stated the DPW budget is 30% through the year; DPW Accounts are 22% expended and is slightly underspent but is anticipating some big-ticket repairs coming and believes they will be on track, and the Sewer Account is 29% and is on track.

- **Line Striping:**

Mr. Duffy gave the Board some historical numbers on the linear feet completed of 100,000 to 400,000 linear feet and annually and cost the cost ranged from 4.5 cents to 6.5 cents. Mr. Duffy stated they are moving forward with the epoxy line striping and the price as quoted is \$90,000 for half the town completed not including crosswalks. He stated the DPW has been touching up on the sidewalks. He explained the price of paint has significantly increased. Mr. Rucho stated the Boards concern was for the sidewalks getting completed. Mr. Duffy stated the last time line striping was completed was in 2019 with water-based paint and 400,000 linear feet was completed at a cost of four and a half cents per linear foot. Mr. Duffy believes the entire town is 600,000 linear feet not including crosswalks. Mr. Duffy stated the DPW has historically completed all the crosswalks. Mr. Rucho asked what the life span is of the epoxy, Mr. Duffy stated it varies depending on use estimates no less than five years. Mr. Crowley stated the crosswalks need to get done and the decision was made to have them completed in epoxy due to it lasting longer and being safer. Mr. Duffy stated he will begin creating and inventory of the sidewalks in town and believes they are completed with the line striping for this year. He stated they will pick up again in the spring and will look into adding the crosswalks into that plan.

- **Lower Woodland Street and Kings Mountain Drive, Water District Projects:**

Mr. Duffy explained due to water main breaks in the past in these areas, the road has waves and is becoming a hazardous issue on the roadway. He stated he is working with Mike Coveney of the Water Department on a solution. He stated Mike has been requesting quotes and has advised that the prices are coming in high due to it being the end of the construction season. He stated construction may not be completed this season. Mr. Crowley asked who will pay the cost, Mr. Duffy stated it would be paid for by the Water Department. Mr. Rucho would like to discuss at a future meeting the process of repairs to utilities in the road. Mr. Duffy stated he has a draft road moratorium and was complete it will be posted on the town website. Mr. Kittredge asked if there is anything that can be done do make the road safer, Mr. Duffy stated signage will be installed. Ms. Pedone had requested this topic and the water repair was two years ago, she asked if the Director inspects the repairs. Mr. Duffy responded that he will be inspecting all road work completed and he plans to continue working on the relationship with the water department.

Mr. Rajeshkumar asked if the man holes that are lower on North Main Street are fixed, Mr. Duffy responded that there have not been any changes but is working with the Water Department on this but does not feel they are a hazard at this time. Mr. Rucho would like the contractor to be responsible for repairing these before the warranty is over.

Mr. Duffy discussed the brush dump and stated they have been keeping track of the number of vehicles. He stated the last brush dump day had record numbers of 126 vehicles. He is expecting

the next two brush dump days to be busy also. He would like to add an additional brush dump day in December, if possible, weather permitting.

Ms. Pedone thanked Kevin, Nancy and the DPW employees for helping with the trash issue after the football games and help with the preparation for the playoff game this weekend.

NEW BUSINESS:

- **Clarify Article 11 of the October 23rd Town Meeting (CR):** Ms. Lucier explained the Town Meeting approved this article and a Board Goal was to minimize taxes or reduce tax rate. She explained Town Meeting approved the transfer of \$153,171 from Tax Levy Stabilization Fund to reduce or stabilize the FY22 tax rate. She gave the example of a single-family home valued the current average of \$338,800, a savings of \$44. She stated a \$.13 cent reduction of the \$18.33 tax rate. Ms. Lucier stated the tax classification hearing will be held December 1st. Mr. Rucho stated this is the first time they have transferred funds and is funds collected from only one of the two businesses in town, the second facility is not open yet. Mr. Rucho stated they do not want to count on these funds as they may go down in the future. Mr. Crowley clarified it was a town meeting vote to move these funds and not a Board Policy and the funds from Marijuana automatically go into a tax stabilization fund and there will be an annual article on the town meeting warrant to move these funds.
- **Consider approving the hiring of Daymian Bartek as Town Clerk effective November 29, 2021 at Step 2 of Grade G, \$30.48 an hour:**
Ms. Lucier introduced Daymian Bartek to serve as the next Town Clerk, she has served as the Assistant Town Clerk for the Town of Rutland and prior was in the Assessor's office also in Rutland. Ms. Lucier stated she worked the 2020 Election and has experience with the poll pads which West Boylston is working on implementing. Ms. Lucier gave an overview of interview responses and also her references responses. Daymian Bartek thanked the Board for the opportunity and looks forward to working with the town if appointed. Ms. Lucier stated there will be approximately three weeks of cross training which was added to this year's budget.

***Motion** Mr. Crowley moved to approve the appointment; Mr. Kittredge second.*

Roll Call Vote

Mr. Kittredge, yes

Mr. Rajeshkumar, yes

Ms. Pedone, yes

Mr. Crowley, yes

Mr. Rucho, yes

All in favor

Approved

- **APPOINTMENTS & RESIGNATIONS**
Beverly Salate, 12-year member of our Board of Health has resigned as she and her husband are downsizing and will be moving out of town.
- **Larry Chism, 5-year member of our Personnel Board has resigned as he is relocating out of town.**

Mr. Rucho thanked them for the service to the town.

TOWN ADMINISTRATOR'S REPORT

- **Update on Retiree Insurance Renewal Rates:**

We have been notified that the rates for the retiree renewal for January 1, 2022 came in as follows:

Medex 2 received a rate hold – 0% increase, and

Managed Blue for Seniors received a decrease of 1.53%

Medex 2 monthly contribution rate will remain at \$362.66 and Managed Blue for Seniors will go from \$343.62 to 338.35.

We are meeting on November 10th to review how the claims for the town are running, discuss updates and also start preparing for the FY23 renewal.

- **Report on GPS in Vehicles:**

Following our last meeting I reached out to my Account Manager at MIIA to find out if the town were to install GPS in our municipal fleet whether we would be eligible for any insurance savings. I was told that our auto rating is extremely low to start so MIIA does not offer credits for adding GPS tracking in town owned vehicles.

I also reached out to the STAM membership to see if any other municipalities had such a program and if so, was it town wide or a specific department. Ware has installed GPS in DPW, Police and Fire vehicles, as well as their local transit system. They report that it is rare that the Town Administrator or department heads review the patterns. Mostly for complaints or to determine mileage and gas use. They did have to negotiate this with Police, Fire and DPW unions.

- **Town Administrator Search:**

Just as a reminder, when I was asked to take the position of Town Administrator I did so, and only committed to one, 3-year contract. That contract expires on June 4, 2022 and my intention is to retire. You may recall that when you did the initial search to replace former Town Administrator Anita Scheipers, the Search Committee reported that they did not find a suitable candidate and they went out for a second search. At that time, I was asked to apply and I made it clear that I would apply, but if the committee received an application from a qualified candidate, I would prefer that they move forward with that person.

Due to the fact that there are fewer individuals looking for careers as Town Administrators, I believe it would be in the best interest of the town and its residents to investigate hiring a firm to assist with the search. If that is something the Board has interest in doing, I could reach out to a few of the firms who have done searches for other towns in the area.

Mr. Crowley requested this be added as a future agenda item and feels this is time sensitive. Mr. Rucho would like to form a sub-committee to work on this.

- **USDA Rural Development Compliance Service Review:**

I was contacted by the USDA Rural Development Compliance Division. In January of 2000, \$1,359,030 was received by the town for the Library addition/renovation project. Annual reviews were a requirement of that program. The last time they reached out to the town for a review was in 2012. We were contacted almost two years ago, planned to meet, and the

individual from the USDA doing the review left the job and it was never rescheduled. The COVID hit and as a result everything was suspended. Both the library and the town completed the required compliance review demographic forms. On October 12th Library Director Annua Shaw joined me for our compliance call. The final item we were waiting to send in was on FY18 insurance binder as that item was one of the casualties of the flood at town hall. That item was forwarded to the USDA on October 28th. I am pleased to report that our account is up to date and completed so we are now in compliance with all the required paperwork and the borrowing should be closed out in FY2030.

- **Update on SWAT Meeting:**

I attended the SWAT meeting last week and one of the items I requested be included on the agenda was the option of using larger totters for recycling and swapping the dual compartment trash/recycle truck currently used in West Boylston out for the automated arm which empties the bin. They discussed the fact that this system is used in the Town of Holden and perhaps it would be a good idea to check with Holden to see how their contamination rate was. I emailed Pam Harding who informed me that it is difficult to check contamination rates with the automated system, they have quarterly audits and the contamination rates hover around 10% which she felt was fairly good.

You may recall that we did our own audit back in 2019. Our Monday route was- 3.1%, Tuesday -3.25%, Wednesday – 11.11%, Thursday -8.15%, and Friday -11.61% and average of 7.44%. I shared the Holden information with SWAT and understandably so, they would prefer to remain without current program and risk having our contamination rate increase.

Mr. Crowley asked if there is a difference in price or a cost analysis. MS. Lucier stated she can ask Republic however the recent RFP did not include this and the town is in a 5-year contract. She can ask if this will require a new contract or a contract change. Ms. Pedone stated Holden offers many options for their residents through their trash company and noticed the trucks with arms are operating in town now. Mr. Rucho stated if residents purchased bins would the company accept trash that way. Mr. Crowley stated residents do not have to use the plastic bins for recycling they could use trash barrels also. Mr. Rucho discussed the issue of when a truck is broken and Republic uses another truck that may or may not sort trash. He stated Republic should not be accepting trash that is not in green bags. He would like to discuss at a future meeting.

- **Condition of Railroad Crossings:**

I had been in contact with the railroad back in September of 2020 about the condition of the abutment on Route 12 near the causeway. The structure has rapidly deteriorated over the last couple years. They indicated that they do perform inspections on all of their bridges and this one is on the list for an abutment repair project to occur within the next few years.

In December of 2020 I reached out to the same individual to ask about the railroad crossings on Temple and Shrewsbury Streets. At that time, I was told that those two crossings were not currently on their priority list for track replacements, as the track condition through the crossing currently meet FRA (Federal Railroad Administration) standards. Back on September 9th and September 14th of 2021 I reached out to the railroad about some work they had done on the tracks which actually made situation worse and I requested they remedy the situation as soon as possible. I was told that they sent a crew out to “diagnose”

the railroad crossing and on September 27th I was informed that they patched the asphalt. I let them know that their patchwork left the condition of the asphalt dangerous to anyone riding a motorcycle.

Contrary to what the town was previously told, we were notified by PanAm that per Ch. 84 Section 1, the Commonwealth (via Commonwealth and Federal funding) reimburses the Town to maintain private railroad crossing. Once I received this information, I reached out to the STAM membership and found one town with several New England Central railroad crossings and they indicated that the town has never initiated repairs and the railroad was very responsive.

We had a meeting scheduled out at the Temple Street crossing with the railroad on Monday, the 25th at 9:30 and our legislators planned to join us. That meeting was cancelled due to the Nor' Easter. That meeting has been rescheduled to November 15th. I have also been able to get the name of Jim Eng of MassDOT Rail and Transit Division who oversees the federal program.

With this provision in the Mass General Laws, after our meeting on the 15th we should have a better understanding of what needs to be done at the two crossings and we will work with Jim Eng on how the town seeks reimbursement from the state/feds for the cost of repairs to those crossings.

- **Update on Heavy Truck Exclusion Request for Pierce Street:**

I have heard back from Worcester DPW Commissioner Jay Fink. His Director of Engineering Mark Elbag is recommending additional studies for Briar Lane as it is a relatively narrow road for minor arterial roadway with no sidewalk and little to no shoulder. It may also require improvements to the intersection of Briar Lane and East Mountain Street. As a truck exclusion on Pierce Street could shift traffic onto other residential roadways in both West Boylston and Worcester, more evaluation is needed for roadways in Worcester. The Commissioner noted that our request is not a simple matter of Worcester supporting their community of West Boylston as such a request may have significant implications for the city. His recommendation was to have Mr. Elbag work without DPW Director to determine what additional efforts need to be done to move this project forward. I have informed Pierce Street resident Emilie Miller Braxton who initiated this request.

Mr. Crowley stated he asked that the town send notice to all the business owners to voluntarily not use Pierce Street, Ms. Lucier stated a letter was sent to all residents in the industrial area. He asked if that has alleviated the issue, Ms. Lucier can ask that question. Mr. Crowley asked if she can resend notice to the businesses. Mr. Rajeshkumar stated the truck drivers are using GPS and that is the route they are sent. Mr. Rucho stated it is not simple as if traffic is not allowed on one street it will move to another street.

- **Update on Traffic Signals at Woodland/Route 12:**

I recently sent a follow-up email to MassDOT about the changes to the traffic signals at Route 12/Woodland Street. They explained that making the changes would require some data collection and analysis on their part. They requested and I provided them with crash data for the intersection for the last 5 years so they can better understand the existing issues

and determine the suggested phasing changes to address those issues. Their evaluation will need to include a review of the existing traffic signal requirement to see if additional indications can be added onto the existing equipment.

The changes will probably need to be implemented through their traffic signal contractor, and if they determine that the changes can and should be made, they would occur next spring.

It was recently brought to my attention that the traffic signals at Walmart, Wachusett Plaza and the intersection of Route 12/140 had timing issues with their sensors. The Chief is checking into each of these locations and has already reported back that the Walmart activations seem to be in order as well as the Route 12/140 intersection. The Chief will continue to monitor those signals.

MEETINGS, INVITATIONS & ANNOUNCEMENTS:

- **November 5, 5:30 p.m., Stargazing Outdoors in person at the Beaman Memorial Library – call library or visit website to register**
- **November 5, 10:00 a.m., Worcester County Sheriff's Office Presentation at the Senior Center**
- **November 6, 1:00 p.m., A Beginners Guide to Decluttering in person at the Beaman Memorial library – call or visit website to register**
- **November 10, 7:30 a.m. to 9 a.m., Wachusett Area Chamber of Commerce Salute Breakfast honoring the Rutland Vaccination Team, Lisa Clark-Viklund and the Council on Aging West Boylston Senior Center and the Wachusett Watershed Regional Recycling Center, \$20 member, \$25 non members**
- **November 11, 9 a.m. to 10 a.m., Veteran's Thank You Breakfast at the Senior Center, please register 508-835-6916**

FUTURE AGENDA ITEMS/SELECTMANS REPORTS:

- Mr. Crowley would like a future agenda item to discuss town meeting notification advertising.
- Mr. Rajeshkumar would like to explore hosting more yard waste days if it would not cost the town more.
- Ms. Pedone announced there are two major events at the school; playoff Soccer Game and Friday night is football game and tickets are available online only through MIIA.
- Mr. Rucho stated there has been issues with trash at the fields and the DPW Director is working on a plan for this.

Next meeting in person at the Town Hall meeting room still to be determined.

Motion Ms. Pedone moved exit and to adjourn at 7:47 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