



Board of Selectmen

Date of Meeting: Monday, July 6th, 2020
Time: 8:00 AM – 8:46 AM
Members Present: Chair Jamie Underwood; Selectmen Matt Mecum and Seth Ridinger;
April Steward, Town Administrator; Stephen Madaus, Town Counsel, and
Alison Mack, Administrative Assistant to the Board

The meeting commenced at 8:00 AM.

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/82260264118>

Or iPhone one-tap : US: +19294362866,,88262218810# or +13017158592,,88262218810# Or
Telephone: Dial(for higher quality, dial a number based on your current location): US: +1 929
436 2866 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or +1 253 215 8782 or +1
346 248 7799 Webinar ID: 882 6221 8810 International numbers available:

<https://us02web.zoom.us/j/82260264118>

Confirming Member Access:

April Steward, Town Administrator recited the following:

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

- Seth Ridinger: 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 (Jamie Underwood)

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.

ADA Coordinator Discussion: Seth mentioned it's good to have an ADA Coordinator for the Town. Alison Mack, being the Administrative Assistant to the Board of Selectmen and Town Administrator already has listed in her job description that she will act as the ADA Coordinator. Seth asked if the Board needed to vote on this and Jamie stated that if its already in her job description, we are already covered.

Discuss Process of a Permanent Appointment to Board of Registrars:

Previous Town Clerk, Lisa Johnson filed a petition for a recount to validate the elected Clerk. Town Council Stephen Madaus explained the recount process to the Board of Selectmen stating that all the election material is sealed up lock and key in the Town Clerks Office. The Board of Registrars must meet and review the petition for the recount. If they deem the petition valid, they will schedule a recount and set up a recount table and summons a Police Officer to retrieve all the election material; each candidate is entitled to observers and can accompany whoever will retrieve the election material from the Clerk's Office into the recount room. It will be presented to the Board of Registrars and they will unseal the ballot box and take out all the ballots that Town residents cast on election day and divvy those up into recount blocks and will send the first block to the recount table. Each candidate is entitled to two observers at the recount table to look over the shoulders of the counter. As the counter reads to ballot and announces who the ballot was for the tally person will record it, unless one of the observers protests the ballot. If that ballot is protested, it goes up to the Board of Registrars and they review it; Having three members from different parties is important to determine what the voter's intent was and report if it was a spoiled ballot that they cant determine or if it was for Candidate A or Candidate B. They preserve those protested ballots separately. The completion of the recount process, only those protested ballots go to the Board. If they are not dissatisfied, that's the recount and the election would be official.

It is important to have a Board of three Registrars and we will need to fill this position as a permeant and have the Republican Town Committee give us the three names, but in the interest of time, the BOS can appoint someone temporarily to the Board of Registrars. The BOS has to expect if they do a temporary appointment, that person will be a Registrar for the recount process. Dawn Porter mentioned that the Republican Town Committee stated once they get the certified letter from us to provide the three names, it will take them from at least 7-10 days to schedule a meeting. Cindy Sears know the applicant for the temporary appointment and said she feels very comfortable with that. Jamie stated that he does not have an issue with this and would like to move forward. Seth questioned what the legal procedure is, and Stephen clarified it for him.

April stated that since it is a position that is appointed by the Board of Selectmen, if they got a permeant name before the recount was finished, They just wouldn't appoint that person until after the procedure was concluded. Seth stated that he wants to make sure there was no confusion about that. Dawn added that the person who was suggested to be the temporary appointment is the Chair of the Republican Party Committee in Town and through her she was told that they are anxious to get the permanent process going once this is through; they have at least two names that they would put forward for that. They can put forward a third but need to hold a meeting first to discuss.

Vote to Appoint a Temporary Registrar to the Board of Registrars; Bonnie Johnson:

Matt Mecum made a motion that we request the Board of Registrars to send a letter to the Republican Town Committee requesting three names for a permanent placement on the Board of Registrars, Seth Ridinger seconded, voted all in favor. Roll call vote: Seth Ridinger: Yes, Jamie Underwood: Yes and Matt Mecum: Yes.

Seth Ridinger made a motion to move that Bonnie Johnson be appointed as a Temporary Registrar, Matt Mecum seconded, Voted all in favor. Roll call vote: Seth Ridinger: Yes, Matt Mecum: Yes and Jamie Underwood: Yes.

Vote to authorize the Chair to sign the LAU Application for Boylston Brookside Apartments:

These apartments are being built on the East side of Route 140. April mentioned that according to our Affordable Housing and Zoning Bylaw, 10% of this development must be deemed affordable; out of 66 apartments, they are putting forward 7 units. Jamie asked the question that if the Board of Selectmen signs this, does the Planning Board have to follow this Bylaw? Stephen Madaus stated that he believes this came about because the Planning Board wanted to adhere to this bylaw; with this LAU Agreement these units will qualify for the inventory that is recognized by the DHCD.

Seth asked if there was any reason that any of these apartments would not qualify. Stephen Madaus stated that one disadvantage that Boylston has is not having a Town Planner; other towns planners track the inventory and make certain that the owners continue to qualify those units. Matt Mecum mentioned that at Town Meeting they voted to hire a Town Planner. April stated that this document came from the MCO Housing Services, the Director of the lottery program for the state. This is not an application that the Planning Board put forward; this is the Planning Board working with the DHCD to put forward this LAU. Stephen stated that he recalls working with the Planning Board on some discrepancies between what is recognized in our bylaw and what DHCD requires; they recognized that the intent of the bylaw is to get qualified units. There is no sense in having units that meet the bylaw but do not satisfy DHCD; The Town does not get any benefit for those units.

Seth mentioned that on the Town Planner line it lists Nina Gardner as Town Planner. Stephen mentioned that should be changed to the Chair. (Page 3)

Seth stated that the requirements are so that these apartments will remain affordable; will these apartments remain on the SHI for at least 30 years? Stephen stated that restrictions in land are usually 20 years, but he will look into it. Jamie mentioned that he sees where Seth is going with this and agreed that he does not want to see this happen; some developers come back into Town and try to buy them back off the "rolls".

The Board agreed to hold this discussion until they get more answers and discuss it again at our next meeting on Monday. April suggested having Dr. Baker at the next meeting to answer questions.

Sign Request to file Special Act Approved at Annual Town Meeting:

Matt Mecum made a motion to send the request to file Special Act approved at Town Meeting to Representative Harold Naughton's Office, Seth Ridinger seconded. Voted all in favor. Roll call vote: Seth Ridinger: Yes, Matt Mecum: Yes, and Jamie Underwood: Yes.

Miscellaneous:

Three-Year Bid Contract:

Matt Mecum asked April if the bid contract were coming in? He explained to Seth that typically when we put bids out for training, we wait until after town meeting for the funds to be approved; going through that process takes a few weeks. By that time, we are at the bottom of the list for paving, so it takes a bit longer. What the Board did is put together a three-year paving contract; gives us time. Still bound to how much money they can spend but they already have an approved contract so they can move forward and not have to do a bid opening every year.

Town Planner:

Matt asked since we have the budget approved, can we get started on the advertisement for Town Planner? April responded yes. Matt suggested besides putting out an Ad and gathering resumes, to get some information from CMRPC so we have some comparison; he would prefer that we have an individual in Town Hall so residents of the town and developers can come into the Town Hall and discuss projects with them instead of someone working in Boston that is hard to get ahold of. Jamie agreed. The position was approved for 20 hours a week; looking to find someone they can share with another community. Seth asked what the timeline for this would be and when would they start to work. Jamie stated that hopefully we could have the Ad posted within the next couple of weeks; look at the Ad during next meeting and go from there; Matt stated that it is probably going to be a 2- month process and wouldn't like it to be done by a committee. Seth asked if it was reasonable to expect a job description for next Monday's meeting. April stated that herself and Jeff Vander Bann can get that going. They would like the Planner to attend some of the Planning Board meetings and also give the Board of Selectmen a report monthly.

Open Space Recreation and Plan Committee:

Seth asked if appointments were being done. Matt Mecum stated that those were already done previously. Alison Mack mentioned that a few members have decided to no longer be on the Committee and there have been no more volunteers to take those vacancies. Seth stated that he would be willing to be a "Selectmen's Rep" for the OSRPC.

Stephen suggested looking into seeing how the OSRPC was set up and going from there. April stated that it was originally driven by Parks and Rec for gaining eligibility for grants.

At 8:46 AM Matt Mecum made a motion to adjourn. Seth Ridinger seconded. Voted all in favor.
Matt Mecum: Yes, Seth Ridinger: Yes, Jamie Underwood: Yes.

Respectfully submitted,

Alison Mack, Assistant to the Board of Selectmen

Meeting Materials

Agenda

On File in The Board Of Selectmen's Office