



## Board of Selectmen

Date of Meeting: Monday, October 5th, 2020  
Time: 6:30 PM – 9:37 PM  
Members Present: Chair Jamie Underwood; Selectmen Matt Mecum and Seth Ridinger;  
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.

The meeting will be livestreamed from the *Zoom Application*.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88305995797?pwd=MjZBOHhvdng0cVdyS0xGV3NhSlBuZz09>

Passcode: 248203

### *Confirming Member Access:*

April Steward, Town Administrator recited the following:

Members, when I call your name, please respond in the affirmative.

- Seth Ridinger: Yes
- Jamie Underwood: Yes
- Matthew Mecum: Yes

Staff, when I call your name, please respond in the affirmative.

- Town Counsel, Stephen Madaus: Joined soon after
- Alison Mack: Yes

### Introduction:

April Steward started off the meeting by stating the following: Good evening everyone. This Open Meeting of the Board of Selectmen is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus."

In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible *physical* location. Further, all members of public bodies are allowed and encouraged to participate remotely. The Order, which you can find posted with agenda materials for this meeting allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. Ensuring public access does not ensure public

participation unless such participation is required by law. This meeting will feature public comment.

For this meeting, the Board of Selectmen is convening by video conference via Zoom App as posted on the Town's Website identifying how the public may join. Please note that this meeting is being recorded, and that some attendees are participating by video conference. Accordingly, please be aware that other folks may be able to see you, and that take care not to "screen share" your computer. Anything that you broadcast may be captured by the recording.

#### Meeting Materials

All supporting materials that have been provided members of this body are available on the Town's website unless otherwise noted. The public is encouraged to follow along using the posted agenda unless The Chair notes otherwise.

#### Meeting Business Ground Rules (Jamie Underwood)

We are now turning to the first item on the agenda. Before we do so, permit me to cover some ground rules for effective and clear conduct of our business and to ensure accurate meeting minutes.

- I will introduce each speaker on the agenda. After they conclude their remarks, the Chair will go down the line of Members, inviting each by name to provide any comment, questions, or motions. Please hold until your name is called. Further,
  - Please remember to mute your phone or computer when you are not speaking.
  - Please remember to speak clearly and in a way that helps generate accurate minutes
- For any response, please wait until the Chair yields the floor to you and state your name before speaking.
- If members wish to engage in colloquy with other members, please do so through the Chair, taking care to identify yourself.

#### For Items with Public Comment:

After members have spoken, the Chair will afford public comment as follows:

- The Chair will first ask members of the public who wish to speak to identify their names and addresses only.
- Once the Chair has a list of all public commentators, I will call on each by name and afford 3 minutes for any comments.
- Finally, each vote taken in this meeting will be conducted by roll call vote.

#### **Approval of meeting minutes:** 09/21/2020 and 09/25/2020

*Matt Mecum made a motion to approve the meeting minutes of 09/21/2020 and 09/25/2020 with edits, Seth Ridinger seconded. Voted all in favor. Matt: Yes, Seth: Yes and Jamie: Yes.*

### **Town Administrator's Report:**

1. *Town Planner Update:* Jeff and April will interview six candidates this week with the Town of Upton.
2. *Special Town Meeting:* Approval process in Berlin has been delayed as discussed during the meeting. Waiting to hear back from the Treasurer collector on borrowing for 85 Sewell Street. April suggested having the Town Meeting on December 14<sup>th</sup>.
3. *Town Administrator Vacation Days:* April will be taking the week of October 12<sup>th</sup> as vacation time.
4. *2021 Licenses:* April listed the licenses in town and suggested the board look at reducing the fees for the business licenses in town. Will be voted on at the next meeting.

### **Police Chief Report:**

- Sept 25<sup>th</sup> – Executive session with Counsel; Chiefs contract negotiations
- Sept 29<sup>th</sup> – Applicant advisory meeting via Zoom
- Sept 30<sup>th</sup> – Fitness for duty and Psych Evaluation
- Oct 4<sup>th</sup> – Eye Exam
- Oct 5<sup>th</sup> – Legislative Bill Option Physical for Duty; EKG administered
- Oct 19<sup>th</sup> – Zoom Meeting regarding Critical Assistance
- Oct 21<sup>st</sup> – IMC Software will be installed

The Chief has received multiple questions from people regarding Halloween, Jan from the Item.

### **Grants:**

- 9/11 Equipment Grant was submitted to the state - \$27,610.00
- Burn Equipment Grant was submitted to the state - \$40,000
- Currently working on a Homeland Security Grant - \$60,000

**Chiefs Contract:** Jamie Congratulated the Chief on his contract and thanked him for his continued support and dedication to the Town of Boylston.

*Matt Mecum made a motion to approve the Police Chief's contract, Seth seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.*

### **Fire Chiefs Report:**

- Call volume is picking up; they were slow for a bit during the high of COVID
- Early September – Very serious calls (3); very successful outcomes and thanked the hard work of the EMTs and crew
- Back to doing in person inspections; everyone wears a mask
  - Highschool and Elementary School were done
  - Fire drills were done
- Submitted FEMA reimbursement paperwork - \$12,034.23; COVID Expenses
- Two new full-time hires are working on grants

Seth asked what 28 Fires stood for on his report and the Chief clarified that those are total fire calls; anytime the fire department is dispatched and went onto explain some examples.

Matt discussed the calls he mentioned earlier, and mentioned it speaks volumes for the amount of time that he has spent on training as well as the EMTs and fire fighter's commitment to training.

### **Building Inspectors Report:**

- The amount of work has continued to increase. They have done more permits at this point this year than all last year.
- So far this year they have brought in \$289,000 in permit fees from the building dept.

Matt asked if Tony was good with PPE for inspections. Tony stated they are good with that. He also mentioned they are working with April on the software system to see if they can modernize the department; online permitting.

**Highway Superintendent's Report:** Was unable to attend the meeting but provided the BOS with a copy of the report

### **Halloween Discussion with BOH:**

Dennis spoke about Halloween; he has been in talk with other towns and health agents; Halloween being an event that will probably take place no matter what happens. The road that the BOH is taking is they would like to see Halloween take place traditionally, but with an emphasis on safety. Dennis sent April a posted with some suggestions on it; not going house to house, bagging candy, and leaving it outside. He also suggested a time limit. Sarah encouraged bagging candy and to leave it outside as well as putting a hand sanitizer out there as well. Discussion on the Morningdale area occurred; the Police Chief believed that other towns may come into that area and wants to make sure we are following CDC guidelines. Dennis stated that whatever they decided to do, we need to make sure that people are doing it safely; they are not pushing it, just trying to make it safe. Jamie suggested pushing the hours earlier, Matt and Seth agreed. Dennis suggested that if people decide to put candy out at the end of their driveway, that you monitor it and make sure that the kids coming by take their bag and not all the candy. Sarah asked if there are any sports being played that would be affected by the time change. Jamie responded that most of the town leagues are earlier in the day and does not believe that junior and seniors are most likely going trick-or-treating. Seth suggested putting out specific guidelines; putting out the candy, sitting 10 feet away, we do not want cluster of kids walking together, and wear your masks. Matt agreed and added there will probably be a lot fewer porch lights on and people trick-or-treating should be respectful of that. The Chief mentioned that we are not encouraging people to hand out candy at their doors and encourages people to monitor candy at the end of their sidewalk. April mentioned that she will distribute the PDF that Dennis provided her, on the website, schools and to the residents.

*Matt Mecum made a motion to have trick-or-treating for Halloween 2020 from 3PM-6PM, Seth Ridinger seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.*

Jen Bruneau mentioned the Library was thinking of having an event on Halloween but since the Town is allowing trick or treating they are not going to hold an event; they do not want to encourage children gathering in one spot at the same time. She stated that if they would like to send out any posters or items, they will promote that and hang it up at the Library.

Matt stated that Halloween is three weeks away and people need to understand that things have been changing quickly and they may have to change their decision if the numbers start to increase.

### **Eric Johnson; Improvements to Personal Property and Town Land Discussion:**

Eric Johnson stated that on Mill Road the Town owns a 25' easement that runs from Mill Road to the property that Eric owns, and next to that there is a 50' piece of property that Eric has been talking to the Assessors about acquiring. What he would like to do is where his land abuts this space, he would like to pull all the extra materials (bushes, shrubs, and trash) out to clean up the area. On the 25' piece of town property, he would like permission to drive on the property from Mill Road to take this material off the property. He stated he is not taking any land; he is just trying to clean up the area.

Seth asked Town Counsel if there are any future legal ramifications for allowing this? Stephen stated he does not believe it sets a precedence. He suggested getting a certificate of insurance for liability reasons and defining the scope of work. Eric explained what he would like to do, clearing the banking. Stephen suggested getting the scope of work in writing and have Steve Mero check out the site if he is available. Eric stated that he will write a letter and provide the COI. This topic will be put on the October 19<sup>th</sup> BOS Agenda to vote to approve the scope of work.

### **Farooq Ansari, Wayne Belec and Chris Peretti; Styles Road Development:**

Wayne Belec from Land Design Collaborative introduced himself. On the 16<sup>th</sup> of December they appeared before the planning Board to discuss the proposal from Mr. Ansari, Styles Road. The board indicated they could not approve a portion of the road since it was still an already accepted town road; on March 3<sup>rd</sup>, 1919 it was accepted as a public way. The Planning Board suggested they present this information to the Board of Selectmen; with this being a benefit by connecting these two roads, would the funding be from Mr. Ansari, or the town.

Jamie mentioned he is unsure if this would be high on the towns priority list of fixing or repairing roads, but if this is something that Mr. Ansari would like to do own his own in conjunction with the Planning Board, he would not be opposed to it. Matt stated he is unsure where the money would come from since we are far behind on the existing roads already. Seth asked if it would be possible to do this subdivision without the roads connecting there and Wayne responded in the eyes of the Planning Board, no. He believes that the Planning Board thinks it needs to be an approved way before they can approve a subdivision on it; the way would need to be approved first before approving the subdivision.

Stephen stated that it is a paper street but believes you could make improvements to a public way through a road opening permit. He continued that the BOS has jurisdiction over public ways, so they could authorize through a road opening permit and require a performance bond for improvements of our public way. Discussion continued regarding the next steps that would need to be taken by Mr. Ansari for this development to occur. Matt Mecum suggested they meet with the Applicant Advisory Committee to get some more of their answers questioned.

### **Master Plan Steering Committee HPP Discussion and Forming the HPP subcommittee:**

Seth asked to put this on the Agenda. He would like to be apart of the HPP subcommittee and wanted the boards feedback. Jamie suggested having the subcommittee formed by the Steering Committee at their meeting. He asked if it was okay to have Matt on the Steering Committee and have Seth on the subcommittee. Matt said that he thinks it is fine and will bring it up at the first

meeting of the Steering Committee to see what they determine, but would not go to the same meetings that Seth goes to, to making sure that they are not having to post it as dual meeting with the BOS. They decided to allow the Master Plan Steering Committee to make that decision at their next meeting on Wednesday, October 14<sup>th</sup>.

*At 8:05 PM, Seth Ridinger made a motion to move to Executive Session per:*

- 1. **M.G.L. c. 30A, sec. 21(a)(1):** to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual.*

*and will return to open session to adjourn the meeting, Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes and Jamie: Yes.*

**Discussion and comments on special legislation request to seek authorization from town meeting for the Select Board to jointly petition the legislature with the Town of Berlin and the Transition School Committee:**

Discussion on the different ways to get a Special Act started occurred. You can either vote at Town Meeting or the BOS requests a Legislator to file for the Special Act. The Legislator prefers you go the traditional route unless it is a pressing need.

April mentioned that she is going to speak with the Berlins Town Administrators tomorrow and at the next meeting they can vote on the same language to authorize it.

**Board to consider adopting a vote to authorize all previously authorized outdoor premises to be extended to a certain date for any period up to and until sixty (60) days after the end of the state of emergency**

*Seth made a motion that the BOS authorize all previously authorized outdoor premises to be extended to a certain date for any period up to and until sixty (60) days after the end of the state of emergency, Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes, Jamie: Yes.*

**Vote to reduce 2021 license fees for on-premises license holders by 25%**

*Seth made a motion to reduce the 2021 license fees for on-premises license holders by 25%, Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.*

**Appoint Election Volunteers for Town Clerks Office**

*Seth made a motion to appoint the individual election volunteers as presented in the list provided by Town Clerk Dawn Porter, Matt seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie Yes.*

**Vote to authorize the Chair to sign the Service Agreement with Attorney John F. O'Day for legal Services**

*Matt Mecum made a motion to authorize the Chair to sign the service agreement with Attorney John F. O'Day for legal services, Seth seconded. Voted all in favor. Matt: Yes, Seth, Yes and Jamie: Yes.*

**Vote to appoint Attorney John F. O'Day to Special Municipal Employee**

*Matt Mecum made a motion to appoint Attorney John F. O'Day as a Special Municipal Employee, Seth Ridinger seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.*

**Vote to Open the Town House for club meetings**

*Matt Mecum made a motion to open the Town House for clubs that typically use it as a meeting location, Seth seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.*

The board asked that clubs use the upstairs and clean up after themselves. Matt also suggested hanging signs up for safety reasons.

**Vote to allow for the appointment by the Board of Selectmen of an associate member to the Master Plan Committee and to provide that the chair of the Master Plan Committee may designate the associate member to participate as a member of the Committee, including deliberations and voting, in the case of the absence, inability to act, or conflict of interest on the part of any member of the Master Plan Committee.**

- (2) **The associate member may attend all meetings of the Master Plan Committee and participate in discussions for any item before the Committee, however, the associate member shall not vote on any matter unless a regular member of the Master Plan Committee is absent and the chair has informed the Committee that the associate member will be acting as a regular member of the Master Plan Committee. The appointment of an associate member may be limited to provide for an alternative representative of a particular town board or committee.**

*Matt Mecum made a motion for appointment by the Board of Selectmen of an associate member to the Master Plan Committee as presented on the Agenda; Seth Ridinger seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.*

**Vote to appoint Nancy Filgate as an associate member of the Master Plan Committee, as representing the Historical Commission.**

*Matt Mecum made a motion to appoint Nancy Filgate as an associate member of the Master Plan Committee representing the Historical Commission, Seth seconded. Voted all in favor. Matt: Yes, Seth: Yes and Jamie: Yes.*

II) **Selectmen's Miscellaneous:** (topics submitted by individual Board members)

III) Future Agenda Items: (topics to be proposed for discussion at future meetings)

IV) Citizens' comments: *(Except in unforeseen or emergency circumstances, any matter presented for consideration of the Board by a member of the public shall neither be acted upon, nor a decision made the night of the presentation. A scheduled time on a future agenda may be necessary, at the Board's discretion.)*

*At 9:37 PM, Matt Mecum made a motion to adjourn, Seth Ridinger seconded. Voted all in favor.  
Matt: Yes, Seth: Yes and Jamie: Yes.*

Respectfully submitted,

Alison Mack, Assistant to the Board of Selectmen

### **Meeting Materials**

Agenda	On File in The Board Of Selectmen's Office
Town Administrators Report	On File in The Board Of Selectmen's Office
Letter from Town Clerk Dawn Porter	On File in The Board Of Selectmen's Office
CDC Halloween Recommendations	On File in The Board Of Selectmen's Office
Draft Script for Remote Meetings	On File in The Board Of Selectmen's Office
Police Chiefs Report	On File in The Board Of Selectmen's Office
Fire Chiefs Report	On File in The Board Of Selectmen's Office
Building Inspectors Report	On File in The Board Of Selectmen's Office
Highway Superintendents Report	On File in The Board Of Selectmen's Office
Eric Johnsons land report and map	On File in The Board Of Selectmen's Office
09/21/2020 Meeting Minutes	On File in The Board Of Selectmen's Office
09/25/2020 Meeting Minutes	On File in The Board Of Selectmen's Office