



Town of West Boylston

140 Worcester Street, West Boylston, Massachusetts 01583

Select Board/Sewer Commission Meeting Minutes

Date / Time / Location of Meeting

January 24, 2024, 6:00 p.m.

140 Worcester Street

West Boylston, MA 01583

Board Meeting Room 2nd Floor

Zoom

Members Present:

Kristina Pedone, Chair

Patrick J. Crowley, Vice Chair

James Morrissey, Clerk

Marc Frieden via Zoom

Members NOT Present:

Barur R. Rajeshkumar

Invited Guests:

Jennifer Warren-Dyment, Town Administrator

Faye Zukowski, Municipal Assistant

**THIS MEETING WILL ALSO BE HELD VIRTUALLY IN A HYBRID SETTING
VIRTUAL MEETING INFORMATION:**

To Join Zoom Meeting

<https://us06web.zoom.us/j/84375236430?pwd=xuphb9orbat1wrXhGVqzWz1AZaRaum1>

Meeting ID: 843 7523 6430

Passcode: 199925

1 646 931 3860 US

This meeting will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly.

CONVENE MEETING – 6:00 pm

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT: This fifteen-minute period is an opportunity for the public to address their concerns and questions regarding town operations and programs to the Board. Except in urgent circumstances, any matter presented for consideration by the Board shall not be discussed in detail nor acted upon by the Board at this meeting. A scheduled time on a future agenda may be set at the Board's discretion.

**APPROVAL OF MEETING MINUTES:
October 4, 2023, Regular Meeting Minutes
October 18, 2023, Regular Meeting Minutes
November 1, 2023, Regular Meeting Minutes
November 8, 2023, Regular Meeting Minutes
January 9, 2024, Regular Meeting Minutes**

Motion Mr. Crowley moved to approve October 4, 2023, October 18, 2023, November 1, 2023, November 8, 2023 and January 9, 2024; seconded by Mr. Morrissey.

Roll Call Vote

Mr. Morrissey, yes

Mr. Crowley, yes

Ms. Pedone, yes

Mr. Frieden, yes

All in favor

**REVIEW AND VOTE TO APPROVE WARRANTS FOR THE PERIOD COVERING
January 4, 2024 to January 24, 2024:
Town Payable Warrants FY2024-28, FY2024-29, FY2024-30
Payroll Warrant FY2024-14 and FY2024-15
School Warrants FY2024-S12
MLP Warrants FY2024-15**

Motion Mr. Morrissey moved to approve the warrants; seconded by Mr. Crowley.

Roll Call Vote

Mr. Morrissey, yes

Mr. Crowley, yes

Ms. Pedone, yes

Mr. Frieden, yes

All in favor

**6:00 p.m. PUBLIC HEARING CONTINUATION: Consider amending the fee for Pay as You
Throw (PAYT) Bag Fees**

Solid Waste Advisory Team (SWAT) called their meeting to order at 6:01 p.m.

Ms. Norma Chanis stated the SWAT's recommendation to increase the PAYT bag fees to \$8 for a roll of 10 small bags and \$18 for a roll of 10 large bags.

Motion Mr. Crowley moved to close the public hearing; seconded by Mr. Morrissey.

Roll Call Vote

Mr. Morrissey, yes

Mr. Crowley, yes

Ms. Pedone, yes

Mr. Frieden, yes

All in favor

Mr. Morrissey is not in favor of a bag increase and would like the town to decide if they are providing a trash service or privatize trash and believes this is a tax increase. Mr. Frieden wanted to be sure that discussions will happen about what the next contract will be prior to renewal.

Motion Mr. Crowley moved to approve the increase in PAYT bag fees to \$8 and \$18 for rolls of 10 effective March 1, 2024; seconded by Mr. Morrissey.

Roll Call Vote

Mr. Morrissey, no

Mr. Crowley, yes

Ms. Pedone, yes

Mr. Frieden, yes

Motion approved.

SWAT adjourned at 6:11 p.m.

NEW BUSINESS:

- **Introduction of Department of Public Works (DPW) Director Thomas (“Tom”) Degnan**
Mr. Tom Degnan introduced himself and gave an overview of his experience. He also gave some examples of the struggles he sees in the department including older building and equipment. He commends the staff on their commitment to the town and is happy to be able to help out when needed.
- **Consider authorizing the West Boylston School Superintendent to submit the Statement of Interest Form to the Massachusetts School Building Authority**

Motion Mr. Crowley moved to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 2024 for the West Boylston Middle/High School located at 125 Crescent Street, West Boylston, MA 01583 which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: “Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility”; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the West Boylston School District to filing an application for funding with the Massachusetts School Building Authority; seconded by Mr. Morrissey.

Roll Call Vote

Mr. Morrissey, yes

Mr. Crowley, yes

Ms. Pedone, yes

Mr. Frieden, yes

All in favor

- **Presentation by Community Care Collective, Inc doing business as (d/b/a) Collective on their intent to purchase Ganesh Wellness Inc Retail Cannabis location at 65 West Boylston Street**
Dave Giannetta, CEO of Community Care Collective, Inc and Joe Barilla COO gave background of their experience in the cannabis industry and their current operating businesses in Billerica and Littleton. He explained they are interested in purchasing Campfire Cannabis and believes it will be a good fit. He gave an overview of the transition to their branding once the purchase is completed. Mr. Giannetta discussed the contributions they plan to make within the community under their HCA. Mr. Crowley asked how the transition with the CCC will happen, Mr. Giannetta stated they are already in process with them and does not see an issue. He stated they are hopeful

to have a transfer in March. Ms. Warren-Dyment discussed the HCA and advised the CCC has come out with a draft model HCA last week and could possibly be adopted at the February meeting of CCC. She explained the Board would need to approve a new HCA with Collective.

- ***Consider approving the Annual Common Victualler License for Mamacitas LLC dba Mamacitas, 184 West Boylston Street, Unit 10**

Motion Mr. Crowley moved to approve; seconded by Mr. Morrissey.

Roll Call Vote

Mr. Morrissey, yes

Mr. Crowley, yes

Ms. Pedone, yes

Mr. Frieden, yes

All in favor

OLD BUSINESS:

- **Consider Sewer Abatement Request**
 - **99D Hartwell Street - Withdrawn**
- **Discussion and potential vote on reappropriation and appropriation of ARPA funds**

Ms. Warren-Dyment explained back in April 2022 the Select Board approved \$21,000 for School Handicap Bathroom Improvements and the school has determined the project to be more costly. She explained they are reupholstering the auditorium and would like to utilize the funds to create and ADA accessible space in the auditorium. She stated quotes were received for \$28,000 but the project has not yet gone out to bid. She explained the Board will need to consider approving ARPA for the remainder of funds if needed to complete the project or do they need to seek a different funding source. Ms. Pedone asked for the balance of the ARPA, Ms. Warren-Dyment stated the balance is \$342,598. Mr. Crowley asked if there are any concerns with claw back of ARPA funds, Ms. Warren-Dyment stated that went away but all ARPA funds must be under contract by December 2024. Mr. Crowley had concerns with appropriating the funds to the school for an undesignated ADA project, Ms. Warren-Dyment explained there are plenty of projects the school could get completed with the \$21,000. Mr. Crowley would like the school to request the funds for a specific project.

Motion Mr. Crowley moved to rescind the vote for \$21,000 for restroom upgrade at the school and reappropriate \$21,000 to ADA upgrades at the Middle/High School auditorium project; seconded by Mr. Morrissey.

Roll Call Vote

Mr. Morrissey, yes

Mr. Crowley, yes

Ms. Pedone, yes

Mr. Frieden, yes

All in favor

APPOINTMENTS AND RESIGNATIONS:

- **Acknowledge the resignation of John Riley from Council on Aging Board effective January 4, 2024**

- ***Consider the Town Administrator Appointment of Steven Bonini as Assistant Town Clerk effective January 29, 2024 at a Grade E, Step 1**

Ms. Warren-Dyment gave Mr. Bonini’s experience and education and stated the position will be 28 hours weekly and will be up to 32 hours at the next budget if funding allows.

Motion Mr. Crowley moved to approve; seconded by Mr. Morrissey.

Roll Call Vote

Mr. Morrissey, yes

Mr. Crowley, yes

Ms. Pedone, yes

Mr. Frieden, yes

All in favor

TOWN ADMINSTRATORS REPORT (May contain Departmental updates, community reminders and announcements, project updates, etc. No votes will be taken).

1. **Health Insurance Rates- FY25:** At the MMA Annual Meeting this past weekend, the MIIA Health Trust announced renewal rates for FY25. The average across the Trust is 6.6% with a low of 2.2% and a maximum of 9.95%. The Town was originally told to expect figures in the double-digit range, which we now know is off the table. The Town has requested to get our specific rate as soon as possible. The Town Administrator has been working with our health insurance broker and the Insurance Advisory Committee in the case the rates are not favorable the town will need to go out to bid.
2. **Municipal Empowerment Act:** Also at the MMA Annual Meeting, the Governor and Lt. Governor announced the Municipal Empowerment Act, or “Mass Modernization Act 2.0”. This legislation comes after a series of meetings with stakeholders across the Commonwealth, including a regional listening session with the Lt. Governor right here in West Boylston. The bill includes the local option to increase local meals tax from .75% to 1%, a local option Motor Vehicle Excise surcharge, new property tax exemptions for seniors, a new OPEB Commission to look at unfunded liabilities, much needed procurement updates, and more. While grateful to the administration for listening to the needs of cities and towns, the impact will not be felt until the legislation is passed, and in some cases adopted at Town Meeting.
3. **State Aid:** The Governor also announced local aid figures at the Annual Meeting in advance of releasing her version of the budget. Unrestricted General Government Aid, or UGGA, will be increased by 3%- an additional \$28,575 for West Boylston. There will also be boosts to Chapter 70 and Chapter 90. The Town Administrator looks forward to the release of the Governor’s total package and cherry sheet.
4. **9C Cuts:** Earlier in January, the Governor announced 9C cuts due to collections not meeting revenue projections. For those that are not aware, 9C cuts give the Governor the unilateral ability to make mid-fiscal year cuts. The \$150,000 earmark for Pride Park was impacted by these cuts and was reduced to \$75,000.
5. **FY23 Audit:** Powers and Sullivan has completed their FY23 audit. No material weaknesses, significant deficiencies, or findings were made. This audit speaks to the attentiveness and expertise of the Town’s financial team. Kudos to all. To read the full report, please visit the Town Accountant’s page and click on “Auditor’s Reports”.

6. **Town of West Boylston v. Justin Gabriel:** An Agreement for Judgment has been signed between the Town of West Boylston and Justin Gabriel regarding the garage at 57 Goodale Street. Per the Agreement, the structure must be removed on or before April 15, 2024 or closing date of property (whichever is first). The Court subsequently has reviewed and approved of the Agreement.
7. **MassDOT Meeting- Rt. 12 and Franklin Street:** MassDOT has reached out to have an informal discussion on Route 12 and Franklin Street. This meeting will be held tomorrow and we will be joined by the Central Massachusetts Regional Planning Commission. This intersection is certainly a “high crash” location in Town and I am interested in what they are proposing. The Town Administrator hopes this is the beginning of a larger conversation on the overall condition of Route 12. She will be reporting on the outcome of the meeting at the next regular meeting in February.
8. **Compensation/Classification Plan:** The Town Administrator have asked the Personnel Board to consider updating the Classification/Compensation Plan for non-union employees. The plan was last completed in 2019. The Society for Human Resource Management (SHRM) recommends employers examine their salary structure at least every three to five years. The Personnel Board believes they can update the plan without the need to utilize a third-party consultant.
9. **Textile Drive:** The textile drive in January was very successful with 3,406 pounds of textiles collected. Staff used the opportunity to educate the public on the textile ban and what types of products can and cannot be recycled. The next drive will be during Earth Week. Thank you to the Solid Waste Advisory Team for helping to organize this event and specifically to Norma Chanis who stayed at Town Hall all day on Saturday so folks could drop off their items on the weekend.

MEETINGS INVITATIONS & ANNOUNCEMENTS:

FUTURE AGENDA ITEMS/SELECT BOARD REPORTS:

- Mr. Crowley acknowledge the resignation from John Riley but thanked him for his volunteering time to the town.
- Mr. Crowley reminds residents to keep hydrants clear from snow.

~~**EXECUTIVE SESSION: Consider entering into executive session under the provisions of Massachusetts General Laws Chapter 30A, Section 21(a), purpose 3 to discuss strategy with respect to contract negotiations with non-union personnel (Dennis Minnich, Chief of Police) and the Chair declares that an open meeting discussion may have a detrimental effect on the bargaining position of the public body.**~~

***Will be rescheduled to January 30, 2024**

Motion Mr. Morrissey moved to adjourn 7:10 p.m.; seconded by Mr. Crowley.

Mr. Morrissey, yes

Mr. Crowley, yes

Ms. Pedone, yes

Mr. Frieden, yes

All in favor

Respectfully submitted,

Approved: _____

Faye D. Zukowski, Municipal Assistant

Kristina Pedone, Chair

Patrick J. Crowley, Vice Chair

James Morrissey, Clerk

Marc Frieden

Barur R. Rajeshkumar