



## Board of Selectmen

Date of Meeting: Monday, October 19th, 2020  
Time: 6:30 PM – 7:43 PM  
Members Present: Chair Jamie Underwood; Selectmen Matt Mecum and Seth Ridinger;  
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.

The meeting will be livestreamed from the *Zoom Application*.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86272770985?pwd=WXJlSDZqSndtTTJlFlwYXVVDK05PdZ09>

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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

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

- Town Counsel, Stephen Madaus: No
- 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.

## **Town Administrators Report to the BOS:**

1. *Town Planner Update:* Jeff and I interviewed five candidates two weeks ago with the Town of Upton. Although all the candidates were very good, there was one candidate that was exceptional. The Town of Upton and the Town of Boylston agreed to offer the position to Paul Dell' Aquila. He is finishing up in the Town of Spencer until the end of the month. I would like to bring him in before the board for appointment at the next Board of Selectmen's meeting on Monday, November 2<sup>nd</sup>.
  - a. Willing to start on November 9<sup>th</sup>. Schedule is looking like; Two days here, two days in Upton and one day remote work.
2. *Special Town Meeting:* Today is the day selected to open the Warrant. I would like to ask the board to vote to open the warrant with a close date of Monday, November 2<sup>nd</sup>.

10/19/2020	Declare the open Warrant
11/02/2020	Warrant closing date
11/16/2020	Review and finalize warrant with FinCom and Town Counsel
11/18/2020	Warrant to print
11/30/2020	Post Warrant and mail to voters
12/14/2020	Special Town Meeting @ 7:00PM

*Seth Ridinger moved to open the warrant as of today, October 19<sup>th</sup>, with the close date of November 2<sup>nd</sup>, Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie Yes.*

3. *Special Legislation:* I have included in your packet a copy of the final version of the Special Legislation to be presented to the Governor.

Seth asked which approach we are taking. April said in the vote she would strike "sending it to the Senator" since it will be sent to the Governor's office and also strike "Town meeting Article" since it is not a town meeting article and the Berlin Boylston Regional School District is seeking Special Legislation. April clarified that the Berlin Boylston Board is on board with them and all going the same path.

*Seth Ridinger made a motion to move to approve the letter that was submitted in their packet be sent to Governor Charlie Baker to request Special Legislation by the Berlin Boylston Regional School District to petition the Governor to allow the Berlin Boylston School District to hold elections at the next election cycle in May, Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.*

4. *Update on 40B Project:* Stephen and I met with Mr. Levine and Mr. Venincasa last week to discuss the project and improvements to the South Sewell/Rte. 140 intersection. Two main asks that I received from the town departments were improvements to the Water District's pumping equipment and improvements to the intersection. There was discussion on the plans that were drafted by WSP and if Mr. Venincasa would be able to do the improvements as a donation to the town. The request from the developers was for the town

to waive the police detail fees and to waive the building department fees in exchange for the road improvements. I would not recommend waiving the building department fees in exchange for the road improvements. In my opinion, that would be the same as paying the developer to do a public works project to skirt around prevailing wage requirements, which would be illegal. Stephen and I have a meeting scheduled on Tuesday for further discussion. Seth Ridinger recused himself from this discussion.

5. *Traffic Engineer Meeting:* A Meeting with a group from the town was scheduled for Wednesday morning at the site of Rte. 140/ School Street intersection. The Fire Chief, Police Chief, Highway Superintendent, Sargent Annunziata, Patrick Healy, and Mr. Venincasa's traffic engineer was all in attendance. It was the consensus from the town department heads to hold off on any intersection improvements at this time because we have not realized the full impact of development in the area yet. It would be a shame to make improvements at this point and then have to make additional modifications in the next few years. The take-away from the meeting was to have future development in that area contribute to a road improvement fund in anticipation for future road improvements.

April mentioned they could do some restriping and that the Highway Superintendent Steve Mero felt as though they would be able to accomplish that in their own department and not have to subcontract that out. With projects not being completed on Sewell Street, the bridge not being completed at 290, and the apartments not being completed at Brookside, the fear of the group that was involved is that they are going to make some changes and within a few years find out that the changes made are not adequate to meet the needs of the intersection any longer. The thought from the Fire Chief, Police Chief, Highway Superintendent and herself was that it might be more imperative to ask the developer to give money to the Water District to help with the pumping improvements and give some money to a fund that we already have set up for road improvements so they can start tucking money aside to do these improvements in a few years; there is \$48,000 currently in the account.

Jamie asked what they do in the meantime since its already a cluster. April stated they could do restriping to have traffic diverted but if the developer did it as a private project included in his development they would be able to pay less; would not have to pay prevailing wage because it is not a public project. The question is if we put \$100,000 into it now, would we have to put more money into it later. Matt agreed. He does not think that the plan they saw is going to change much of anything. Its already a cluster, it is just going to be more of one. He does not see what painting lines is going to do for any of it especially adding 120 apartments. Jamie stated that he agreed we need to do something. It is the main travel road for people going to both schools and going to work. Matt stated that they need to look at this more of a long term and not short sighted. If the highway department can stripe it to make it a little better that seems right instead of spending \$140,000. It will be a year before the new complex is permitted and a year and a half before they start building. April suggested that any future development on that street, developers should be putting money aside to help with the changes. Discussion on crosswalks occurred; not encouraging residents to cross from the business complex across Route 140. As of right now, the two needs are the Water District and the pump, and road improvements. Matt stated he would like to leave it open for now, he does not believe we are asking for a lot; water to residents and entrance and exit to development.

## **HRP: Hillside Farm Discussion; Nel Lazour, Ed Madaus and Paul Demoga:**

Nel Lazour started off discussing the Hillside Farm proposal that was developed in December 2019. Nel mentioned that it was a verbal agreement between HRP and the Town and is coming to the board tonight to make it more official with the agreement.

Paul Demoga, Attorney in Worcester. Representing HRP in the next steps of negotiating an agreement with the town. Looking for HRP to have the rights to do a feasibility study on the Gough House and the surrounding areas. These agreements are common, lots of municipalities do it. Asking for a two-year exclusivity agreement to conduct feasibility study. Normally they would ask for one, but due to COVID they are asking for a bit longer time. Hoping the Town would agree to stand still; not make another deal with other entities or enter into a lease agreement. During this time, they would report quarterly to the town. In the end, they would submit the feasibility study. If it is not feasible, that would be the end of it. If it is feasible, they would then suggest negotiating a deal for the development of the property; Development Plan which would include proposed uses, proposed parking plans, and analysis on costs and benefits to the town. They would negotiate all these points after the feasibility study has been submitted.

Ed Madaus, 15 Scar Hill Road in Boylston, has been advising the project for a few years and joined the board a about a month ago. He mentioned getting a commitment from the town before going out and asking people for money because that would be the first thing people would ask them. He suggested Historical Tax credits; eligible for 20% of the cost from the federal government as well as 20% cost from the commonwealth. With every million dollars raised, they would get a free \$400,000; they would just have to raise the other \$600,000. He believes local foundations and some national foundations would be interested. They are ready to go to start exploring these ideas, they just need a commitment from the town that they should go forward and with the possibility of working out a lease later down the road.

Jamie mentioned that the horse barn is something that the Town Facilities uses and wants to make sure that this would not stop the town from using or working on restoring the barn to keep it functioning. HRP confirmed they would still be able to do that. Nel would like to make sure that everyone feels comfortable moving forward. The idea is to rehabilitate these buildings and the idea is for the Town to be able to use this space. They would like to generate income to continue to maintain them and keep them in the best shape that they deserve. Looking to get an anchor tenant to rent the second floor and other potential partners that would be able to generate income.

Seth asked if there were other buildings that they are interested in besides the Gough House. Nel mentioned they are looking to restore all three of these buildings, The Gough House, the Barn, and the Carriage House. Matt asked who performs this study and Nel mentioned that there are firms who would do the feasibility study; HRP would need to raise the funds in order to go out and hire the right company to do this for them. Nel mentioned that it coincides with the Town doing the Master Plan as well as getting a Town Planner and being an asset. Matt asked if the rest of the project would be frozen during the time the feasibility study would be going on and mentioned that the town has changed in the past 20 years and their may be residents who do not know about this project.

Nel asked if they could use the Town Attorney, Stephen Madaus' help with this to create an agreement. Paul Demoga stated that he is happy to put together a draft copy and have Stephen Madaus review it to help the town out with costs. Jamie thanked Paul Demoga for the offer and stated that would be greatly appreciated.

Seth asked if the private/public agreement would be a separate document from the exclusivity agreement. Paul Demoga stated that he does not see the need for the public/private until they give the feasibility study. Once they give them that, they can then come up with the development plan and negotiate going forward. Nel mentioned that we do need to continually work together and questioned if some of the language could be in there. Jamie mentioned that if they do not have the feasibility study first, the private/public partnership with the Town is going to have to be a split of money with the town and not knowing the amount of money would make it hard to get into an agreement. Paul Demoga mentioned that the agreement could speak to the goal of it being a public/private partnership, but the feasibility study will help explain what can be achieved. Nel stated that's fair. The feasibility study is something we want the Town to have a say and some input in there. We want whatever we come up with to be accepted. Next step is for Paul to draft something and send it off for review.

#### **Vote to accept Eric Johnson Scope of Work for improvements to Town Property**

Attorney Madaus suggested that Eric contact dig-safe if he is going to be breaking ground. Seth mentioned it was contingent on the scope of work and his COI. Jamie stated that Eric did provide his COI.

*Seth Ridinger made a motion to move to accept Eric Johnsons scope of work as submitted to the Town Administrator and first contact dig-safe and have all the project done within three months of tonight, Matt seconded. Voted all in favor. Matt: Yes, Seth: Yes and Jamie: Yes.*

#### **Vote to approve Straw Hollow Engine Works Show August 14<sup>th</sup>- 15<sup>th</sup>, 2021**

They want to be able to advertise so are asking for approval to do so. The area would be in the back of Hillside (not underneath the power lines)

*Matt Mecum made a motion to approve the Straw Hollow Engine Works Show August 14<sup>th</sup> – 15<sup>th</sup>, 2021 at Hillside, Seth Ridinger seconded. Voted all in favor: Matt: Yes, Seth: Yes, and Jamie: Yes.*

#### **Vote to reduce 2021 license fees by 50%**

*Seth Ridinger moved to reduce the 2021 business license fees by 50%, Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.*

#### **Approval of meeting minutes: 10/05/2020**

*Seth made a motion to approve the meeting minutes from 10/05/2020 with the change to the date on the Police Chiefs report, Matt seconded. Voted all in favor. Matt: Yes, Seth: Yes and Jamie: Yes.*

Jamie mentioned that he spoke to the Town Clerk, Dawn Porter today. She received a grant, and the board may have to have a meeting on a Friday to get that approved for her. Jamie explained that the grant was to help out the Town Clerks office to help out with extra voting hours and everything that comes along with it.

*At 7:43 PM, Matt Mecum made a motion to adjourn, Seth Ridinger seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.*

Respectfully submitted,

Alison Mack, Assistant to the Board of Selectmen

### **Meeting Materials**

Agenda	On File in the Board of Selectmen's Office
Eric Johnsons Scope of work	On File in the Board of Selectmen's Office
10/05/2020 Meeting Minutes	On File in the Board of Selectmen's Office
Hillside Farm Development Proposal	On File in the Board of Selectmen's Office