



**Town of Boylston 221 Main Street, Boylston, MA 01505**

## **Board of Selectmen Minutes 06/15/15**

Date of Meeting: Monday, June 15, 2015  
Location: Town Hall, 221 Main Street  
Time: 6:00 PM – 9:05 PM  
Members Present: Chairman James Wood; Michael May; Jamie Underwood; Marty McNamara, Town Administrator; Lori Esposito, Administrative Assistant

The meeting was called to order at 6:00 PM by Chairman Wood.

**Letter to Frank Reale:** The thank you letter to Frank Reale was read and signed by the Board of Selectmen. The Board applauded his efforts on behalf of the new DPW building.

### **Report of the Town Administrator to the Board of Selectmen:** **Leases in Town:**

- The TA reviewed all current leases. The Gough House lease is due to expire June 15; the Y.O.U., Inc. lease will expire on December 16. We receive \$216K annually for rental income at Hillside.
- The MCJTC lease renewal of \$85K/year plus \$25K/year on the cherry sheet, has been reviewed by Counsel and signed.
- Also, the Beneficial Interest Disclosure Statement and Certificate of Tax and Employee Security Compliance form signed by the Board.

*Mike May motioned to enter into a five-year lease with The Commonwealth of Massachusetts for the second floor of the Town Hall for \$85,822.7/year. Jamie Underwood seconded the motion; voted all in favor.*

- Regarding Gough House, one item in the lease has to do with rental income from the property. There seem to be two paragraphs (22C and 24) that are at odds with one another with respect to rental income. We have had some discussions regarding the possibility of the School Department relocating to the Gough House. The question of who would retain the rental income could become an issue, as we would lose \$35K a year in rental and also have to pay for the Gough House lease.

**Sewer Study RFQ:** Funding for this study was approved at last year's Town Meeting and following several redrafts it is now ready to go out. The Marketing Committee has suggested several engineering firms for this solicitation. Once approved by the Board the RFP will be sent to those firms. Stephen Madaus said design engineering of a public building is exempt. The Boylston Marketing Committee chose to solicit proposals and then rate them according to guidelines. The price should not be locked in until it is negotiated.

*Jamie Underwood made a motion to approve the RFQ; Mike May seconded the motion; voted all in favor.*

### **New DPW Building:**

Weston & Sampson submitted a proposal along with an amendment to the original contract for their continued services on this project. Stephen Madaus agrees Mr. May should recuse himself; Mr. May did so.

*Jamie Underwood made a motion to approve the contract with Weston & Sampson; Jim Wood seconded; both voted in favor.*

***Survey Work at DPW Site:***

- Three proposals were received for survey work at the site:
- Thompson-Liston       \$5,000 plus expenses
- Waterman Associates       \$6,500 plus expenses
- Beals & Thomas       \$12,000 expenses included
- It was recommended that the Board accept the Thompson-Liston bid as being in the best interest of the Town (based on Weston & Sampson's review and recommendation).

*Jamie Underwood motioned to award the bid to Thomson-Liston and authorize the Town Administrator to sign the contract. Jim Wood seconded the motion; both voted in favor.*

**Chapter 90 Paving:** The Highway Superintendent has submitted an RFP and the DOT request for the Chapter 90 paving of Linden Street.

*Mike May motioned to approve the RFP for Chapter 90 paving of Linden Street as written. Jamie Underwood seconded the motion; voted all in favor.*

**Fire Chief's Contract:** Agreement has been reached on a contract with the Fire Chief. The TA requests the Board vote to ratify and sign the agreement. The contract becomes effective July 1 for a period of two years. The Chief has signed the contract.

*Jamie Underwood motioned to enter into a two-year contract with the Fire Chief as written. Mike May seconded the motion; voted all in favor.*

**Sudbury Valley Trustees:** a Memorandum of Understanding between the Town and the SVT regarding Camp Harrington was presented to the Board for review.

**Tennessee Gas Pipeline:** Tennessee Gas has modified their application for the pipeline by removing the Worcester Lateral, thereby eliminating the need to lay pipe in Boylston.

**Compass Pointe:** Country Bank for Savings is auctioning off the property on June 25. Mike May took a call from someone questioning the status of Compass Pointe. He feels we should be letting people and interested parties know of the auction.

**SBA Communications Corporation** is proposing they create a perpetual communications easement over the land currently being leased for their tower. The Town would receive a \$315K lump sum payment immediately and would retain ownership of the land. The Town Administrator said the current lease will expire in 2023 and there is approximately \$251K remaining to be collected over those eight years.

Stephen Madaus said acceptance of this proposal would require a Town Meeting vote. Mike May said it is likely they are making this offer due to the potential long-term value of the property/asset. He feels we should do more industry research as well as looking at SBA public filings to determine why they are making this offer.

**Town Administrator's Vacation** time will be June 17 through June 24, returning June 25. He will carry five days into next year (Fiscal 2016).

**Fourth of July Holiday:** Town Hall will be closed Monday, July 6 in observance of the holiday.

**Gazebo on the Common:** The Board approved two wedding ceremonies to be conducted on the Common: August 7 at 3:00 PM with 15 to 20 guests and July 18 at 4:00 PM (six people).

Mike May said he would like to look into an audio system for the gazebo for things such as the Memorial Day parade, etc.

**Sudbury Valley Trustees Memorandum of Understanding:**

- **Steve Madaus:**

- Private funds are to be raised so SVT can purchase the land.
- SVT would donate the parcel to be accepted by the Town. If it is a gift, it needs to be accepted.
- SVT would retain a conservation restriction over the property.
- **Issues:**
  - Committing the Town to fundraising is against the State ethics law. Exception: existing municipal fund.
  - Costs incurred by SVT cannot be covered by the Town.
  - The conservation restriction states we would approve; we would have to follow statutory provisions.
  - Section 11: Town agrees to reimburse SVT for all losses/expenses not raised through campaign. We do not have an appropriation for such a commitment.

Jim Wood said we need Town Meeting approval to spend money. Mike May asked the Board to review the MOU to take back to SVT. He wanted the terms reviewed/incorporated before this draft was distributed. Mike reviewed all recommended changes with SVT; they were agreeable to all. His objective was to flow money through SVT 501C3 for the purchase of the property. If the Board's desire is to move forward, we need to get the MOU. Jamie Underwood said we never agreed to do it, rather to just explore it with a time limit of 90 days. It might take another few years to determine the cost and if we can afford to maintain the property. The Town will incur costs after the property is given to the Town for use and we have no idea of these costs. Also we have no definite dates.

Stephen Madaus said these specifics can be added to the MOU if the Board agrees.

Mike said the Board agreed to look at the opportunity. SVT stepped in to assist with the campaign. The Fuller Foundation is prepared to pay a design engineer for a plan and cost estimate. The YMCA generates \$460K/year at the camp for the summer. He feels we are responding to an overwhelming response from residents that want to keep the property for recreational use. The alternative is a five-house development that only brings approximately \$15K to the Town annually. Jamie said it will take four to five years to get the camp fully up and running. If only two years' expenses are covered with fundraising we will still not have the money to support it. We originally told the YMCA we would decide within 90 days.

Mike said they are aware of the time this could take, as long as they have a commitment from the Town.

Realistically, it could take another ten months to fund raise. Jamie said that if in two to three years we still don't want to move forward, we could lose two years of potential tax income.

Mike asked if the Board of Selectmen would like to see a Town-based group fund raise or an advocacy group do so (e.g., "Friends of P&R"). Jamie posed the question of "what if money is raised, but we don't move forward. Will SVT be able to keep the money?" Stephen said money has to be used for a specific purpose if it is a gift.

Jim thinks it is a great idea but he doesn't want it on the taxpayers' backs without knowing the tax impact/cost. Mike said Waterman Associates should have a report shortly and can meet with the Board.

Jamie said his concern is that the "gift" turns out to be a cost the Town cannot afford down the road. Taxes are increasing yearly, not including the DPW and Library projects.

Marty said we need a realistic operating plan from P&R, not using the Y's numbers for the camp. A survey also included kids being bused in to obtain 200 kids per day.

Jim asked what the next steps were. Mike said he would go to the SVT meeting this week; get the Waterman report to present to the Board; get P&R numbers; get the MOU in order and then regroup.

#### **7:20 PM Paul Danis, BMC Appointment:**

Mr. Danis said he spoke with Dick Prince, who asked him to volunteer, thinking he would be a good fit for the committee. Mr. Danis asked what the Board's charter for the Marketing Committee is over the next year or two. Jim Wood said it is to get businesses on Route 140. Mike said we are looking at a potential of \$2M/year in tax revenue on Route 140.

- Paul asked if it is just 140 being offered or is the plan to expand common areas. Jamie said Route 140 is the only place set for zoning/building. Paul asked about the budget. The Town Administrator said it is \$50K. The Board of Selectmen has control over it and the BMC requests its use. Mr. Davis feels we should market Boylston as a whole, not just a select few privately-owned properties on 140. Make contacts, phone calls, etc. The Committee needs to get information out.
- Mike May said we need for the BMC to have a broader view and be redefined. It will take a more focused effort
- Mr. Danis asked if there are any date-related milestones. Jamie said no, just move forward. Marty said

we had studies done and would like to see a summary of one to two pages to put out to businesses that might be interested in coming to Town (moving, expanding, etc.).

- Mr. Danis asked about the relationship with the private land owners. Mike said advocacy only; we can't spend money or give specific support.

*Jamie Underwood motioned to appoint Paul Danis to the Boylston Marketing Committee. Mike May seconded; voted all in favor.*

#### **Report of the Chief of Police to the Board of Selectmen:**

- April 14: Conducted his in-service training
- April: The body of Sean Collins, the individual missing since winter, was located and the family was contacted.
- May 20 LTC interview following suspension/reinstated
- May 22 Administrative leave police officer returned to duty
- May 25 Memorial Day
- May 29 Met with homeowner to advise regarding sig placement for pedestrian and goft cart crossing the road. The road is not to be used as a thoroughfare for carts.
- June 7 Tahanto graduation.
- June 11 Jared Piche received an award at life saving ceremony
- June 13 Fire Muster – closed Route 70 from 10:00 AM to 4:00 PM

Spoke with the DPW Superintendent regarding replacing old signs with lime green four-way intersection notice at Cyprian Keyes intersection. No additional accidents at Route 140 since a sign was put up last year.

Mike May asked if there were any plans for an "H" intersection. There are multiple accidents; not sure why that wouldn't be closed. Tony said most accidents are weather related. He previously gave the Board an option to create a dedicated right-turn lane. Mike May suggested making a "no right turn from 7:00 to 9:30 AM restriction.

**Administrative Fee/Cruiser Fee:** Tony submitted survey results for similar towns. He suggests we institute a cruiser fee (not included in Town-related activities) of \$10 for the first four hours (a flat fee) and a flat \$20 fee for over four hours. The largest charge would be \$30 for each cruiser use. Most details average four hours; rarely eight hours. Jim asked why not charge more money. \$25 for the first four hours. Tony said whatever the Board's preference is would be okay. Jamie said maybe have a residential and a commercial rate. Stephen Madaus said that might be challenged. Jamie said we can revisit it in a year or so; we don't currently have anything, so the Chief's recommended fee would be beneficial. It was agreed to charge \$25 for the first four hours and then \$5/hour thereafter.

*Jamie Underwood motioned to charge \$25 for the first four hours of a cruiser and then \$5/hour additional thereafter, to be implemented as of July 1, 2015. Mike May seconded the motion; voted all in favor.*

**Dispatcher Services:** The Chief was contacted by the Town of Clinton regarding sharing dispatch services. He will speak with them and then inform the Board of options.

**Unfriendly Dog on Pine Street:** The Chief has received five or six calls regarding a dog who has bitten other dogs, chased people, etc. Dog Officer Steve Golas also visited several times to address the problem. Bonnie Johnson and Steve Golas (both present):

- Bonnie said the dog has attacked other dogs; chased and confronted people. She is concerned over what could happen.
- Stephen Madaus said the statute regarding dangerous dog hearings requires that the owner be present/notified of the hearing process. Information can be presented but no decisions can be made.
- Steve Golas said this is an
- American bulldog. He spoke with the owner and the owner said the dog was quarantined June 7 for biting Bonnie's dog. He specified the dog needs to be on a lead while outside following the end of

quarantine. He has not had any personal issues with the dog. The other part of the story is that the neighbors don't get along, so he doesn't want to get into that. Quarantine ends on Wednesday, June 17.

**8:05 PM Nel Lazour re Gough House Lease:** Ms. Lazour has been discussing with Mike May and Marty McNamara future plans and use. They would like to partner (public and private) with the Town. Possibly extend the current lease one to two years but get more representation from the Town at meetings, etc., possibly from a committee.

- Jim Wood asked what some of the things going on now are. He was last in it four or five months ago. Nel said he needed to tour the house and review plans. The Massachusetts Historic Commission gave funding matched by the Fuller Foundation. They are doing one room at a time; the State funded \$62K recently that needs to be matched
- Jim said it would be nice to see the house begin to earn some revenue. Nel said they would have some revenue if they are able to complete and lease the top floor. Jamie asked if leasing might void some grants/funding? Mike said possibly leasing to the School Dept. might allow the Town to lease their present space.
- Jamie asked the reason for only a one to two-year lease. Nel said HRP needs to come together to figure out how to work the partnership. If the Town takes on maintenance responsibilities, we need to figure a formula for increasing revenue. It's a Town asset and it will serve all the residents of Boylston when completed. HRP would continue fundraising to help maintain the house. They need more Town representation on the board.
- Jim asked the total amount of money spent so far. Nel said approximately \$1.2M.
- Mike May said he met with Mark Fuller; he is interested in being supportive financially. We have a need to visit and review the possibility of the School Dept. leasing the second floor.
- Jamie asked if this is no longer a historic renovation. Nel said they intend to make the front portion (four rooms) of the house historic with the back portion gutted for function room renovation. It can be used for retreat, conferences, etc. She would like more Town representation; possibly the Town Administrator, Parks & Rec, etc.
- Marty said the volunteers on boards are already pulled in several directions; too many boards to serve on. Also, HRP is looking for time, or looking for money from the Town. Nel said the non-profit was formed because money cannot be donated to the Town. They are not looking for money, just representation and more communication. Mike said, looking ahead, the house will become a more turn-operated asset and will transition at some point. The Town would also have advantage of its use.
- Nel said the Fuller Foundation is meeting this week and she would like to know what she can tell them regarding the lease. Jamie said we need dated goals for milestones. Stephen Madaus asked what the end goal is. Mike May said to maintain the historic portion, which will need continual non-profit fundraising along with usable function space and office lease space to drive revenue. Jamie said we need to know in order to be ready for the School Dept. Nel said it needs further discussion, but the lease can be continued in the meantime. There needs to be a joint discussion.
- Stephen said the property might best be managed by a special act (legislature). Mike said the Board needs to discuss lease terms, partnership, etc. He will reach out to Assabet to assess the ability to work on the upstairs space. If they can't do it, we need to do it through HRP. Nel said we need to see if the School Department is still interested in the space. Jamie will touch base with Nadine tomorrow.

**Audit Management Letter (Melanson & Heath):**

- The TA said recommendations have been made and some ideas will be implemented; others will not. It will be based on what is best for the Town.
- Mike May felt there were some issues of concern to avoid liability issues and the risk of financial standing. As long as they are being or have been addressed.

**Additional FY'16 Appointments:**

**Police Department:**

Jamie Underwood made a motion to approve the Police Department Roster as of July 1, 2015 as written. Mike May seconded the motion; voted all in favor.

***Fire Department:***

*Mike May made a motion to approve the Fire Department Roster as of July 1, 2015 as written. Jamie Underwood seconded the motion, voted all in favor.*

***Boards and Committees:***

*Mike May made a motion to appoint all committees (all read aloud) as written. Jamie Underwood seconded the motion; voted all in favor.*

*Mike May made a motion to appoint William P. Manter to the Historic District Commission and the Affordable Housing Committee; Daniel Duffy to the Conservation Commission; Seth Ridinger to the Finance Committee and Carl Nelson as the Veterans' Grave Officer. Jamie Underwood seconded the motion; voted all in favor.*

*At 9:05 PM, Mike May made a motion to adjourn seconded by Jamie Underwood and voted all in favor.*

The meeting was adjourned at 9:05 PM.

Respectfully Submitted,

Lori Esposito,  
Administrative Assistant  
Board of Selectmen