



Town of Boylston 221 Main Street, Boylston, MA 01505

## Board of Selectmen Minutes 3/14/16

Date of Meeting: Monday, March 14, 2016

Location: Town Hall, 221 Main Street

Time: 6:30 PM – 9:10 PM

Members Present: Chairman James Wood; Michael May; James Underwood; Stephen Madaus, Town Counsel; Marty McNamara, Town Administrator; Lori Esposito, Administrative Assistant to the Board

The meeting was called to order at 6:30 PM by Chairman Wood.

**Meeting Minutes:** The minutes of the December 7 and 21, January 11 and 21 were presented to the Board for approval.

*Mike May motioned to approve the minutes, including those of December 21, 2015 with edits. Jamie Underwood seconded; voted all in favor.*

### **Report of the Town Administrator to the Board of Selectmen:**

- **New DPW garage update:** The TA states the project is moving along as scheduled. The foundation is complete, it has been damp-proofed. Insulation work will begin soon. The rough plumbing is in and inspected and backfilling has begun.
- **Potential Route 140 development:** The TA met with Selectman May and a potential developer. This developer met with the Planning Board and discussed a possible Town Meeting Article to increase the Flexible Business District by a small amount. Their project is on a 55-acre site that is 90 percent plus in the Flexible Business District and they would be requesting a very small area to be reclassified. The Applicant Advisory Committee met to discuss this proposed development and the developer will return to discuss this with the Board on April 11.
- **Massachusetts Department of Revenue Technical Assistance Program:** We were first involved with this program last year when their help enabled the assessors to set the tax rate in November rather than late December and we will do the same this year.
- **WRTA – Boylston Senior Van:** Thomas Coyne Interim Administrator of the WRTA advised the TA that they have ordered the van and delivery should be in June. This is an eight-passenger vehicle which can hold two wheelchairs. The van is white and the Council on Aging decided it would have a blue stripe with the words "Boylston Council on Aging" on the side.
- **Police and Dispatchers Unions:** Both contracts expire on June 30, 2016 and negotiations with these unions will commence on April 8.
- **Police Chief's Contract:** The TA states there should be some news on that at the next meeting.
- **Commonwealth of Massachusetts DCR Pilot Payment:** Payment, in the amount of \$595,938.71, has been received. Mike May asked if any additional land had been purchased. The TA said we have not been notified of any.

### **Finance Committee (Howard Drobner and Karen McGahie attending meeting):**

- Howard said many areas are still pending (e.g., contract negotiations).
- Funding for operation of the Council on Aging van needs to be addressed. The TA said Dave Butler suggested COA contact the Fire Chief for an estimate of costs. He said approximately \$25/week for fuel and routine maintenance of \$200-\$300. All other would be covered since vehicle is new.
- Status of continuing education was questioned. The TA said it is not supported by the Board of Selectmen except for the Treasurer. The Board agreed when she was hired to give her \$1,000 a year to obtain her

Bachelor's degree in business. The Board agrees to keep \$1,000 in Treasurer's budget but not funding any other continuing education reimbursement.

- A used Town car will be given to the Town Administrator for his use. The Police Department is getting a new cruiser and we are keeping the old car. The Finance Committee disagrees due to us already having the electric car. Mike May said it would be for use by the Town Administrator to eliminate mileage expense. If he used the electric vehicle, it would almost never be available for other departments. Karen McGahie said the Finance Committee has concerns due to a car having been given to a past Town Administrator and it did not go well. Mike May said that shouldn't be relevant to the current Town Administrator. He is very active in external/off site meetings. Karen asked if we need to add to the budget to cover this expense. The Board said to add \$1,500 to Town Administrator mileage to cover gas and repairs and add \$750 to insurance for the year. Karen said this puts overall budget up to \$617K (over 12%) without salary increases. Cuts have already been made.
- Howard said, regarding debt, that the \$100K Fuller Grant for the Library will be applied. Per the Town Accountant, the net impact will be \$247K for the new garage and \$11K for the Library, requiring \$258 in revenue.
- Dave Butler met with the School Committee last week; they are moving forward with the current budget increase of 2.7%
- Eric Brose will update the spreadsheets and provide the Town Administrator and the Board with final edits mid-week next week. Mike May asked if the Finance Committee had any suggestions for an acceptable level of increase.
- Mr. McNamara said we currently have \$875K in warrant articles using free cash; He asked the Board of Selectmen for direction regarding employee salary increases, noting that the healthcare increase also eats up the employee % raise; 2% doesn't do much. The Finance Committee will add 1% + 3% column for salary increases for comparison of budget impact to help the Board decide.

#### **Report of the Highway Superintendent to the Board of Selectmen:**

- Routine cleanup and maintenance.
- A machine with a snow blower attachment purchased with Chapter 90 funds.
- He is working with the Water Dept. to install lines at the new DPW location.
- The Grange purchased new vertical blinds for the Town House and will also cover installation costs.
- Yard waste collection dates: April 9, 16 and 23 from 8:00 AM to 2:00 PM. No brush or trees allowed.
- Regarding Timberbrook paving, he asked the Board the status. There currently might not be enough Chapter 90 funds to do the sidewalks; just the road and curbs.
- Mike May asked if the Town House should be someone's responsibility besides the Highway Superintendent -- possibly Bob Bourassa? Steve Mero said he inherited the responsibility from Don Parker. Going forward it might not be his responsibility.
- Regarding the new DPW building, the TA said they were able to save money by having the DPW workers assist the Water Dept. installing water lines and saved approximately \$20K for the project. We had a \$35K bid to run the water line, but by using DPW workers it was completed for approximately \$15K. Also, the tight tank was initially 650 gallons but they are going with 2500 gallon tank now with an approximate \$2500 increase in price. We will not be charged any additional cost. The walls will be erected in about two weeks.

**Conservation Commission (Joe McGrath, Chair) re Warrant Article** Mr. McGrath handed out a presentation. The Mile Hill area parcels were previously deeded to the Conservation Commission ("Con Comm") in 1988, passed unanimously. However, the deeds were never actually transferred to Con Comm so that needs to be done. There are small changes in the Warrant Article composition.

- There are no usage restrictions except for:
  - Any usage not permitted by local, state or federal law
  - Any usage which the Town, as a whole, may deem unsuitable in the future, as would be regulated by a Conservation Land Use By-law.
- Possible uses:

- Passive recreation (hiking, jogging, cross-country skiing, snowshoeing, photography, nature study, picnicking, camping)
- Dog walking, horseback riding, biking, hunting
- Possible restrictions:
  - Use of motorized vehicles
  - Camp fires
  - Removal of firewood
- The Conservation By-law would allow all residents and boards and committees to have input regarding the use and restrictions of the land. Con Comm's approach versus the DCR's approach:

ASPECT	CONSERVATION COMMISSION	DCR IN BOYLSTON
Mission	Conservation, recreation and Town access	Watershed protection
Scope	Custodial land management	Watershed protection
Authority	None. Governed by Town By-law	State mandate
Access	Open	Restricted
Pets	Allowed	Prohibited
Biking	Open	Restricted -- Dam/Spillway, not allowed. Dike only.

- The Board would also like to see Con Comm versus Land Trust, such as Sudbury Valley Trustees ("SVT").
- Jamie Underwood said there is misinformation in Town that the Board of Selectmen is not allowing Con Comm to place a Warrant Article. Joe said some of those statements recently made by SVT were inaccurate; they have nothing to do with this proposed acquisition.
- Jim Wood said he really doesn't want people who are not from Town walking around on or using our Town property. Joe McGrath said Berlin monitors their conservation land. Laurie Benson (in the audience) said people from out of Town don't know about these trails; the residents do and it should not be advertised.
- Mike May said he appreciates the effort Joe put into his presentation and answering questions and addressing concerns. Regarding a By-law, his position is: less detail is better. We don't want this to be a back door entrance for a SVT/Tri-Town plan. He inquired of Town Counsel how soon and what process is needed to get a By-law in place. Stephen Madaus said there needs to be a Town meeting for a majority vote. A By-law is a self-imposed restriction by Con Comm; a By-law is not required by law for deeded land. The statute gives Con Comm powers to monitor, regulate, etc., land. It is possible that the Attorney General would find a conflict if we impose a By-law along with Con Comm deeding.
- Mike May asked if there might be an agreement between the Town and the Conservation Commission to jointly manage changes, use, etc. Atty. Madaus said that might be denied by the Attorney General. Mike said he currently has no concern with the current Conservation Commission; however, that composition might change in the future, along with perceived best use of land. He wants to avoid issues for the future.
- Mark Coakley (Con Comm member) reminded that the Con Comm is an appointed position, not elected. The Board is always capable of exercising its jurisdiction; it has oversight of the appointment.
- Jim Benson (Mile Hill Road) received some information from SVT. In the past, Rocky Pond land was donated for preservation and is now being developed. He sees surveying markers 50 feet from his house. His wife saw a shadow in the backyard this winter. Were they casing the house? If trails are added, what impact might that

have on homes and neighborhoods? Joe McGrath said the Town did not do any surveying. Mark Coakley said lots of beetle surveying has been done recently, those are likely the markers Mr. Benson observed.

- Laurie Benson said it doesn't bother her to see neighbors on trails but she is not comfortable with people she doesn't know using the land because it's close to her house.
- Jamie Underwood is concerned that SVT is trying to find another way to connect their trails into these and noted the recent issues at Pleasant Hill. Mark Coakley said Pleasant Hill is a different situation; Con Comm is appointed by the Board to be a steward of the land. Joe McGrath said Con Comm just wants to care for and protect land and save it as pristine open space. Jim Wood said the restrictions would probably scare people away from supporting the article.
- Dave Rosser (Mile Hill) said there is the potential for several lots to be accessible and people parking and accessing them from Mile Hill Road. He also has concerns about parcels becoming known for trails and we could lose visibility and control of who is using the land. He feels it should be left in its natural state and anticipate what could happen in the future.
- Stephen Madaus said restrictions might be placed on the deed. Tax-title properties ideally should be sold to get the land back on the tax rolls.
- Tom Anderson (Mile Hill) agrees that less is more. More use of the land means more people in Town. He has had problems the past few years with people on motorcycles. He would like the use to be as quiet as possible; he was concerned about Con Comm not notifying people of their intent. Joe McGrath said there would only be a custodial change not an ownership change. Nothing legal is required. As a resident, he would like the benefit to use the Town-owned land as well.
- Mark Coakley said the land could be sold if the Town so chooses. Joe McGrath said there are no buildable lots; none of the parcels could ever generate any tax revenue.

**Ralph Viscomi, Planning Board Chair:** Mr. Viscomi said he received a letter from a company doing research for NBC regarding their interest in building a Doppler radar in Town. It would be a 200-300 foot tower with a 33' diameter dome at the top. Hillside might be the only viable option if the Board of Selectmen is interested. It would require a zoning change. Ralph asked if the Board is interested. Jamie Underwood asked how much money is in it for the Town. Would they pay rent? Mike May asked if we could have someone in to discuss it. Ralph said they are in Chicago but he might be able to set up a phone call.

**One-day Beer/Wine License:**

The Knights of Columbus has requested a one-day beer and wine license for a pasta dinner they will hold on May 7 from 5:00 PM to 8:00 PM at St. Mary of the Hills church.

*Mike May made a motion to approve the one-day beer and wine license for the Knights of Columbus on May 7. Jamie Underwood seconded the motion; voted all in favor.*

**Annual Town Meeting Warrant Review:**

**Article 19, Library Renovation:** \$90K to address hazardous materials mitigation; they are waiting for construction bid results at the end of March, and if under budget, they may not need the additional \$90K.

**Article 21, DPW building:** \$295K requested for the new DPW building for paving, salt shed, grounds work and water installation. \$150K was requested from the State for the salt shed. If received, all of this money in article would not be used.

**Article 24:** \$50K for the Fire Department air compressor. The Chief applied for a Grant. If received, the money will not be needed.

**Article 37, creation of Agricultural Commission:** Town Counsel needs to determine appropriate placement in bylaws

**Article 46, bond premiums for DPW, Library:** The premium has been received (\$258K). \$60K used in expenses for bonding; the balance to go to the DPW and the Library for requested amounts.

**Selectmen's Meeting Schedule:** April 11 and 25; May 2, 10 and 23; June 6 and 20; July 18 and August 15. The schedule was approved as presented.

*At 9:10 PM Jamie Underwood motioned to adjourn. Mike May seconded; voted all in favor.*

The meeting was adjourned at 9:10 PM.

Respectfully Submitted,

Lori Esposito,  
Administrative Assistant to the Board