

## WARRANT FOR THE SPECIAL TOWN MEETING

December 6, 2021

### COMMONWEALTH OF MASSACHUSETTS

WORCESTER: SS

BOYLSTON

To either of the Constables of the Town of Boylston in the County of Worcester within the Commonwealth aforesaid:

#### GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Boylston aforesaid, qualified to vote in elections and Town affairs, to meet at the **SPECIAL TOWN MEETING** on **Monday the sixth (6<sup>th</sup>) day of December, 2021 AD, at seven o'clock (7:00) P.M.**, at the Tahanto Regional High School Auditorium, 1001 Main Street, Boylston, MA, to take any action relative to the business of the Town as set forth in Articles one (1) through (5) of this warrant; and if necessary, at its adjournment which shall be Tuesday, the seventh (7<sup>th</sup>) day of December 2021 AD at seven o'clock (7:00) P.M. at the Tahanto Regional High School Gymnasium;

Voters of the Town of Boylston, Massachusetts, met in the auditorium of the Tahanto Regional High School according to legal notice on December 6<sup>th</sup>, 2021. 128 registered voters, 9 guests, and Selectmen Matt Mecum, Seth Ridinger, and James Underwood were present. Also present were Town Administrator April Steward, Town Counsel Stephen Madaus, and Town Clerk Dawn Porter. Kimberly Kohler, Moderator, called the meeting to order at 7:06 p.m. With well more than the minimum quorum of 25 present and the Constable's return of service in order, Ms. Kohler made a MOTION to waive the reading of the Warrant. David Butler seconded the MOTION. Vote on the MOTION passed. The Pledge of Allegiance was said. Ms. Kohler pointed out the designated seating area for guests, introduced the Town officials, and set the bounds of the hall. She then thanked Interim Police Chief Robert Barbato for his service to the Town and recognized Boylston's new Police Chief, John Annunziata, who had been sworn in that evening just prior to Town Meeting.

**ARTICLE 1:** To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$160,000 for the purpose of purchasing from the Greater Worcester Land Trust a parcel of land containing approximately 18.36 acres and shown as "Remaining Land of Pine Street Boylston Realty, LLC" on a plan entitled "Plan of Land Pine Street, Boylston, Massachusetts, Prepared for Pine Street Boylston Realty, LLC", dated May 2, 2019, Prepared by Tauper Land Survey, Inc., and recorded at the Worcester District Registry of Deeds in Plan Book 942, Plan 34; or act in any other way thereon.

Sponsor: Parks and Recreation Commission

Moderator Kimberly Kohler summarized Article 1 and asked who would speak to the Article. Eric Hoffses, Chair of the Parks and Recreation Commission read the Article and the Finance Committee recommended approval.

MOTION made by Eric Hoffses:

- i. To authorize the Board of Selectmen to purchase a parcel of land with buildings thereon, consisting of approximately 18.36 acres and shown as "Remaining Land of Pine Street Boylston Realty, LLC" on a plan recorded at the Worcester District Registry of Deeds in Plan Book 942, Plan No. 34;
- ii. To pay for all costs required for and related to said acquisition by transferring the sum of \$160,000 from Free Cash;
- iii. To declare that the acquisition of said parcel shall be for parks and recreation purposes, pursuant to the provisions of Massachusetts General Laws, Chapter 45, Section 3, as it may hereafter be amended, and other Massachusetts statutes relating to parks and recreation, and the property shall be managed and controlled by the Town's Parks & Recreation Commission; and

- iv. To authorize the Board of Selectmen to file on behalf of the Town any and all applications necessary to obtain grants and/or reimbursements from the Commonwealth of Massachusetts as deemed necessary under the Urban Self-Help Act (301 CMR 5.00) and/or any other grant programs in any way connected with the scope of Article 1, and to further authorize the Board of Selectmen and the Parks & Recreation Commission to enter into all agreements and execute any and all instruments as may be necessary on behalf of Town to affect said acquisition and to obtain such grants and/or reimbursements.

The MOTION was seconded by James Underwood.

Kimberly Kohler opened the floor for discussion. Voter Anita Thomas, 17 Long Leaf Road, asked for clarification that this is the property commonly known as Camp Harrington and whether the purchase would have any tax impact on residents. It was confirmed that this is the Camp Harrington property and that the purchase itself would have no impact on taxes. Frederick Brose of the Finance Committee did indicate that future costs related to the property could have a tax impact. Voter Cathy Richard, 632 Main Street, asked if there would be beach access on the property. Eric Hoffses confirmed that there would be and noted that the Town was being reimbursed \$96,600 towards the purchase from the grant that the Town has received. Voter Arlene Murphy, 382 Linden Street, indicated that the property is currently in poor condition due to earth removal and asked if the Town would be purchasing the property in its current state. Selectman Matt Mecum said that there is an outstanding Order of Conditions and that the Town is working with both the current and previous owners to resolve those issues prior to the purchase. Voter Theresa Prunier, 25 Coderre Road, spoke about the costs involved in cleaning up the property and Selectmen Underwood reiterated that the vote was solely regarding whether to purchase the land. Ms. Prunier stated concerns about the park being open to the public (parking, use of boats and trails on land that backs up to residents' property), and the establishment of hiking trails over wetlands. She indicated that it was her impression that the Town had previously had the opportunity to own the property at no cost. It was clarified by Selectman Underwood and April Steward that the offer was never formally brought before the Board of Selectmen, though it was informally discussed by different board members and the Parks and Recreation Commission who decided at the time to not move forward. Ms. Prunier continued to express concerns about the limited Parks and Recreation budget to maintain the property and the length of time it would take to restore the land to usable condition. Moderator Kimberly Kohler said that the discussion taking place was beyond the scope of the Article, she had given latitude to the discussion, and it was now necessary to return to the MOTION. Voter Arielle Strzelewicz, 400 Linden Street, emphasized that the purpose of the Article was to purchase the land. Ms. Strzelewicz said that if the Town votes for the purchase of the land, then we get to make choices. Without the purchase, we can't make those choices. Voter Sharon Brackett, 11 Long Leaf Road, stated that in the last couple of years more than 200 homes had been built within a mile stretch off South Sewall Street. She said that this vote is the Town's opportunity to purchase the last piece of open space in the area. Without voting "yes", the Town will lose the grant and the land will be open for sale and development. Selectman Ridinger said that many good points had been made. Mr. Ridinger stressed that the Town has the opportunity to make this purchase for a relatively small amount of money and the purchase will have no impact on the tax rolls. He said that thanks to the 60% grant reimbursement, the Town has the opportunity to purchase 18 acres of land for \$60,000-\$65,000. Mr. Ridinger stated that this is a good opportunity for a very small amount of money.

Vote was taken on the MOTION. MOTION passes unanimously.

**ARTICLE 2:** To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$1,716.30 for the purpose of paying the following prior fiscal year bills; or act in any other way thereon.

- Boylston Light Department, Account 03-076581 May 28, 2021, \$30.30
- C&C Temp Control, Inc. Inv. 11896 March 9, 2020, Town of Boylston, \$270.00
- TireHub, LLC, Inv. 17754213 December 15, 2020, Police Department, \$1,416.00

Sponsor: Board of Selectmen

Finance Committee recommended approval. Ms. Kohler noted that this vote calls for a 9/10<sup>th</sup> majority in order to pass.

MOTION was made by Selectman Ridinger that the Town transfer and appropriate \$1,716.30 from Free Cash for the purpose of paying the prior year fiscal bills as listed in Article 2. MOTION was seconded by David Butler. Vote was taken on MOTION. MOTION passes unanimously.

**ARTICLE 3:** To see if the Town will vote to transfer the sum of \$47,204 from the Board of Assessor's Salary Line #141-5113 to the Assessor's Expense Line #141-5780 for the purpose of funding a contract for professional services for the Board of Assessors; or act in any other way thereon.

Sponsor: Board of Assessors

MOTION was made by Rebecca Dono Healy, Chair of the Board of Assessors, that the Town transfer the sum of \$47,204 from the Board of Assessor's Salary Line #141-5113 to the Assessor's Expense Line #141-5780 for the purpose of funding a contract for professional services for the Board of Assessors. Finance Committee recommended approval.

MOTION was seconded by an audience member.

Ms. Kohler opened the floor for discussion. Voter Jamie Rame, 620 Main Street, asked for clarification of the Article. Ms. Dono Healy explained that during the past year there have been two retirements and a departure from the Assessors Office staff. Assessors skills are very technical and, as a result, the Town has contracted with a professional services company, RRG, in addition to being in the process of hiring a full-time Administrative Assistant to field the office during the week. Due to this restructuring, money must be moved around to accommodate the new office structure.

Vote was taken on MOTION. MOTION passes unanimously.

**ARTICLE 4:** To see if the Town will accept the provisions of section 111F of Chapter 41 of the General Laws, to allow the Town to establish and appropriate funds into a special injury leave indemnity fund for payment of injury leave compensation or medical bills incurred under section 111F or section 100 of said Chapter 41, and to deposit into such fund any amounts received from insurance proceeds or restitution for injuries to firefighters or police officers. The monies in the special fund may be expended by the Town with the approval of the Board of Selectmen and without further appropriation for paying expenses incurred under section 111F or said section 100 of Chapter 41, including, but not limited to, expenses associated with paying compensation other than salary to injured firefighters or police officers and providing replacement services for the injured firefighters or police officers, in lieu of or in addition to any amounts appropriated for the compensation of such replacements; or act in any other way thereon.

Sponsor: Board of Selectmen

MOTION was made by James Underwood that the Town vote to accept the provisions of section 111F of Chapter 41 of the General Laws, to allow the Town to establish and appropriate funds into a special injury leave indemnity fund for payment of injury leave compensation or medical bills incurred under section 111F or section 100 of said Chapter 41.

David Butler stated that the Finance Committee recommends approval and seconded the MOTION.

Voter Jennifer Warren-Dymont, 889 Main Street, asked if the Town was just establishing the fund at this point but not funding it. Mr. Butler said that currently monies received from insurance carriers for workman's compensation goes into the General Fund and cannot be applied back to the department where the injury occurred to help cover the salary. As a result, departments run deficits. The Indemnity Fund will allow insurance proceeds to be deposited into the fund, which will then help the departments to offset the employee's salary. It is strictly funded by receipts from workman's compensation.

Vote was taken on MOTION. MOTION passes unanimously.

**ARTICLE 5:** To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury the sum of \$60,000 for the purchase of a police cruiser for the Police Department, or act in any other way thereon.  
Sponsor: Police Department

MOTION was made by Officer Mark Shepard, 44 East Temple Street, that the Town transfer and appropriate \$60,000 from Free Cash for the purchase of a police cruiser for the Police Department. Frederick Brose noted that although the Finance Committee normally prefers to hold capital expenditures over to Annual Town Meeting, they do recommend approval of this Article.

Selectman Mecum seconded the MOTION. Vote was taken on MOTION. MOTION passes unanimously.

Meeting adjourned at 7:35 p.m.

Respectfully Submitted,

Dawn A. Porter  
Boylston Town Clerk