



Board of Selectmen

Date of Meeting: Monday, August 22nd, 2022
Time: 6:30 PM – 8:46 PM
Members Present: Chair Seth Ridinger; Selectmen Jamie Underwood (remote) and Matt Mecum, April Steward, Town Administrator; Town Counsel Stephen Madaus and Alison Mack, Administrative Assistant to the Board
Members Absent:

Approval of meeting minutes: 07/19/2022 and 07/27/2022

- 07/19/2022 – Referring to the Chiefs expertise.
 - Page 4 – Cell Tower Location – Emergency Communication Tower Discussion
 - Mr. Baril – Bulleted a couple points. Put according to Mr. Baril.

Matt Mecum made a motion to approve the meeting minutes from 07/19/22 and 07/27/2022 with edits, Jamie Seconded. Voted all in favor.

6:30 P.M – PUBLIC HEARING (continued) - Alteration of Premises: Central Street 119 Realty d/b/a Bay Path Barn:

Owner of Bay Path Barn Jack Wentzell, went before the ZBA and they determined that Bay Path Barn was a pre-existing – non-conforming lot entity. Jack came before the Board of Selectmen to Alter the use of Premises and extend alcohol to be able to be drank outside. Some people thought they wanted to serve alcohol outside and that is not true, they will serve alcohol inside, but this will allow people to bring it outside. There will be no music outside or lights. Cornhole and horseshoe will be played outside; as the days get shorter, the playing time gets shorter. As the Local Licensing Authority, The Board of Selectmen are here to make sure all alcohol will be distributed safely, and Bay Path Barn has met all of those criteria. Neighbor, Mondie R and husband stated they have been there for 25+ years and would like to make sure things do not disrupt the area and alcohol is contained.

Jamie Underwood made a motion to alter the license of Bay Path Barn, 119 Central Street, to include the consumption of alcohol outside. Matt Mecum seconded, voted all in favor.

The Chair closed the Public Hearing at 6:36 PM – *Matt Mecum made a motion to close, Jamie Underwood seconded. Voted all in favor.*

COA honorary plaque presentation to David Wheeler for 50 years of service:

David Wheeler was presented with a plaque for his 50 years of service. David was an original member when the COA was established in Boylston.

Historical Commission: Americas 250th Anniversary Celebration Discussion:

Bruce stated that he is looking to poll different groups to see who would like to be interested and was wondering if there was something that Town Management would be able to handle. Jamie suggested forming one committee and Bruce suggested polling groups to see if they would like to be a part of it. Seth stated that he would like to be involved and this is our opportunity to celebrate our 250th anniversary. Jamie also suggested having the Light Department add information to their invoices and reaching out to the Lions Club. April suggested adding the Garden Club to the list of committees who will be polled. Bruce will put something together and reach out to Ali to put it on the website.

Beginning of Year School Update/School Resource Officer Discussion: Superintendent Zanghi and BBRSD Committee Members:

The school year starts a week from today. The school has done a lot of hiring. Jeff Zanghi stated that we had a lot of turnovers this year, like many other districts. They had a lot of late year hiring. Received a letter from MA Association of School Superintendents advising them that there has been a lot of movement. He stated they should be fully staffed and Administrators in place before they start.

They are working on the BBFA contract now for the teachers and just need to finalize some language. School Elections are coming up - Tuesday, November 8th. Adam stated that they have been collecting nominations for the last couple of months and they are officially due tomorrow. Most races are running uncontested, but they will all have a candidate in them. All 6 current school Committee members are planning to run; there are two four-year seats for Boylston. First district election since we regionalized. Dawn and Eloise have been great in helping make sure they get everything taken care of prior to the election. Seth added that it's great for the entire school committee to be willing to run for full term at this point especially with the tumultuous last couple of years we have had.

Key Activities and Priorities:

- Superintendent Jeff Zanghi let everyone know that he is retiring in a year.
- Reorganizing our subcommittees this year. Looking to prioritize what is important to the town. They have a new Facebook page for the School Committee that is polling people to gather feedback on what is important to the residents.
- Budget and Finance subcommittee.

SRO Discussion:

Jeff stated that they were in favor of it, but they made the commitment in their budget to hire more counselors and mental health workers and that is what they have done and focused on as they are seeing more anxiety and fights than ever before. They are in favor. They understand the mental health side of this and attacking it from the inside is always the best. Regarding budgeting, the school just can't handle it. They would need to get money on top of what we are already getting. Chief Annunziata stated that the Police Department is for the SRO as well. With the current budget and staffing, they would not be able to swing it. The SRO is the olive branch that students, faculty, and staff wouldn't otherwise have access to.

Jamie stated that the first time it was broached was right after Jeff started and was broached again once the Regionalization started to take movement and the sticking point was how were they going to fund it; if both towns don't agree on the budget, then it goes to the state. He suggested putting it in their budget for next year. Jeff mentioned that Berlin has an Officer they fund to be in the school and doesn't have an issue so this would be on Boylston. Jamie stated that the budget falls under the Regional School District. Matt stated that budget is a big part of it but there are so many questions to be answered before they get to that point in the discussion; do to surrounding towns that have SRO's: what works, what doesn't work, come up with a place, this is the cost, and it goes to town meeting. The best approach would be to have a plan. Jeff stated that he will send the MOU to the Board for review; the SRO is a Police Officer and the evaluation of that is done by the Police Chief with some recommendations from the Superintendent. Seth stated the School Committee made a good point that there are always a lot of moving parts when it comes to the budget and right now most people would say to put an SRO in there, as you start to get closer to the budget there are things that get cut. Its ultimately the School Committees decision and speaking for himself he would support the school committee in whichever direction they would go. In the grand scope of things if we are talking about \$150,000, it makes sense; God forbid if anything were to happen, he would hate to be sitting at the table and saying they could have done more. Matt added that it's a hot topic and at a minimum he would like to see a survey sent out to parents or have a public session for parents to air their feelings on it. Jeff stated that he can send a survey out and collect some information on what parents want to see in their school system. Parents have been very receptive on having the extra mental health professionals that have been added to the staff. Jeff added that with the help of the Police Departments suggestions, they have 3m film on windows, and added vestibules which limits the access to those schools. The Chief added that the MOU expressed in depth what the SRO is all about, acting as another advocate for everyone inside of the school. Seth stated that he thinks they are on the right track regarding the subject and determining whether it makes sense for our community.

Bus Routes

- Should be done soon. Were supposed to be done last Friday but should be done early this week.

Vote to Approve and Sign Letter to Superintendent Zanghi and School Committee:

Seth mentioned there was another brief issue to discuss that a couple of the Board members felt the school had gone behind the towns back and wanted to draft a formal letter. Seth stated that he personally does not feel this merits a letter.

Jeff stated that the Facilities Director job opened, and he reached out to our Facilities Tech and let him know he could apply if he wanted – it was a conversation between two people who knew each other and not through the school, there was no recruiting. Jeff is aware of protocols from taking from a close district let alone the town – he stated they wouldn't do that, but if they were interested, he would have reached out to April. More discussion continued how things would have been handled if Jeff was trying to recruit the Facilities Tech. Matt stated that what it has done to us is they now have to look at the compensation for this employee which affects taxpayers. April added that another individual was added to the communication, and she felt she had a good enough connection with them that they would have reached out, but they didn't. Jeff stated that if someone were to have called

him, it wouldn't have gotten to this point. More discussion continued regarding the results of this conversation and how it will be handled moving forward. Seth stated that he does not feel that this letter constitutes any constructive purpose and asked if the two other board members are still in favor of sending it over. Jamie stated that he thinks what Matt and himself wanted to accomplish today was done in a face-to-face conversation. Jeff stated that he hopes the Board knows that they would never recruit from the town. The Board thanked everyone for coming in.

Lori Hart stated that she was asked by a teacher to speak of this and on behalf of the School Committee, we ask for a little bit of extra love for the teachers at BES. We focus a lot on the people that are leaving but for the people that are staying, how lucky are we. If parents and community members could give them an extra bit of love, that would be greatly appreciated. They deserve it.

Review and Approve Event: Turkey Trot/Gobble Wobble Road Race/Fun Walk: 11/19/2022:

Same Route as the Katies 5K. This is to raise grants for the teachers; educational supplies.

Jamie Underwood made a motion to approve the Gobble Wobble 5K Road Race, Matt Mecum seconded. Voted all in Favor.

Town Planner Report:

- Prepared for and staffed the 8/1/22 ZBA meeting. The ZBA closed the public hearing for the proposed LIP project at 100 Shrewsbury Street and voted to approve the project with 55 conditions. As of this writing, we have received no appeals.
- On 8/8/22, I spoke with MassDevelopment about the potential re/use of the Flagg House and the larger Hillside property. We covered a lot of ground during the conversation, but there are two basic things they could help us with. If the Town wanted to sell it outright, they could assist with an RFP and if we wanted to do a larger analysis of Hillside, they could help with that as well. They did not think that traditional commercial/retail would work here since there is no visibility from Rt. 70. They noted that there is currently assistance available for cultural organizations which led us to a discussion about the recent sale of the Denholm Building in Worcester, which had several non-profit tenants who may be looking for space long term, if that is a route we wanted to explore. Whatever formal assistance we ask from MassDevelopment will require us having a concrete vision for the overall site.
- On 8/10/22, I met with the Master Plan Steering Committee. The Committee reviewed the draft chapters of the Master Plan and have posted them online for public comment. I am assisting the Committee in getting the word out to Town Staff & Committees to submit comments by September 24.
- On 8/15/22, I prepared for and staffed the 8/15/22 ZBA meeting. The topic of that meeting was a discussion of the proposed extension of entertainment outdoors at Bay State Barn. After discussion with the owners and abutters, the ZBA made the determination that the extension of the nonconforming use was acceptable with no alcohol sold outside, no music/dancing outside, limiting hours until 11pm, and allowing for outdoor games such as cornhole.

- I have performed a review of the Planning Board & ZBA websites and will work with Nina Gardner on making necessary updates when she is back from vacation next week.
- I have also performed an initial fee analysis comparing Boylston with neighboring communities on typical Planning Board and ZBA permits. The goal of this exercise is to make sure our fee schedule is in line with our peers and that all potential fees and charges are transparent. My plan is to share the analysis with the respective Boards over the next cycle of meetings to see if any updates are warranted before making any formal recommendations.

Grants Updates:

- Last week, I had discussions/site meetings with three firms who could help us design a trail network and install an initial trail to satisfy the requirements of PARC grant for the acquisition of Camp Harrington. The trail must be installed by June 1, 2023. All firms consulted agreed that utilizing/improving the existing road to access the waterfront would be the easiest and most cost-effective option for this initial phase. We are awaiting preliminary concepts/cost estimates, and it looks like the overall cost would be in the \$15-20,000 range, of which, we would be able to seek reimbursement of approximately \$9,000. I plan to begin working with April on crafting an RFP for this when she is back in the office next week.

Housekeeping:

- Working on Planning Board and ZBA Website. Update changes.
- Started looking at Boylston's fees for permits versus surrounding towns. Next month's meeting could provide more numbers. For example, Boylston currently does not have a fee if someone wants to come back and adjust a site plan.

Question for the Board:

Paul mentioned that in Spencer, the Board of Selectmen evaluate fees every December. Do they have that here? Seth asked to make sure our Building Inspector and other inspectors are wrapped in those conversations. Paul will be talking to the respective boards.

MA Development: Potentially opportunities of Flagg House.

- Spoke with two of the staff members and they do not think it's going to be a good retail center, no visibility from major roads. Could be municipal needs. They recommend we do a larger analysis of Hillside and see what our basic needs are and then they can dig into it more. There are so many moving parts at this point, they do not want to give an answer to direct us in one way. Paul believes Master Plan is going to get adopted. Hillside Master Plan next, realistically looking at 2024 if keeping to the grant cycles.

Jamie stated that something must be done with that place in the meantime. Matt added that there was extensive work done on Hillside Property skewed towards development, he believes about 10 years ago. We may be slightly closer than we think and may not have to reinvent the wheel.

Paul spoke with CJ Lamers from the Conway School out in Western, MA. Their students are required to do projects and he was really interested; big picture, looking at neighboring towns to partner to build a Greater Wachusett Land Use Space.

Former Camp Harrington Property – Paul suggested having a different name for it; great topic for Parks and Rec to determine. We received the Park Grant last year which paid for the reimbursed rate of 60%. There is a little part of land that needs some design work to it and Paul recently had meetings on it regarding trail construction. They are going to be submitting ideas. In terms of grant: Use the existing road that comes into the site, extend it to the beach so someone could bring a kayak. The catch is that we need to pay for it up front before getting the reimbursement (\$9,000). We did allocate a certain amount of money at town meeting and there is still some residual money left over. Jamie asked if you could just hire a landscape architect for \$2,000 instead. Paul stated there are certain requirements of the grant and you do need an engineered plan. Paul stated that \$15,000 is the number he has been discussing and that would be the installation and construction. If we are going to do a conceptual plan, it would be part of the process. Parks and Rec is in the loop with this, and he will share any information he receives from these firms with them. At one point we will have to engage with one of the firms, and he will work with April for the next steps. Matt thanked Paul for all the work on these grants because it's something that we have not had the resources for before Paul. Grants are great to talk about, but there's not piles of money hanging around at the State House that they are going to give us. We should be careful when we talk about grants, we do not want to set unrealistic expectations when it comes to grants because there is a lot of work that goes into grants. Paul thanked the board and stated he couldn't do it without the towns buy in.

Highway Superintendent Report to the BoS: Out on Vacation. Will provide next month.

Building Inspectors Report to the BoS: unable to attend meeting

Fire Chiefs Report to the BoS – unable to attend due to interviews.

Radio Communication Project Discussion: Paul Baril:

Resident Paul Baril came in to speak with the Board. Last time he was here they discussed the radio tower location going in on Stiles Road. He had sent some action items to this group which were replied to besides alternative locations. He is completely against the tower going up at the Stiles Road location.

Mr. Baril stated that there seems to be a couple of other pieces of land that don't create an encumbrance to himself or others in the area. He was wondering if the Board would consider moving this tower to this site as you don't lose a lot from a height perspective, but you gain a huge impact on how it will affect the neighbors. Jamie stated that many different sights were looked at and the Sgt Cody Thomasian did his due diligence, and the chosen site would be the least burdensome to the out the tower on. He added that we are moving forward with the project on Stiles Road and isn't sure what Mr. Barils next steps are.

Mr. Baril asked the Board who owns the land. April responded that the Water District is interested in putting their communication on this tower in the future. They have not signed anything yet, but they are interested in signing an agreement stating that they would like to use the tower for future communications use – this parcel is owned by the Water District.

Mr. Baril stated the parcel was taken by eminent domain and the use of that land is governed by Chapter 421; if you do any land taking that adversely affects the value of adjacent properties, then someone like himself is entitled to compensation. Jamie asked what he is looking for and Mr. Baril responded that he is looking for the Board to move the tower. Seth stated that he took time to look over the information and where the town runs into a problem is that there is no existing road that goes into a property which will add significant increase to the price, or the parcels are land locked which will cost the town money by either taking the land or going into an agreement with an owner of the land. Discussion continued on different locations of the tower and why the Stiles Road location is the one they are moving forward with. Jamie mentioned that this isn't something the Board made the decision on, the residents voted on this at the Annual Town Meeting. Mr. Baril stated that if that's where its going to end up, then the towns people were uninformed, and the Sergeant was not an expert in this when he started. We used Motorola who is available on the statewide bid list so the state vets that these companies control the price to a point; it streamlines the process for municipalities. Mr. Baril expressed that there are more ways to approach this topic and isn't sure that residents truly understood what they were getting. He brought up that FirstNet could have been a better solution to what the Town was looking for. Jamie responded that Chief Flanagan had mentioned previously that towns such as Natick and Barnstable were having issues with FirstNet. Seth stated that what Mr. Baril hasn't seen is that a lot of people have been looking into this, and by no means are the Board of Selectmen experts on the subject, but when he pursues one of the alternatives that Mr. Baril is presenting, it always comes up as a dead end and why it won't work for Boylston. He feels that they have taken the time to try to find the solution and there doesn't seem to be a good one. More discussion continued what work was done towards this project to get to the point they are at now. After more discussion, Paul stated that at this point, they are not going to agree and asked what methodology the town will use to compensate him for the valuation in his property decreasing. Matt responded that he could start with the Assessor's office and request an abatement; the laws are very deliberate with how this works as the Board of Selectmen do not make these laws. Paul again stated that they are not going to agree, and he is going to have to appeal to a higher power. He added that it is not something that he wants to do and is trying to find an alternative but ended up presenting the Board a document stating that he will be retaining counsel. Matt stated that at this point, the conversation needs to stop. Stephen agreed that if this is a threat of litigation, then the town should not be continuing conversation. Mr. Baril stated that all the letter states is that he needs more time to get someone who knows how to interpret these laws, and this is not a threat of litigation. Seth ended the conversation stating that this is time sensitive for dual issues of public, first responders' safety and they only have so long to do this before prices go up. He doesn't believe they are able to postpone it. Mr. Baril stated that he has been trying to find alternatives for the town but doesn't believe he is being treated fairly.

Review and Approve the Compensation and Classification Study RFP:

April stated that Town Counsel and herself are still working on this. Stephen stated that he made revisions on it while April was out on leave but has not reviewed it with her yet.

Matt questioned that it references doing a study on Union employees and it seems like it could put ourselves in a situation where we don't want to be in. He puts that responsibility on them to figure out if they are comparable to other towns. Stephen stated that he will run that by labor counsel.

Jamie Underwood made a motion to approve it in the general form with pending consultation with labor council on Union issue, Matt Mecum seconded, voted all in favor.

Vote to Authorize Chair to negotiate Facilities Tech position:

Seth stated that he met with him briefly and he said that he is not looking for a pay raise, he is looking to work 32 hours a week with the possibility of working more hours if needed, looking for flexibility. April added that he was also looking for an additional week of vacation. Jamie added that this would be a problem to other employees.

Jamie Underwood made a motion for the Chair to negotiate the Facilities Tech position and report back to the board, Matt Mecum seconded. Voted all in favor.

Review and approve the Boylston Public Safety RFS:

Stephen stated they are still reviewing it and has things to discuss with the Town Administrator – at 85-90% complete. Just need to go over Stephens suggested edits and see if April wants to accept most of those. Matt stated that he is really happy with how it came out and what we were able to pull from other RFQs that were out there, its pretty comprehensive and touches on what we all discussed and wanted to see. Stephen asked if we are expecting schematics for two separate buildings? Matt stated that we don't want to price ourselves out of the senior center; we want to have the option to say we can't do this larger building but here is the price of the senior center. Seth stated that the goal is to get this out by mid-September and thinks it covers everything and hearing Stephens concerns, he suggested that they go through the revisions and look at it during the next meeting.

Matt Mecum made a motion to approve the Boylston Public Safety RFS pending town counsels edits as discussed with the Town Administrator, Jamie Underwood seconded. Voted all in favor.

Chief of Police Report to the BoS:

Traffic Stop Report is in BoS Folder located in BoS Office.

- Officially entered the Self-Assessment phase.

Vote to Accept the gift of \$1,500 from Keep Boylston Beautiful to Parks and Recreation:

Matt Mecum made a motion to accept the gift of \$1,500 from Keep Boylston Beautiful to Parks and Recreation, Jamie seconded. Voted all in favor.

Vote to Accept donation/gift of \$250.00 from Tower Hill Botanic Garden towards the Radio Communications Project:

Jamie Underwood made motion to accept donation/gift of \$250.00 from Tower Hill Botanic Garden towards the Radio Communications Project, Matt Mecum seconded. Voted all in favor

Review and Vote to Approve/Sign Ground Owner Consent to Sublease Form from SBA Communications:

Matt Mecum made a motion to approve/Sign Ground Owner Consent to Sublease Form from SBA Communications, Jamie Underwood seconded. Voted all in favor.

Review and Approve Event: Fall Fest on the Common – 10/15/2022 – 2PM – 5PM:

Jamie Underwood made a motion to approve Event: Fall Fest on the Common – 10/15/2022 – 2PM – 5PM, Matt Mecum seconded. Voted all in favor.

Vote to Approve a One Day Liquor License for Fall Fest on the Common and waive fees. 10/15/2022 2PM – 5PM:

Matt Mecum made a motion to approve a One Day Liquor License for Fall Fest on the Common and waive fees, Jamie Underwood seconded. Voted all in favor.

Review and Approve Event: Barefoot Half Marathon: 09/04/2022- 7 AM – 10 AM:

Matt Mecum made a motion to approve event: Barefoot Half Marathon: 09/04/2022- 7 AM – 10 AM, Jamie Underwood seconded. Voted all in favor.

Selectmen's Miscellaneous:

Matt welcomed April back to the office and thanked Ali for all her work while April was out of the office.

Matt stated that he may have to remote into the September 12th meeting.

Seth mentioned that the trash issue is something that continues to be brought up to him. Jamie stated that it is a BOH issue, and Matt advised that it actually falls on the collaborative. Matt added that a resident has reached out and has offered to help with the townwide trash issue and look at options and design a potential solution.

*At 8:45 PM, Jamie Underwood made a motion to enter into Executive Session (closed to the public): **Per MGL c.30A, §21, (3):** To discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares. – Police and Dispatchers Union. To approve meeting minutes from Executive Session 07/19/2022 and 07/27/2022.*

Not to return to open session. Matt Mecum seconded. Voted all in favor. Matt: Yes, Jamie: Yes, and Seth: Yes.