



Board of Selectmen

Date of Meeting: Tuesday, September 8th, 2020
Time: 6:30 PM – 8:06 PM
Members Present: Chair Jamie Underwood; Selectmen Matt Mecum and Seth Ridinger;
April Steward, Town Administrator, and Alison Mack, Administrative Assistant to the Board
Members Not Present: Town Counsel Stephen Madaus

The meeting commenced at 6:30 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/84876738016?pwd=bm5KZDU2QWV0K3pZYXJPRnhlNmgrZz09>

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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.

- Seth Ridinger: Yes
- Jamie Underwood: Yes
- Matthew Mecum: 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.

Town Administrator's Report:

1. *Town Planner Update:* We have been working with the town of Upton and reposted the position for Town Planner as a full-time benefit eligible position that would be shared between both communities. This has opened the door and several qualified individuals have since out in resumes for the position. Jeff Vander Baan has been working closely with Upton's HR team during this process. The last day to receive resumes is on Thursday, September 17th. Jeff and I are scheduled to follow up with Upton on Tuesday, September 22nd.
2. *Interdepartmental Communication:* I have received the feedback from the departments on internal communication. Seven departments participated in the survey. I have included their feedback in your packet.

Jamie suggested waiting for Town Counsel Stephen Madaus. Matt discussed a few bits of feedback; flow of information and communicating across town hall. Some comments were a board to board decision and not the BOS decision. Matt suggested getting together with April to put together a list of ideas on how to get better, more cohesiveness between departments. Tuesday Talks were a good start to get everyone together, but due to COVID it was put on hold.

3. *Town Hall COVID-19 Safety Installations:* Bob has finished installing the Plexiglas shields in the offices. It would be my recommendation at this point to proceed with a soft opening at Town Hall and back into the offices being open to the public full-time.
 - a. Week of September 14th – Open to public 12:00 PM – 2:00 PM
 - b. Week of September 21st – Open to public – 10:00 AM – 2:00 PM
 - c. Week of September 28th – Open to public – 8:00 AM – 2:00 PM
 - d. Week of October 5th – Back to normal business hours; Monday evenings as well

Jamie suggested starting the week of September 21st with the soft opening; having Monday -Thursday open 8am-2pm as well as Monday evening hours 6pm-8pm. Seth is a little reluctant; talking to most of the people at Town Hall, he stated he hasn't really heard anything that indicates keeping it closed is "ground town business to a halt." With school going back into session, he is okay with keeping it closed a little bit longer until they see the effects of the school. Matt stated that he would like to see the Town Hall open again and there is no reason that if things go the wrong direction that we cannot back track and shut it down again. April mentioned that we are completely set up with laptops; ability to work from home if needed. Right now, Boylston does not have any active cases. Jamie suggested a vote: Opening up Monday, September 21st plus additional hours, and the remainder of the schedule April suggested. Matt asked April about a cleaning schedule and April went into detail about what Bob does daily; April said she can have it posted. Matt suggested opening the week of September 21st.

Matt Mecum made a motion that we start our phase reopening of Town Hall the week of September 21st, with the hours of Monday-Thursday 8am-2pm and Monday Nights, Week of September 28th, Monday-Thursday nights 10am-2pm, and Monday nights, Week of October 5th, Monday – Thursday 8am-2pm and Monday nights 6pm-8pm and then a fully reopening after that pending a safety evaluation. Seth Ridinger seconded. Voted all in favor: Matt: Yes, Seth: Yes and Jamie: Yes.

4. *Touchless Infrared Thermometers:* After our last meeting I began researching wall mounted thermometers. Many of the smaller units had varying reviews and were limited to having only one function. I came across a company called RapidScreen and reached out to them for a quote on the Access Control Thermometers. These units do more than temperature checks, are highly accurate and record log tracing. We can apply for CARES Act money to pay for the purchase. The quote is four units, one for Town Hall, one for the Police Department, one for the Library, and one for the Light Department.

Seth stated he personally feels terrible about \$11,000 as the pricing. Jamie stated he isn't sure if the Library and Light Department are opening soon and isn't comfortable with spending that kind of money at the moment. Matt clarified that we would not be spending current town funds, we would get the CARES ACT money. April described how the process works. Matt suggested that if we believe these items are necessary to open town hall then we will need to wait to open and determine when we can get these. Matt suggested applying for the funds and getting the feedback then and discussing at the next meeting. April mentioned she believes it is a good idea because it is less invasive, good for the upcoming months as well with the flu season. She is not completely sold on the rapidsystem but will look into other units. Jamie said he is fine with it if the CARES Act covers it. Seth agreed that he wanted to make sure the CARES Act covers it.

5. *Affordable Housing Committee:* I have had two residents reach out to me to be appointed to Affordable Housing Committee/Housing Authority. Since we do not have a committee that is up and running at this time, I was thinking that maybe these volunteers would like to help with the Housing Production Plan to begin with and then move onto the Affordable Housing Committee when it is fully up and running. The two volunteers are Carol Tasker and Kristy De Mendoza.
6. *Tree Pruning Along National Grid Powerlines:* We have received notification from National Grid that they are planning to perform tree pruning and removal along the powerlines anytime from November 27th, 2020 – March 31st, 2021. The letter and map provided by National Grid are included in your packet.
7. *Special Town Meeting:* The need has arisen for a Special Town Meeting to be scheduled this fall. The towns of Berlin and Boylston are requesting passage of a home rule amendment to delay school committee member elections from the first biennial election after July, 2019 and instead to hold the election on May 10th, 2021 at the towns annual town election to be held at the town's usual election location. This is due to the date by which the election of the school committee members could be placed on the biennial election ballot has passed. The Board of Selectmen needs authorization from the town to put the Special Act before the Legislature. Due to the presidential election, I am looking at a date in December, possibly Monday, December 7th or Monday, December 14th.

The regions clerk was supposed to put this information in to get on the ballot; she believes it slipped off the radar due to COVID happening and believes that this is the only way to rectify this and get the school committee elections onto the ballot. Elections division was absolutely against having the dual ballots on the same day. Seth stated that we need to consider that both Town Elections would have to be on the same day. April clarified that both towns have bylaws which state the elections are on the second Monday in May; both towns are schedule to have elections on the same day. Seth brought up having the meeting outside due to COVID and it being cold in December and Matt mentioned that the STMs quorum is 25 people; if we are going to have to do this, we need a plan for that with the BOH.

8. *Sale of Town Land Fund:* I made an error when I looked at the spreadsheet form 2019 ATM and incorrectly took the raw number before the Article from 2019 was deducted from the Sale of Town Land fund. The beginning number should have been \$185,045.84 and I had it incorrectly as \$355,045.84. The Town Accountant reached out to the state for guidance on dealing with the error and they advised that the unfunded articles need to be invalidated. Dispatch needs their software upgrade; therefore, I am requesting the board vote to invalidate the votes for Flagg Estate Renovation for \$80,000 and the Radio Communications project for \$75,000. I would also like to seek the Finance Committee's approval to add these two articles onto the Special Town Meeting warrant, to be funded by Free Cash, as they had already received unanimous support at the Annual Town Meeting.

Seth stated that he is okay with invalidating those votes. As far as putting them onto the Special Town Meeting, he is unsure of doing that since free cash would not be certified by then. Jamie agreed with Seth and stated he would not go from free cash. April stated that last year they certified the free cash by September and Seth stated he still wouldn't be inclined to spend money out of free cash until ATM. Matt stated that any money we are not going to spend on the Flagg Estate now, is going to cost more money the longer we wait since we do not have a tenant in there and will continue to not receive rent. The board decided to discuss this more later when they open the warrant. Discussions continued about how the Police Department was going to deal with this situation.

Seth Ridinger made a motion to move to invalidate the Flagg Estate Renovation that was voted on at the Annual Town Meeting for the sum of \$80,000 out of the sale from Town Land Account and the Radio Communications for \$75,000 out of the sale of Town Land account. Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.

9. *Assessor's Dept Meeting:* The Treasurer/Collector called a meeting with Paul, Margo and I to discuss recent requests for Municipal Lien Certificate (MLC) on upcoming house sales. There seems for be some confusion on Parent Parcels and when they should/should not exist. For example, when a brand-new condo is built the parcel does not exist yet. It does not exist in the tax collection system. Because it is new construction, the Treasurer/Collector would then prepare an MLC on the parent parcel and place notations. However, the Treasurer/Collector has been discovering that the parent parcel *also* does not exist in FY21. Therefore, since there is no parcel, and no parent parcel, there is no value, and subsequently no assessment. I am planning on joining the next BOA meeting to be

held via Zoom on Monday, September 14th for more information on this issue. Seth stated that he will try to attend the meeting.

10. *Compliant of Vicious Barking Dogs*: I have received a complaint from a resident about two neighborhood dogs. The Dog Officer has been handling the situation since May of this year. I believe that the resident will be sending in a letter to request a Dog Hearing. Once I receive a written request, I will begin the process of scheduling a Dog Hearing per Section 157, Chapter 140 of Mass General Laws.
11. *Letter to Conference Committee re: Police Reform*: As requested by the Board, I have addressed a letter to the Conference Committee currently assigned to express our concerns regarding the sweeping Police Reform initiative now being considered in conference committee on Beacon Hill. It is our hope that the conference committee will produce a comprise proposal that improves policing and – at the same time – builds much stronger relationships with our minority communities. The letter is included in your packet. I am hopeful that you will find it adequately aligned with your feelings on this matter.
12. *Political Signs on Town Property*: I received an email from the Librarian about a pickup truck parked across three spots in the library's parking lot with a large political sign in the bed. The owner of the truck was very kind and moved his vehicle after the library staff asked him to. I would like to know the boards thoughts on this as we may see more requests to post political signs on town property in the future.

Seth mentioned that there is some grey area with Political statements putting signs on town owned land and would like to see what Town Counsel has to say on this; Jamie agreed. April stated she will reach out to Town Counsel and get an answer for next meeting.

13. *Cool Science Honoree*: Selectmen Mecum and I attended the Cool Science event via Zoom and were pleased to see the Margaret Deglialberti, a second-grade student who attends BES was one of the honorees. I would like to invite her into our next board meeting to congratulate her on her award.
14. *Board of Registrars*: The Boylston Republican Town Committee several weeks ago and voted to nominate two qualified candidates for the Board of Registrars position. Those names are:
 - i. *Rebecca Dono Healy*
 - ii. *Bonnie Johnson*

The Board of Selectmen is free to appoint either of the nominees to the Board of Registrars as they so choose.

Seth Ridinger made a motion to appoint Bonnie Johnson to the Board of Registrars, Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.

Eagle Scout Project Proposal – Ethan Turnquist:

Ethan is from Troop 227; looking to do an Eagle Project at Hillside for Parks and Recreation. Ethan mentioned that if approved, he will be doing a bench, a couple footbridges, a sign and marking the trail with signage. The project will take between one to two weeks. Matt asked who the beneficiary for the project is and Ethan mentioned that Parks and Recreation is the beneficiary. April asked if she had spoke to the Highway Superintendent yet and he stated he is going to speak

with him tomorrow morning. Matt asked when the project will begin, and Ethan mentioned he is looking to start at the End of September. The board congratulated Ethan on his Eagle Scout Project and wished him the best of luck.

Master Plan Discussion and appointment of volunteers; James Spencer for BBRSD, Bill Filsinger for ZBA and Arielle Strzelewicz for Parks and Rec:

Matt Mecum made a motion to appoint James Spencer, Bill Filsinger, and Arielle Strzelewicz to the Master Plan Steering Committee, Seth seconded. Voted all in favor. Matt: Yes, Seth: Yes and Jamie: Yes

Open Space plan discussion – Emily Glaubitz from CMRPC:

Letter in support of the Open Space Plan, needed signed by the BOS. Jamie stated that it was very well done and knows a lot of work has gone into it. Matt stated that he does have one question regarding one item stating the town should not sell town owned land. Jamie stated that town owned land can only be sold by 2/3rds majority at town meeting. Seth mentioned that this document does not bind anything, it lists a set of goals and objectives. Jamie asked what the driver was behind not selling town owned land and Seth mentioned it was due to several parcels of land in town being sold. Jamie mentioned that the only parcels being sold was by the towns support and that being the voters. Emily stated that she agrees with what Seth has stated; it is not a binding document and mentioned that during a previous discussion, there is such limited town owned land that whatever is left, they are hoping to preserve. April suggest modifying the language since they do not want to limit themselves from certain opportunities. Seth stated that he does not disagree but is not inclined to make changes due to this being the product of a town wide collaboration. Jamie stated that he would be in favor of supporting it fully minus the portion of selling town owned land due to the fact that in the past 2/3rds of our residents have supported selling town owned land at Town Meetings. Matt stated he would like to see it taken out because whether town meeting supports it or does not, it is a 2/3rds majority that needs to sell it. Matt stated this is one provision any business or this type entity would consider that and handcuff themselves in the future. Jamie mentioned that the Board of Selectmen has always left it up to the citizens regarding what they want to do with town owned land. Matt stated that he would be fine if it stated “discouraged” the sale of town owned property. Discussion continued how this document should be handled. Emily stated that it is not a final document yet and can resubmit the plan including the letters of support since they are still at the stage where they can edit the plan. Matt suggested just changing the language in the BOS letter to discouraged and stating that it is ultimately up to town meeting vote, then you do not have to go back to all committees. Seth stated he is fine with that if it does not stop the wheels from turning and throw a wrench into the works. Emily responded that she thinks it will be fine.

Matt Mecum made a motion to submit our letter of approval for the Open Space Committee with the amendment saying that while we agree the town owned property should be discouraged from sale for future development, it is ultimately up to 2/3rds vote of town meeting, Seth seconded. Voted all in favor: Matt: Yes, Seth: Yes, and Jamie: Yes.

Seth stated that he will vote yes to this but is not really in favor of modifying this and wants to make it clear that he does not like going against all of the people who put so much work into this, but in the interest of getting it done with a very minor variation, he does vote yes. Seth thanked Emily for attending and helping with this through the entire process.

Seth moved that the Board authorizes Jamie to sign the OSRP Letter of support with the additional language that was just discussed, Matt seconded. Voted all in favor. Matt: Yes, Seth: Yes and Jamie: Yes.

Seth made a motion to approve the meeting minutes from 08/10/2020 and 08/14/2020 with a minor correction that financial warrants were signed being struck out of the minutes on 08/14/2020. Matt Mecum seconded. Voted all in favor. Seth: Yes, Matt: Yes and Jamie: Yes

At 8:06 PM, Seth Ridinger made a motion to move into Executive Session:

1. Per MGL c.30A, §21, (6): *to consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have detrimental effect on the negotiating position of the public body. – 85 Sewell Street; and to review and approve minutes from an executive session of the Board held on 8/10/20 for the same purpose.*

2. Per MGL c.30A, §21, (2): *to discuss strategy and negotiate with respect to negotiations with nonunion personnel – Police Chief's contract; and to review and approve minutes from an executive session of the Board held on 8/10/20 for the same purpose.*

The Board will not reconvene to open session. Roll call vote recorded as follows: Jamie Underwood: Yes, Matt Mecum: Yes and Seth Ridinger: Yes

Respectfully submitted,

Alison Mack, Assistant to the Board of Selectmen

Meeting Materials

Agenda	On File in The Board Of Selectmen's Office
Meeting Minutes 08/10/2020	On File in The Board Of Selectmen's Office
Meeting Minutes 08/14/2020	On File in The Board Of Selectmen's Office
Town Administrators Report	On File in The Board Of Selectmen's Office
Draft Letter to Conference Committee	On File in The Board Of Selectmen's Office