



Board of Selectmen

Date of Meeting: Monday, February 22nd, 2021
Time: 6:30 PM – 8:09 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.

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/82025270844?pwd=NXNza0lTcUIMUWRhYnRRY2lHZWFGdz09>

Passcode: 590391

Or iPhone one-tap :

US: +13017158592,,82025270844#,,, *590391# or +13126266799,,82025270844#,,, *590391#

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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.

- Alison Kennedy: Yes
- Stephen Madaus: No

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. **Cross Street/School Street Tree Improvements:** The Highway Superintendent and I met with representatives from Tower Hill last week to look at planting evergreens along the property line just south of the house located at 696 Cross Street. This would bring back a natural tree buffer between the house located there and the new intersection at Cross Street and School Street. Tree plantings should take place early in the spring.
 - a. Highway Superintendent, Steve Mero is the Tree Warden in town and is going to work with Tower Hill on planting those trees for us; looking at evergreens.
2. **Chapter 90 Funds:** I received our Mass DOT Chapter 90 apportionment for Fiscal year 2022. We will be receiving \$201,381.00, which is \$291 more than last year.
 - a. April stated that she wished we received more and mentioned that herself and Highway Superintendent Steve Mero do not believe that MADOT District 3 has the correct road mileage; they are going to review those numbers to see if this impacts the money given.
3. **Rte. 140 Closure:** Rte. 140 North of the Rte. 140, Rte. 70 intersection will be closed tomorrow, and then again on Monday, March 1st for filming. The detour around the road closure will be Paul X. Tivnan to Maple Street in West Boylston which will loop you around and back onto Rte. 140 in West Boylston. There will be signage along the way to guide people.
4. **Warrant:** This is a reminder that the Annual Town Meeting warrant is open until March 8th. If you have any articles for the warrant, please get them into me before the close date.

Town Planner Report to the BOS:

Paul mentioned he was not aware about the inspection fee issue and given that the Planning Board is going to be having some say in that, he looks forward to reviewing that documentation to make sure the Planning Board coordinates with the Building Department on that.

He mentioned that some big highlights are that there is a prospective large development adjacent to the FedEx facility; they have not received a proposal yet, but it does look like a large warehouse facility. They are also moving forward on the Housing Production Plan as well as the Master Plan.

- Continued individual outreach to BOS and Planning Board members
- Participated in Applicant Advisory meeting regarding a large potential development off Pine Hill Drive near the FedEx facility
- Staffed 2/1/21 Planning Board meeting
- Staffed 2/10/21 Master Plan Committee meeting
Surveys have been sent out. There will be a public forum for the Housing Production Plan (HPP) on 04/09/21.

- Conducted research and participated in meetings regarding the Morgan Circle 55+/Inclusionary Zoning issue
- Conducted research into Compass Pointe status/compliance with permits and approvals
- Conducted research into the LAND & PARC grant programs for the potential acquisition of the former Camp Harrington Property from GWLT
- Attended a meeting at Gough House with Nel Lazour from the Hillside Preservation Committee and representatives from the Architectural Heritage Foundation.
- Participated in the state's informational webinars regarding the new "One Stop" program that combines 10 existing grant programs into one application portal
- Participated in a 40B training webinar series facilitated by CHAPA
- Continued research and analysis of neighboring communities' fee schedules and permitting processes compared to Boylston
I plan to have a report of my findings/recommendations in March.

Jamie mentioned that we need to streamline a lot of things not only for our employees, but also developers. It is greatly appreciated. Seth thanked Paul for trying to get all the fees together. He asked if submission standards would be one of the same thing; Paul stated that yes, we would like to make sure we allow time for staff and Graves Engineering have a chance to look at these things prior to the meeting.

Inspector Fees Discussion:

Jamie asked Tony Z. to go over the Inspectional Policy and Procedure that was submitted to the board earlier today. Tony mentioned he spoke to the Town Planner and he came up with the "Significant Impact Project", which are projects outside of the typical work the Inspectors are doing. While an applicant is going through a site plan approval or special permit through the Planning Board, this would allow the Planning Board to see what project is coming into town and make accommodations to allow the applicant to see additional fees that are going to be included in the Inspectional Services Project. The Planning Board, along with the inspectors would be the ones to designate what would be considered a Significant Impact Project. Tony mentioned that if we see something coming down the line, we could speak with the Town Planner to let them know this could impact the Towns Inspectional Services.

Jamie asked about information on additional inspections and Tony stated they had put together information last time on it however they have had a gap in it and are back here now to settle it; they still need to solve the issue with Brookside Apartments. Tony stated that if this policy is something that they don't like, he believes the only way to solve this would be to hire outside Inspectors for these projects and leave the regular inspectors that we have doing their regular jobs; its coming to a point where we are trying to do all these things, but it seems unattainable.

Matt mentioned that part of the confusion previously was about part of the inspections that were included with the permit. Tony stated yes, he tried to get those included but when he would speak with Town Counsel, Town Counsel would mention that he cannot do that; if we do not have a permit fee associated with the project, then you can pay these inspectors per inspection, but if you are able to do that, then you do not get a fee for the project. It would be more of a detriment to the town if you did not have some sort of a basic two inspections included in the permit fee; the town would lose out on the permit application fee which is significant. Matt stated that the confusion was that the inspectors were to get 50% of the permit fee and Tony stated yea, that was their understanding. Matt asked what they get in this new version. Tony stated that this new version includes the first two inspections, and then every inspection after that. We have to get a fee for the permit, which needs to be associated with some sort of inspection. We are not splitting the original fee; the inspections could be split after those. Tony stated that we keep trying to put this together, but it doesn't seem to be working and isn't sure which way we should be going with it. He suggested that if it continues like this then we should go back to how it was done with FedEx and hire outside Inspectors for these projects. If it's too many inspections for the inspectors here to do and we cannot establish a working format, he feels as though it's time to go back to how it was before and hire outside Inspectors. Seth stated that there are some issues with this policy that still aren't necessarily clear; we have residential, commercial and significant impact which is determined by the Planning Board. He asked if it is the intent of the inspectors that it would be half of these fees for additional inspections, or were they looking for half of the fees on all inspections categorized as having a significant impact; those are two very different numbers.

Tony mentioned that speaking with Stephen Madaus, if we are going to charge an application fee, there must be inspections involved in that application. He must put in inspection fees with those application fees, there is no possible way around it; originally it was 2, then they took it out, and then we had to put them back in. If you get into the fee for the permit themselves, it's a significant amount of money and the town wasn't happy with trying to get away from the application fees, so then he had to go back into putting in the 2 inspections. Tony mentioned it has gotten to the point where he doesn't really know where to go with this.

Jamie asked if the two inspectors were okay with how this is drafted, and Tony responded that he is not sure. This goes back to the original two inspections where they got upset because they thought they were getting paid for every single inspection, including the first two inspections. He isn't sure if they understand that legally he cant do it but they want it, and don't want to do the work for it because they aren't getting paid for it. April asked if they are getting paid for that through the monthly stipend and Tony responded that they are getting a monthly stipend so that's not the point as far as what they are getting paid for, they are talking about extra work and every time he tries to do that legally to make everyone happy, it just doesn't seem to be working and he doesn't know where to go with it.

Seth stated that to go back to his original question, would it be the intent of this policy that the inspectors would be paid just 50% of additional inspections. Tony stated that by Town Counsel, that's the way it has to be, you cannot charge an application fee and not include inspection fees in there. This original Brookside Apartment issue still needs to be addressed; does the Board want to pay the inspectors for the additional inspection because they thought they were getting paid for every inspection.

Jamie mentioned that moving forward, the Planning Board, our Board, the Building Inspector and Inspectors are all on board that when a project does come in, it needs to be dubbed a Special Project or not.

John McQuade, Wiring Inspector for Boylston mentioned that “residential development” is there but has the slash with Significant Impact as determined by the Planning Board. Tony had talked about the Town Planner and the Town Planner has access to all Planning Board meetings and will be shared with the building department; we did not have this mechanism in the past and believes that it will work moving forward. He stated that he can’t speak for the Planning Board but is sure shared communication and a couple of emails will get the ball rolling. Seth stated that he did see that the residential (3 or more units) and commercial information was clarified. His questions specifically was does this only kick in on projects that the Planning Board determines are significant impact projects. John McQuade stated yes, that is correct. Seth then stated that there still sounds like a bit of a discrepancy between how much of initial fees versus the fees for additional inspections you guys had in mind. John McQuade stated that using Tony’s words, the advisement of Town Counsel was that the first two inspections would have to be included; the stipend, and the additional inspections would fall under a billing mechanism that the contractor would pay. The contractor is aware that there’s underground, meter installations, and additional work that comes up as the job unfolds. This goes back to the Planning Board and having them inform the project manager, architect, or developer that they are going to put together a schedule of how many units and how many inspections and then we subtract out the two and formulate a number and in turn a check is given over to the Building Department. Seth asked if they were hoping to be compensated on the “additional inspections” and John responded yes, additional only. Tony mentioned that on these larger projects, there isn’t really set inspections, the project moves as it moves; you can have 100 inspections or 200 inspections. As the project is going, they will continue to call you multiple times a day to do inspections on all different items; you can’t really accommodate for things that they call you in for and things that you go there for to make sure things are processed the right way. Seth stated that now that it’s a little more clear and what the intent of the policy is, he’s behind it. He believes that the language on the whole policy needs to be very specific, that number one, its looking at additional compensation for significant impact projects, and number two, its additional inspections and needs to be clarified. Seth mentioned that he is happy to take a stab at it, we need to make sure that these policies are clear and that moving forward there is no more confusion. Matt asked if the proposed project on Gulf Street would be considered a significant impact project and Tony responded that it was something they talked about and that the developer on Gulf Street is the same at Morgan Circle and he tends to build in a pretty rapid way. There was talk on how to accommodate for something like that without putting in something for a phase growth. Seth mentioned that Matt raised a good point on what constitutes a significant impact and what does not; The Planning Board would have to put together some type guidelines.

BOH Update:

Matt summarized some information on COVID:

- Currently 13 active total cases; Boylston is currently in Yellow
- 253 cases since we begun tracking data

Last week, the Lions Club did a call campaign; completed calls to a lot of the senior citizens in town that they had phone numbers for. They were able to book everyone who they reached out to that needed help booking an appointment. There were a few exceptions and circumstances in which some people need to be booked; working with COA to schedule a van to help get residents back and forth from appointments. They started contacting the 70-74 age group today and are going to

start contacting the 65-69 age bracket by the end of the week. The initial goals of these calls are to share information and make sure people know where to go on the internet and if they do not have access to the internet, where they can reach out to and get information.

Chief Flanagan sent out a code red prior to these calls to make sure residents know that this wasn't a scam. A clinic will not be held in town, especially since the state said they are going to stop sending vaccines to municipal vaccination sites, at this point in time. They have continued to reach out to surrounding towns and state representatives. The best way to make an appointment right now is through vacfinder.ma.gov or dialing 211.

Natick Mall and Circuit City in Dartmouth are new sites that are coming online this week as MA Vaccination sites. People are going to have to travel to get an appointment but hopefully as the weeks go on things open up closer to home. Matt, the BOH, and Fire Chief met with the Superintendent, the School Committee Chairman and the principals of BES and Tahanto last week to discuss a strategy around getting teachers vaccinated; teachers are not eligible yet to get appointments.

Matt has reached out to the City of Worcester, Senator Chandler's office, and Representative Kilcoyne about blocking a group of appointments for teachers to help them get vaccinated. He did receive an email back from Representative Kilcoyne's office; she is talking to DPH.

If there is anyone out there that needs help, we have a large group of volunteers that have been working on this and are ready to help. If you would like to volunteer to help make appointments, please reach out. Jamie and Seth both thanked Matt and the Lions Club as well as all other volunteers for all they have been doing to help out the residents in town.

Discussion with Police Chief on Detective Patrolmen position:

The Chief mentioned that he is looking to bring on a Detective Patrolmen Position to cover the afternoon/evening shift. The Chief stated that he would be looking to bring on someone for the 3PM-11PM shift. He would rather not have a regular Patrolmen dealing with this, but rather have someone who has dealt with this prior. We do have an individual on the department that is interested in this position and would like the added responsibility, Matt Ryle. He would like some additional training in town regarding this position; he is not a new person or additional hire; it is a stipend of \$3,500. He believes that it is a win for both the Police Department as well as the Town. Jamie mentioned that he believes this would be money well spent, and Matt and Seth agreed. Seth mentioned that he met with the Chief and dug into the budget and continue looking at creative ways to find savings as we get close to the end of the fiscal year.

Seth Ridinger moved to authorize Chief Sahagian to promote officer Ryle to Patrolmen Detective, Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.

DHCD LIP Application Discussion: Postpone this discussion to 03/08/2021 meeting.

Approval of meeting minutes: 02/08/2021

Seth mentioned that he would like reflected in the record:

- Under the Town Administrators Report Section, #2 Affordable Units at Morgan Circle, Paragraph 4: Seth would like the date of November 2018 reflected in the official minutes.

Seth Ridinger made a motion to approve the meeting minutes from 02/08/2021 with the two revisions stated, Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.

Discussion/Vote to reduce speed limit on Sewell Street:

Steve is looking for the Boards approval to reduce the speed limit on South Sewell Street (from Shrewsbury Street/140 to the Boylston/ Shrewsbury Town Line) from 40 MPH to 30 MPH. Steve mentioned that himself and the Police Chief have discussed this and agreed it would be a good idea as they meet the requirements to reduce the speed limit; dwellings are closer than 200 ft. If approved, a letter will have to be drafted from the Board of Selectmen to MADOT to be recorded.

Matt Mecum made a motion to lower the speed limit on South Sewell Street to 30 MPH, Seth Ridinger seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.

Vote to overspend Salt/Sand budget:

Steve mentioned that they have been going strong and the guys have been working very hard. He is looking to get approval from the Board of Selectmen to overspend on the Salt/Sand budget; as of right now, they are close to the budget line right now. Jamie mentioned this happens yearly and is the only budgetary items that the state allows you to overspend on. Unfortunately, they do not have a dollar amount yet. April mentioned that Steve only needs authorization to overspend from the board for this to be approved, he does not need to provide a number.

Matt Mecum made a motion to authorize the Highway Department to overspend on the Salt and Sand budget, Seth Ridinger seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.

Appoint 2 members to the Affordable Housing Trust:

April mentioned that in 2004, the Inclusionary Zoning Bylaw was enacted; at this time, they also put into this bylaw that they can set up a gift account to receive any monies for any buildings that would be built instead of affordable housing units. In 2005, the Town voted to accept MGL Chapter 44 Section 55c; Allowing the board to have a Housing Trust Fund established. Town Counsel suggested that it would be okay to go ahead and set the trust up; there would have to be a minimum of 5 trustee members to oversee the trust. The three members of the Board of Selectmen would all be on the committee and April suggested appointing two more; Town Administrator, Treasurer Collector, Town Planner, or anyone that the Board chooses to put on that committee.

Seth mentioned that when looking over the state guidelines and they alluded to people that would be good for the committee would have something to do with Finance or Real Estate. Jamie stated that he would be reluctant to appointing two people without asking them first if they would like to be involved; The Board decided that they can reach out to the Finance Committee and recommended making the appointments at the next meeting. Seth asked if they need to be a Town resident or not and asked if we can look into this. Matt stated that he would suggest the Town Planner but is unsure if he has too much going on. Paul stated that he would be happy to do it but is unsure if it needs to be a resident or not.

Review / Approve BOS Meeting Schedule April – August 2021:

Seth Ridinger moved to approve the Board of Selectmen Meeting Schedule from April – August 2021, Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.

Review / Approve Online Meeting Agenda Location:

Matt mentioned that with Town Hall being closed, our official posting location being in the lobby area of the Town Hall is not very accessible to people. We need to figure out a way to get better at this; its 2021 and we should be able to post these on our website. April mentioned that we post in two locations at Town Hall; the lobby and a clipboard outside which is physically accessible 24 hours a day. The Board can vote to make the official posting on the Town website; if this were to be approved, each board would need to make sure they are compliant with OML and post 48 hours prior to their meeting. If we would like to maintain the lobby and outside clipboard as our official area, we can always tell the boards that we want everyone to utilize the website to post their agendas; not making it official by a vote, but expressing it is a location that we are requesting that they all use. Jamie stated we should tell everyone they need to put it on the website as a third posting. Seth asked if we could doublecheck to see if it is possible to have 2 official posting locations; best solution would be online and outside posting. The board agreed that its something we need to look into but we should be more accessible rather than less than.

Miscellaneous Topics:

Pulling Papers: When can people pull papers. We are caught in a bit of a quagmire with what is going on with the School Committee but need to figure out what is going on. April mentioned that right now we are working in conjunction with Berlin and both communities are going to open so papers can be pulled so that we can hit our normal election cycle. We are trying to find out if we can open the slots for the School Committee members at this time, even though the Special Legislation has not been approved, and then hold them if the Special Act doesn't get approved before town meeting, or if we have to say, only town elections, no Regional School District and we have to hold the Regional School District as a special election at a separate time. The Town Clerk has reached out to the elections division and are waiting on Town Counsel to investigate it. Jamie mentioned that we would like to not have to pay for a special election and feels if that were to happen it should fall on the School Committee.

Vaccination: Boylston is not on a team to get residents vaccinated or our teachers vaccinated. There are a lot of questions regarding getting the teachers vaccinated; we want to get the kids back to school as quickly as possible and getting the teachers vaccinated will require time. We want to minimize any time loss of in person learning. It would be great if we could partner with one of these MA Vaccination sites and get a block of time for our teachers. He would like us to write a letter to the Governor with our concerns; being a small town, without having the partners that other towns do, and voicing our concerns. Its not about pushing teachers up the list, its about when they are eligible and how we are going to do this efficiently without impacting the kids even further. Matt has been working with Representative Kilcoyne's Office and she has been very responsive,

and he has also reached out to Senator Chandler's Office. Matt stated that he can work with April on this in hopes that someone will listen to them.

Contact Information: Significant gaps in contact information in for seniors in town. 40%-50% of seniors we do not have contact information for. We are going to need to put some resources towards it. Temporary resources towards it such as volunteers knocking on people's doors. With the first round of calls there were 410 names and 120 did not have phone numbers to reach out to. That is a large number especially in an emergency like this, we really need to get ahold of people. Jamie mentioned that having people fill something out at the election may be a good idea and Matt suggested working with local churches as well.

At 8:09 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
Town Administrator's Report	On File in The Board of Selectmen's Office
Meeting Minutes 02/08/2021	On File in The Board of Selectmen's Office
Town Planners Report	On File in The Board of Selectmen's Office
DRAFT – Inspection Policy and Procedure	On File in The Board of Selectmen's Office
April – August 21' BOS Meeting Schedule	On File in The Board of Selectmen's Office
Affordable Housing Trust Documents	On File in The Board of Selectmen's Office
Central MA Mosquito Control Project	On File in The Board of Selectmen's Office