



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

Select Board/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting
April 20, 2022; 6:00 p.m.
140 Worcester Street
West Boylston, MA 01583
Board Meeting Room 2nd Floor

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

Members NOT Present:
Patrick J. Crowley, Clerk
Michael J. Kittredge III, Selectman

Invited Guests:
Nancy Lucier, Town Administrator
Faye Zukowski, Municipal Assistant

Others Present:

Trish Settles, CMRPC, George Tignor, Building Commissioner, Michael Gilfin, Mike’s Vending LLC, Vinny Vignaly, Planning Board, and Christopher Berglund, Finance Committee.

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:

- **March 16, 2022 Regular Session:**

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

All in favor

Approved

- **April 6, 2022 Regular Session:**

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

All in favor

Approved

REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING APRIL 7, 2022 TO APRIL 20, 2022: Town Payable Warrants FY2022-41, FY2022-42; Town Payroll Warrant FY2022-21; Sewer FY2022 SE-25; MLP FY2022 #21 and School FY2022 S20.

Motion Mr. Rajeshkumar moved to approve; Ms. Pedone second.

All in favor

Approved

6:15 PUBLIC HEARING: Consider Amending Film Permit Fees:

Ms. Pedone read the public hearing notice. Mr. Rucho stated he requested a review of this fee and the current fee is \$25 per day and believes it should be raised. Ms. Lucier explained this \$25 fee does not include other department fees such as police details. Ms. Lucier provided the Board with a list of fees in other communities. Mr. Rucho would like to raise the fee to \$500 per day due to the cost of notice that is involved, time of the town administrator's office to process. Mr. Rajeshkumar asked about increasing over time starting with \$250 then \$500.

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

All in favor

Approved

Motion Ms. Pedone moved to increase to \$500 per day; Mr. Rajeshkumar second.

All in favor

Approved

TRISH SETTLES, Deputy Director, Central Mass Regional Planning Commission:

• **Board briefing on MBTA Communities Legislation and Draft Guidelines:**

Trish Settles provided the Board a briefing of the newly adopted Chapter 40A, Section 3A, - Zoning Act which is required to remain in compliance with the new legislation. She explained West Boylston is considered an adjacent community to the City of Worcester and not because there is any MBTA service in town. She gave background on House No. 5250, An Act Enabling Partnerships for Growth and in January 2021 the Governor signed this bill. She stated there are 175 municipalities divided into two categories; Commuter Rail Community and MBTA Adjacent Community and are subject to this new law. She explained that an MBTA Community shall have a zoning ordinance or bylaw that provides a district for multi-family housing by right. She stated if the town fails to comply, they may not be eligible for some grant funding sources from the State. Ms. Settles explained they are currently working with draft compliance guidelines from the MBTA and MassDOT. Ms. Settles stated the town has submitted comment letters as did other towns. She made clear that the draft guidelines are not a mandate nor is the town required to build new units. She stated DLTA (District Local Technical Assistance) funds will cover CMRPC working with communities and Planning Boards to come into compliance. She explained DHCD (Department Housing and Community Development) will take into consideration the area of the district and the districts multi-family unit capacity. She explained this will require 50 acres of land or one-tenth of land area within mile of a transit station and an overlay district is acceptable. She stated the adjacent communities must have 10% if the total number of housing units with in the town, West Boylston has 3,052 units and would need 305 multi-family units however the draft guidelines require 750 units for all communities. She explained Section 3A requires a minimum gross density of 15 units per acre. Chris Berglund asked if there will be waivers available for towns that cannot meet the requirement, Ms. Settles believes there will be. Mr. Rajeshkumar asked what does the town do if there is not any land available. Ms. Settles stated some communities may up zone areas of town. She stated some

communities can apply for interim compliance for a limited time to allow for planning. She provided the Board with an overview of the timeline for compliance deadlines. Ms. Pedone asked who is responsible for these deadlines, Ms. Lucier stated she believed just Planning Board. Mr. Vignaly stated they will be holding public hearings and hopes to include the ZBA. Mr. Rucho asked if this is even possible, Mr. Vignaly believes it is but feels this is burden on public resources such as the school and sewer. George Tignor also believes it is possible but is unsure how they will find 25 acres and feels the cost to the town down the road is not worth it and may be worth the loss of the grants. Ms. Lucier stated the town has received one MassWorks grant which was used to complete the sidewalks. Ms. Lucier isn't sure the cost to the town of infrastructure or to the schools is unreasonable and would like them to look at the fact that half to town is owned by the State. Ms. Lucier stated they always apply for any and all grants available. Mr. Rucho asked if the town could zone a certain area that is all houses even if it does not have any buildable lots, Mr. Tignor believed that is correct. Ms. Settles stated it does not have to be zoned for new development it can be existing housing. She also thinks it is a good idea to wait until the guidelines are finalized before working on a plan. Mr. Rucho would like to see all the towns in a meeting to have a discussion on the impact of this to their communities.

NEW BUSINESS:

- **Consider Signing Amendment No, 1 – Intermunicipal Agreement between the City of Worcester and the Town of West Boylston for the period covering July 1, 2022 through June 30, 2023:**

Ms. Lucier stated the cost is \$30,857.64, she has reviewed with the Chairman of the Board of Health and he recommends approval.

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

All in favor

Approved

- **Nuha Circle report from Planning Board:**

Vinny Vignaly, Planning Board Clerk, give overview and stated the Planning Board submitted an update statement to the Town Administrator. He explained they are trying to get contractor to complete all work adequately. He stated the DPW Director has had site visits and had some questions. He explained the contractor is now getting estimates and hiring engineers to review the conditions of the Planning Board and come back with a proposal and will be reviewed by the Planning Board's review engineer. He stated they are hopeful to have resolution for fall town meeting. Ms. Lucier stated the town now has the attention of the contractor and he is looking to get some resolution. Mr. Vignaly stated the contractor is also working on an agreement with the homeowner's association to add the two front lots they were not originally included. Mr. Rucho asked if the town should begin the process of securing the contractors bond, Mr. Vignaly would like to hold off on taking any action. Ms. Pedone asked about the bond and its structure, Mr. Vignaly responded he believed it is a three-year time frame and is renewed unless notice is given. He explained the holder of the bond is allowed to request a reduction in the bond and if work is completed there is not reason to hold the bond. He stated the bond is usually 10% of total cost of project at a minimum. He stated the Planning Board has no intention to reduce the bond they want the project completed. He stated there is concern with the base course of the roadway and may require testing to be completed at the cost of the contractor. He stated they rely on the input from the DPW Director, Fire, Police

when they make recommendations. Mr. Rucho would like to know if the contractor does not complete the project is there enough money in the bond. Ms. Lucier stated the bond amount for Nuha Circle is \$94,490 according to the Treasurer Collector. Mr. Rucho would like an update at the June Select Board meeting.

- **Review & Consider Voting to approve Position Statement for Town Administrator solicitation:**

John Petrin of Community Paradigm presented a draft Position Statement. Ms. Pedone stated she sent out to the Board and Mr. Crowley had a few grammatical changes but otherwise she has no comments. Ms. Lucier would like to include the MVP Plan and also the plan for the ARPA revenue replacement plan.

Motion Ms. Pedone moved to move forward with the position statement with the amendment as discussed, Mr. Rajeshkumar second.

All in favor

Approved

- **Review make up of Town Administrator Selection Committee:**

Ms. Pedone asked what the make up of the Town Administrator Search Committee should consist of, Mr. Petrin responded could be one Board Member, Department Head, recent or soon to retire department head, Finance Committee rep, School Superintendent/School Committee, citizens at large. Mr. Rucho asked when they should have the committee in place, Mr. Petrin recommends at their next meeting but June 1st absolute deadline. Mr. Petrin explained the posting will be going out next week and if at least mid-May there may some possible review. Mr. Rucho would like to add this to the first May meeting. Mr. Petrin outlines the time for this process; applications due late May and review with screening committee early June. He stated they plan to review 7-8 candidates to be screened and bring down to three finalists. Mr. Petrin stated all applicants are reviewed and placed into three categories.

- **Discuss Interim Town Administrator:**

Mr. Petrin stated towns will go with either an internal candidate or seek outside applicant. He stated they can put a list of names together of retirees or candidates interested. He stated they are willing to assist the town with this process. Mr. Rajeshkumar asked about a timeline, Mr. Petrin stated the town will be hosting final interviews end of June beginning of July. Mr. Petrin stated a finalist most likely will not be able to start until 30-60 days so August 1st to September 1st start date. Mr. Rucho had discussion in interim, Mr. Petrin stated it is just a matter of finding someone that can work the hours if retired. Mr. Rucho would like to get list of people available for the next meeting.

- **Consider approving the Business License for Mike's Vending LLC for a 1-Day Common Victualler License and 1-2 Day Vendor Permit:**

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

All in favor

Approved

APPOINTMENTS & RESIGNATIONS

- **Concurrence on the following April 2022 Town Administrator Appointments:**

Board/Committee/Commission	Name	Term End
BOARD OF ASSESSORS:	Dennis Fitzpatrick	4-30-2022 (3 yrs)
BOARD OF HEALTH:	John Sullivan, MD	4-30-2022 (3 yrs)
CONSERVATION CMSN.:	Emily Eaton	4-30-2022 (3 yrs)
COUNCIL ON AGING:	David Femia	4-30-2022 (3 yrs)
	Barbara Deschenes	4-30-2022 (3 yrs)
FENCE VIEWER:	George Tignor	4-30-2022 (1 yr)
HAZARDOUS WASTE CO-ORDINATOR:	Thomas Welsh	4-30-2022 (1 yr)
ASST. HAZARDOUS WASTE CO-ORDINATOR:	Bob O'Connell	4-30-2022 (1 yr)
GOVERNMENT REP. TO C.M.E.M.S.C.:	Bill Nicholson	4-30-2022 (1 yr)
AMBULANCE REP TO CMEMSC:	Colby Fiske	4-30-2022 (1 yr)
FIRST RESPONDER REP. TO CMEMSC:	Richard Ellbeg	4-30-2022 (1 yr)
EMERGENCY MGMT. DIRECTOR:	Thomas Welsh	4-30-2022 (1 yr)
ASSIST EMERGENCY MGMT. DIRECTOR:	Bob O'Connell	4-30-2022 (1 yr)
CERT COORDINATOR:	Thomas Welsh	4-30-2022 (1 yr)
RIGHT-TO-KNOW COORDINATOR:	Thomas Welsh	4-30-2022 (1 yr)
FOREST WARDEN:	Jesse Boucher	4-30-2022 (1 yr)
PARKS COMMISSIONER:	Steven Blake	4-30-2022 (3 yrs)
	James Pedone (school)	4-30-2022 (3 yrs)
CONSTABLE:	Dennis Minnich	4-30-2022 (1 yr)
	Thomas M. Balvin	4-30-2022 (1 yr)
	James Bartlett	4-30-2022 (1 yr)
	Anthony Papandrea	4-30-2022 (1 yr)
	Richard Petit	4-30-2022 (1 yr)
MATRON:	Abbi E. Parkinson	4-30-2022 (1 yr)
TOWN COUNSEL	KP Law	4-30-2022 (1 yr)
ASST. BUILDING INSPECTOR:	Richard Breagy	4-01-2022 \$35 (1 yr)
WIRING INSPECTOR:	Michael J. Capone	4-01-2022 \$40 (1 yr)
ASSISTANT WIRING INSP:	Dennis Dean	4-30-2022 \$35 (1 yr)
PLUMBING/GAS INSP:	George W. Mioglionico	4-01-2022 \$40 (1 yr)
ASSIST. PLUMBING/GAS INSP:	Eric Johnson	4-01-2022 \$35 (1 yr)
TOWN SCHOLARSHIP CMTE.	Joyce Kujala	4-30-2022 (1 yr)
	Kim Hopewell	4-30-2022 (1yr)
SOLID WASTE ADVISORY TEAM	Julianne deRivera	4-30-2022 (1 yr)
	Norma Chanis	4-30-2022 (1 yr)
INSURANCE ADV. CMTE.:	Paul Osterberg	4-30-2022 DPW Union (1 yr)
	Keith Wiley	4-30-2022 Teach Union (1 yr)
	Leslie Guertin	4-30-2022 Gen. Gvt. (1 yr)
	Roger Pontbriand	4-30-2022 School Admin (1 yr)
	James Bartlett	4-30-2022 Police Union(1 yr)
	Marcia Cairns	4-30-2022 Retirees (1 yr)
AGRICULTURAL CMSN.	Daniel Mercurio	4-30-2022 some income (1 yr)

	Mollynda McArthur	4-30-2022 no income (3 yr)
	Kathryn Simmarano	4-30-2022 no income (2 yr)
	James Amaral	4-30-2022 no income (3 yr)
FACILITIES IMPLEMENTATION & STRATEGIC PLANNING CMTE.	Patrick Crowley, BOS	4-30-2022 (1 yr)
	Michael Kittredge, BOS	4-30-2022 (1 yr)
	Barur Rajeshkumar, BOS	4-30-2022 (1 yr)
	Christopher Rucho, BOS	4-30-2022 (1 yr)
	Kristina Pedone, BOS	4-30-2022 (1 yr)
	Raymond Bricault	4-30-2022 Fin Com rep (2 yr)
	Robert O'Connell	4-30-2022 Resident (2 yr)
MUNICIPAL BLDGS CMTE:	Raymond Bricault	4-30-2022 Fin Com rep, ex

Motion Mr. Rajeshkumar moved to approve as written in agenda with exception of John Sullivan for Board of Health, Ms. Pedone second.

Ms. Pedone would like to vote John Sullivan separate; Mr. Rajeshkumar amended the motion. Ms. Lucier stated the Board of Health Chairman would like to comment and asked the Board to hold off on voting until he can attend.

*All in favor
Approved*

Mr. Rucho revisited appointment once Mr. Robert Barrel was present to this meeting. Ms. Pedone requested to move to the May meeting when all members are present.

Motion Ms. Pedone moved to Passover until next meeting, Mr. Rucho second.

Mr. Rajeshkumar asked why the Board cannot vote that there is a quorum, Ms. Pedone stated at prior meeting the Board has passed over items to a future meeting when Board members were not present as requested.

*All in favor
Approved*

Mr. Barrell, Chairman of the Board of Health explained how important Dr. John Sullivan was to the town during the pandemic providing expertise. He feels he has been a tremendous asset and would like to see him reappointed to the Board.

• Concurrence on the following April 2022 Selectboard Appointments:

Board/Committee/Commission	Name	Term End
ZONING BD OF APPEALS:	Barur R. Rajeshkumar	4-30-2022 (5 yrs)
BY-LAWS COMMITTEE:	David Femia	4-30-2022 Resident (1 yr)
	David Mercurio	4-30-2022 Resident (1 yr)

*Motion Ms. Pedone moved to approve, Mr. Rajeshkumar second.
All in favor
Approved*

TOWN ADMINISTRATOR'S REPORT

1. Parking at the Reservoir Triangle

The Police Chief will be monitoring the parking at the Reservoir Triangle to ensure that the parking location for the food trucks is not being used by others visitors. Our new food truck was on site over the weekend. Both food trucks easily fit into the pull off area and there were no issues with access to power stations.

During the summer season we will also be modifying both the line stripping and the parking at that location.

Mr. Rucho discussed who pays for the port-potty that is located at the triangle, Ms. Lucier stated Captain Ron's Catering pays for the porta-potty. She explained he takes care of the cost, cleaning and keep locked when they are not there. Mr. Rucho would like to pay for one of the porta-potties with some of the funds collected. Mr. Rajeshkumar would like details on the account with the funds received and expended. MS. Lucier will get costs and report back.

2. Trash Bag fees vs override

The FY22 value of the Trash Override (\$200,000 - effective July 1, 1992) is \$409,281. Our Pay as you Throw Revenues as of 3-31-22 are \$122,335 for a total of \$531,616. Our F22 Trash Budget is \$523,848. Our Actual Trash Expenses at 3/31/22 are \$442,179. At this point, our FY22 Revenues in Excess of Expenses are \$89,437, 20.23% in excess of our direct costs. At this time, even with the increases in the cost of the bags, we seem to be trending well. However, going forward it would be prudent to review at 6-month intervals to see if we need to make any adjustments in our trash bag costs.

Mr. Rucho asked about the bags varying in color, Ms. Lucier stated this question came up and the response from the vendor was the color varies based on the amount of recycled materials used. Mr. Rucho would like to get information on possibly changing the color or getting a better shade of green.

3. Update on Pavement Management Plan

The first Pavement Management Plan the town undertook was back in 2015, and cost \$19,500, which was funded through Chapter 90. I have reviewed the 2015 Pavement Management Study from Fay, Spofford & Thorndike, which I also provided to the Board. The Plan includes a Recommended Plan of Action. Fay, Spofford & Thorndike sold to another entity, however, I was able to track down the gentleman who worked on our Plan. He tells me that they used their internal software license to model our plan and software delivery was not part of our agreement.

The second Pavement Management Plan was done in 2017 under the Community Compact, cost \$10,450 as was done by CMRPC. In reviewing the Agreement and the Plan the town was to provide CMRPC staff with a list of completed pavement repair projects including from and to points as well as the action taken and CMRPC staff would input the data into the model and provide the Town with updated maps. In checking with CMRPC, we did not receive a software program, and the agreement included CMRPC updating the plan, at the request of the town through August 21, 2021. According to CMRPC, no updates were requested by the town.

Ms. Pedone asked for an update on the current Pavement Management Plan at the next meeting.

4. Town Meeting Warrant Articles

Last night the Finance Committee/CIB voted on the capital items they would like to move forward with. The list includes \$25,000 for hoses and nozzles for the Fire Department, \$20,000 for a tractor for use of the DPW, \$130,000 for an F550 with one-ton stainless dump body for the DPW,

\$40,600 for a Toro Groundmaster mower for the DPW, \$101,000 for a fire alarm system for the School Department, and \$21,000 for handicapped bathroom improvements for the School Department. Next week when we meet to review the warrant, I intend to recommend we vote to spend ARPA funds for these items which total \$337,600. We have a balance of \$774,412 remaining in that fund.

MEETINGS, INVITATIONS & ANNOUNCEMENTS:

- Friday, April 22, 1:30p.m. – Movie Matinee at the Senior Center “The Lady in the Van” will be shown and popcorn will be served!
- Thursday, May 5, 6:00 p.m.- Council on Aging presents an information meeting on what goes on at the senior center.
- Wednesday, May 11, 4:00 p.m. – Edible Spring Craft Class at the Library for all school-aged children. Email ssmith@cwmaras.org by May 4th with ‘Edible’ in the subject line to reserve your spot.
- Friday, May 20, 3:30-4:30 p.m. – World Bee Family Program at the Library Sign up by May 13th.

FUTURE AGENDA ITEMS/SELECTMANS REPORTS:

- Ms. Pedone stated the Economic Development Committee is meeting tomorrow and will be discussing amending the policy on the Gateway sign and also discussion on adding a third Gateway Sign. Ms. Pedone stated they will also discuss hosting a business meeting. Mr. Rucho recommended contacting the sign vendor that completed the prior sign.
- Ms. Pedone would like a future agenda item to discuss grants going forward and who will work on them since Nancy does a lot of the work on them.
- Mr. Rucho attended the Scams Targeting Older Adults held on April 19th at the Police Station and thanked Detective Benson and Worcester District Attorney Joe Early’s office.

Motion Mr. Rajeshkumar moved to adjourn at 7:59 p.m.; Ms. Pedone second.

All in favor

Approved

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