



## Board of Selectmen

Date of Meeting: Monday, May 4th, 2020  
Time: 6:35 PM – 8:10 PM  
Members Present: Chair Jim Woods; Selectmen Matt Mecum and Jamie Underwood; April Steward, Town Administrator; Town Counsel, Stephen Madaus, and Alison Mack, Administrative Assistant to the Board

The meeting commenced at 6:35 PM.

Financial Warrants were signed in agreement.

Pledge of Allegiance was recited.

\*Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Boylston Board of Selectmen will be conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings.

The meeting will be livestreamed from the Zoom Application:

Please click the link below to join the webinar: <https://us02web.zoom.us/j/88262218810>

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### *Confirming Member Access:*

April Steward, Town Administrator recited the following:

Members, when I call your name, please respond in the affirmative.

- Jim Wood: Yes
- Jamie Underwood: Yes
- Matthew Mecum: Yes

Staff, when I call your name, please respond in the affirmative.

- Town Counsel, Stephen Madaus: Yes
- Alison Mack: Yes

### *Introduction:*

April Steward started off the meeting by stating the following: Good evening everyone. This Open Meeting of the Board of Selectmen is being conducted remotely consistent with Governor Baker's

Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the “COVID-19 Virus.”

In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor’s Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible *physical* location. Further, all members of public bodies are allowed and encouraged to participate remotely. The Order, which you can find posted with agenda materials for this meeting allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will feature public comment.

For this meeting, the Board of Selectmen is convening by video conference via Zoom App as posted on the Town’s Website identifying how the public may join. Please note that this meeting is being recorded, and that some attendees are participating by video conference. Accordingly, please be aware that other folks may be able to see you, and that take care not to “screen share” your computer. Anything that you broadcast may be captured by the recording.

#### Meeting Materials

All supporting materials that have been provided members of this body are available on the Town’s website unless otherwise noted. The public is encouraged to follow along using the posted agenda unless The Chair notes otherwise.

#### Meeting Business Ground Rules (Jim Wood)

We are now turning to the first item on the agenda. Before we do so, permit me to cover some ground rules for effective and clear conduct of our business and to ensure accurate meeting minutes.

- I will introduce each speaker on the agenda. After they conclude their remarks, the Chair will go down the line of Members, inviting each by name to provide any comment, questions, or motions. Please hold until your name is called. Further,
  - Please remember to mute your phone or computer when you are not speaking;
  - Please remember to speak clearly and in a way that helps generate accurate minutes
- For any response, please wait until the Chair yields the floor to you and state your name before speaking.
- If members wish to engage in colloquy with other members, please do so through the Chair, taking care to identify yourself.

#### For Items with Public Comment:

After members have spoken, the Chair will afford public comment as follows:

- The Chair will first ask members of the public who wish to speak to identify their names and addresses only;
- Once the Chair has a list of all public commentators, I will call on each by name and afford 3 minutes for any comments.
- Finally, each vote taken in this meeting will be conducted by roll call vote.

**Selectmen's Meeting Minutes:** The minutes of 04/21/2020 were presented.

*Matt Mecum made a motion to approve the meeting minutes for 04/21/2020. Jamie Underwood seconded. Voted all in favor. Roll call vote: Matt: yes, Jamie: yes, Jim: yes.*

### **Town Administrators Report:**

**1. DCR/ Tax Title Property:** DCR Would like to purchase a property that has been in tax title land court for many years. Treasurer/Collector recommends that we move forward with this request to our land court Attorney to see about the Town accepting this off by petitioning the DOR.

- Backland is unbuildable and has been in tax title for a long time
- \$48,000 in back taxes; DCR has property valued at \$45,000
- Treasurer/Collector is recommending that we approach the DOR to see if we can accept the \$45,000.
- Jamie asked how much money it would cost for the Tax title attorney. April stated that we are already in that process and moving forward would end it. Jim Wood stated that he thinks it is a pretty good idea. April stated that she will ask the Tax title attorney how much money it is going to take and what the cost is per hour.
- Matt wanted to know if the owners still owned it, or if we needed to go out to bid. April stated that yes, they own it.
- Stephen Madaus stated that the Town Administrator and Selectmen Mecum are correct; it is a lien on the property until the Treasurer goes to land court to foreclose on it in land court, then we would get title to it and then the Treasurer auctions it off with the tax title custodian to dispose of it. We are at that tipping point where delinquent tax account will exceed the value if this keeps going; we will never get those funds in excess of the value. Matt mentioned that he is good with it and asked April to look into the cost.

**2. Annual Town Meeting:** Currently set for June 15<sup>th</sup>, 2020.

- Options on locations are discussed:
  - Outside: Jamie mentioned that he does not think the outside would be the best option. Splitting the Auditorium and gym would be better. Jim and Matt agreed.
  - Tahanto Auditorium: Most suitable
  - Tahanto Gym: Option of splitting the rooms up
  - Tahanto Cafeteria: Another option on where to split the room up if needed.
  - The Chief of Police mentioned to look into the Town Hall gym.
- Attendance at past meetings: Jim asked what the attendance was at past years meetings and April mentioned we will look into it and get those numbers to them.
- Do we make masks mandatory?
  - Jim Woods mentioned that masks will be around a while. Stephen confirmed that per the Governor's order, it's the law to wear a mask if you cannot maintain social distancing and we can require residents to wear them in order to attend; he also suggested maybe having some available for people if they need them.

There are a decent number of unknowns at this point, the Board decided to discuss more during next meeting on May 18<sup>th</sup>.

### *3. Radio Communications Project:*

- Snag in the project; the radio frequencies that would work best for the Town does not have any available frequencies in the area at the moment
- Could move forward with another option of 800megahertz, but surrounding towns that are utilized for mutual aid all use UHF, which raises concerns
- April stated that due to the current state, she is looking to breaking the project into two phases.
  - There may be some UHF frequencies available in 2021; if this is true, It may be better to wait to procure those frequencies
  - They can focus on the non-frequency items this year and have that be the second phase; requiring licensing, dispatchers console upgrade, and site work at Tahanto School.
  - April stated that she does not want to move forward with a project just to move forward with a project if it's not the best fit for the town. Jim Wood asked if there was a timeframe as to when things will be figured out. April stated she is looking into grants and securing some free cash so when they become available, they have money towards them; looking at around a year. Unsure of what affect COVID-19 will have on the statewide budget this year so breaking it up into two phases would be best for residents. Matt Mecum and Jim Wood agreed.
  - April suggested gathering all departments who use Radio Communication together to discuss different options and the direction we would like to take.

### **Chief of Police Report to BOS:**

The Chief agreed that phasing the Radio Communications project is the best way to go. He stated that he will definitely sit down with April and the Fire Chief; prioritize so that they do not spend money twice down the road and looks forward to coming up with a plan shortly.

- Chiefs cruiser was in the shop for about \$2,900 dollars' worth of work.
  - Replacement of intake gasket, right front strut was broken, left tire rod end, and a new radiator; going in again tomorrow for recall

April 9<sup>th</sup>: Food Bank: Fantastic donations from residents, 4 large deliveries to food pantry thus far

April 13<sup>th</sup>: Police Building Remodel by Bob Bourassa

April 29<sup>th</sup>: MEMA issued 28% screening surgical masks recalled. Fire Chief went to MEMA and picked up the replacements.

- Pretty high-speed surgical masks.

April 29<sup>th</sup>: Company in Allston: Provided PD 10 Gallons of hand sanitizer.

As of Today: 8 birthday drive-by.

*Crime Stats:* On File in the BOS Office

- Just shy of three vehicles being over 90K; watching those closely.

### **Fire Chief Report to BOS:**

- Call volume has been down significantly, mostly due to crisis
- 6 calls today though so It's starting to pick up again

#### *Radio Communications:*

- Currently have 2 UHF frequencies
- For not a lot of money, The Fire Chief believes that we could get the police department running for the time temporarily
- Reached out to FCAM Legislative Committee and they believe pretty strongly that the FCC will be releasing UHF frequencies in the near future; recommends waiting to see if those frequencies will be released.

#### *COVID-19:*

##### Working with MEMA:

- Gloves, masks
- Selectmen Mecum: Donated Eye protection
  - Adequate supply of N95 masks; Similar to surgical masks but add a little bit of more protection. Also received gowns and hand sanitizer/
- Doesn't think we are going to be out of the woods for a while; months away.
- Standard care: Masks
  - Will need more equip moving forward; COVID Supplies; masks, gloves... etc.

*Assistance in COVID:* Boylston doesn't meet the minimum required numbers for that grant.

### **Building Inspectors Report to the BOS:**

#### Building Permits:

- more than 50% of last year's numbers as of April
- more difficult to deal with due to the COVID-19; Presence of people being in there while they are trying to get work done
- Extremely busy at the moment

Jim Wood mentioned that you are probably going to find a lot of people doing a lot more remodeling around the house. Tony mentioned that he has noticed more and more people picking up material at Home Depot and Lowes, so he expects to see if pick up even more.

Jim: Spending more time doing things around the house

Matt asked Tony if he was all set with COVID-19 Supplies: Tony responded that he is good at the moment with gloves and masks.

Jamie asked what limitations he has been taking. Tony responded that he will not inspect when people are home; they have been doing video and picture inspections instead.

### **Highway Superintendents Report to BOS:**

- Staying busy with regular routine stuff; running a short crew at the moment

- Same report here from two weeks ago
- Doing a lot of tree work
  - Set up to do some crane work tomorrow; Getting into some places easier than we have been able to before.
- replacing some signs
- Set up paperwork for Chapter 90 funds, hoping that there are no issues with funding

#### *Yard Waste:*

Yard Waste days: May 5<sup>th</sup>, 6<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup>

Jamie asked if Steve was planning to do any weekend yard waste drop offs. Steve responded that he was not planning on it as the requests have mainly been for during the week; at the moment, he does not have an ask for the weekend.

#### **Discussion on Proposed Special Acts and next steps:**

- Special Act for Police Chief Extension: Nothing is happening at this moment. Seems as though it is not moving during the COVID-19 pandemic.
- Jamie mentioned that some things are moving; Bill Brooks getting a second bite at the Apple for Police Chief. April stated it took a long time to get through. Jamie suggested also putting Harriet Chandler on it to push it through since Harold Naughton will not be running again.
- Jim Wood mentioned that they can reach out and get their take on seeing how everything is going. Matt stated that the timing of everything is a concern to him, so we should keep the conversation going.
- Matt asked the Chief if he has heard from any of his contacts. The Chief mentioned that he had been in contact with someone, however unfortunately they tested positive for COVID-19 and has not heard anything from them since. The MA Chiefs lobbying group is reaching out to the speaker of the house to let them know in the midst of COVID-19, the Town of Boylston does not need to lose their Police Chief with this particular crisis going on.
- Matt stated that he feels we should continue to reach out and push for this however timing is a concern. They should have a backup plan in place. Jim Wood stated they will regroup at a later date.

#### **Town Meeting Draft Warrant:**

Part of tonight's BOS meeting is to discuss the draft warrant for the upcoming Annual Town Meeting. The Board will meet again on Monday, May 18<sup>th</sup> at 6:30PM to do the Final review of the warrant. Hoping to have the warrant mailed out after Memorial Day which will give us three sabbaths prior to the Annual Town Meeting; which normally only needs two sabbaths.

*Draft Warrant Review:*

*All full articles not discussed are printed on the draft warrant: On File in the BOS Office*

Article 11: Establish a revolving fund for Multi-family and Commercial Building Inspection Fund; 50% of inspection fees can go into one fund to pay for inspectors and the other 50% goes into the general fund. Maximum amount expendable is being limited to \$30,000 per year.

Article 12: Salaries for hourly pay; 2.5% increase was put in. Finance Committee is meeting later this week to discuss.

Article 14: \$25,000 OPEB Liability Trust Fund

Article 15: Revisions to Cemetery Rules and Regulations. Need Date of revision

Article 17 and 18: FD Sponsored.

Article 19: \$20,000: repairing/replacing the roof of the Carriage House

Article 20: Article is currently in questions: may be rewritten to phase 1.

Article 21: \$150,000 for the purchase of software for the Police Department's Dispatch system  
- need to have a dispatch system

Article 23: Year 1: Town Master Plan: \$44,725

Article 24: Police Chief's contractual obligations

Article 25: Town Counsel: Draft Special Act: Gough House

Article 26: \$80,000: Renovations to Flagg Estate; rental space

Article 27: \$80,000: Pickup truck for highway Department

Article 28: Move shared driveway by-law from General By-Laws to Zoning By-Laws.

Article 29: Citizens Petitioned Article: Times/Hours of Construction to be amended as follows:

Article 30: Illegal dumping of trash; authorizing the BOH Agent to have the same right as PD regarding illegal dumping of trash. The Board agreed that they are okay with allowing this.

Article 31: Going to be re-written: Special Act Request for PD and FD. Right to take moneys and put them back into salaries lines instead of free cash.

Article 32: Regional District School Assessment

Article 33: Number can change; set number at Town Meeting. Reduction of tax rate for FY beginning on July 1<sup>st</sup>, 2020.

~~Article 34: STRIKE ARTICLE 34~~

Article 35: Standard Budget Article to approve the budget

Article 36: Approved by the town clerk for elections that are up this year.

Stephen Madaus asked that the Board of Selectmen vote to refer Article 28 to the Planning Board.

*Jamie Underwood made a motion to recommend Article 28 to the Planning Board for review and to make a recommendation. Matt Mecum second. Voted all in favor. Roll call vote: Matt: Yes, Jamie: Yes, Jim: Yes.*

**Discuss and Vote to Approve Election Monitor:**

The Town Clerk has reached out to the Millbury Town Clerk, Jane Davolio, and she will be helping out with the Election this year. The Town Clerk and Assistant Town Clerk have pulled papers to run for the same office; they can't work the election. April stated that the arrangements

that the Town Clerk has made is a good arrangement and does not believe we need to do anything further. Stephen Madaus mentioned that he looked into this and agrees with the Town Administrator; Millbury Town Clerk is an Independent third party that knows election law, supervising this local election. Both candidates can still do their jobs as Town Clerk and Assistant Town; under the conflict of interest law there are exemptions and exceptions for Town Clerks, but we have a third party that will supervise us. He believes we are in good order and the Independent Clerk will be sufficient.

Town Counsel, Stephen Madaus brought up that if we are going to have town meeting in multiple rooms due to social distancing, we are probably going to need an assistant moderator or to be in the overflow room; The moderator might have to assign someone; they would have to text back and forth to communicate the votes.

Matt Mecum asked if the legislature is looking at reducing the number for a quorum. Stephen responded that it did not get enacted. Matt stated that we will need to make sure we are following the social distancing guidelines as residents will want to make sure it is safe to attend. Matt stated that the worst-case scenario would be that we do not hit the quorum, we do not pass a budget and we have to go with a 1/12<sup>th</sup> budget until we can have a meeting.

*At 8:10PM, on a motion made by Jamie Underwood, the following roll call vote was recorded to go into Executive Session under: **EXECUTIVE SESSION** (closed to the public): **Per MGL c.30A, §21, (2):** to discuss strategy with respect to negotiations with nonunion personnel – Fire Chief's contract. The Board agreed they would not reconvene to open session. Roll call vote recorded as follows: Jim Wood: Yes; Matt Mecum: Yes; James Underwood: Yes*

Respectfully submitted,

Alison Mack, Assistant to the Board of Selectmen

### **Meeting Materials**

Agenda  
Department Head Reports  
Draft Warrant

On File in The Board Of Selectmen's Office  
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