



Board of Selectmen Minutes 08-18-16

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Board of Selectmen
August 18, 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.

UPDATE ON FACILITY ISSUES AT EMERSON, FLORENCE SAWYER SCHOOL AND NASHOBA REGIONAL HIGH SCHOOL
Ms. Brooke Clenchy, Superintendent, Ms. Lorraine Romasco, School Committee Chairman, Ms. Pat Marone, Business Manager and Jeff Converse, District Manager of Facilities met with the Board of Selectmen to provide an update on facility issues at the above-mentioned schools.

Superintendent Clenchy kept the School Committee up-to-date on the areas of concern and met with the Town Administrators from Bolton, Lancaster and Stow on a weekly basis. She extended her appreciation to Ms. Romasco, the School Committee, Mr. Lowe, Town Administrator and Harold Brown, DPW Director along with the Town Administrators from Lancaster and Stow.
The Board of Selectmen reviewed a spreadsheet showing the key priority projects at Emerson, Florence Sawyer and Nashoba Regional Schools.

Emerson School:

- 1). The Wastewater Treatment plant is on-going and the work to be done will not interfere with school being in session.
- 2). The former kitchen at Emerson School is being renovated to accommodate the extended day program which is currently located in the old Emerson wing. There was no lead paint detected in this area.
- 3). A water leak near the front office and in Room 2 at Emerson School created a mold problem. The leak has been fixed, the mold removed and the project is completed. There was no asbestos found in Room 2.

The NRSD requested a waiver from the 10-day wait period to abate the asbestos immediately.

- 4). The occupational therapy room currently located in the old wing of Emerson School is being moved to the back of the gymnasium. There was no asbestos and lead paint found.

5). Girl's Bathroom; 6). Boy's Bathroom; and 7). Emerson hallway: Very small amounts of asbestos was found and abated in these three areas. Superintendent Clenchy couldn't answer Mr. Frain's question regarding the risk to students from exposure to the asbestos and agreed to follow up on his concern and report back to the Board of Selectmen. She did confirm that after the repairs were done the area was retested and nothing was found.

- 8). The painting of the extended day area is on hold until additional lead testing is completed.
- 9). The stairwell in Emerson School has been completed.

10). The computer lab at Emerson School has been completed and the one Pre-K classroom in old Emerson wing has been moved to the new Emerson wing.

Mr. Converse, Facilities Manager is leading the boiler replacement project at Emerson and is waiting to receive additional quotes. Mr. Lowe, Town Administrator and Mr. Brown, DPW Director visited the site and Mr. Lowe stated that it was fair to say that the boiler is in very bad shape.

High School: 11.) Repairs are being made to the fire pump and they will be up and running for the start of school in September.

- 12.) The vent pipe upgrade has been completed and other issues discovered are being worked on.
- 13.) The leach field is being addressed based on new regulations.

14). Three external tanks located at Florence Sawyer School, Nashoba Regional High School and Lancaster School are being inspected.

Mr. Frain reiterated his concern and questioned whether the students were exposed to the asbestos and lead. He questioned whether there was a policy in place to be sure the buildings are in compliance. Superintendent Clenchy's understanding is that the layer of lead paint identified was several layers deep. Mr. Lowe confirmed that the town owns the building but the district is responsible for the maintenance of the building.

Superintendent Clenchy agreed to retest the water immediately even though water tests were conducted in the February/March timeframe and report back to the Board of Selectmen in mid-September to give an update on the lead, asbestos and water testing.

Ms. Romasco stated that they understood the concerns and that they are just as concerning to the District as they are to the Board of Selectmen.

BEST PRACTICES IN MUNICIPAL GOVERNMENT

Mr. Cote, Chairman of the Advisory Committee proposed inviting John Coderre, Town Administrator in Northborough to a joint meeting of the Advisory Committee, Board of Selectmen, Town Administrator, Treasurer, Accountant and Capital Planning Committee to give a presentation on adopting best practices for municipal budgeting. Mr. Coderre has given presentations to several towns and the Massachusetts Municipal regarding the implementation of a best practices budget process to provide for a smooth budget process and town meeting. The Board of Selectmen were favorable to the proposal and arrangements will be made to schedule the meeting prior to the budget message memo being distributed in October.

UPDATE ON OPEN SPACE AND MASTER PLAN

Mr. Lowe reported that when it looked like the Town would be pursuing a grant for the acquisition of Camp Virginia, Liz Luc Clowes, member of the Conservation Commission volunteered to lead the effort to work on the open space plan but the effort stopped when the option to pursue the grant was put on hold. The soon to be hired Conservation Administrative Assistant will update the open space plan and Erica Uriarte, Town Planner will lead the effort to update the master plan.

CABLE COVERAGE FOR TOWN BOARDS AND COMMITTEES

Mr. Slade, Chairman of the Board of Health read aloud a draft policy "Bolton Board of Health Broadcast Policy" dated August 9, 2016 that was approved by the Board of Health.

- The Board of Health will decline Bolton Access Television's offer to broadcast the twice monthly regular meetings.
- Hearings that involve more than the owner and direct abutters, who are notified directly, will be broadcast at discretion of Bolton Access Television.
- Hearings, as required by state law, involving changes to Board of Health regulations will be broadcast at Bolton Access Television's discretion.
- The Board of Health will attend any joint meetings concerning bylaws, policies, or projects regardless of whether the meeting is broadcast.

Mr. Slade recognizes that Bolton Access Television has the right to broadcast the Board of Health meetings but have respected the Board of Health's desire not to broadcast the meetings.

Mr. Keep reviewed the Board of Health minutes and didn't find any instances where embarrassing issues were being discussed. It was Mr. Keep's opinion that town boards shouldn't dictate when their meetings will be televised. He didn't support the proposed policy and would like to see as many Board of Health meetings as possible covered and televised.

Mr. Slade reiterated that he is not dictating anything as stated by Mr. Keep and Bolton Access Television has the right to record the Board of Health meetings.

Mr. Wysocki supported the proposed policy stating that the Board of Health was being respectful to individuals coming before them when it could be a potentially embarrassing situation.

Mr. Slade agreed that abutters to property where a variance is being requested would be notified; and in a situation where it would affect the entire neighborhood a hearing would be held and the request made to have the meeting broadcast. Mr. Frain was inclined to approve the policy, subject to review at the next meeting, if the Board of Health was willing to revise #2 to include broadcasting a meeting when a variance to Title 5 is being requested.

Mr. Slade will revise the proposed Bolton Board of Health Broadcast Policy for review at the next Board of Selectmen's meeting.

TOWN ADMINISTRATOR'S REPORT

Update on Minuteman: The Minuteman Special Election is scheduled for Tuesday, September 20, 2016 to vote on the borrowing of \$144,922,478 to pay costs of constructing a new district school. A meeting of all Town Clerks took place at Minuteman to discuss the logistics for the election.

Best Practices for Capital Projects: Mr. Lowe reported that he reached out to some of his colleagues as suggested by the Board of Selectmen to see what their practices are for planning for capital projects such as culverts, etc. They all agreed with Bolton's practice which is to allow the Department of Public Works Director to solicit professional assistance for any given project and come back with a cost estimate for that project that is presented to taxpayers at town meeting without a structural engineer report.

Comp Time for Employees: Mr. Lowe spoke with four of his colleagues regarding comp time for employees and two indicated it is left to the discretion of the Town Administrator to give an employee compensation time based on additional hours the employee has worked while the other two don't give comp time.

Update on meeting with the Department of Transportation: Mr. Barry Lorion, Department of Transportation will meet with the Board of Selectmen to discuss safety concerns and traffic calming criteria to help reduce the speed limit in the area of Route 117 near the Nashoba Regional High School. Town officials from Lancaster and Stow will be invited to join Bolton officials for a site visit at the Nashoba Regional High School and Green Road Intersection. At a previous meeting.

Pinning Ceremony: The pinning ceremony for Police Chief Nelson is scheduled for Monday, August 22 at 5:00 p.m. at the Public Safety Building.

Well Situation/Drought: Mr. Frain referred to an email received regarding the water level of a resident's well and questioned how the town is responding to the drought. Mr. Lowe stated that this is a Board of Health issue and will be discussing this with Board of Health agent William Brookings during his hours on Friday morning. Mr. Cote saw this issue as a personal issue and questioned Mr. Frain's involvement in a personal issue that is the responsibility of the homeowner. Mr. Frain's opinion is that it is not the homeowner's responsibility and is a concern for everyone who is drawing off the same aquifer. Mr. Keep agreed that it should be discussed and the information should be shared with residents.

BOARD OF SELECTMEN BUSINESS

Bolton Access Television Expenses: On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to release \$28,448.15 from the Comcast fund to Bolton Access Television for their operating expenses, as requested by Mr. Frank Lazgin, Treasurer of the Bolton Access Television. (Wysocki –yes, Frain – yes, Keep – yes)

Mr. Lazgin was informed by the Board of Selectmen that residents have commented about the poor sound quality in the Houghton Building meeting room. Mr. Lazgin stated that he would take this concern back to the next meeting of Bolton Access Television.

Public Service Announcements: Mr. Wysocki reminded the residents about the collection of redeemables by the Boy Scouts in the red building located at the transfer station and asked that the bottles and cans be rinsed to avoid the attraction of bees and wasps.

He stated that the Recycling Center does not accept any type of plastic bags received at the grocery or retail stores, however, almost all major grocery chains do have a collection bin.

Mr. Wysocki informed everyone of an article he read in the Sunday Boston Globe about a Committee that has been formed to analyze putting Massachusetts on Atlantic standard-time rather than springing forward every March and falling back every November. Mr. Wysocki encouraged residents to reach out to the local Representatives if they were not happy with this proposal.

Wilder Road Culvert: Mr. Brown, DPW Director and Leslie Caisse, Administrative Assistant were present for this meeting.

The Board of Selectmen reviewed a report from Bayside Engineering regarding the inspection of the culvert on Wilder Road and their recommendation to replace the structure with a concrete box. Mr. Frain contacted Bayside Engineering and did some research on his own. He stated that the concrete box would cost 10 times more than a concrete pipe. Mr. Brown stated that he looked at alternatives, but at the end of the day he wasn't sure there would be a savings by using the concrete pipe versus a concrete box stating that the concrete pipe would also require head boards and the same equipment would be required. Mr. Brown agreed to get cost comparisons for the two options and report back to the Board of Selectmen at their meeting on September 8th.

Portico at Town Hall: Mr. Brown, DPW Director and Leslie Caisse, Administrative Assistant were present for this meeting.

The Board of Selectmen reviewed a quote from Mr. Kanayo Lala regarding the portico at the Town Hall and Mr. Brown is still waiting to receive a written report from a second architect.

Mr. Keep recommended that a civil engineer inspect the portico. He would like the Design Review Board to review the report and be involved in the project from start to finish. Mr. Brown stated that the Historical Commission should also be involved in this project.

On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to authorize Mr. Lowe to execute an agreement with Mr. Lala to provide an analysis for the repair or replacement of the portico. (Wysocki – yes, Frain – yes, Keep – yes)

On a motion made by Keep and seconded by Frain, the Board of Selectmen voted to invite the Design Review Board to attend the meeting with the structural engineer regarding the Town Hall portico and that they participate in the project from beginning to end. (Wysocki – yes, Frain – yes, Keep – yes)

Capital Projects: The Board of Selectmen had a lengthy discussion about the recommendation that both a repair and replacement proposal be required for any current and future capital projects and made available for review by the citizens of Bolton.

Mr. Keep was not satisfied with the report received from Bayside Engineering regarding the culvert on Wilder Road and attributed it to a lack of communication between the Town Administrator and Director of DPW which he stated was a management issue. Mr. Lowe stated that Bayside Engineering was asked to provide their recommendation on repair and replacement options as requested by the Board of Selectmen and there was no lack of communication. Mr. Keep would like these proposals available for review by the citizens of Bolton.

Mr. Wysocki was not pleased with spending additional funds for a structural engineer to inspect the Wilder Road culvert to come to the same conclusion to replace the culvert as recommended by Harold Brown, DPW Director. Mr. Wysocki was willing to agree with the recommendation to seek both repair and replacement proposals for the public officials to review and determine which option will be presented at town meeting.

The Board of Selectmen will continue to discuss and will decide on an agreed procedure before starting work on major projects.

Legislation Bill H3640 Regarding Recall Elections: Mr. Lowe stated that the article on the May 2015 Annual Town Meeting warrant to establish procedures for a recall bylaw passed and was forwarded to the legislature as a Home Rule Petition and then sent to the Secretary of State's office who has suggested edits. Most of the edits are for consistency in the wording with only one significant edit to change the length of time to hold an election from 45-60 days to 64-90 days. On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to accept the changes recommended by the Secretary of State's Office. (Wysocki – yes, Frain – yes, - Keep – yes)

Lease Agreement between the Bolton Senior Housing Corporation and the Town of Bolton for 600 Main Street: On a motion made by Keep and seconded by Frain, the Board of Selectmen voted to execute the above-mentioned lease. (Wysocki – yes, Frain – yes, Keep – yes)

Longevity: On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to approve an additional \$100 to Linda Day, Harold Brown and Warren Nelson who have accumulated over 20 years of service to the Town of Bolton. (Wysocki – yes, Frain – yes, Keep – yes)

Pay Changes for Ambulance Squad: Margy Diaz, Ambulance Director met with the Board of Selectmen to discuss a mis-communication that took place in January with the Advisory Committee about the recommendation to increase the pay for the ambulance squad. Advisory Committee Chairman Brad Cote was also present for this discussion.

Currently the responders receive \$35 for a two hour minimum and \$17.50 for every hour thereafter and Ms. Diaz recommended an increase to \$40 for a two hour minimum and \$20 for every hour thereafter. She stated based on the meeting in January, the squad expected an increase on July 1, 2016 and was worried about the effect if an increase was not received.

Mr. Wysocki was present at the Advisory Committee meeting when it was discussed and his recollection was that the funds were in the ambulance budget in anticipation of a vote at a later date.

Ms. Diaz stated that an increase would help to retain the membership and it would show support and appreciation for the job they are doing. A motion made by Wysocki to approve the pay change for the ambulance squad was not seconded. Mr. Wysocki suggested that his colleagues watch the meeting that took place in January.

The discussion was deferred to the next Board of Selectmen's meeting.

Minutes: On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to approve the regular session minutes of May 12 and 26, 2016 and executive session minutes of May 12 and 26, 2016. (Wysocki – yes, Frain – yes, Keep – yes)

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. 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

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