



Town of Boylston 221 Main Street, Boylston, MA 01505

Board of Selectmen Minutes 03/30/15

Date of Meeting: Friday, March 30, 2015
Location: Town Hall, 221 Main Street
Time: 6:30 PM – 8:45 PM
Members Present: Chairman James Wood; Michael May; Jamie Underwood; Stephen Madaus, Town Counsel (Arrived at 6:40 PM); Martin McNamara, Town Administrator; Rose Bardsley, Clerk

Financial Warrants signed in approval.

The meeting was called to order at 6:30 PM

Compass Pointe Road Plowing: Ralph Viscomi, Chairman of the Planning Board, reported that in the fall of 2014 the Planning Board met with residents of Compass Pointe to discuss issues of Mr. Venincasa not paying attention to things and what residents describe as shoddy management. One issue was plowing streets in winter; the Town cannot plow private streets. Over the winter they had a number of issues with the contractor not plowing. Following one storm the street was not plowed for at least 30 to 36 hours and was plowed only to the width of a single car.

At some time at a Planning Board meeting Hayward Street was approved for three homes to be built. In 1986 the Board of Selectmen approved six private streets to be plowed, Hayward Street being one of them. Minutes of that meeting do not give a good explanation as to why they were approved. Asked if there had been a Town Meeting where this was approved, Ralph said it was (he believes the 1985 Annual Meeting) and it was tabled; there were 15 private roads listed on that warrant. At a subsequent Board of Selectmen's meeting they approved six of those roads to be plowed. Mr. Viscomi noted that none of these streets were accepted and he knows Hayward Street is still private.

Ralph said the Compass Pointe residents were told that the Town does not stand behind the developer.

Jim Wood said there could be a property transfer coming; the owner of Signature Homes walked away from the project which is currently for sale. Mike May inquired about a homeowners' association at Compass Pointe.

Ralph said it doesn't take effect until 85% is built and they're only in Phase One, so it is not in effect.

The Town Administrator suggested the Board not take any action until he finds out what streets are plowed and why.

Mike May said there are two issues: one is ownership; second, he is thinking the public safety issue has to trump everything else. This was discussed with Joe Flanagan of the Fire Department, who said that if there was an emergency, the Highway Department would have to go ahead and plow the road for access. Jim Wood noted that in an emergency we cannot wait for the DPW to go in and plow. It was suggested the owners be charged for plowing or liens could be put on the homeowners' property.

Jamie Underwood asked that the TA get the information we need on the other roads that were plowed; Ralph offered to help Marty and offered to be the point person.

Report of the Town Administrator to the Board of Selectmen:

Roadway Repairs: Notice has been received from Mass DOT that we will have \$30,689 in Winter Recovery Assistance Program funds to make roadway repairs resulting from this year's harsh winter. The TA has signed and returned the contract and the Highway Superintendent will determine the use for these funds. All work must be completed by June 30, 2015. This is extra on top of c.90 funds. No word on FEMA money; it could be up to 75% extended for the entire winter. Steve Mero is trying to determine what he will use those funds for: line painting, etc. There are certain purchases that cannot be made with the money; we are restricted as to what we can do.

Annual Financial Audit: The audit has been completed for FY2014. Copies of the draft financial statements and the draft management letter are in the Selectmen's folders. The Treasurer and Town Accountant are preparing responses to the items listed in the Management Letter. One item in particular is that the Auditors continue to have an issue with the Ambulance Receipts Reserve Account. They have made recommendations which Chief Flanagan and the TA are working on instituting. Once that work is finished, those changes will be available to the Board of Selectmen for review.

Open Meeting Law Guide: The new Attorney General, Maura Healey issued, on March 18, a new guide; copies are in Selectmen's folders.

Police Academy, Second Floor: We have received notice that Lisa Ann Reich has left the Boylston Academy for a new position at the Randolph Academy.

Asian Beetle Trap Program: The DCR has advised that this program will be starting after they determine where the traps will be hung. They might request permission from residents to hang traps on their property and might ask permission to hang traps on Town-owned property.

Sudbury Valley Trustees: The Trustees have inquired about the title examination of land parcels in the Tri-Town Project Area. ConCom authorized Town Counsel to proceed with the examinations and he has asked Town Counsel for updates on the progress of the title searches. Stephen said he has been chasing the title company.

Mike May met with SVT and he agreed to get behind the YMCA initiative if they are willing to get funding through 501(c)(3). They will ultimately give the land to the Town. They have a lower level meeting in May and a full board meeting in June. Some seven parcels of the 146 acres are in tax title. They would commit to spending \$300 on each; we have requested reports from the title company. Mike said we can't move on signing a contract until we know exactly what we are getting. The question is, what is the status of this? We cannot make a decision on the land and SVT will want to tie the whole thing together. They are very bullish on the Harrington portion. Marty said all three communities need to sign off on this. They were going to move it but they don't know when.

Mr. May said we can sign and say "yes", yet to do this we need to know the contract company signed, subject to Town Meeting approval. He said it is for them to get their funding. If we can't get the land approved, you have to decide what you can get. Steve Madaus said they can only dispose of land through auction. Jim Wood noted the title searches will be very expensive. There are a lot of unknowns on the property. On those properties with no clear title, with no tax revenue, is there a strategy on ways to get this straightened out? Can the Town take the possession and then turn around and do a sale to cleanse the property? Stephen Madaus said it could. Mike May said after starting the process it is likely that some law firm will institute a search on behalf of relatives, in which case the Town would save money. Marty McNamara and Stephen Madaus will continue the process.

Setting the Tax Rate: The Division of Local Services is offering a program to assist communities to set their tax rates earlier than normal. This program is called the Taxpayer Assistance Program, or TAP. The TA has notified DLS that Boylston is interested in enrolling in this program. Bob List is the Regional Director. His people will be coming here in May to set some dates, probably with the Assessors, Cheri, Jason and the TA.

FY16 Budget: The Finance Committee did not think it necessary for them to come in at this time. The TA requested the Board members to look through the budget and let him know of any changes.

DCR Land: Mike May provided an update on the DCR land. It is necessary to take steps to receive the \$34M we are not receiving revenue on. The TA pulled out all documents on how they value land. He will contact the DCR because this is not right. We are only getting \$600K on \$72M value.

7:03 PM School Budget: Nadine Ekstrom, Superintendent, Julie Suprenant, Director of Finance, and Brad Wyatt of the School Committee appeared before the Board and presented budget figures with a 2.5% increase for the Elementary School and Tahanto. The Elementary School budget is \$2.7M, down 4% and Tahanto's budget is \$7.9M, an increase of 5.3%. Mike May indicated they asked for a 2.62% increase last week and the Town wanted 2.5%. Ms. Ekstrom said this was due to E and D (Error and Deficiency) money given by the Department of Revenue. For the last few years they have not been able to use it as the DOR has been holding it due to the building of Tahanto. It cannot be higher than five percent of budget. When asked about restrictions on the

money, Ms. Suprenant said it has to be voted by the School Committee. Marty said there are no restrictions; it can be capital or personnel. It can be used any way you want to use it. The dollar amount is certified at \$300,445 but the School Committee can't really use that money. What is available is \$125,979. Of that they are planning to use \$13,813. Originally they were hiring two teachers and now will hire 1.4 teachers. There are 92 students they have to locate. One teacher is out on maternity leave and requested another year out; the other is retiring. Using her salary and E and D, this brings it down to 2.5%. Mike noted that they have \$125K, deducting \$13K leaves \$112K to invest in the budget. He inquired as to why they didn't put that back into the budget and try to reduce their spending since this is a tight year. Ms. Ekstrom said they need to spread the money out over a three-year plan.

Discussion over the savings realized by replacing two teachers with 1.4 teachers, including a substitute teacher. Ms. Suprenant said the actual change making 1.4 teachers is actually a savings with a sub and lower rate.

With regard to the salary of the Director of Finance, it went from \$33,250 to \$50,750; that happened because she didn't start until November 17. Substitute teacher salaries go up from \$20K to \$37,500, a \$17,500 jump; the School Committee said they really need the \$37,500. Mike inquired about the necessity of having two Guidance Counselors and their increase from \$106K to \$113K. Nadine said they go up a step as well as a yearly increase.

Discussion re utilities: electric, gas, etc. Mike asked about them getting a flat rate to save money and suggested they meet with Marty to look into saving some money.

Further discussion regarding the cost of school choice. Jamie said Bay Path has sent out their acceptances and asked when Assabet will send theirs out. Nadine said we will find out by May 1. The cost of school choice varies, e.g. it is \$21K for agriculture and \$30K for transportation, a total of \$52K. She thinks the school is in Walpole.

Mike inquired about the Circuit Breaker; did we settle school choice with FinCom. Ms. Ekstrom said the \$48K we didn't use this year they want to transfer into a vocational foundation for attendees. Rounding it out to \$10K. For students in out-of-region, e.g., Assabet, Northborough, etc., you have to pay tuition. Discussion regarding reduction in the number of buses needed for F'16.

7:30 PM Annual Report Dedication:

Jim Wood made a motion to dedicate the Annual Town Report to Helen Duffy. Mike May seconded the motion; voted all in favor.

Marty said we would welcome anyone who knew Helen to give whatever information they have to Lori.

Town Meeting Warrant:

Special Town Meeting Warrant: Marty said they took out No. 2; No. 1 remains.

Article 34: Marty said Steve Madaus made a couple of verbiage changes; the basic article is still the same. Mike asked Steve if the vote is No on the Question 1 and 2 overrides, is there still the option to vote it through? Steve said "Yes."

Discussion regarding how to present at Town Meeting the figure for the cost of the DPW building, as well as additional sources of funding, for the building, without causing confusion. It was noted that the Library has donations from the Library Trustees

Articles 15 and 16: will now be sponsored by the Board of Selectmen. Marty said we have no members of the Personnel Board and asked Steve what we do if the Moderator asks what the Personnel Board thinks of this.

Steve said Marty would be the one to report, if there are no longer any members of the Personnel Board.

Article 19: Get the 1997 Town Meeting Warrant Articles to see when Hillside was purchased.

Article 27: Steve said he sent an email saying we need a plan indicating what portion you intend to sell. This differs from the sale of the gravel pit on Sewall Street (Article 26) because that is one parcel. Steve does not have a title report on it but we are seeking authorization for the sale. With regard to Hillside, Jim Wood said there was a ten-year time frame from the time the Town took the property before we could do anything with it. Jamie said you can't take by eminent domain and turn around and make a profit on it. Steve said a two thirds vote is required because it was acquired by taking.

Article 28: Steve said that unfortunately, the Parks & Rec recommendation was wordy. Steve said it could probably be moved as it reads.

Articles 29 and 30: Discussion concerning whether to change the sum requested in Article 29 (\$3.5M) to \$3.1M since there is \$300K available for the building. Residents will want to know where the funding is coming from but

there could be confusion if everything is listed in the Article. The final decision was to leave the \$3.5M figure in the Article even though \$3.1 is the figure to be borrowed. Jim said we will read the Article and then we will break it down. There will be one vote on the whole article. The same with Article 30. With regard to the Highway Dept. building, Weston & Sampson might be able to provide a brochure to hand out.

The Board will review the Warrant on April 13 and it was suggested the Highway Dept. Superintendent come in the night the Moderator comes in, which would be April 27.

Articles 31 and 32: Both capital projects are going to the ballot. Both are contingent on the ballot.

Selectmen's Meeting Schedule:

Mike May made a motion the Board meet on May 4 and 15 and June 8 and 22. Jim Wood seconded the motion; voted all in favor.

Business Marketing Committee: WPI students submitted a business marketing plan. They will go forward with updating the Town website. It will not be done through WPI; a student will do it. The website is of the greatest importance and the committee can start messaging from there. Mike May praised their work, saying they spent the better part of nine months doing this. This is a "must do" project for them in order to graduate. Jim Wood said the plan indicates the Town is anti-business and he asked where they got that idea. Mike said they interviewed people in various organizations everywhere in the Worcester area. Mike said the Marketing Committee's goal is to get a pro-business message out.

At 7:28 PM on a motion by Jamie Underwood and seconded by Mike May, the following roll call vote was recorded to go into Executive Session under MGL c. 30A §s 13 to discuss strategy with regard to collective bargaining with the Dispatchers' Union. James Wood: Yes; Mike May: Yes; Jamie Underwood: Yes. The Board agreed they would reconvene in open session only to adjourn.

At 8:45 PM Selectman Jamie Underwood motioned to adjourn Executive Session and reconvene in Open Session only to adjourn. Mike May seconded the motion. Roll call vote was recorded as follows: Jim Wood: Yes; Mike May: Yes; Jamie Underwood: Yes.

The meeting was adjourned at 8:45 PM.

Respectfully Submitted,

Rose Bardsley, Clerk