



Board of Selectmen

Date of Meeting: Monday, October 24th, 2019
Time: 6:30 PM – 8:39 PM
Members Present: Chair Jim Wood; Selectmen Matt Mecum and Jamie Underwood; April Steward, Town Administrator; Town Council 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.

Selectmen's Meeting Minutes: The minutes of 10/07/19 were presented.

Matt Mecum made a motion to approve the meeting minutes for 10/7/19. Jamie Underwood seconded. Voted all in favor.

Reports: Town Administrator

Town Administrators Report: On File in the Board of Selectmen's Office

- **Cross Street and School Street:** Highway Dept will be removing a portion of the guardrail to set the last two markers; once this is complete, we will be able to get as-built drawings from Thompson-Liston.
- **Cross Street and Mile Hill Road Paving:** Completed
- **Cyber Adversaries/Grant:** Attended a training on Cyber Security. Received an invitation for a Grant announcement.
- **Straw Hollow Engine Club:** Going to use the field in August 2020
- **Article 30/Paying for Inspection Fees:** Looking to seek permission from the Board to use the funds to pay for the inspections.
- **Firefighters Association/Fill the Boot:** Annual Fill the Boot Drive for Muscular Dystrophy; 11/3/19.

Matt Mecum made a motion to approve the Fire Fighters Association Fill The Boot Drive for Muscular Dystrophy on 11/3/19 at the Intersection of 70/140, Jamie Underwood seconded. Voted all in favor.

Discussion on Plumbing Inspector Fees:

Eric came in the speak with the board of selectmen regarding Plumbing inspector fees; jobs like FedEx. Eric mentioned that the way this is structured is that the Town will be getting anywhere between \$160K to \$180K in permit fees for the 66 unit (7 buildings). He mentioned that at this

time the Town does not have anything set up on a large scale such as FedEx. In the 66 units, there will be a minimum of 264 inspections. Eric's Commercial Rate is \$50.00 and Residential Rate is \$25.00. The building department itself will be bringing in anywhere between \$160,000 - \$180,000, the Plumbing and Gas Permits will bring in \$28,200, the wiring will bring in approximately \$9,300 and the building is the remainder of that. Eric stated that if you cut the plumbing in half, he would be bringing in around \$14,100 beyond his normal amount; within a two-year period. The question is, where does the money come from? Eric brought up that at times they hear that it's not in the budget but stated that the budget really can't work on building projects because if the budget shuts on July 1st, someone could come in on July 2nd with an idea and get everything done within the year when the budget comes out again. He suggested that we need some type of fund set up for projects like this so that the inspectors can get paid out from; The town gladly takes the fees but doesn't have a way to pay out the inspectors for the additional work.

Jim stated that his fees are basically for the residents and commercial jobs, but when it comes to a big project like this, he is taking a hit. Eric stated that a lot of towns wouldn't pay for a separate plumbing, gas, and electric, and building for each unit; but in order to give someone an occupancy we have to find a way to pay per unit. Eric decided that it would be best if every single unit has its own so that way if only one passes, then they can still get occupancy even if the others didn't.

Jim Wood asked what he has for ideas. Eric suggested that he feels they need to create a fund that we put \$10,000 in and when it starts to get low, we can fund it again because of a specific project coming up. To have a special project fund set up for individual inspections. As far as funding it, the money can come from the permits, it depends on how you word it.

April stated that 53G can not pay salary. How the Town did it for FedEx is that Scannell gave the town a \$20,000 check and it went into the general fund and at Annual Town Meeting we approved an article and set it aside for a specific purpose of paying inspector fees for new development. Jamie asked if we can use that money towards anything besides FedEx and April stated that she believed we can because it did not say FedEx; 53G's get returned to the developer. Jamie stated that the Planning Board must take initiative and figure out what it is going to take when a project like this comes into town and put aside that money for that fund; in this case we will have to ask the FinCom for a transfer from the general fund to pay them out. April stated that the money goes into the general fund and then after when our free cash is certified, we can make articles out of that; it has to go through a process first. FinCom has their own reserve fund that is separate from the general reserve fund. Matt Mecum stated that the ship has kind of sailed on this one and thinks that we need to figure out how to fund this right now. He stated that a lot of times we think this money coming in is money we can spend, but in all reality, we need to take a closer look at it because that's not true.

Eric mentioned that besides the building inspector, plumbing inspector and other inspectors, we also need to consider that there is someone who is in their office doing all these permits and this requires a lot more work on her end as well. Jim Wood stated that long term is easier than the short term. Jamie mentioned that we will be able to tell the Planning Board to do things differently going forward, however the issue is that we need to figure out how to get this money available for the project because they will not make it to July. Jamie asked how many inspections Eric does in a year. The Wiring inspector, John McQuaid stepped up to give examples from 2018 regarding inspections done per year; Permits Issued: 176, and most permits have 2 inspections so around 352. So far to date, he is up to 135 permits so around 270 inspections. Eric stated that his projections would be very similar and his would be double for gas and plumbing. John McQuaid

stated that the category of commercial is what we are addressing and that there are some projects that will be coming up that will affect this. Matt Mecum asked if we could figure out what the correct percentages are to take off of the commercial permits to make sure that we have the cash on hand to pay for these inspections. April said she does not believe that you can pay employees out of a revolving fund. The Board discussed other ways that they could figure out how to get this paid out. Eric stated that the big picture is getting the planning board on the same page. April asked if we know how fellow communities are doing it? Eric stated that he is unsure. Jim Wood suggested Eric getting together with April, gather a couple samples from other towns and then try to figure it out.

Appointment: Jeremiah Johnson: Plumbing Inspectors Assistant to Assistant:

Eric is looking to have an alternate Plumbing Inspector for when John McQuaid and himself are out.

Jamie Underwood made a motion to appoint Jeremiah Johnson as the Assistant to the Assistant Plumbing and Gas Inspector, Matt Mecum seconded. Voted all in favor.

Tax Classification Hearing: Joint Hearing with Board of Assessors:

Paul O'Connor mentioned that the Board voted to oppose a single rate and handed out a chart showing the Residential/CIP Tax Shift. The Blue line is the flat rate/single rate, the red line is the advantage you get as you shift the rate and the green line is what happens to you commercial/industrial property and personnel property. In order to give an advantage to the residents you need to really push the commercial rate up; if you push it enough to make a difference on the residential side, you will stop the business from moving in. Jim Wood mentioned that he is good and does not want to scare Commercial Business away.

Jamie Underwood made a motion to accept the Single Tax Rate Classification, Matt Mecum seconded. Voted all in favor.

MOU Discussion with Police Chief and School Superintendent:

Jim Wood asked the Chief and Superintendent Zanghi to walk them through where they are at on the MOU.

Superintendent Zanghi stated that the School District has filled out as much as they possibly can on the MOU and the rest of it relates to the Chief filling out; amount of training, how many officers will be committed, and other things that the Chief has to determine. He stated that he does not know any of that information because he is unsure if they came to any conclusions on their end.

Matt Mecum mentioned that when Superintendent Zanghi and himself met, they discussed that its important to get the MOU in place and that the Superintendent thought it was important to get officers there while kids moving; more visible times such as getting on and off the bus and recess. Once there was a standard MOU in place, we would then see if we wanted to go past that with an additional officer. Jeffrey Zanghi stated that in the initial MOU it states that you need to specify and lay out how many officers, part time or full time and give all that information to be complete.

The Chief of Police mentioned that what they are doing now is what they have been doing all along; respond down when they are called as well as increase the presence at the Highschool and BES, occasional walk throughs during lunch times. It is not an everyday thing but in addition to that they do patrols around the building and are the main point of contact for the school. The Chief of Police mentioned that the school district wrote up a very detailed MOU; this document would be the base document. He continued with that the Town has to designate a School Resource Officer and said he does not have a problem doing that, but it depends on the board. Matt stated that there are two conversations that need to take place; we need to get a new MOU based on the law, and the second conversation is, what does the town want moving forward; full time SRO that is going to be in the schools, or one for the whole district. Jim Wood asked Superintendent Zanghi what Berlin does as far as an SRO and Matt Mecum stated that Berlin already has a part time SRO. The first thing we need to do is get an updated MOU in place, and then we need to go deeper into it and determine what we would like.

Jim Wood mentioned that he would like to see an officer in the elementary school and the high school full time and put this in front of the Town for them to decide. Jamie stated that its great to have an officer on site, but it's going to be costly.

Compliance as the Police Chief reads it is that the Town appoint a School Resource Officer. He then stated that the individual does not need to be in the schools 24/7 and that both him and the Superintendent liked how things have been. He then stated that the Superintendent did a survey and the students, facility and parents were all in agreeance that they like the way things have been going and they can always build up if the situation warrants it. Jeff stated that there are two documents in the MOU that the Town needs to have; MOU and the standard operating procedure document. If you look at the intent of the SRO; there is a prevention piece that must be hit, and the SRO needs to be in the building at some parts of the day in order to build relationships. The main focus of the SRO is to be preventative and is hoping to get some hours inside of the building; some contact hours during the day. With his experience with an SRO, it was a good experience that they were able to be in the building at some points of the day.

Matt asked if we can look at the amount of time the Police are currently on the school grounds as it will help us establish some more information for the MOU and stated that the older MOU is not compliant. Jamie questioned what needs to be done in order to get complaint. Jeffrey Zanghi stated that we are actually pretty far off from being compliant and that everything is written, we just need to fill in the blanks. Matt Mecum stated that a lot of this falls on the Chief filling out this information. The MOU is between the Police Department and the school and the Board asked to have a draft by November 18th.

HEARING: Boylston House of Pizza: ABCC License Application: Change of Ownership:

Chair Jim Wood announced the opening of the public hearing at 7:39 PM. The purpose of the public hearing was read aloud, and it recognized that notice of the public hearing was published in the *Telegram/Item* on October 6th, 2019 and on October 13th, 2019.

Mr. Botros, representing himself, introduced himself to the Board and answered a couple questions the board had. There were no residents in attendance to address the Board about the matter.

Following a review of the Application, *Matt Mecum made a motion to approve the transfer of beer and wine license from Katrina Eliadis to Archangel Raphael Incorporated of 81 Shrewsbury Street, Jamie seconded; Voted: 3 in favor, 0 opposed.*

Chair Jim Wood announced that the public hearing was closed at 7:40 PM.

Discussion regarding the town taking over a street light; Flagg St.:

Resident, Chris Katz came in because they finished building their house on the end of Flagg Street and wanted to ask the Town to take over the street light as it is not on his property and it is still on Charley Greys property which is a public road. The Board, April Steward and the Light Department Manager, Mark Barakian discussed the location of the street light and determined that it is on the public road so the Town will take it over.

Jamie Underwood made a motion to accept the electric pole on Flagg Street, Matt Mecum seconded. Voted all in favor.

Permit Application; Mike's Moonwalk Rentals: Christmas Tree Sales 11/25/19 – 12/23/19:

Jamie Underwood made a motion to approve Mike's Moonwalk Rentals: Christmas Tree Sales 11/25/19 – 12/23/19, Matt Mecum seconded. Voted all in favor.

Permit Application, Corridor 9/495 Regional Chamber of Commerce; One Day Liquor License for Eat, Drink and Be Local Tasting Event at Cyprian Keyes – 10/29/19:

Matt Mecum made a motion to approve the Permit Application for Corridor 9/495 Regional Chamber of Commerce; One Day Liquor License for Eat, Drink and Be Local Tasting Event at Cyprian Keyes – 10/29/19, Jamie Underwood seconded. Voted all in favor.

Permit Application, Miki - One Day Liquor License for 60th Anniversary Party at Bay Path Barn, Saturday, Nov 2nd

Matt Mecum made a motion to approve the One Day Liquor License for the 60th anniversary Party at Bay Path Barn, Saturday, November 2nd, Jamie Underwood seconded. Voted all in favor.

Vote on Winter Parking Ban: 12/1/19 – 4/1/20:

Jamie Underwood made a motion to approve the Winter Parking Ban from 12/1/19 – 4/1/20, Matt Mecum seconded. Voted all in favor.

Discussion on amending Personnel By-Laws to allow a contract for the Highway Superintendent:

Matt Mecum brought this up previously to see if the Town would agree to a contract with the Highway Superintendent. Town Counsel found a way to do this at Town Meeting instead of going to the Legislature.

Stephen Madaus mentioned that he spoke to D.Moscous and he mentioned that on occasion, if the Town wants to do this, by By-Law you can be authorized to award contracts to department heads. The Board does not need to vote on this until Town Meeting.

Post Office:

- Significant delivery issues. Matt Mecum suggested that the Town should send a letter to the appropriate person regarding this issue; needs to go to the next level.

Police Dept/Radios:

- Acknowledgement from Board regarding this issue. Bob Bourassa and Police had a meeting with Motorola regarding some issues; April will get update.

Review and Approve/Sign Police CBA:

Town Clerk, Lisa Johnson asked if we have decided on a Special Town Meeting date yet and Jim Wood responded no, we are still waiting on the as-builts. April stated that we are looking at January and Jamie stated that he thinks we can't have it in January because we were already supposed to have this done, while Matt Mecum brought up that it is not going to be in November since it is already almost November. Jamie stated that we told the Chief we would already have this done and Matt Mecum responded that we said if we had a special Town Meeting, we would do it. April stated that she has been in communication with the Chief and laid out the timeframe for everything; it's not just the warrant for the road, we need the as-builts done and do not have them yet. Jamie stated that he is taking the road out of the conversation and Matt asked him if he wants to have a Special Town Meeting just for the Chiefs contract and then have another special Town Meeting for the Road. Jamie asked why we can't put the road off and April stated because of the exposure the town has in case an accident occurs on the road and Jamie asked how much exposure we would have if we pushed off the negotiations of the Chiefs contract. Matt stated that we are not pushing off the negotiations of the Chiefs contract. Jamie stated that we would be because we are looking at the 13th of January, not putting it into play until February. Matt stated that these are all the things we discussed very clearly with the Chief about the timeframe. Jamie stated that we didn't know we were going to push it off that far and Matt stated that we didn't think we did. Town Counsel, Stephen Madaus stated that he has been pushing for as-builts and April has been chasing to get those last two bounds shot by the surveyor and that there has been an effort on their end to get The Special Town Meeting going; no one wanted it this way. Matt Mecum stated that he doesn't think we can have a Special Town Meeting for that one Article and Jamie disagreed. Matt stated that his understanding was that the Chiefs contract negotiations would go on the warrant the same time as the Special Town Meeting and Jim Wood agreed; Jamie stated no, it wasn't specifically for him, but we originally talked about November being the date of the STM. Matt Mecum stated that there are things out of our control and Jamie stated that this is now the position we are in and need to think about it. Matt stated that April has been in contact with the Chief and has been very clear about the timeline and Jamie said that he spoke to him last week. April gave the Chief the timeline on October 22nd but mentioned that she was waiting on the as-builts and Jamie stated that they are two different things. Stephen stepped in to remind Jamie that that was going to dictate the setting of the town meeting, is when we got the as-builts we could lay out the way. Jamie stated that also what was going to dictate it was the timeframe that we had to get it through legislation. Matt stated he did not remember that. Stephen stated that he always thought what was driving the Town Meeting was the acceptance of

this way and whatever else was going to be on this warrant would piggy back it. April stated that she remembered speaking to the Chief stating that it was fortunate we were having a Special Town Meeting so that we could put this on it with the road and Jamie stated that was when we originally thought it would be November. Stephen stated that we have been chasing to get the as-builts and it hasn't been without effort; especially prior to the winter months. Matt Mecum asked Jamie what he wants, and Jamie replied that his want is, if this is still realistic, and if we don't get anything done next week this isn't realistic. Matt asked if we can even hold a town meeting before January at this point and April went through the process and stated it would be about 5 weeks which would take you to mid-December. April stated that she believes they have their winter session where they close for three weeks. The board continued to discuss the difference between it happening in December or in January. Matt stated that we were always going to have a back up plan no matter what because we don't know what's going to happen with the legislation. Jamie stated that he thinks it just looks like we pushed it out too far. Jim stated that we are not cutting, its just the way things didn't get done. April mentioned that it is not being driven from our board, the board is at an unknown and it was all discussed with the Chief. Jamie stated that the acceptance of the way and issues beyond our control is not what we discussed with the Chief. Matt stated that we would have had to start this process 5 weeks ago when we spoke with the Chief about this and we didn't get an answer regarding him wanting to move forward with his contract until the other day, so how could we have started that process when we just heard that he wanted to move forward 2 days ago. Jamie stated that the Chief just wanted to make sure we were already writing it. Matt stated that Jamie said The Chief pulled him aside to tell him he wanted to move forward. Jamie said the we had an answer from the Chief that night and Matt disagreed. April stated that the Chief sent her a text on October 10th saying he wanted to move forward with it, which is two weeks ago. Matt stated he would like it all to work out for Tony too, but nothing would have changed if we started it then compared to today and doesn't understand where he is coming from saying that it looks like we haven't done anything, since they haven't been able to do anything up to this point. April stated that she reached out to the Chief a few times and he responded saying he was still deciding; he took about a month to let her know he wanted to move forward. Jamie stated that he told the Board months and months ago that he wanted to move forward, and Matt stated that he doesn't know where he is getting that from, and he never told him that. Jim stated that the Chief just told us on October 10th that he wanted to go for it. Matt stated that Jamie suggesting the Board was dragging their feet is not a true statement. Jamie said if this does not come to fruition, then we are looking at March and April; Jamie would like to see us open up a town meeting warrant for the Chiefs contract and try to push it through. April stated that if we do that, we could have two STM's within two weeks of each other. Jim Wood and Matt Mecum agreed that they were not in favor of having two STM's so close to each other; Jamie disagreed.

Stephen asked if we have a draft of what this would look like and stated that no one has asked him to draft it yet. April stated that she was going to have him draft it and since they do not have anything to copy from, they are going to have to use the same draft that they used in 2017. The Board, Town Council, and Town Administrator continued to discuss how the draft would be written and timeline of the Chiefs contract; the Board will not be moving forward with a Special Town meeting for the Chiefs contract at this time.

At 8:39PM, Jamie Underwood made a motion to adjourn, Matt Mecum seconded. Voted all in favor.

The meeting was adjourned at 8:39 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
Town Administrators Report	On File in The Board of Selectmen's Office
Meeting Minutes – Oct 7 th , 2019	On File in The Board of Selectmen's Office
Meeting Minutes – Sept 11 th , 2017	On File in The Board of Selectmen's Office
Town of Boylston, Personnel Bylaw	On File in The Board of Selectmen's Office
Copies of Event License Requests	On File in The Board of Selectmen's Office
Residential/CIP Tax Shift Chart	On File in The Board of Selectmen's Office