



## Board of Selectmen

Date of Meeting: Monday, December 4, 2018  
Location: Town Hall, 221 Main Street  
Time: 6:30 PM – 7:57 PM  
Members Present: Chairman James Wood; Michael May; James Underwood; Marty McNamara, Town Administrator; Stephen Madaus, Town Counsel; April C. Steward, Administrative Assistant to the Board

The meeting commenced at 6:30 PM.

Financial Warrants were signed in agreement.

Pledge of Allegiance was recited.

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

- **Elmwood Place Purchase and Sale Agreement:** The signed Purchase and Sale Agreement for the Elmwood Place Property has been delivered to the purchaser, and the balance has been paid. Once a survey of the property is completed, the deed will be prepared and recorded at the Worcester County Registry of Deeds. We expect the survey to be completed within 5 – 6 weeks.
- **Salt Shed:** The old salt shed up at the Town House has been emptied out and the COA is extremely happy that they can park the Senior Van there during the winter months.

I also want to mention that the Senior Tax Rebate Committee will be meeting this week to revamp that program to try to get more seniors to take advantage of that benefit.

- **Kraft Group Meeting:** On Tuesday, November 28<sup>th</sup>, Selectmen May and I, again met with Ted Fire of the Kraft Group, several engineers from VHB Engineering, along with Bill Manter from the Planning Board, and Dan Duffy from the Conservation Commission. The purpose of the meeting was for them to provide some preliminary plans for us to review, and to get our feedback. I believe it was a very productive meeting with some significant discussion taking place, especially about traffic issues. They are talking about a 450K-550K sqft distribution center facility. They are still not at liberty to identify the possible tenant, however, they did tell us they expect a firm go, no go decision later this month.

Also on Tuesday, April attended a training session at the Inspector General's office in Boston. The training focused on the roles and responsibilities of Municipal Boards, Commissions, and Committees including Ethics, Conflict of Interest, and Open Meeting laws. April has a guide from the class that she is preparing to distribute to all members of the various boards etc. We are also discussing the possibility of having the IG's Office come here to put on a training session for all who are interested.

- **MassDOT Meeting:** On Wednesday, November 29<sup>th</sup>, Selectmen May and I traveled to MassDOT Regional office located in Worcester where we met with the Acting Regional Director, Barry Lorion, and several members of his staff, along with Shrewsbury Town Manager Kevin Misikar and Planner Kristen Las. We reviewed a traffic study done by MDM for the Town of Shrewsbury. One of the options suggested to help with traffic issues was to limit traffic on Colonial Drive and use a fourth leg at the FedEx intersection. They were very happy when we indicated that we were already planning a 4-way intersection at Cross Street, School Street, and Rte. 140. There was some discussion about a suggestion by MassDOT to make Colonial Drive a right in/right out only road when FedEx begins operating, and allowing traffic to make a U-turn at the signaled intersection to head back toward 290 and/or to Shrewsbury. Obviously this would require some significant changes to current plans. We have a second meeting scheduled for Wednesday, December 13<sup>th</sup> to continue discussions. A representative from Scannell and their engineers have been requested to attend. Our traffic engineer, Jennifer Conley from

WSP is unable to attend, however, she has received the plans, and will be meeting with MassDOT prior to the meeting on December 13<sup>th</sup>.

I will mention that included in the agreement between Shrewsbury and Scannell, there was language requiring Scannell to absorb the engineering costs associated with making the necessary corrections to the traffic situation. I believe that includes the design engineering for the fourth leg of the intersection. If that turns out to be the case, that would be terrific.

One other note regarding the meeting last week, when asked about the traffic backup issues at Rte. 70 and Rte. 140, MassDOT responded that they believe the issues are related to the timing of the light cycles. They intend to review the timing set-up and make the necessary changes.

- ***Municipal Modernization Act Policies:*** While on the subject of development, the Town Treasurer/Collector has asked about the Board adopting, as a Standard Policy, a provision of the Municipal Modernization Act that allows municipalities to deny licenses or permits that are negligent or are refusing to pay their taxes. Our current policy is that if a developer applies for a permit for a particular property, and the taxes are up to date on that same parcel, then the permit can be issued despite owing taxes on their other properties.

There are different views on this. One view is that the developer should not be allowed to acquire the permit while owing any taxes at all. It is felt that they are financing their project on the backs of the taxpayers. The other view says that the town will get the taxes owed as the development progresses, and receive 14% interest on the taxes outstanding. A copy of her email is attached. I am not sure I like the idea of adopting this as a Standard Policy, or if we should implement it on an individual basis.

- ***Land Swap with the Red Knights:*** I have been having ongoing conversations with Alyssa Ring at Rep. Naughton's office, and with Bob O'Connor at EOEEA regarding the land swap with the Red Knights. Because the area of the memorial was dedicated as a "Memorial Park", the EOEEA was looking for us to make additional land available to take place of the "Park". After considerable discussions with Mr. O'Connor, I finally convinced him that the area in question would remain as a "Memorial Park" and the use of it would not change. We worked on some language to be included in the Act authorizing the swap and I have included it in your package for your consideration. If you are OK with that language addition, I will notify Alyssa to go forward.
- ***Fuller Property on Rte. 140:*** I ran into Mr. and Mrs. Fuller recently and we had a brief conversation regarding their property at the FedEx intersection. They indicated that they expected to have their appraisal done in 3-4 weeks. After our discussion, I am optimistic that we can get a deal done for that property.
- ***Gravel Pit RFP:*** Town Counsel has been in touch with the Inspector General's Office regarding the RFP for the Gravel Pit. As of this writing, the IG's Office is suggesting a new RGP be issued. Counsel did explain that a reissuance of the RFP may not be in the best interest of the Town. The IG's Representative is again reviewing the situation and will follow up with counsel. *Jamie Underwood made a motion to rescind the vote from their last meeting authorizing the P&S Agreement and to move forward with the second offer from the Gravel Pit RFP; Mike May seconded; voted all in favor.*
- ***Police Union Educational Incentive Pay:*** The Police Union has accepted the board's offer regarding Educational Incentive Pay, and has expressed their appreciation to the board for their desire to retain current staff, and to hire the best recruits possible. I am awaiting an addendum to the current contract for the parties to sign.
- ***Executive Session:*** I would ask that we schedule an Executive Session at the next meeting for further discussion of the Police Chief's contract.
- ***T/A Job Description:*** Last meeting, Selectman May asked that a job description for the T/A position be prepared. Attached is a copy of the JD that was rewritten by Town Counsel when the position was last open in 212. I think it pretty well captures the elements of the position at this time. If at some point in the future, the town opts to change the authority and responsibilities of the position, a new JD could be developed based on those changes. You need to keep in mind that a change in the authority of the T/A,

would require a By-Law change approved at Town Meeting, and Legislative approval. So, you are looking at a minimum of 18-24 months before that would take effect. On this matter, I will tell the Board that a copy of the Human Resources Audit Report that we had prepared by the Edward Collins Center at UMass Boston is in your packet. While I have not had the opportunity to digest it thoroughly, it does recommend that for more efficiency and more effective operations some changes should be made to the governmental structure. Whether the town is open to it or not is another question. Discussion ensued on different ideas the board had on obtaining a new T/A, and what the formation of the JD should be going forward. At their next meeting the BOS would like to select 7 people to be members on the TA search committee.

**Report of the Chief of Police to the Board of Selectmen:**

- **Crime Statistics** were presented.
  - B&Es are down
  - OUIs are down
  - MVAs have remained the same
- **Chief's schedule:**
  - Oct 12 Clinton District Court Ticket Hearings
  - Oct 17-18 Sargent Thomas to Sargent's training in Marlborough
  - Oct 18 Officer Annunziata attended COPsync training session in Holden
  - Oct 23 You Inc. meeting
  - Oct 25 Chief served on promotion board in Westborough
  - Oct 27 Personal time
  - Oct 27 ALICE Drill at BES
  - Oct 29 BPD Halloween Party
  - Oct 31 BES Halloween Parade
  - Nov 6 Tower Hill traffic discussion and plan presented
  - Nov 6 Special Town Meeting
  - Nov 13 Veteran's Day observed
  - Nov 15 Officer Annunziata attended Regional B&E Drug Task Force Meetings at Northborough PD
  - Nov 30 Blue Line Trailer at BPD for 2<sup>nd</sup> Weapons Qualification
  - Dec 5 Sargent Thomas attended Social Media Class
  - Dec 8 Clinton District Court Ticket Hearings
  - Dec 11 Tower Hill meeting
  - Dec 28-Jan 4 Time Off
  - Jan 5 Clinton District Court Ticket Hearings

Two very serious accidents happened in town on November 26<sup>th</sup>. At 11:41 AM there was an accidental death on Mile Hill Road, and at 12:45 PM there was a 3 car MVA at the rte. 70 and rte. 140 intersection.

There were some calls for domestic issues on School St. Those calls started the investigation rolling that lead to the recovery of stolen weapons and illegal drugs at that location. This lead to the largest methamphetamine drug bust in Worcester County history.

**Report of the Building Inspector to the Board of Selectmen:**

- **Schedule of Permit Fees** were presented.
- Single family homes are still being built and sold. The duplex homes in the over 55 community are also selling well. A large permit fee came in for the conveyor belt system at the FedEx facility. Homes are being built on Perry Rd., but at a slower pace than down at Compass Pointe.

**Report of the Fire Chief to the Board of Selectmen:**

- **Call Volume – September 1 to present**
  - EMS – total 87
  - EMS – Advanced Life support 16
  - Fire – Total 24

- Motor Vehicle Accidents 12
- Mutual Aid Given - EMS 5
- Mutual Aid Given – Fire 4
- **Responses**
  - The fire department responded to 148 emergency service calls during the past three months. Most of these calls were EMS related with the majority of them being medical emergencies; the fire department also responded mutual aid to the communities of Clinton, Lancaster, and West Boylston for building fires and station coverage assignments. During the time period the department received advanced life support services from Worcester EMS, MedStar EMS, Northborough Fire Department, and West Boylston Fire Department.
  - The fire department responded to a significant accident on Rt. 290 on the Wednesday morning before Thanksgiving. A tractor trailer with a flatbed trailer carrying a motor vehicle was cut off by another car and jack-knifed off of the roadway through the guardrail. The cab and the trailer were held up from falling about 200 feet down off of the highway by the broken guardrail. Three large rotator-type tow trucks from Ted’s Towing were called to the scene to stabilize and lift the cab and trailer back onto the highway. There were no reported injuries at the time, but pre-Thanksgiving traffic was backed up for several hours while the truck was removed. Fire department personnel remained on scene until the vehicle was removed.
- **Training**
  - Two members of the fire department, Peter Tuffs, and Josh Donovan, recently graduated from the Firefighter I/II program at the MA Firefighting Academy in Stow. We have two members, Steven Phillips and Cameron Benway, enrolled in basic emergency technician classes and should be certified as EMT’s in the near future.
  - The fire department hosted its 12<sup>th</sup> annual safety and survival seminar in November at The Manor in West Boylston. This year, over 120 firefighters from all over the region attended the seminar; the seminar’s guest speaker was Chief Rick Lasky, who presented a program titled “Surviving Life’s Fire - Managing Change”. The program was very well received by those who attended, including 18 firefighters from the Boylston Fire Department.
  - The fire department hosted regional training in rural water supply operations with participants from Berlin, Bolton, Harvard, Northborough, and West Boylston. This training was held in the parking lot of Tahanto Regional High School and served to simulate response to a building fire outside of the municipal water district. Participants simulated a tanker shuttle operation where water was shuttled from a hydrant at the center of town to the school; water was then supplied to “simulated” hoselines operating at a building fire. Over 20,000 gallons of water was shuttled to the simulated scene in less than an hour.
  - The fire department has begun a mentoring/preceptor program for orientation of new emergency medical technicians. In this program, new EMTs are assigned to senior EMTs who are responsible for making sure that all of their basic skills are being met before they are allowed to take shifts and respond to calls. This program was developed to assist with orientation of new WPI students as they come on to work on the fire department, but is also used for any new employee. The mentoring program provides documentation that all new EMTs have completed the required skill sets before being allowed to work without supervision. We currently have five new WPI students in the mentoring program, along with three other newly hired EMTs.
  - The fire department participated in live fire training in Berlin last month; the Berlin Fire Department did live fire training inside a house slated for demolition and several Boylston firefighters participated in the training program.
  - Thanks to a generous donation from Pine Street Realty, the fire department will have a live fire training exercise at the lodge at Camp Harrington on Saturday, December 9<sup>th</sup>. The structure will be demolished as part of the cleanup of the property, and it will be used to demonstrate characteristics of fire behavior, fire travel, and the different smoke conditions that occur through the course of a fire. Several Boylston firefighters will be participating in the training.
  - CPR and First Aid training classes were conducted for the staff of Tahanto Regional High School, the Senior Van Drivers, as well as for the staff of Tower Hill Botanical Gardens.

- **Grants**
  - The fire department was unsuccessful in the latest FEMA Assistance to Firefighters Grant for the purchase of a new combination forestry/structural fire engine. This year's grant made it all the way through the process and was finally rejected during the peer review portion. The AFG program has become extremely competitive with federal funds being reduced substantially. In discussion with FEMA representatives, it was determined that the town's high median income and house values are playing part in the reasons for denying the grant. The next grant cycle opens soon, and we will again apply.
- **Fire Prevention**
  - Several projects have been keeping the department's fire prevention services occupied over the last several months. The fire department has been working closely with ARCO Construction and Mass Rock Services at the FedEx building site. Mass Rock has been blasting at the site every day for the last several months and are currently nearing completion. Cogswell Sprinkler Company has begun construction of the sprinkler system at the facility. A separate sprinkler system for the conveyor system is currently under review by the Fire Marshal's Office and the Sprinkler Appeals Board. The design engineer is requesting a waiver from the sprinkler requirements and the appeal is now before the Marshal's Office. The state does not usually grant waivers from sprinkler requirements in commercial buildings, and the sprinkler design engineer is ready to move forward with plans to install the sprinklers within the conveyor system if the waiver does not go through.
  - Fire prevention has also been occupied with plan review and compliance inspections on the new homes at Compass Pointe and Perry Road. Both projects are moving forward without any significant problems related to fire codes.
  - Annual inspections for facilities holding liquor licenses will be performed on the week of December 4<sup>th</sup>.
- **Station**
  - With the assistance of the Highway Department, the old salt shed has been converted to storage for the fire department equipment and the COA Senior Van. All the salt was removed from the building and all residual salt was washed off of the walls and the floor. Road grindings were brought in for repairs to holes in the floor. The fire departments boat, ATV and trailer, light towers, forestry skid tank, and antique engines are now all stored in the shed. The Highway Department removed the last of their supplies from the lean-to portion of the shed so that the COA Senior Van can be stored under cover for the winter. We are currently working on getting the power restored to the building so that battery chargers can be used inside. All of the fire departments equipment is now back in one location and no longer stored in the barns at Hillside or You Inc.
- **Community Service**
  - Boylston Firefighters Association will be hosting their annual Breakfast with Santa on Sunday, December 10<sup>th</sup> at the Boylston Town House. This year, proceeds from the event will be donated to a local charity.
  - The Firefighter's Association will also be offering a Christmas tree pick-up service after the holiday, where residents can call and request their old tree to be removed from their property. Members of the fire department will be available to pick up the trees on 12/30, 1/6, 1/13, and 1/20. The trees will be converted into wood chips.

**Selectmen's Meeting Minutes:** The minutes of November 20 were presented for approval. *Michael May motioned to accept the meeting minutes as written; Jamie Underwood seconded; voted all in favor.*

**2018 License Renewals:** The 2018 licenses were presented to the board of selectmen for review and approval. *Jamie Underwood motioned to approve the 2018 license renewals; Michael May seconded; voted all in favor.*

**Tax Title Taking of Land:** Jamie Underwood spoke to the Treasurer/Collector earlier in the day to gather more information on how the process happens. The Treasurer/Collector only puts one parcel through land court at a time. Once that parcel is cleared from the land court she will then start another parcel through the Selectmen's Mtg 12.04.17

process in an effort to control legal fees. The problem is you could wait years to get through the process with all the different parcels. He expressed concern because there are parcels that we thought we owned, but we do not because they never went through land court all the way so we do not have the titles to the parcels. The town does not rush into taking land, not many towns do. Jamie would like to prioritize which parcels we would like to move on and get moving on more parcels than just one at a time. This way the town could get parcels through the process and then sell the land to recover the loss of the legal fees associated with the process.

*At 7:57 PM Mike May motioned to adjourn; Jamie Underwood seconded; voted all in favor.*

The meeting was adjourned at 7:57 PM.

Respectfully submitted,  
April C. Steward, Assistant to the Board of Selectmen

**Meeting Materials**

Agenda	On file in Board of Selectmen's Office
Meeting Sign-In Sheet	On file in Board of Selectmen's Office
TA Report	On file in Board of Selectmen's Office
Building Superintendent Report	On file in Board of Selectmen's Office
Crime Statistics	On file in Board of Selectmen's Office
Fire Chief's Report	On file in Board of Selectmen's Office