



Board of Selectmen

Date of Meeting: Monday, April 8th, 2019
Time: 6:30 PM – 8:38 PM
Members Present: Chairman James Wood, Selectmen Mike May and Jamie Underwood; April Steward, Town Administrator; Town Counsel Stephen Madaus and Alison Mack, Administrative Assistant to the Board

The meeting commenced at 6:30 PM.

Financial Warrants were signed in agreement.

Pledge of Allegiance was recited.

Selectmen's Meeting Minutes: The minutes of 03/11/19 were presented.

Mike May made a motion to accept the 03/11/19 BOS Meeting Minutes as written, Jamie Underwood seconded. Voted all in Favor.

Town Administrators Report to the BOS:

1. As we wrap up the land swap with the Red Knights Organization, I had a question about the location of the sign at 599 Main Street. It appears that the sign is located within the street layout for Route 70. It can either stay where it is or be moved to the island within the driveway. After talking about it with the Fire Chief, I would recommend leaving the sign where it is because it may block line of sight as fire apparatus enters and exits the driveway if it is relocated to the island.
2. The Hillside Restoration Project has received three bids for the MHC-matched structural project which will allow them to move ahead with the work on the restroom construction, plumbing, heating, electrical, tile, etc. in the Gough House. They have requested that the board waive their Building Permit fee for the project, as you have in the past.

Mike May made a motion that we waive the building permit fee for the Gough House renovation, Jamie Underwood seconded. Voted all in Favor.

3. Steve Mero, Mike May and I walked the site at 698 Cross Street to look over Sportsmen's Club property and how it would be affected by the improvements that the town is doing to Cross Street and School Street. We then had a meeting with representatives from the Sportsmen's Club Friday morning to discuss some asks brought forward by the club. I believe that the meeting went well, and both parties were satisfied at the conclusion of the meeting. We decided the following:
 - a. The roadway will retain public way status
 - b. The pavement along the way will be removed and replaced with grindings and will be maintained by the town.

- c. Appropriate signage will be placed at the curb cut entrance indicating “NO Outlet” od “Dead End”
 - d. The Boylston Water District will be placing a curb stop that will be able to be accessed by the club.
 - e. The club will be supplying arborvitaes for screening and will meet with the Highway Superintendent to discuss the town planting them.
 - f. Upon completion of the new road the town will place an As-Built drawing on file with the town Clerk’s office to document the improvements made to the existing way.
4. Bill Fraher has concluded his audit of the town’s financial statements. I have included in your packet his findings. Mr. Fraher was pleased to report that there were no significant difficulties in dealing with management, no uncorrected misstatements, and no disagreements with management.
 5. Our Town Accountant, Jason Little, has recently been promoted to Finance Director by the Town of Northborough. With his added responsibilities and demands for more time he has advised that he would like me to look for a replacement for his position. On Friday of last week the tow of us met with Ninotchka Rogers. She works as the Town Accountant over in Bolton and has expressed her interest in working part time for the Town of Boylston. Ninotchka has been with Bolton for the past 10 years and has been in their accounting department for the last three. If it is OK with the board, I would like to bring her before you at our next meeting and her appointed if the board desires. Jason has agreed to stay on as the accountant for the short overlapping period of time and work with Ninotchka until she feels comfortable with the position.
 - Jamie Underwood stated that he would like the position posted prior to putting this position aside for one person. Mike May agreed and stated that we should post it for about 7 days to see if there are any residents/candidates interested.

Final Warrant Review:

David Butler mentioned that the Warrant should have FinComs’ recommendations on it when it goes to press so they would like to start with the free cash articles.

Fin Com, BOS, Moderator and The Town Administrator will all be meeting at 6:00PM prior to the Town Meeting to discuss who will be reading what and go over the warrant.

Moderator:

Town Counsel Stephen Madaus mentioned that we have an elected moderator at the moment and if he resigns prior to the day of Town Meeting, we would have a vacancy and at Town Meeting we would have to elect a temporary moderator. We currently have someone who has pulled papers, so that person is likely to be a candidate to serve as temporary moderator, subject to an election to be held at the start of the Annual Town Meeting.

Jim Woods mentioned that Articles 2 through 11 are the same every year. April took over when discussion *Article 12* by stating that the planning board wanted to make some changes to the usage of their revolving account. The wording of Column D would add “to pay for wages and salaries and the cost of fringe benefits associated with the wages or salaries paid for the Planning Board Employees (s); to pay for police details. Another

change would be the Septic System Inspection Fund requested by the Board of Health; this would be a new revolving fund. The table delineates how the fund would be used.

David Butler mentioned that the first one modifies a previously existing fund, while the second one established a new fund. The first one you can pay employees out of, the second one you can't. The Septic System Inspection Fund is more for legal fees and other things.

Mike May asked if this was typical to leave the wording like this for the Septic System Inspection Fund. Stephen Madaus stated that this would not authorize independent counsel and Mike May asked if they could add "from Town Counsel" after it states legal support so there is no confusion.

Article 12:

Motion: Karen M. motioned the finance committee recommend approval on Article 12.

FinCom comments: Recommend approval

Mike May asked Dave Butler regarding where we are at with a memo that was circulated regarding longevity for employees who work for the town outside of union employees. David Butler responded that it will be looked into next year and Mike asked why not this year. David mentioned money. Mike May stated that he is advocating for town employees and the amounts were modest for incentives, the total amount being around \$7,000. He also stated that he did not feel as though this topic was given a voice at the table between FinCom and the Board of Selectmen. David Butler mentioned that he believed it was discussed when they talked about negotiations and Mike May mentioned that he did not feel as though he came away with that from the discussion. Mike May requested that if FinCom is passing on it, the Board puts it on the Agenda and is looked at in detail. David Butler stated that it couldn't be tackled this year and Jamie Underwood stated that we need some more time to look into it. Jim Woods stated that it should be brought up soon but doesn't think it will happen this year.

Article 13:

FinCom Comments: Fin Com Recommended

Article 14:

FinCom Comments: Fin Com Recommended

David Butler made a motion that the finance committee recommend approval for Articles 13 and 14. Motion was seconded. Voted all in Favor.

Article 15: Fin Com Recommended

FinCom Comments:

April mentioned that it doesn't seem like a lot but compared to other communities who do not have a trust established we are going in the right direction.

Article 16: Fin Com Recommended

FinCom Comments:

Contingent Article: If they do not get this Article approved, we have Article 17.

David Butler brought up the Free Cash Summary sheet that was given out and wanted to make sure everyone was aware of it and how much money was in the fund. At the moment we have around \$170,000 remaining free cash. Jim Woods stated that amount is much more than we thought we were going to have and wanted to look at putting more money into the roads or lowering the tax rate rather than it just sitting in free cash. David stated that if we wanted to put \$100,00 towards lowering the tax rate it would only lower it by \$.13. Mike May stated that the roads around town are really bad and that we have to address it and put a focus on it. He stated that he would advocate for a road item. Discussion continued with how they can allocate money. David Butler mentioned to make the tax rate Article last. Stephen Madaus suggest that on Article 23 they put “transfer a sum not to exceed a certain dollar amount”. David Butler said to add road repair and put tax rate after road repair, then it will give options to the residents. (Move Article 23 to the end and put road repair before it)

Article 17:

FinCom Comments: Fin Com Recommended
Supplement air compressor if Article 16 does not pass

Article 18:

FinCom Comments: Fin Com Recommended

Article 19:

FinCom Comments: Fin Com Recommended

Article 20:

FinCom Comments: Fin Com Recommended

Article 21:

FinCom Comments: Fin Com Recommended

Article 22:

FinCom Comments: Fin Com Recommended

Article 23:

FinCom Comments: Fin Com Recommended

Article 24:

FinCom Comments: Fin Com Recommended

Article 25:

FinCom Comments: Dog License. Will be made on Town Meeting floor.

Article 26:

FinCom Comments: Will be made on Town Meeting floor.

Concerns: Do we really need one? Do they really make people slow down? What road do they plan on using it?

Mike May stated that town department heads come to us with their budget and tell us what their needs are; he doesn't want to reach over their shoulder and tell them they don't need

it. He believes there are locations in town that it could definitely be used. Jamie Underwood made a point that it would help out with upcoming construction projects and using it on 140. Jim Woods stated that his thoughts are that we have made it this far without one, so. David Butler suggest that they do not make a recommendation on this one and leave it up to the residents to vote on.

Article 27:

FinCom Comments: Fin Com Recommended

Article 28:

FinCom Comments: Fin Com Recommended

Article 29:

FinCom Comments: Fin Com Recommended

Article 30:

FinCom Comments: Fin Com Recommended

- About 10 years out of date. Doesn't need to be updated again for another 8 years.

Article 31:

FinCom Comments: Fin Com Recommended

- IRR came back with a proposal of \$9,500. Want to look into other appraisal firms before and get a few quotes before making their decision to sue them again since it seems a little high.

- David suggested putting \$9,000 to be safe; whatever we don't spend goes back to free cash.

Article 32:

FinCom Comments: Fin Com Recommended

Article 33:

FinCom Comments: Fin Com Recommended

Article 34:

FinCom Comments:

FinCom Recommends: Motion made to approve recommendation for Articles 15-16-17-18-19-20-21-22-23-24-27-28-29-30-31-32-33. Seconded. Voted all in Favor.

Updated Articles:

23 = road repair: \$100,000

33 = reduced tax rate

34 = citizens petition

35 = budget

Citizens Petition:

The citizens petition that was written has left a bit of a grey area. The woman asked if she was able to amend it at the Town Meeting. David Butler stated that she can make a motion to amend an article and it will get voted separately from that article. Stephen Madaus stated

we have a published article and that she can make a motion, and the moderator will determine if it is in the scope of the published article. She also mentioned that there is a state statute regarding conflict of interest and asked who is responsible to make sure that this is followed. Stephen responded that every municipal employee is charged with compliance with the conflict of interest law and is personal on the employee themselves and they get training when they are appointed and receive a packet from the Town Clerk with an outline of the conflict of interest law. It is that employee's responsibility to hand in the paperwork and request advice from Town Counsel before acting on a matter that they may feel like there is a conflict of interest; There is no direct enforcement person. She then asked if residents felt it was not being followed who should they contact. Stephen responded the State Ethics Commission. Stephen stated that he has one issue with the petition that concerns him; he isn't sure if this was meant to be a bylaw, because it doesn't say to amend the bylaws of the town and it seems to prohibit certain people who would be qualified for office. He doesn't believe that this would be passed if it was presented as a bylaw by the legislature.

Budget:

David Butler mentioned that their goal this year was to shoot for a tax rate reduction, however they did not hit the revenue with FedEx, so as an alternative we have strived for a Tax Neutral Budget which is what we are trying to do today. This is also the first budget of the new Regional School System. There is a shift of about \$300,000. The money hasn't changes it has just shifted from one to another (benefits and real estate property insurance). Our health insurance is flat this year. Police Dept, we skipped a cruiser last year so that is jumping up. Discussion continued regarding certain budget line items. Contract negotiations are not fully done yet however we have done some estimations of where we believe they will end up.

We did increase the FinCom Reserve Fund from \$60,000 to \$100,000. We are completely wiped out on our reserve fund this year and believe we have a better handle on it this year. Bottom line is that we have a budget of \$16,232,673 which is a 3.9% increase over the prior year; \$616,449 increase. Estimating new growth at \$275,000, excluding FedEx New Growth was \$295,000. FedEx \$305,000 revenue; firm number. \$58,568 will help offset the school articles which adds up having us minus \$22,000 impact; that's why we say its neutral. School is 59.64% of the budget, and the town is 40.06% of the budget. The fire truck is paid off using free cash.

Jim Woods asked how much money we have in the stabilization fund and David's response was \$1.25 million. Mike May asked David to check with the Assessors to make sure everything is on track.

FinCom Motioned to approve the bottom line figure of \$16,232,673. FinCom Seconded. Voted all in favor.

Planning Board to Discuss WSP's Design for South Sewell St./North Sewell St. Improvements on Rte. 140:

Richard Baker and Mr. Russo from the Planning Board came in to report on progress from the planning being done by the housing choice grant and also to report the planning boards recommendation for the next step. The broad request of the traffic engineer was to make recommendations at Sewell St. Intersections. The engineer has given three different concepts:

- A. Turning lane onto North Sewall Street so people exiting separates the right turn motions from the left turn motions. Ballpark figure is \$50,000.
- B. Same as concept A, but on North Sewall it puts a median in there to separate the two inbound amounts of traffic from the outbound sets of traffic.
- C. Everything in concept A, but also makes improvements to South Sewall Street by adding an outbound right and left turn lane.

None of these concepts affect Route 140: Does not change the Cross Section to 140. An analysis was done, and it is not possible to put a traffic light at the intersection. Mr. Baker mentioned that he doesn't know if MassDot would prohibit us from putting it in. There is more traffic coming up and down Route 140. Recommending that there actually be a stop sign on Sewell Street and East Temple Street for safety.

In approving apartments the Planning Board applied a condition for traffic improvements and we will be receiving \$25,000 to the Town. There is a condition in approval of Compass Point that the developer make improvements to South Sewell Intersection; what are the means of enforcing it. Jamie asked if there was a bond still available and mentioned that we can use to hold them accountable to this. Neither developer has come forward and brought anything to the table.

The Planning Board recommends that the Town moves forward with concept C; The recommendation would be to go to the 25% design, then go to the public for input, they would want to get comments from the DPW and everyone involved.

Right now our Grant is about \$83,000; we have used about \$21,000. They are waiting for direction at this point, and ultimately you have control of what happens to the town streets. One thing that is a little bit negative: even with the improvements, these will still be failing intersections, but they will an improvement.

Addressing the Local Traffic, its not addressing the regional traffic. Went down to district 3 MassDot; MassDot says that Route 140 is the towns problem. They would be interested in getting together with 70/140. If a major retail development was going in across from the bank they would have to make major improvements.

Jamie Underwood made a motion to allow the planning to move forward with the 25% engineering plans for North Sewell St; Concept C. Mike May seconded. Voted all in favor.

CrossFit Fee Reduction:

Andy Sarabian and his son John is the one who owns the CrossFit. They are doing the build out of the space; 90% of the space is a box. The buildout is really about 20% of the space on the left side. They way the Town of Boylston does their building permits is basing it on the size of the square footage of the space and multiplying it by \$125. Meaning it would be a 600,000 build out and this is nowhere near that, in reality it's a 75,000 build out. Andy

looked into other towns to see what they do in other surrounding towns to compare. Discussion ensued regarding the buildout.

Jamie Underwood made a motion with the \$75,000 fee that he has for an estimate building permit based off that, Mike May seconded. Voted all in favor.

Permit Application, Knights of Columbus One Day Liquor License for Baked Fish Dinner at Church Hall, Friday, April 12th, 2019 – Request to waive fee:

Jamie Underwood made a motion to waive the fee for the Knights of Columbus for Friday the 12th and issue the permit. Mike May seconded, Voted all in favor.

The meeting was adjourned at 8:38 PM.

Respectfully submitted,
Alison Mack, Assistant to the Board of Selectmen

Meeting Materials

Agenda	On File in The Board Of Selectmen's Office
Meeting Sign In Sheet	On File in The Board Of Selectmen's Office
Town Administrator's Report	On File in The Board Of Selectmen's Office
Meeting Minutes 03/11/19	On File in The Board Of Selectmen's Office
Draft Warrant	On File in The Board Of Selectmen's Office
Draft Budget	On File in The Board Of Selectmen's Office
Fee Cash Report	On File in The Board Of Selectmen's Office
Draft Design: Shrewsbury St at Sewall St	On File in The Board Of Selectmen's Office