

Board of Selectmen

Date of Meeting: Monday, November 19th, 2018

Time: 6:30 PM – 8:36 PM

Members Present: Chairman James Wood; Michael May; James Underwood; April Steward, Town Administrator; 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 October 22nd were presented for approval. *Jamie Underwood motioned to accept the meeting minutes as written; Mike May seconded; Voted all in favor*

**Board of Health, Building Inspector and Assistant Attorney General Monica Passeno to Present to the Board the Distressed Property Program**

* Initiative that helps cities and towns with their vacant blighted properties; have been around for about 10 years now
* Work with over 125 Municipalities; Have about 400 active cases across the commonwealth
* MA General Laws Chapter 111 - See handout given by Monica (Located in BOS office)
* Identified properties are sent to them, they will do a title search, notify all heirs, and send letter from Attorney General’s Office to let them know that their property has severe violations
* Mike May questioned Properties where there is not a clear-cut ownership, what is your process to recover?”
  + Monica responded stating that under the State Sanitary Code a receiver can place a lien on the property for the number of repairs and it takes priority over everything besides municipal taxes. They will notify all potential heirs and publish and post all unknown heirs; this satisfies Title Insurance because their lien takes priority over any other liens.
* Board of Health will take part along with Tony because it is under the State Sanitary Code however they mainly handle all the legal work
* Tony Z mentioned that they have been doing this in Clinton since Martha Coakley and its seems like it really takes it from getting nothing done to all of a sudden everything happens. BOH gathers information from the Dept Heads on which properties they would like them to look into. All direction comes from Boylston.
* Mike May asked if there was any cost to the Town and what is the typical time line from start to finish.
  + Monica responded stating that there is no cost to the town besides the BOH devoting some of their time. She also stated they like to do an exterior site view before taking it on.
  + Monica stated that they have had over 2,000 cases and maybe 3-5 cases have gone to litigation.
* Tony Z mentioned that this is a great asset to have. The banks like to keep their names on the loan. Once Monica gets involved, the bank loses position on the loan and loses their leverage. This is where you see action happening because the banks don’t like to lose their spot on the loan.
* The program is set up to take vacant and abandoned properties. The Attorney Generals Office only take referrals, they have no control deciding which properties they go after.
* BOH stated that we do not want to be in the business of putting people out of their houses.
* Discussion followed regarding if there should be a committee set up or how they should go about gathering the list of properties to present to the General Attorney’s Office
* BOH mentioned that there is a house in town that is occupied, and in a state of disrepair, it would be bad to just kick them out on the street. Discussion ensued regarding on how to approach this type of property. Kim Ames made a few statements regarding this house and the state of disrepair it’s in.
* Jim Woods stated that he believes we need some legal advice on setting up a committee. With the help of the BOH, PD and FD, and a couple people on this committee it would be a good step in the right direction.
* Mike May mentioned that the Lions Club has a resource that may help with certain circumstances like this.

**Report of the Building Inspector to the Board of Selectman:**

* There still is a lot of stuff that is out there that we are waiting on from other boards
* Have a meeting tonight regarding the apartment buildings that are going to go up
* Anything anyone would like to ask? The Board was all set.

**Report of the Chief of Police to the Board of Selectman:**

* ***Crime Statistics*** were presented.
* ***Chief’s schedule:***
  + October Columbus Day Holiday – No Issues
  + Oct 10th – Kick off Meeting with AKUITY
  + Oct 11th-17th – Trip to Florida – Off
  + Oct 11th – Assisted FD at BES
  + Oct 12th – AKUITY was working on equipment
  + Oct 23rd – Attended BES Meeting
  + Oct 23rd – Night Fire and various night scenarios
  + Oct 25th – Three Chief Promotion Panel for Sergeant Promotions
  + Oct 30th – Unattended Death
  + Oct 31st – Parks and Rec – Kids came through Halloween Safety pitch
  + Oct 31st – 5:30PM – 8PM - Town Trick or Treat
  + Nov 1st – 8:30am-12:30 – Two Officers attended class at Leicester PD
  + Nov 1st – Motor Vehicle Hearings
  + Nov 1st – Edgebrook Condo Call – Man threatening family
    - Text Book Operation, no one was hurt
  + Nov 5th – Special Town Meeting at Tahanto
    - Thanked BOS for Finger Print Scanning Machine
  + Nov 5th – Sergeant Thomas and I conducted interviews for new positions
  + Nov 8th – Day Shift – Walk through FedEx
  + Nov 8th – 10PM – OUI
  + Nov 11th – Accident on 140 South; exiting the Gulf Station
  + Nov 12th – Veterans Day – No Issues
  + Nov 14th – Follow up questions for Mid-Sergeant positions
  + Nov 15th – PD is putting up Posters – Toys for Tots
    - Drop off at PD through December 11th
  + Nov 21st – Meeting with AKUITY
* ***New Positions:***
  + ***Detective Sergeant:*** Officer John Annunziata
    - Resident of Northborough, Worked in Boylston since 2014. Was a full time Brookfield Police Officer, part time in Dudley, and Paxton Dispatcher from 2010-2013. Dispatching Experience is important because this position oversees the dispatchers. BS/MS in Criminal Justice, very community oriented, easy to talk to and listener, strong knowledge of the law and stepped up to be the Boylston School Liaison Officer. Number one selection for this position.
  + ***Mid-Night Supervisor Sergeant:*** Officer Cody T Thomasianhomasian
    - New position. This position gives us “meat”. Cody is a Boylston Resident with a AS in Criminal Justice, working on a BS from SNHU to graduate June 2019. Full time Boylston PO since 2015, Full time North Brookfield Officer from 2014-2015, part time Sturbridge from 2014-2015, Full Time UMass PO from 2013-2014, and part time dispatcher from 2012-2013 in Paxton. Has had 5 years on, wants to lead, extremely knowledgeable in the law, extremely proactive, loves drug work and night patrol, took the lead in taser training, and rewrote and updated the PD policies. Not afraid to take charge or make a decision when needed. Selected as number 1 by all who screened.
* Police Chief stated that if he left tomorrow he would sleep well knowing that these guys are on the ground.

*Mike May made a motion to accept the Chiefs recommendation to promote Officer John Annunziata to the Detective Sergeant position. Jamie Underwood seconded; Voted all in favor.*

*Jamie Underwood made a motion to accept the Chiefs recommendation to promote Officer Cody T Thomasianhomasian to the Mid Shift Supervisor Sergeant position. Mike May seconded; Voted all in favor.*

Town Clerk Lisa Johnson swore both John Annunziata and Cody Thomasian into their positions.

**Planning Board to Discuss the Inclusionary Zoning Bylaw: 299 Sewall St. LLC. and Affordable Housing Committee**

* Bill Manter stated that we will be making some changes to the new 30-unit senior resident developments to the Gravel Pit due to some legal matters that come up with the inclusionary zoning bylaw of affordable housing
* Our inclusionary bylaw – citizen position in 2004; myself and town counsel have a problem with some of the language in it. The main problem is that they approved the 30-unit subdivision and are not hitting the 10% component with it stated in our towns bylaws. The dilemma is, that development is about 75% sold to residents who wanted to live in a child free development.
  + Planning Board is probably going to have to reopen and redo the order of conditions so that there can be an alternative method.
    - One Method: Provide the Town with funds to apply towards affordable housing. $150K ($50K per unit)
  + Probably talking about $150K - $50K per unit
  + The developer doesn’t want to go against compliance with the state regulations and fair housing law.
  + He would not be opening it up to people with children
  + Mike May mentioned that one of the problems we have as a community is that we do not have an affordable housing commission to administer those funds
  + April mentioned that she spoke with Town Counsel and we can receive the funds. He wasn’t sure how the money could be disbursed.
  + Bill Manter suggested that one of the first things he thinks we could use the money for is to look at the current bylaw and try to clean it up for a small town without a housing authority.
    - As BOS we need to make an affordable housing committee
      * Get registered as affordable
      * Many towns lose affordable because of documentation
      * Is it an elected board or volunteer board?
        + You need a draft board to fill it
* Bill Manter suggested that you get someone who is going to be on that board for a certain number of years.
* Resident Gerry Quam asked: Where does the $150K payment come from.
  + Mike May answered: There is a formula. Dr. Baker can discuss the formula. Has to do with medium incomes and values.
* Bill Manter stated that he wanted to make you aware of the dilemma that the Planning Board is facing. The last thing they need is to expose the Town to litigation. Wanted the bright light to it at the BOS meeting; the Planning Board is not doing anything to try to get this changed, the state is forcing them.
  + Bill stated that the senior residential development is something people like
  + Believes the Planning Board should explore more types of cluster housing.
* Discussion continued regarding the Affordable Housing Committee

**Town Administrators Report to the Board of Selectman:**

* On November 1st we had the bid opening for the Cross Street Road Project here at Town Hall. We had 20 applicants pull bid packages and 8 applicants submitted their bid packages for review. VHB conducted the BID Comparison for the bids received on the project and their recommendation is to award the Contract to J.H. Lynch; who came in as the lowest bidder at $832,824.21. I recommend that the board review the letter from VHB dated 11/5/18 and vote to award contract for construction of Project and vote to execute the contract on behalf of the Town.

*Mike May made a motion that we accept the contract from J.H. Lynch and Sons for the work for the project at Cross and School Street. Authorization to proceed with phase 1; listed as $365,827.85 for the completion of the traffic light at the intersection of 140 and tie in of Cross and School Street. In addition to this motion we would ask that the Town Administrator will hold the contracts until we authorize all of us to sign the contract. Jamie Underwood seconded; Voted all in favor.*

* FY20 Budget: We will be starting to prepare for the FY20 Budget in the next few weeks. A copy of the Budget message to Department Heads, Boards, and Commissions is in your packet. I expect the letter to go out the week of December 4th.
* Dr. Baker and I met with Jennifer Conley and the folks at CMRPS to discuss options to utilize the funds received from the Housing Choice Initiative Small Town Capital Grant. CMRPC recommended that we meet with MassDOT to see if they already have some plans for the Route 140 corridor. I recommend that the board vote to authorize the Chair to sign the FY2019 Housing Choice Capital Grant Contract so that the Planning Board can move forward with the engineering study.

*Jamie Underwood made a motion to authorize the chair to sign the contract Housing Choice Capital Grant for the traffic engineering study, Mike May seconded; Voted all in Favor.*

* The final recommendations for funding in the 2018 MassWorks round have been approved and they are currently being announced through a series of events throughout the Commonwealth. The announcements of awards, which begun on October 16th, are being made on a rolling basis and will continue for the next several weeks until all awards are made public. Communities that are receiving an award are generally being contacted a few days in advance of an event. There are around a dozen announcements left to be made. We are anxiously awaiting to see if we have made the list of recipients.
* We are getting closer to finalizing our Intermunicipal Agreement with the Town of Shrewsbury but seem to have hit a snag in the process. I was not pleased by the correspondence I received from our Special Town Counsel and requested that Attorney Hennigan go back to Shrewsbury’s Attorney and advise them that we have already awarded a contract to the lowest responsible and eligible bidder, that we are requesting to have the IMA funded 100% at the beginning of the project, and that we are requesting that the IMA amount to remain at the previously agreed upon $100,000 and is not to be based on a sliding scale dependent on any state funding that the town of Boylston may or may not receive. We have agreed to provide a monthly report to Shrewsbury showing the expenditures of the gift, but once the gift has reached a zero balance we desire to end any financial reporting on the project to the town of Shrewsbury. Shrewsbury’s Attorney agreed to discuss with his client.

**Review/Approve BOS Meeting Schedule – January through March**

- Only date that might be an issue is March 11th with Mike May

*At 8:36PM Mike May motioned to adjourn, Jamie Underwood seconded; Voted all in Favor.*

The meeting was adjourned at 8:36 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

Building Inspectors Report On File in The Board Of Selectmen’s Office

Town Administrator’s Report On File in The Board Of Selectmen’s Office

TA Fiscal Year20 Budget Message On File in The Board Of Selectmen’s Office

Chief of Police Report On File in The Board Of Selectmen’s Office

Contract; Boylston Public Works On File in The Board Of Selectmen’s Office

VHB – Bid Review Docs; Cross St On File in The Board Of Selectmen’s Office

Construction of cross St. Bid Docs On File in The Board Of Selectmen’s Office

Abandoned Housing Initiative On File in The Board Of Selectmen’s Office

Charter Commnications; Changes On File in The Board Of Selectmen’s Office

10/28 – 11/03 – ALHB On File in The Board Of Selectmen’s Office