



Town of Boylston 221 Main Street, Boylston, MA 01505

## Board of Selectmen Minutes 05/19/2014

Date of Meeting: Monday, May 19, 2014  
Location: Town Hall, 221 Main Street  
Time: 6:30 PM – 8:43 PM  
Members Present: Chairman James Wood; Michael May; James Underwood (Selectman); Martin McNamara, Town Administrator, Stephen Madaus, Town Counsel; Lori Esposito, Administrative Assistant; others as listed on the attached sheet.

The meeting was called to order at 6:30 PM

### **First Order of Business:** Reorganization of the Board

*Mike May made a motion to nominate James Wood to continue as Chair. James Underwood seconded the motion; voted all in favor.*

*Jim Wood made a motion to nominate Mike May as Vice Chair. James Underwood seconded the motion; voted all in favor.*

*Jim Wood made a motion to nominate James Underwood as Clerk. Mike May seconded the motion; voted all in favor.*

### **Interview of Board of Selectmen by Harrison Vogt:**

Harrison Vogt is a Boy Scout working for his Badge of Citizenship in the community in pursuit of attaining the rank of Eagle Scout. He chose to attend a public meeting and ask a series of questions to the Board.

#### **Q. Why is a sewer system needed in Town:**

A. *Mike May said it is needed so each property doesn't need its own system. It reduces costs and assures wastewater is properly treated, which also attracts business.*

#### **Q. Will it raise taxes:**

A. *Mike May said it will, by some percentage, but he expects the State to pay for the bulk of the costs. Another percentage will be paid by commercial businesses. This would generate up to \$2.5M in tax revenue, which would more than cover the cost. The net effect would be an equal cost offset.*

#### **Q. Is there a short-term cost to the community?**

A. *Mike May said there is.*

#### **Q. Will everyone in Town get system benefits?**

A. *Mike May said that, until a study is done, that has not yet been determined but it is likely that just a certain area of residences and some businesses will benefit. He explained the process of discharging water into a waste system, etc.*

The Board signed a paper for Harrison indicating he participated in the Board of Selectmen's meeting. They also congratulated him on a job well done and wished him success in pursuit of future Boy Scout badges.

### **Meeting Minutes:**

*Mike May made a motion to approve the minutes of March 24 and April 7 as written. Jim Wood seconded the motion; voted as follows: Mr. May – yes, Mr. Wood – yes; Mr. Underwood abstained, he was not a board member for the meetings presented.*

**Report of the Town Administrator to the Board of Selectmen:** Mr. McNamara expressed his appreciation to the taxpayers of Boylston for approving the budget and financial articles at Town Meeting.

**Personnel Board:** Dick Prince, Chairman of the Personnel Board, notified the TA that he will not seek reappointment to that board. He has asked the Board to consider whether the Personnel Board is needed. Last

year, following several years of discussion, the Personnel By-Law was amended, reducing many of the functions of that Board. There are just two members now, neither of whom wish to be reappointed as of July 1. Mike May said the Board should review some of the draft that Mr. Prince put forth a few years ago. The TA said last year they agreed to wording that both the Personnel Board and the Board of Selectmen were happy with. That is probably the document to which Mr. May refers.

**Chapter 90 Funding:** Mass DOT notified us that we will receive just over \$200K in Chapter 90 funds this year. Following road work done last year we have \$125K remaining, which will make a total of \$325K. We plan to do reclamation and paving of Bay Path Drive at an estimated cost of \$175K. A number of other roadways in Town need attention, including Mile Hill Road and Linden Street among others. We will carry \$155K over into next year due to the fact that NSTAR is presently replacing the gas line on Edgebrook Drive and that street will have to be paved next year. In addition, during the first week in June, Northborough is planning to repair the water issues that have plagued residents of Green Street Extension for years. That road will be patched and repaved next year as well.

Mass DOT has notified us that we have been awarded \$30K under their Winter Rapid Recovery Road Program. This required executing a contract with Mass DOT by April 30; this has been done. By June 30 we are required to notify Mass DOT of how we intend to use that funding, with the project being completed by September 30. The TA has discussed with the Highway Superintendent the possibility of using that money for road striping throughout Town.

- Jim Wood asked if the money is guaranteed or will the amount change.
- The TA said only part of it is to be released until funded by the State. However, the number will not be any less than \$200K.
- Regarding the \$30K, the Highway Superintendent will decide in the next couple of weeks how they will use it.

**Audit Firm:** The firm of Melanson, Heath & Company has been engaged to perform the audit for Fiscal 2013. Scanlon & Associates had a three-year contract to perform the annual audit; however, because Dan Haynes of that firm is now our Town Accountant, it was felt it would be best if an outside firm did the audit. Once the audit for this year is completed we will once again put audit services out to bid for the next three-year period.

**Board of Assessors:** Mike May asked about an update on the Assessors' RFP. The Town Administrator said that, to date, he has been told they have not met or made a decision. A letter was sent on May 13 to the Chair; if no decision is made, they will cancel the RFP and do another once the Board decides what they are doing.

Regarding election results, no new members have been sworn in to date. Tom Martiska won a three-year term; Carl Cravedi an unexpired term and M. Giordano is runner-up in an unexpired term. Mike May said he was under the impression that Tom Martiska might not accept. What are our options going forward? We had a situation last year that we were trying to avoid this year; what now? The TA said the DOR has a new program/process for towns to contact them for early online tax-rate setting. However, the Board of Assessors office has no interest in doing so. A joint appointment can fill vacancies; however, they are an elected board and the Board of Selectmen can only express its opinion/recommendation to the Board of Assessors. Another option via Town Meeting is to change the By-law so that the Board of Assessors is appointed, not elected. That could not be accomplished before the tax rate needs to be set.

Mike May said we need to invite the Board of Assessors to the June 9 meeting and requested the TA get information from Town Counsel to go to an appointed board.

**Tree Planting:** A \$60K grant has been received from the DCR for shade tree replanting in Town. Deb Fuller said the project is ready to begin; the trees have been ordered and we have a company to help plant trees. Would the Board authorize them to plant trees along the roadside where the orange snow fence is? Also plant along the driveway to Hillside and the back section of the soccer fields. Mike May said trees will keep the driveway frozen much longer due to shade. He does not recommend planting along the Hillside driveway. All of the trees to date have cost approximately \$30K, not including planting and water bags. The Board agrees with planting at the football field and it was suggested they talk to the Highway Department Superintendent for other ideas. They are not sure about the soccer field area.

***Compass Point Resident Complaint:***

Laurie Esposito, a resident of the Compass Point development (in the audience), addressed the Board due to no road and no boundaries on her property. Can they stop him from building in Town? Bill Manter of the Planning Board said it is currently a private road, not a Town street. He believes the lot was inadvertently released and wasn't paved down to their driveway. It's a civil matter with the developer.

Jim Wood said the Board needs to continue with the Agenda business; he asked her to continue with Bill Manter.

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

Chief Sahagian said scams are on the rise. These include roofing, siding, driveway sealers, etc. If any residents have questions regarding a contractor, contact the Police Department.

April 1 Attended Chiefs' in-service training  
April 2 Sergeant Bazydlo attended Juvenile Law class  
April 3 Clinton District Court for ticket hearings  
April 23 Serious motor vehicle accident on Mile Hill Road; Town resident still hospitalized  
April 24-25 Spoke with Planning Board Chair regarding marijuana by-aw  
April 26 Saturday: the Chief took overtime shift coverage to save money  
April 27 Officer Parker cleared for return to full duty

Mike May said students are parking at Pine Ridge Farm and the school bus is also parking there facing Clinton; the driver parks the bus in the opening. He is very concerned, due to kids crossing the street and the bus making it very difficult for visibility as they cross. He asked the Chief to look into the matter.

May 6 Attended Citizen Bystander of the Year award at St. Vincent's Hospital  
May 7 Met with Thompson Liston regarding Cross Street and the Jacobsen development.  
May 13 Attended Chiefs' in-service training  
May 25 Covered for overtime  
May 26 Memorial Day  
May 17-20 } Sergeant Bazydlo attended detective school.  
May 23-26 }  
Officer Piche is helping to redo the Temple/School Street intersection stop sign.

***Patrolman Replacement for Officer Rajotte:***

The Number One candidate referred to the Chief for review following recommendations by both Town Sergeants, following their screening process, it John A. Annunziato. He is a full-time Brookfield police officer. He received his Master's Degree in Criminal Justice from Anna Maria College; he does not expect to receive Quinn benefits. He is a 2008 rescue training graduate and a 2013 Worcester full-time academy graduate. He does dispatch auxiliary, reserves. He is a full-time officer and a certified EMT. He has glowing credentials and references. He would be hired subject to successful medical and psychological exams.

**Interview of John A. Annunziato by Board of Selectmen:**

- Qualifications:
  - Graduate of Leicester High School
  - Graduate of Anna Maria College
  - Took EMT course at Anna Maria; credentials are up to date
  
- Employment history:
  - Part-time police officer for Town of Dudley
  - Dispatcher for Town of Paxton
  - Bank teller at Webster Five Cent Savings Bank
  - Currently a full time police officer in Brookfield
  
- Mike May asked about the balance between his law enforcement role and his community role. John said Brookfield has a population of 3,400; Dudley has 6,500. He is a firm believer in community policing

and getting to know citizens is very beneficial. He is a public servant first and a law enforcement officer second.

- Jamie Underwood asked if he had any plans to continue his education. John said he would eventually pursue his Master's in Public Administration; possibly attend law school and obtain a political science degree.
- Jim Wood asked how he would view Boylston residents versus people not from Town when he stops them. John said he believes in giving someone a break if necessary. "...everyone writes their own ticket."
- The Chief clarified the statement indicating the candidate understands he cannot give preferential treatment.

*Mike May made a motion to approve hiring John A. Annunziato as a patrol officer for the Boylston Police Department. Jamie Underwood seconded the motion; voted all in favor.*

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

Tony Zahariadis presented the monthly permit statistics:

- Nine building/renovations permits
- Four plumbing permits
- Two electrical permits

The Board had no questions for the Building Inspector.

**Report by Bill Manter, Chair of the Planning Board:**

On June 2 the Planning Board held a hearing to modify the Barnard Hill subdivision definitive plan. They have proposed a reconfiguration of the intersection at Cross and Sewall Streets.

Perry Road 46-lot subdivision:

- Approved in 2006
- Abutters in Shrewsbury took the matter to court; it was finished a couple of years ago.
- Now need to conform to new subdivision road standards.
- The area is also inside a National Endangered Species Area (endangered salamander).

A traffic study at School Street and Route 140 indicates there should be a dedicated left-turn lane with a rumble strip and an island separator. The island of land is Town-owned. Mitigation to create a 90° right angle from Cross Street to School Street at the "Y" intersection. A section of roadway on Cross Street to close. This intersection is directly impacted due to the subdivision location. Mike May asked if there are any concerns regarding Route 140 entry; any dialogue with Shrewsbury about the plan? Bill said "No." Steve Madaus said this is forcing more people to utilize the H versus wanting less people to use it.

Mike May said it is the most dangerous intersection in Town; he uses it six to eight times a day and would like to see it used less. It is a disaster waiting to happen. He doesn't feel we can discuss this in a vacuum; we need a bigger discussion. Route 140 Corridor plans show a need to have a meaningful intersection to cross Route 140. He is not sure this would allow that to occur. There is a traffic concern as well as solving the 140 problem.

This will add traffic. Bill Manter said this would only happen once 11 to 25 houses are developed. Jamie said the major concern is there is no Stop sign there from Cross Street. Jim said we are looking at a small piece of the puzzle; we need more answers.

Bill Manter asked if the Board wants it on paper as part of a definitive plan. Mike asked if it would be possible to ask the developer for the equivalent cost of be put into an escrow account to be used as part of a greater master plan in the future. Bill said, as a Planning Board, they are not allowed to ask or demand anything. This was an offer from the developer. Marty McNamara what the approximate cost of the proposed work would be Bill said approximately \$40K, not a lot of work.

Mike May said he doesn't like the design; this needs more thought and discussion regarding the impact onto Route 140. Bill Manter said if we don't want it, we can tell the developer not to do it. Mike May said this is a development to bring approximately \$35-\$50M revenue to the developer. Based upon that, a \$40K project is doing it on the cheap. He argues that the developer needs to get real on access to Route 140 and to other road issues. We have a significant concern regarding traffic.

Frank Reale (in audience) asked what the subdivision regulations in the State are regarding sidewalks and road width. Bill said 24 to 28 feet with sidewalks on both sides. The current plan is 26 feet.

Bill asked the Selectmen if they are or are not on board with the "H" or this "Y" intersection. Mike said he is not in favor of it at all. Bill asked what he should tell the Planning Board. Jim said to tell them we are not in favor of the "Y."

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

- They did a clean-up at the center of Town in preparation for Memorial Day.
- The sweeper is out of service; all but two streets have been done.
- They have started mowing season.
- The Department did a lot of the Hillside mowing and landscaping to help Bob Bourassa maintain it.
- Completed top coat of Type 1 at 599 Main Street.
- The Superintendent proposes paving Bay Path and continue to patch other areas in Town.

Mike May asked if we made a commitment last year to pave other roads this year that we are overlooking? Steve said "No," Bay Path was put off last year.

*Jamie Underwood made a motion to pave Bay Path Drive to be funded by Chapter 90 funds. Mike May seconded the motion; voted all in favor.*

- Yard waste collection went well with four Saturdays, total. This will continue in the fall.
- Regarding the Town House renovations, the kitchen is almost complete; he is waiting on counter tops and thanks all who volunteered to help.
- The Superintendent and the Town Administrator will begin interviews for summer help on Tuesday.

Mike may thanked the Lions Club for the Route 70 cleanup. The collaborated with Parks & Rec regarding the tennis court cleanup. The stone wall on the right side of Cross Street near Buddenhagens has large rocks that keep falling into the roadway; they might need to look at the wall.

**DPW RFP for Design Services:**

The Town Administrator said we need to adopt a designer selection procedure, such as the recommended State model provided by Town Counsel (attached). He proposes a committee review team consisting of Steve Mero, Frank Reale, Tony Zahariadis, Marry McNamara, Lori Esposito and Dennis Costello. They would then submit the top three finalists to the Board. Also, the Board needs to dedicate a site for the proposed facility. A suggested area is that behind the football field, past the pillars heading up the YOU INC on Elmwood Drive.

Frank Reale said he visited the Westboro facility. There is no washing area due to the Town's septic system. Also, mechanics garage and staff facilities. Fueling is done outside with tanks. He also visited Charlton, with similar facilities. He presented photos of both facilities and the football field. Steve did a perk test at the field and it was good. Jamie asked if there is enough space from the brook. Steve said there is. The proposed building would be 120' wide by 150' deep, approximately. Jim Wood said he likes the location.

Mike said his concern is regarding the perennial stream; we need to be 200 feet off of it. He would prefer the Route 140 side of the football field. Steve said that site perked well; better than this site. Mike said at Paul Tivnan Drive there is a level area. He has concerns with the proposed space due to the stream and the lot to the left of Elmwood Place being privately owned, and what it would do to the value of that lot, since the owner is currently attempting to sell.

Mr. May asked about design versus design-build. The TA feels we first need to learn the cost per the architect's estimate and then make a decision. Frank said the design-build architects might bid on the project.

*Mike May made a motion to authorize the Town Administrator to proceed with a RFP to pursue designer selection procedure (model). Jamie Underwood seconded the motion; voted all in favor.*

**ABCC Change Request:**

- Tower Hill management change: from Stephanie Hooper to Katherine Abbott as the new manager.
- Mike May asked if there has been any word from Tower Hill regarding in-kind services. The TA said the elementary students have been invited to visit

*Jamie Underwood made a motion to approve the ABCC license change to Katherine F. Abbott, Manager. Mike May seconded the motion; voted all in favor.*

- Mount Pleasant Country Club has requested a change of the corporate name/dba to The Haven Country Club.

*Mike May made a motion to accept the new d/b/a of The Haven Country Club. Jamie Underwood seconded the motion; voted all in favor.*

The New license was signed.

**Board of Selectmen's Meeting Schedule:**

Schedule approved as drafted, canceling the May 27 meeting.

*At 8:43 PM, Mike May made a motion to adjourn. James Underwood seconded the motion; voted all in favor.*

The meeting was adjourned at 8:43 PM.

Respectfully Submitted,

Lori Esposito, Administrative Assistant