



Board of Selectmen

Date of Meeting: Monday, November 16th, 2020
Time: 6:30 PM – 8:40 PM
Members Present: Chair Jamie Underwood; Selectmen Matt Mecum and Seth Ridinger;
April Steward, Town Administrator; Town Counsel 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.

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

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84291075802?pwd=SW9XWVdTOHJZWGxrRUlmalNncUZUUT09>

Passcode: 071130

Or iPhone one-tap:

US: +16468769923,84291075802#,,,,,0#,,071130# or

+13017158592,,84291075802#,,,,,0#,,071130#

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Dial (for higher quality, dial a number based on your current location):

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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: 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.

Town Administrators Report to the BOS:

1. *Greater Worcester Land Trust (GWLT):* Eric Hoffses and I were able to meet with Colin Novick to discuss the parcel known as Camp Harrington down off South Sewell Street last week. If the town is willing to enter into a Memorandum of Understanding (MOU) with the GWLT, they would be willing to procure the lot and sell it to the town once a Parks Grant was secured by the town. Funding from a Parks Grant would not only be able to be used towards 50% of the purchase of the property, but would also be able to use grant money towards whatever project the town would be interested in building on the land.

Jamie asked April to see if Colin had a plan in case the Town of Boylston is unable to get the funds. Seth stated that they had mentioned a joint collaboration with Parks and Rec and another option was them buying it to take it off the market with an agreement for the Town to purchase it with a grant later down the road. He believes it is certainly worth pursuing but having more information would be best first. Matt mentioned that part of the agreement with them was to help us get grants and that it could be over an extended period, but believes its worth continuing the process on it.

April stated that Colin mentioned the offer on the table was \$150,00 and that he knows it may take a year or two for the town to go for a grant. He was not looking for the Town to procure the land unless they had the grant first. They were not looking to make money off of it, and that we would pay for it in the amount of what they paid for. Stephen mentioned that MOU's are designed to share their mutual intentions so that they proceed on parallel paths but you don't set forth forcible obligations against each other; we intend to do these things and you intend to do those things all in the hope that in the end, we can arrive at a deal. Matt suggested establishing what the use is going to be ahead of time; If we are using tax dollars, we need to be very clear in what we are going to do with it. Seth mentioned its worth pursuing it, especially if we can get some grants to help with purchasing it.

Stephen Madaus' asked if the GWLT has outlined what the deal might be; would we acquire the fee interest, and they acquire the conservation interest; or vice versa. April stated that there is no proposal right now. Eric mentioned that April covered most of it and added on that Colin confirmed if they were to go the route from buying it back, there would be no interest charged to the Town. Seth suggested that April pursue the draft MOU so the board could look at it and move forward. April stated that she will dig in and gather more information and present to the Board in two weeks. Eric stated that lacrosse is looking into how much it would cost to build a field. Matt stated that it would be a good idea to walk the property with the Board and Parks and Rec to get some ideas of what to do with the property. Eric stated he can ask Colin about setting something up for them to tour the property. Seth suggested putting some questions in the Master Plan survey to discuss what residents would want to do with the property to get some feedback.

2. *Hillside Gym Rentals:* I received an email last week from the Director of the Police Academy expressing her concern over the gymnasium being open for rentals. There are recruits that come from all over Central Mass to attend the Academy and the MPTC's first concern is their safety and health during the pandemic. This board closed all town buildings back in March and although we have opened back up for town business, we have

not opened for rentals at the Town House. The state has set forth guidelines that allow for indoor recreation, however, in our unique situation I would think that the recruits and first responders comfort levels during this stressful time would take priority. The Academy has a policy of “if you touch it, you clean it”, so they know that inside their four walls they have been decontaminated. If the gymnasium is open for rentals, who will be responsible for cleaning and decontamination once the rental leaves the gymnasium?

April spoke with Joanne from the Police Academy and Joanne’s concern is that there are times that the recruits are offsite for a week or two and if they are in the gym then they clean the gym, but if they are not in the gym, they don’t clean it. Bob has the high touch frequent surface cleaning, but he does not do the type of cleaning that the recruits do. If there are rentals coming in and Parks and Rec is expecting the academy to do the majority of the cleaning and its not happening, are people going to be exposing themselves when they thought it was clean and it’s not. The Board voted previously to open back up the town house for town group meetings, however not for rentals. Matt stated that with the way things are going, we should probably close the Town House down again. Seth agreed. April stated that she wants to make sure that everyone is comfortable. She also pointed out that the Police Academy is a tremendous asset for the community and provides us with a revenue stream. Matt mentioned that his concern is that we have two people to clean these buildings and to expect that they are going to be able to do that after rentals, is unrealistic. Seth agreed.

Eric mentioned that the confusion for him would be that the Town House is open for some groups and asked what the outlook would be in the future? He is advocating for the residents who have reached out to him requesting to rent out the gym. Matt stated that it is a tough question to answer due to the state of the pandemic and does not believe we should be renting out the gym until further notice. Discussion continued with Eric and the Board on what Parks and Rec thoughts were. Matt stated that safety for the residents and the responsibility we have to the Academy, he does not believe we should rent it out. Jamie stated that especially since we have more clarification from the State guidelines. Matt said he is open to revisit it down the road but still has concerns on how it would get cleaned since it will be a strain on the staff to keep it clean. Eric stated that he would just like some guidance, so he knows what to tell residents. Matt suggested checking in monthly. Jamie stated that with what they discussed tonight, they will shut the Town House down and not rent out the gym until further notice. Matt stated the only way that he could see it working would be some significant scheduling work done to make sure that there is time between events and that it gets cleaned.

3. *MCO Housing Services:* There is a public information meeting via Zoom on Monday, December 14th for the rental lottery for Brookside Apartments. I have attached the application and flyer in your packet for your information. Located in the Town Clerks office if people are interested in an application to enter the process.
4. *Special Town Meeting:* I have noticed that several area communities that were planning on holding Special Town Meetings this December have postponed their STM due to the uptick in COVID-19 positive cases. Before we proceed to the point where the warrants are being sent to the printers, I would like to ask the board if they would like to reconsider going forward with the STM that is scheduled four weeks from now. With the state

numbers that come out weekly on Thursday afternoon, Boylston has moved from grey to green with a 3.14% Positivity rate and 15 positive cases within the last 14 days.

5. *Regulatory Agreement for LAU Units:* I had Stephen review the RA for the affordable units at Brookside Apartments. There were some revisions that need to be made, I have included them in your packet for review. I have sent the revisions over to MCO Housing Services. Once the copy comes back clean, I would like the board to authorize the Chair to sign the agreement, with the recommended changes from town counsel.

Stephen mentioned that there was only one significant change: The developer is listed correctly on the first half of the agreement, but then Mr. Vinacasa signed it on behalf of a different entity and it was notarized with his as the Manager of a different entity than the developer so this needs to be corrected. There were other items but just to clean up. Once they make those changes, he believes it should be ready to go. Stephen confirmed for Seth that those seven units will still stay on the subsidized housing inventory.

Vote and authorize the Chair to sign the revised LAU application for the Brookside

Boylston:

Seth Ridinger moved to authorize the Chair to sign the revised LAU application for the Brookside Apartments in Boylston, Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.

6. *Library Director:* It is with great sadness that I inform you that our current Library Director, who has been with the town for the last nine years, has given her resignation. Jenn Bruneau has officially accepted the position as Library Director in the town of Northborough. Her last day of work will be Saturday, December 5th. She has been a wonderful asset and has received National attention for her work and effort in our library. We wish her well in her future endeavors and wish her the greatest of successes.

Seth stated that she has been a great Library Director and we are going to miss her, Northborough's gain, our loss.

Review and finalize warrant with FinCom and Town Counsel:

April mentioned other towns, Sterling and Berlin have cancelled their December town meetings due to an uptick in numbers with COVID. Boylston has been in the grey for a long time, however this last Thursday we moved into the green; 3.14%, which puts us into the second highest positivity rate. Before moving forward with voting on the warrant April asked if the Board would like to deliberate on the meeting. More discussion was had between the Board, April and Town Counsel regarding what to do regarding the meeting. The Board decided to wait to hear from Mr. Goddard to see if he would be willing to put off until the Annual Town Meeting in May and have a meeting Thursday night to discuss.

Warrant Review:

1. Purchase of the land. They bumped it up to 1 million to give the Town flexibility for different costs associated with closing and making sure that we can do our due diligence.

- Article delineates what we are purchasing and all the ways we can borrow and authorize the Treasurer with the procurement of the property
- 2. Deposit for the purchase and Sale - \$25,000 free cash article to put the deposit down on the purchase of the property
- 3. Rescind the votes from the Annual Town 2020 Meeting and refund those allocations through Free Cash
 - a. \$80,000 to do renovations at the Flagg Estate
 - b. \$75,000 – PD Radio Communications Project
 - i. Bob Thomas has been very good at looking at different grants
- 4. Two bills that did not get paid through the FY20 budget and the only way to get those bills paid is through the Town Meeting
 - a. Mirrick O’Connell
 - b. Flagg Estate Bill

Stephen suggested expanding the purpose on #1 to add some text including all costs associated there with, such as due diligence under the direction of the Board of Selectmen. April suggested absorbing Article 2 into Article 1 and the Board agreed. They are borrowing within their levy limit and not doing a debt exclusion. Questions occurred about borrowing during the fiscal year and the board was unsure how that would all play out. Seth stated two main issues; 1. Will the property owner wait until the Annual Town Meeting in which this case all becomes mute, and 2. If he says no, then we need to be ready to have an answer on how this is going to be financed. In the meantime, if April and Steve could look into these questions for Thursday evening that would be helpful. Discussion continued with the Board, April and Stephen Madaus about the loan and what the best options would be; there were questions that the board needed more clarification on and advised discussing this at the Thursday night meeting and getting the Town Accountant, Treasurer and David Butler to attend the meeting to clarify.

Approval of 11/02/2020 meeting minutes:

Seth Ridinger moved to approve the meeting minutes from 11/02/2020, Matt Mecum seconded. Voted all in favor. Matt: Yes, Jamie: Yes, Seth: Yes.

Vote to Accept with gratitude the donation (\$1,678.34) from the Boylston Public Library Foundation; Purchase a collection of games to circulate at the library:

Matt Mecum made a motion to accept with gratitude the donation (\$1,678.34) from the Boylston Public Library Foundation, to purchase a collection of games to circulate at the library. Seth Ridinger seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie Yes

Vote to appoint Attorney Adam Costa to Special Municipal Employee:

Matt Mecum made a motion to appoint Adam Costa as a Special Municipal Employee, Jamie seconded. Voted both in favor. Matt: Yes and Jamie: Yes

Seth did not vote due to a chance of their being a conflict of interest.

Vote to consider a vote, pursuant to Chapter 30B, section 16 (e)(2) of the General Laws, to determine that advertising an invitation for proposals will not benefit the Town of Boylston's interest because of the unique qualities or location of real property, said property being located at and known as 85 Sewall Street, Boylston and shown as Lot B on the plan recorded with the Worcester South District Registry of Deeds in Plan Book 938, Plan 118, and to request the Town Administrator to publish notice of this determination in accordance with the requirement of Chapter 30B, section 16:

Stephen suggested that the motion would be:

To make a motion that the Board find the following unique qualities related to 85 Sewall Street, that the property is generally level graded, the property appears to be available for future development, the property has access to a public way, the property has some proximity to downtown, centrally located, and the property is available for purchase; Those are unique qualities for purposes of 30B, section 16, lead to avoid the advertisement for proposals.

Matt Mecum made a motion as stated by Town Counsel, Seth Ridinger seconded. Voted all in favor. Matt: Yes, Seth: Yes and Jamie: Yes.

Ratify Vote from 10/19/2020 Meeting to approve special legislation request in conjunction with the Town of Berlin, and the Berlin-Boylston Regional School District seeking special legislation for scheduling of BBRSD School Committee member election cycle to be held during the spring 2021 town elections:

April mentioned this is a ratification because they have been tweaking this piece of legislation; this is the final version that the towns of Boylston/Berlin Regional School Districts have put together and would like to put before the Governor.

Stephen mentioned it would be to vote to approve the modified proposed Special Legislation as received.

Seth Ridinger moved that the Board approve the modifications to the language concerning the elections of the Berlin/Boylston Regional School District, concerning the Special Legislation for scheduling the BBRSD School Committee election cycle to be held during the spring 2021 town elections, Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.

Town Meeting Discussion:

April mentioned we bought electronic voting clickers through a company called Meridia to use during the time of COVID and for future use at Town Meetings. It has a yes, no and sustain button on it. Each person gets their own clicker which will eliminate people having to yell out yes or no. The clickers automatically tabulate the votes and the residents would be able to see immediately how the vote went since it would be displayed on stage.

The Town of Sterling held it outside and used their cars and the AM frequency; The town of Boylston would not be able to do this however due to the cost of purchasing the AM frequency. Jamie asked if the school was going to be set up for them if we were able to hold it inside. April stated currently everything is a go, however that depends on if the numbers do not keep rising.

April asked if the Board would consider having the meeting on a Tuesday night instead since they are remote Wednesday, and it would allow the school time to clean and sanitize after the meeting.

Matt stated that we are asking the town to spend a lot of money to buy a piece of property that is going to affect everyone, but it is going to affect the seniors more drastically than most. When we talk about seniors, they are going to be hesitant to go to an indoor meeting and id want to give everyone the opportunity to vote on it and not feel if they go that they are putting their health at risk. Jamie suggested waiting to hear back from the landowner to see if they would be willing to wait till the Spring. Seth agreed. Matt stated that if he is not, then we need to discuss what we want to do. The Board continued to discuss the different options for STM and decided to review the warrant tonight and then discuss on Thursday night at 6PM if they are going to move forward with the STM.

April to sign payable warrants:

Seth brought this up asking if the Board could vote to have April sign the payable warrants instead of the Board members having to coming into Town Hall during the pandemic. Stephen stated that he does not have an answer and did not have time to tackle this question. Matt stated that his only thought is that if they are keeping Town Hall open and telling employees to come to work, its kind of a bad look to not come in and sign the warrant. Seth suggested still getting the answer in case we do need to close down the Town Hall.

At 8:40 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
Town Administrators Report
Meeting Minutes: 11/02/2020

On File in The Board of Selectmen’s Office
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