



Board of Selectmen Minutes 06-09-16

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Board of Selectmen
June 9, 2016
Town Hall

Present: Stanley Wysocki
Thomas J. Frain
Jonathan Keep
Don Lowe, Town Administrator
Linda L. Day, Town Secretary

Chairman Wysocki called the Board of Selectmen's meeting to order at 7:00 p.m.

APPOINTMENTS – PLANNING BOARD

The Board of Selectmen and Planning Board members David Yesue, Erik Neyland and Jon Ricci held a joint meeting to discuss the appointment of new members to the Planning Board. On a motion made by Frain and seconded by Keep, the Board of Selectmen and Planning Board voted to appoint Michael Gorr and Mark Sprague as regular members and Jonathan Ricci as an associate member. The term expiration date for Mr. Gorr and Mr. Sprague is May 8, 2017. The term expiration date for Mr. Ricci is June 2018. (Wysocki – yes, Frain – yes, Keep – yes, Yesue – yes, Neyland – yes, Ricci – yes)

GRANITE WATER TROUGH

Ms. Martha Remington, Chairman of the Historical Commission requested approval to move the granite watering trough owned by the Town of Bolton to the Bolton Town Common which is privately-owned by the Bolton Conservation Trust. The water trough was gifted to the town by Ozro Haynes in the 1900's and is currently located on the south side of Route 117 near Wilder Road. Ms. Remington indicated that a volunteer has come forward to move the artifact at no cost to the Town.

The Board of Selectmen received a letter from a resident urging the Board of Selectmen to reject the request to move the water trough because it is town property and should stay in its original location.

Mr. Lowe will draft a letter informing the Conservation Trust that before a final decision is made, the Board of Selectmen would like to see a plan for moving the watering trough to avoid any damage to the artifact and ensure that it is installed in a temporary way so that it could be moved if necessary. The Conservation Trust will also be made aware that the watering trough will remain town property even though it is relocated to private property and that the Town can reclaim the watering trough at any time.

SIGNS – SOLARIZE MASS BOLTON

Ms. Sharon Shepela and Mr. Tony Jagodnik requested permission to display four (4) additional Solarize Mass Bolton sandwich board type signs around town. The new signs will clarify that Solarflair is the solar company chosen to install solar panels in Bolton and a thermometer showing the progress as residents sign up for the solar installation.

The additional signs will be located at the entrance of the Transfer Station, Public Library, Pond Park and at the intersection of East End Road and Route 117. The request to put a banner on the fence at Pond Park was approved and therefore it was agreed that they would forego the sign at Pond Park.

Mr. Wysocki suggested that the Solarize Bolton Common emphasize the timeline for residents to sign up with Solarflair.

On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to approve the additional signs to be removed at the end of September, 2016. (Wysocki – yes, Frain – yes, Keep – yes)

On behalf of the Solarized Bolton Committee Mr. Jagodnik thanked the Board of Selectmen for all their support.

CABLE COVERAGE FOR TOWN BOARDS AND COMMITTEES

The Board of Selectmen discussed cable coverage for town boards and committees and the concern raised about the Board of Health meetings not being recorded and televised.

Mr. Troup reported that Bolton Access Television recorded approximately 90 town board and committee meetings last year including the Board of Selectmen, Advisory Committee, Planning Board and Conservation Commission. They also covered an additional 16 School Committee and Space Needs Committee meetings. Bolton Access Television could record additional meetings but it would require additional funds to take on more meetings. The cost per meeting is approximately \$100.00 for the cable caster, the work to be done to convert the recording to DVD and televising the meeting.

Mr. Wysocki did not necessarily see the need for all Board of Health meetings to be televised, except for when the Board of Health was discussing topics of mutual interest to residents.

Mr. Keep felt that the Board of Health and Board of Appeals meetings should be recorded and televised to provide transparency, consistency across all areas of town government and information about public health.

Mr. Slade stated that the Board of Health is somewhat unique in that they don't make policy that effects the entire town. He said 99 percent of the board's actions are dictated by state law. The Board of Health works a great deal with individuals who are struggling with issues and the Board

would like to protect their privacy by not televising the meetings. Mr. Slade agreed to meet anytime with an interviewer in front of the camera to give an update on what the Board of Health is doing on any particular issue.

Mr. Wysocki stated that the meetings are public and the agendas are available, and no one is operating in secrecy.

When asked by Mr. Keep to give three examples of embarrassing situations that the Board of Health deals with, Mr. Slade agreed to talk to Mr. Keep privately, but not on camera.

The Board of Selectmen agreed to continue the discussion at an upcoming Selectmen's meeting to allow Mr. Frain the opportunity to review the Board of Health meeting minutes.

TOWN ADMINISTRATOR REPORT

Update on Minuteman: Mr. Keep will meet with Mr. Lowe prior to representing Bolton at the Minuteman meeting on July 20, 2016 to discuss the building project and how to deal with Belmont being the only one of 16 towns that didn't approve the project.

Procurement Process for Information Technology Managed Services: Mr. Lowe solicited three quotes from vendors for the information technology managed services at the Public Safety building and learned from a local vendor that the procurement procedure has been revised. Mr. Lowe confirmed with the Inspector General's office that the revised procurement procedure requires three (3) written quotes and the ceiling is now \$34,999 for the term of the contract versus \$24,999 per each year. As part of the RFP that will be advertised in a local newspaper and on COMMBUYS, vendors will be asked to submit their qualifications and price sheet in separate envelopes. Mr. Lowe, along with the Department heads of the Police, Fire and Ambulance will meet to review the submittals and rank each vendor based on the criteria received before reviewing the price sheet. It is not necessary to select the lowest cost.

When asked why we weren't doing an RFP for technology for all town departments, Mr. Lowe explained that the Public Safety Building is a secure environment and has unique requirements that are specific to the Public Safety Building versus other departments. Personal data is received on a daily basis including the information from the criminal justice and FBI departments that must be secure. If the Board of Selectmen would like to see an RFP for the entire town that could be done at the end of FY17 when the current contract for the Town Hall and Library expires.

Mr. Frain stated that during Advisory Committee meetings, discussion took place about multiple contracts for the phone systems. Mr. Lowe stated that Public Safety Building is getting a new phone system and police and fire radios from the 911 grant from Devens. The Ambulance will also be receiving new radios soon after. The phone system will be maintained by Nashoba Valley Regional District in the near future.

Email Accounts for Town Boards: Mr. Lowe reported that 18 email accounts are being set up for town board and committees and members, at a cost of \$84 per year for each account for a total of \$1,512.00. The Board of Selectmen, Advisory Committee and Board of Assessors members will have individual email accounts and an email account will be created for the Chairman of the Board of Appeals, Conservation Committee, Council on Aging, Economic Development, Planning Board and the Board of Health.

Mr. Lowe will draft a data retention policy.

Follow up on Main Street Design Grant: As a follow up to the last Board of Selectmen's meeting, Mr. Lowe reported that he spoke with Mr. Marc Draisen at the Metropolitan Area Planning Council (MAPC) and followed up with a letter informing him of the Town's intent to apply for the technical assistance grant managed by MAPC. FY16 grant money has been allocated and funds available would be for FY17. Mr. Lowe indicated in the letter that the scope of work would be to assess improvements along Route 117 from the Stow line to the intersection of Route 117/110 (Still River Road).

Mr. Lowe stated that the next step would be to get the \$50,000 grant available to hire a qualified profession to prepare a prioritization plan to give us the road map to pursue the Main Street funds. Mr. Troup suggested that the Board of Selectmen form a Committee to work with the consultant to prioritize the improvements along Route 117 once the grant is received.

The Board of Selectmen will invite Mr. Harold Brown, Public Works Director to a meeting to discuss the Main Street area and strategy for restriping the road.

At the recommendation of the Board of Selectmen, Mr. Lowe will draft a letter to the Department of Transportation inviting them to meet with the Board of Selectmen to discuss safety concerns related to the area of Route 117 near the Nashoba Regional High School.

Camp Virginia: Mr. Lowe reported that Liz Luc Clowes, a member of Conservation Commission, agreed to lead the coordination of updating the open space plan by mid-July to meet the deadline to apply for a grant from the Massachusetts Local Acquisition for Natural Diversity Program to help fund the purchase of Camp Virginia on Hudson Road. Mr. Lowe stated that there is a core group of volunteers willing to help and anything that can be done in town hall to support the effort will be done. Ashley Davies, Land Protection Specialist for the Sudbury Valley Trustees (SVT) will write the grant.

BOARD OF SELECTMEN BUSINESS

Officers Warrant for Unlicensed Dogs: The Board of Selectmen received an outline of the dog licensing procedures. As of June 6, 2016, 30 dogs in 25 households are unlicensed. Instead of sending out certified letters, Ms. Latham, Animal Control Officer suggested that a letter be prepared by Police Chief Nelson to send to residents who have not licensed their dog(s). Mr. Frain volunteered his services to make calls to residents about licensing their dogs to avoid bringing someone court.

Transfer Station Stickers: On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to approve the policy granting free stickers in combination of green and orange stickers up to \$100.00 for seniors (Head of household member – 61 or over) for FY16. (Wysocki – yes, Frain – yes, Keep – yes)

Municipal Roadway Vegetation Management Plan: Mr. Frain is opposed to the use of Roundup as part of the vegetation management plan because of health issues. The Board deferred this to the next meeting. Mr. Brown, Public Works Director will be invited to the next Board of Selectmen's meeting to discuss the plan, organic alternatives and costs associated with carrying out the plan.

Sign Request – Ty-Rods Club: On a motion made by Keep and seconded by Frain, the Board of Selectmen voted to approve the request of Mr. Maurer to place temporary signs at the intersections of Route 117 and Route 495, Route 85 and Route 110 advertising the Ty-Rods Annual Old Timers Reunion to be held at the fairgrounds in Lancaster on September 11, 2016. (Wysocki – yes, Frain – yes, Keep – yes)

Lieutenant Position: Police Chief Nelson requested approval to fill the Lieutenant position that has been vacant since he was appointed interim Chief in mid-October.

Chief Nelson stated that the Lieutenant position is essential to the overall operation of the department. The position was approved in 2003 by the Personnel Committee and he was appointed as Lieutenant in 2004. The vacancy has put a strain on Chief Nelson and the department.

The Lieutenant position was budgeted and approved in the FY17 budget. The position is exempt, with an hourly wage, receiving comp time but no over-time. Comp time over 40 hours is calculated at time and a half.

Sergeant Luke Hamburger and Sergeant Kimberly Barry have applied for the Lieutenant position. The testing for the position would be done by an independent third party at a cost of \$2,500. The testing would include a written test, scenario assessment test, and board interview followed by the final interview with Chief Nelson who is the appointing authority for this position.

Mr. Wysocki stated that from his perspective the Lieutenant position is needed and should be filled.

Mr. Keep stated that the Police Department and snow and ice budgets are really over budget and would like to see Chief Nelson to get control over his budget including the overtime which is at 126%. Mr. Frain stated the cost of police services is shocking to him. He agreed with Mr. Keep and stated that there is no end in sight for the tax increases and something has to give.

Mr. Lowe stated that much of the growth in the Police Department budget is driven by the union contract. Chief Nelson confirmed that the hiring of a Lieutenant won't decrease overtime, but could help on occasion with the Monday through Friday schedule, when a day time officer calls in sick. By the end of FY17 his overtime budget will be close to exhausted but that the entire budget will show a net because of vacant positions.

Chief Nelson respected comments, but stated that in the last 6 months. Mr. Frain and Mr. Keep have not met with him to discuss the above concerns and if he isn't made aware of the Selectmen's concerns he can't do anything about it.

The Board of Selectmen deferred the discussion to their meeting on June 23, 2016.

Mr. Keep would like the opportunity to think about the Lieutenant position and discuss at a future meeting.

Comp Time and Overtime: Mr. Lowe stated that the overtime for the Police Department and Department of Public Works are contractual obligations, and anything over 40 hours is time and a half. There is no overtime for non-union employees, which is employees at the town hall and library.

Comp time is in the Police Union contract and it is capped at 50 hours. Comp time is not in the Department of Public Works Union contract. As far as the town hall, the hourly employee who is most likely to be given comp time, approved by Mr. Lowe, would be Administrative Assistant Linda Day who works over and above her 40 hours per week. There isn't a town-wide policy and no policy for cashing out the comp time. Mr. Lowe doesn't take comp time and Treasurer Donna Madden may have taken a couple of hours.

The Chief of Police and the Department of Public Works Director are entitled to comp time, which has been a practice of the town, sanctioned by past Board of Selectmen. Chief Nelson receives comp time at time and a half. Mr. Lowe will review records to see if Mr. Brown receives comp time at time and a half.

Other Post-Employment Benefits (OPEB): The Town's OPEB liability is \$2 million. As far as the Worcester County Retirement fund Mr. Lowe stated we are fully funded but will confirm this information with Treasurer Ms. Madden.

Mr. Lowe stated that the Finance Team will meet in the September-October timeframe and will make a recommendation to the Board of Selectmen for a strategy.

Ms. Madden will be invited to attend an upcoming Board of Selectmen's meeting to discuss the OPEB liability and Mr. Keep suggested that it be discussed at the next Tri-Town Meeting.

EXECUTIVE SESSION

On a motion made by Frain and seconded by Keep, the Board of Selectmen voted 3-0 by roll call (Wysocki – yes, Frain – yes, Keep -yes) to enter into executive session at 10:20 p.m., pursuant to Massachusetts General Laws, Chapter 30A, 21(a) 3 to discuss strategy with respect to collective bargaining for the Fire Union, as the Chair finds that an open meeting may have a detrimental effect on the Board's bargaining position, and to discuss contract negotiations with non-union personnel being the Police Chief. The Board announced it would not reconvene to open session.

Respectfully submitted by Linda L. Day

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Hours: M, W, Th - 9:00am to 2:30pm, Tues - 9:00am to 4:00pm and 6:00pm to 8:00pm, Closed Fri-Sun