



## Board of Selectmen

Date of Meeting: Monday, April 5, 2021  
Time: 6:30 PM – 8:00 PM  
Members Present: Chair Jamie Underwood; Selectmen Matt Mecum and Seth Ridinger;  
April Steward, Town Administrator

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/86016132001?pwd=Y3I3RU1mLzJvL2RnYVlSYnJNVjlsZz09>

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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.

At the start of the meeting Matt Mecum discusses the tragedy of Matthew Phillips' passing. Offering his thoughts and condolences to the family and discusses the possibility of helping the Phillips family. Expresses that he is confident that the Boylston community will support them

during this difficult time. Matt suggests keeping his memory alive by participating in things that were once enjoyed with him. Chairman Jamie Underwood reaffirms Matt's message to the Phillips family that the Town will support the family during this difficult time, if and when the family needs anything.

April Steward also reaffirms this evening's message about the Phillips family.

Chairman Underwood introduces Chief of Police.

### **Police Chief's Report to the BOS:**

Chief Sahagian discussed activity report for the month of March, adding one correction, the correct mileage for the 2013 Charger is 111,560 miles. He stated motor vehicle stops had increased, while continuing to do residential patrols and building checks.

- March 10<sup>th</sup>: Central Mass Chief Zoom
- March 11<sup>th</sup>: attended the Mass Chiefs Zoom
- March 17<sup>th</sup>: Tahanto Crisis Action Team Meeting
- March 19<sup>th</sup>: An officer at Grand Jury in Worcester
- March 26<sup>th</sup>: Ticket hearings in Clinton District Court
- March 27<sup>th</sup>: A very trying day with the tragedy involving Matthew Phillips on the trails behind town hall. Chief Sahagian discusses measures taken to help care for Matthew.
- March 30<sup>th</sup>: a vigil held for Matthew at the Hillside Pavilion
- April 1<sup>st</sup>: new officers were removed early from further structured FTO training, authorized to work on their own with normal supervision and senior officer oversight.
- April 3<sup>rd</sup>: three patrolman and Chief, supported the Easter Bunny Parade throughout town.
- April 6<sup>th</sup>: funeral service for Matthew. Chief Sahagian stated there would be a Police Escort to cemetery to pay respects to Matthew, family, and friends.
- April 6<sup>th</sup>, the vendor who installed surveillance at the station will instruct on cameras,
- April 14<sup>th</sup>: Central Mass Chief Zoom
- April 19<sup>th</sup>: Patriot's Day holiday
- April 22<sup>nd</sup>: annual weapons qualification
- April 22<sup>nd</sup>: Medical follow up
- April 24<sup>th</sup> & 25<sup>th</sup>: Boylston wide clean up- patrols out, try to support while folks are cleaning up the community
- April 26<sup>th</sup>: start of new Boylston academy
- April 29<sup>th</sup>: summons to Clinton court for LTC appeal by a resident

Looking forward to May, he stated on the 19<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup> the Police Department will sponsor training street crimes training at the manor in west Boylston. This event was almost immediately sold out and added that it is a high-speed organization that teaches about street crimes training throughout the US, same class taught three separate days.

Seth Ridinger inquired about the LTC appeal, asking if this was a first-time issue or a renewal of an LTC? Chief explained the situation where there was an issue that arose with a licensed holder, as per protocol the Police Department pulled the license, ammunition and guns until matter was resolved in court. The individual completed his court over site, which is 6 months, so issue was

resolved. The protocol is once the issue is resolved, if no charges that have gone forward onto a record and there is not anything that is a disqualifying factor than owner would receive property back and LTC.

### **Fire Chief's Report to the BOS:**

Chairman Underwood greets Fire Chief Flanagan. Chief Flanagan apologizes unable to get a report to Jamie this evening due to brush truck broken down and a fire near tower hill. He started off by providing a quick summary of the month: calls average about 2-3 per day, mutual aid/building fire, one in Lancaster and one in West Boylston and mutual aid in Worcester. Finds that this is progressing and providing a good experience, is finding that having staff until 11 o'clock pm, helps with increasing call volume. Chief Flanagan then discusses responding with 8 total members including paramedics from Boylston and West Boylston to the tragedy with Matt Phillips. Chief Flanagan states that they did a debriefing the Monday after, it was a very difficult call and continues to be. Chief Flanagan touches on that it hit home and hard for many including himself professionally and personally with knowing Matt and the Phillips family. But added Boylston Community is very supportive.

Chief Flanagan moves into the next aspect of his report to the BOS. After reviewing pay rates for firefighters in both Boylston and comparing to other communities, Chief Flanagan is proposing a revised pay system. Chief states that currently everyone is paid a flat rate and is proposing to provide an increase with cost of living, experience, and education. He continues to say, that surrounding communities pay were and that Boylston is just at the low end of the pay. West Boylston is the only department lower than Boylston currently. He feels that to avoid losing qualified Firefighters and EMTs, that this is beneficial. He states these individuals in addition to working are asked to do call, maintain training/certifications and drill 3-4 nights a month. Chief Flanagan had spoken with the finance committee regarding last year's budget with proposed increase, it would be a 2% increase in pay.

In addition, Chief Flanagan is proposing a Warrant article in for transfer of funds from ambulance receipt account, to create a stipend for EMTs who handle overnight calls as they currently stay at the station without pay overnight unless receive a call. He feels that it could encourage more people to do it. He states that currently, they are down a group, normally there would be 7 groups however, down one group due to shortage of EMTs. He continues with, this could help alleviate some of the call requirements for the EMTs. Chief Flanagan is requesting to propose rates be effective July 1.

Discussion opens amongst the BOS; Chairman Underwood is in favor and agrees that could provide a good baseline if needs to be adjusted yearly as needed. Also adds that, this could reward individuals along with a way to show appreciation for their time and hard work. Seth Ridinger questioned only 2% and asked how much was in the ambulance reserve fund. Chief Flanagan states based on last year's call volume, call EMTs working a bit less with employees being there until 11 o'clock pm vs 9 o'clock pm, it would average out to the 2 percent. Chief Flanagan states approximately \$250,000.00 is in the fund. Seth states that this may be a good solution for temporary measure but may need to think of a long-term solution though. Chief continues that after running numbers based on the \$1,000.00 stipend and what is charged for an EMS run, for an insured individual being brought to a hospital, is approximately \$500.00-1000.00 per call. If each EMT did 4 calls per year, will collect revenue, should be able to recoup

the cost based on the call volume annually. Matt Mecum has discussed the numbers with Chief Flanagan and the finance committee chair, who were both in favor of this.

Lastly, Chief Flanagan stated that the town was approved from the state equipment grant, \$10,000.00. He stated this grant will aid in replacing tools and equipment, such as the ladder truck and pump. Currently, there has been no word on the federal grant or breathing apparatus grant.

### **Highway Superintendent's Report to the BOS:**

Chairman Underwood introduced Highway Superintendent, Steve Mero. Steve Mero began his report with recent updates of catching up and cleaning up from the winter has begun. The start of maintenance and cleanup around center of town, throughout town, and the cemetery. He states that catch basins inspections have begun to assess for repairs this year, cleanup from trees that came down in center of town from winter and noted that are a few trees that need to be taken down in the center of town as well. Steve states that he would like to review the budget again to have the trees addressed in time for the Memorial Day celebration. He mentioned with the goal of potentially replanting trees on the common in the future. With the discussion of clean up, the cemetery needed quite a bit of cleanup and he also noted that there have been five total burials this year.

Steve then stated backfilling approximately three quarters of a mile down Pine Hill Road will begin soon. He updated the BOS on the issue on Warren Street/ Rocky Pond with paving that was done last year, noted this can happen when being tied into an intersection despite not being common. Paving company is expected to come out in the next two weeks to assess the delamination issue and potholes at intersection. The company states the solution would be to mill an inch and a half and repave the area; this will hopefully take place the first week of May and he will oversee to make sure it's fixed properly. Steve Mero added that stop signs will be posted on School Street this week as well as signages out to warn residents of speed limit reduction.

Newest employee hired in January is in the Army Reserves and has been placed in active duty. He's heading to Texas for training and then being deployed to Poland for one year. He has declined having his job held and Steve states that, he has received formal letter of resignation and will not be returning unfortunately. Steve announced dates for yard waste drop off: Saturdays- 4/17, 04/24 and 05/08 with the times being 8am-12pm. Notes if there is a need, can add an additional day or two as well. Drop off is at the Highway Garage located at: 385 Main Street.

Chairman Underwood opened the discussion opened amongst the BOS by asking if anyone had any questions. Seth Ridinger noted beaver activity at Rocky Pond on report, asked for clarification and questioned if this was a new or ongoing issue. Steve Mero mentioned that they have been there for years likely thirty years, they have been blocking the three culvert pipes that go under the road.

### **Town Administrator's Report to the BOS:**

1. ***West Boylston Regionalization request:*** The Town Administrator, April Steward, stated that the Town of West Boylston has contacted her with the potential interest in regionalizing the two towns Fire Departments with the goal to attempt to maximize

resources. April Steward requested permission to investigate what they are looking for. April asked if a board member would be willing to join as well. Chairman Underwood offered to attend to listen to what they are hoping to achieve. Both Matt Mecum and Seth Ridinger were in favor, Matt added that the chair would be a good representation of the board and Seth agreed as well. Jamie and April will discuss with those involved to find a time to meet.

2. ***American Rescue Plan:*** April states that on March 11<sup>th</sup>, the President of the United States signed the American Rescue Plan Act which will provide another round of stimulus funding in direct aid to state, local governments, tribes, and territories. Adding that it is estimated that the Town of Boylston will receive \$1.3 million dollars as a part of this funding. The law identifies four eligible categories for use of funds: response to public health emergency or its negative economic consequences, provision of premium pay to eligible workers (as designated by the local chief municipal official), revenue replacement (relative to fiscal 2019 local revenue figures), investments in water, sewer and broadband infrastructures. She states that the MMA is recommending that municipalities look to match funding sources to their existing community needs to maximize the federal dollars. She adds that she is waiting for more guidance on how to utilize these funds as this guidance is still very broad. She will begin to work with the Treasurer and the Town Accountant to set up systems to account for the funds to mitigate compliance risks. In addition, she added it potentially being a good idea to discuss with the finance committee and the Town Planner to discuss utilization of funds that will be coming out of the stimulus packages as well.

### 3. **Building Department Fees:**

As part of an ongoing discussion last Thursday: Matt Mecum, The Building Inspector, Tony Zahariadis, and April Steward sat down with Plumbing, Gas and Wiring inspectors to discuss their proposal for a revised fee schedule and their compensation. They discussed the fee schedule which has not been increased in years and feel that it should be brought in line with other communities surrounding Boylston. They proposed bringing the cost to \$100 per inspection for all inspections. In addition to, proposing continue of 2020 stipend with an increase from previous years, with increase of development in town. April Steward recommends approving this fee schedule along with the fee inspection. Discussion opens amongst the BOS: Chairman Underwood felt it would bring the Town of Boylston in line with other communities especially with the growth and development in the town. In addition to rewarding the inspectors for their hard work Matt Mecum is also in favor, discussed with the finance chair and feels the fees offset the stipend. Seth Ridinger opened the discussion further regarding the towns that were used for comparison and the policy wording as well. April Steward noted that it was specific to Holden, Lancaster, which then Seth Ridinger confirmed that it was a total of six or seven immediate communities surrounding Boylston. Discussion ensues further regarding fee schedules for clarification on why it appears some things did not change or if there was an adjustment in cost that seemed smaller or larger. The result of this clarification shows the \$100 per inspection across the board. Regarding the policy, Seth Ridinger mentions, "Funds and Inspector Compensation" which noted it was the 7<sup>th</sup> building point, questions removing the wording surrounding "the building inspector will approve additional inspection compensation for

the inspectors,” from the policy. Questions the wording on this, if this was left over from fee-based compensation as well as if this wording is not necessary if a flat rate stipend is being proposed, to alleviate confusion. After much discussion, the suggestion of removing the word compensation or rewording it should be sufficient and conclude this topic from future discussions; if the goal is to provide communication to Nina, in the Building Department when additional inspections are needed.

*Matt Mecum made a Motion, to approve new Building, Wiring, Gas and Electrical inspection fees. The Motion was seconded by Seth Ridinger.*

*Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.*

Seth Ridinger clarifies policy services, policies and procedures being covered or separate motion? Discussion about the policy ensues, policy is to streamline for the Building Department office. There is suggestion for an additional motion.

*Seth Ridinger made a Motion to approve Inspectional Policies and Procedures as presented to the board this evening as discussed with modifying the language with Building Commissioner will approve additional inspection and remove the word compensation.*

*Motion was seconded by: Matt Mecum.*

*Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.*

### **Possible Productions:**

To follow up with the board on the filming that was conducted in town at the end of February and the beginning of March, we received payment in the amount of \$8,000.00 from Possible Productions for the road closure permit fee associated with the closure of Rte. 140. April noted the town received payment for four days. Adding that it seems that everyone had a positive experience with Police, Fire and the Highway Departments and that they are welcome back in the future.

### **Scheduled Items:**

- 1. To determine to waive the Right of First Refusal pertaining to the DiPilato property, recorded on 09/13-18 in Worcester County Registry of Deeds in Plan Book 937, Page 99, containing 55.49 +/- acres to be acquired by NBPIII Boylston LLC.**

Chairman Underwood began this discussion about the land, which is located by FedEx, noting that they were approached two years ago by a developer. They are moving forward with the purchase of the land and Boylston has been contacted because there is a right to first refusal to purchase that land. The figure is not in Boylston's budget range and continues that there is now a need vote to refuse right of first refusal or release the right of first refusal to purchase the land. The developer is set to meet with the planning board after the town election as a unanimous vote is needed. Discussion opens amongst the BOS: Seth suggests explaining why there is a right to refusal to clarify for people tuning in. He states that a, Chapter 61A- owners, have been getting a tax

reduction due to putting so much land into forestry or agriculture, which is why the town has a right to first refusal. Matt Mecum suggests explaining use of property from potential buyer. Chairman Underwood agrees, adding that there has not been much information available and to the public. That they had a brief meeting, is aware that it is a warehouse building and did mention seeing some plans. Matt Mecum adds that there is little known currently, that a company is coming in to build a warehouse 400,220 square foot distribution center and the tenant is unknown as well. Adding that this is larger than the current FedEx building, noting the height of loading docks on drawings, are not suitable for vans but rather tractor trailers. This would create in theory less impact on local roads if they are going up 290 to other distribution center.

Conversation ensues regarding the property: Seth Ridinger agreed with Jamie regarding the cost if the town was to pursue it including hard to justify and adds it is a good location, right off the 290 junction and proximity to FedEx. Adding that the feedback from the community and the Master Plan Committee that people would like to keep those buildings and businesses in that area of town.

*Matt Mecum made a Motion- to waive the right of refusal pertaining to the DiPilato property, recorded on 09/13-18 in Worcester County Registry of Deeds in Plan Book 937, Page 99.*

*Motion was seconded by: Seth Ridinger.*

*Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.*

## **2. Vaccine Update:**

Chairman Underwood moved onto the next item on the agenda which was the vaccine update. Board of health not present, Matt Mecum presents information from the Board of Health. Boylston is in the grey zone stating there is: 5 active cases, 264 cases since tracking COVID began. The regional vaccination site at the double tree hotel in Westborough is still a work in progress due to vaccine availability. Today, vaccine statewide open 55 years old and up with one qualifying health condition. On the 19<sup>th</sup> - all residences over the age of 16 will be eligible; encouraging everyone to preregister. The Lions Club, Council on Aging and other volunteers are available if people need assistance, pointers on how to get an appointment or if do not have internet access. Sending praise to all three schools in the district for facilitating: Boylston Elementary, Tahanto, Berlin Memorial are at 100% of those who want to be vaccinated, have at minimum an appointment or have been vaccinated. As of last Thursday, 41.7% of the population in Boylston have had at least one shot, which is approximately a 5% increase.

## **3. In Person Meeting Updates:**

Chairman Underwood begins the discussion of the possibility of in-person meeting, mentioning that that town hall is open, schools are open, discussing the possibility of holding in person but pending location of meeting. Offered discussion of a hybrid option with the potential to meet in person and view remotely. Noted that Postponing town meeting- for all citizens to have the chance to participate. Discussion ensues with Matt Mecum stating that, April Steward received suggestions from WBAC on how to potentially facilitate a hybrid option. April Steward had contacted Brittany Blaney-Anderson to see if she had worked with any other communities, to accommodate people who would feel more comfortable viewing online, while being in person



under the restrictions that are still currently in place by the Commonwealth. Brittany Blaney-Anderson provided feedback on how to facilitate a hybrid option, but April Steward noted that there was a need for equipment to do so but suggesting potentially utilizing the CARES ACT money to acquire it. April Steward states, that Brittany Blaney-Anderson suggested setting up a video feed but still have people come into the meeting rooms if that is the direction that board would like to go in. Matt Mecum adds that the list of the equipment, despite knowing the cost currently, does not appear to be too costly. The equipment that would be needed is: a laptop, speakers, an adapter, a microphone. Chairman Underwood continues that he would be in favor of meeting in person and feels that can still do it safely with 3 feet or 6 feet apart. Matt Mecum agrees, stating if both options are available to people adding if facilitating a hybrid option could be done cost effectively and by utilizing some of the CARES Act funds. Seth Ridinger also was in favor and felt that it was important for those who did not feel comfortable to be in person to have another option to participate as well. Seth Ridinger also asked if there would be a plan for a controversial topic that could potentially create attendance constraints. Chairman Underwood suggested that it would likely be known in advance and for that situation, the meeting could be held fully remote. Discussion continues with how to fund the equipment by potentially utilizing the Selectman's Account budget to accommodate the purchase, to not delay returning in person for much longer noting that the cost could be reimbursed through the CARES Act. Matt Mecum offered to work with April Steward to determine the equipment needed. He also suggested to keeping remote temporarily to make sure the equipment would work and to check with Attorney Madaus that this would be compliant with Open Meeting Laws. Also added that it is helpful to have the remote option, if out of town and unable to attend or for what the fall could potentially bring. Seth Ridinger furthered the conversation, by asking where the in-person meeting would be held. After some brief discussion, suggestion of utilizing the larger meeting room which can hold a larger amount of people, the larger table offers enough space to maintain distance and better-quality microphones. Chairman Underwood asked if Matt Mecum wanted to sit down with April Steward, to determine the cost and timeline. Matt Mecum agreed and will follow up with April Steward Regarding this.

#### **Vote to Approve the Annual Town Election Warrant:**

Chairman Underwood states next on the agenda is to vote to approve annual town election warrant.

*Seth Ridinger made a Motion to approve the Annual Town Election warrant for 2021.*

*Matt Mecum seconded the motion.*

*Voted all in favor. Matt: yes, Seth: yes, and Jamie: yes.*

#### **Vote to Authorize an extension/increase in hours for legal assistance in the Board of Assessor's Office**

Chairman Underwood states next to vote to authorize extension/increase of hours at the board of Assessor's office- for legal assistance in the office, due to going through a lot of paperwork.

They currently do not have the budgetary hours planned out for situations like this, at this time.

Seth Ridinger opened the discussion by asking for clarification regarding how many hours were needed. April Steward states Attorney John O'Day has been assisting the Board of Assessor's in

the beginning of the year with some other items and something came up with a housing issue trying to figure out the assessment. Steven Madaus was comfortable with referring to Attorney O'Day to continue to assist them, did not feel it was not going to be a substantial amount of time, was potentially 8 hours or less. The contract had entered in earlier this year, authorized the board for an extension if needed to, so the request is still within the same contract. This is to acknowledge that he would be going over the hours that were initially that were requested.

*Seth Ridinger made a Motion to move to authorize an extension/increase in hours for legal assistance to the board of Assessor's office.*

*Motion was seconded by: Matt Mecum.*

*Voted all in favor. Matt: yes, Seth: yes, and Jamie: yes.*

### **Approval of March 22<sup>nd</sup>, 2021 Meeting Minutes:**

Chairman Underwood states, final item on the agenda is approval of meeting minutes from 3/22/21. Jamie asked if there were any mistakes or omissions that needed to be addressed. Seth Ridinger provides feedback stating that the minutes were great and thorough, thanking the Town Clerk. However, he noted one correction, in the Motion to reopen Town Buildings, worded effective 3/29. He stated it should read, that the Town Buildings are to open immediately with exception to open Town Offices which would be March 29th.

*Matt Mecum made a Motion to approve the meeting minutes from 03/22/21 with the changes to the wording that stated, the reopening of the Town Buildings was effective immediately with the exception of the Town Offices which was effective 03/29/21.*

*Seth Ridinger seconded the Motion.*

*Voted all in favor. Matt: yes, Seth: yes, and Jamie: yes.*

### **Miscellaneous:**

Matt Mecum stated that Boylston Elementary went back full-time, thank you to administration, teachers for the time and effort to make it happen. A different year and will continue to be that way, but a step in the right direction for getting kids back in the classrooms. All agreed that kids needed it.

Chairman Underwood does not have anything to add.

April Steward declines further comments.

Chairman Underwood states there were no questions from the audience.

*At 7:56 PM, Seth Ridinger made a motion to adjourn, Matt Mecum seconded. Voted all in favor. Matt: Yes, Seth: Yes, and Jamie: Yes.*

Respectfully submitted,

Rebecca Walker  
Assistant Town Clerk

### **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 12/14/2020

On File in The Board of Selectmen's Office

IRS – Standard Mileage Rate

On File in The Board of Selectmen's Office

P&S Agreement – 85 Sewall, LLC

On File in The Board of Selectmen's Office