

Board of Selectmen
March 12, 2020

Approved via Zoom
on 4/10/20
by
Stanley Wysocki SW
Robert Czekanski RC
Jonathan Keep JK
Don Lowe, Town Administrator
Jenny Jacobsen, Town Secretary

Mr. Wysocki called the meeting to order at 7:00 p.m.

BRAKE USAGE SIGNAGE

The Board reviewed the letter from Fred Bennekomp of 421 Main Street dated February 12, 2020 requesting the placement of a sign near his property to reduce the use of engine brakes. Martha Remington who lives at the junction of Rte. 85 and Main Street was present and voice support of the sign. Mr. Wysocki was happy to have the sign near his property moved and as such recused himself from the vote.

Keep made a motion to approve a Brake Usage sign for the Pan Neighborhood. Czekanski seconded and the motion passed. 2/0.

BASEBALL PARADE

Kristen Zina representing Bolton Youth Baseball appeared before the Board to request to close the road and hold the Opening Day parade on Saturday April 25, 2020. Bolton Youth Baseball understands with the current situation of the Coronavirus that the event is subject to change or cancellation. The rain date is the following week.

Mr. Czekanski moved to allow the Bolton Youth Baseball to hold their annual parade on Saturday, April 25th, 2020. Keep seconded. Motion passed 2/0.

TAGGART PROPERTY

The Board reviewed the updated information regarding Taggart property. Conservation Administrator Rebecca Longvall appeared before the Board to answer questions. The Board had no additional questions. Mr. Lowe commented that if the Board votes to move forward with the article then the Board will schedule a meeting for negotiations. He commented that we could craft the article at \$650,000.00.

PLANNING BOARD ARTICLE REVIEW

Town Planner Erica Uriarte distributed facts sheets related to the Planning Board articles for the ATM Warrant. The first one allows bed and breakfasts as a permitted use in town. It is relatively low impact to the town that fits within the character of Bolton. It would be regulated by the special permit. We have a preexisting bed and breakfast in town and a second one that came in through the home occupation which is not technically a bed and breakfast. It could benefit the Town. For an establishment we could collect up to 6.5 % on occupancy. Most abutting towns allow it. Ms. Uriarte explained that the distinction between home and establishment is defined by Mass General Law and for the establishments the Town is able to collect excise tax. The other articles relate to imposing a Municipal Charges Lien on unpaid fees for affordable units. Planning Board member Mark Sprague was in attendance and commented that several years ago it was changed so that the fee would be paid at the time of the building permit issuance. Several developers who have sold off several lots, sticking the buyers with the fee in lieu of. It is not recorded in the deed but in the special permit which not everyone reviews. This would allow it to be caught at the deed so that to

achieve clear title they would need to pay the fee to the Town. The fee in lieu of stays with the developers. This removes the question and registers us as a creditor.

CORONA VIRUS UPDATE

Mr. Lowe gave an update on the Coronavirus. Currently Massachusetts has 6 confirmed cases in MA and 102 presumptive for a total of 108. Presumptive findings are tested positive at the local level. Once CDC reviews it is confirmed.

Fire Department/EMT-Mr. Lowe read an email dated Tuesday March 10th, 2020 from Fire Chief Legendre. The email outlined the steps taken to combat the virus. Cadet response is suspended until the completion of the fit testing of the N-95 masks. If school is cancelled then the students would not be rolling.

Election-Mr. Lowe addressed the question of rescheduling election. Mr. Lowe read letter from Michelle Tenessary, director and legal counsel, elections division of the Commonwealth. The only way to cancel currently is with a court order. The letter cited plans to file legislation to change. There are laws to allow a municipality to delay a Town Meeting due to an emergency which lies with the Town Moderator M.G.L. Chapter 39 Section 10(A) Recession and Continuation of Town Meeting Due to Inclement Weather or Public Emergency Notice. Atty. Falk who was present noted that there is a second way to cancel a Town Meeting which lies with the Selectmen. It can be pushed as late as June 30.

Mr. Czekanski noted that we would need to coordinate with the other towns in the school district for the one article regarding the feasibility study. The budget needs to be approved by June 30th.

Senior Center-Mr. Lowe shared an update from Lisa D'Eon, Council on Aging director itemizing the proactive actions taken to protect the health of our seniors and the communication efforts made to reach the community. Ms. D'Eon also emphasized the importance of completing the census to support the funding for the senior center. Tuesday Connections event has been cancelled.

Library-Products that the cleaning service use are sufficient to keep things sanitized.

Town Hall-We are wiping down surfaces several times a day including the kiosk. DPW cleans at night. All surfaces are wiped. Cloth surfaces are sprayed.

Mr. Lowe is working with Human Resources on a policy for how we work with employees who may have been exposed or are exhibiting symptoms. Mr. Lowe is also working on a contingency planning for Town Hall closure.

Coffee with the Town Administrator has been cancelled.

TOWN ADMINISTRATOR REPORT

Truck Exclusion-There was a meeting in Berlin last week. They asked for signage which we would pay for. They would like to be a cosponsor for this and are requesting from their Board of Selectmen.

Traffic Committee in Clinton has not scheduled a date yet. They have some misgivings about truck exclusions but understands that this is a safety issue regarding the intersection. Mr. Lowe will attend that meeting.

MassWORKS Project

Monday March 23rd work will resume. The date for the mast arms for the lights was not acceptable to DPW director. The manufacturer is working on an earlier date.

ATM WARRANT

Board reviewed the ATM Warrant.

Articles 1 & 2-On a motion made by Keep and seconded by Czekanski the Board of Selectmen voted unanimously to approve Articles 1 and 2. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 4- Mr. Czekanski had an issue with the amount of money for one person to have control over. The fire chief felt that the number could be reduced to \$250K.

On a motion made by Keep and seconded by Czekanski the Board of Selectmen voted unanimously to approve this article with the amount reduced to \$250,000.00. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 5- On a motion made by Keep and seconded by Czekanski the Board of Selectmen voted unanimously to approve Article 5. (Czekanski-yes, Keep-yes, Wysocki-yes)

Articles 6 & 7- These are new articles. They are housekeeping articles. If we get to the point where we want to roll the debt into future borrowing for the purpose of refinancing we need this wording. Atty Falk said the vote would need to be 2/3 majority.

On a motion made by Keep and seconded by Czekanski the Board of Selectmen voted to approve Articles 6&7. (Czekanski-yes, Keep-yes, Wysocki-yes)

The Articles need to be reworked and the summaries beefed up. Board will review changes at a future meeting.

Article 8- On a motion made by Keep and seconded by Czekanski the Board of Selectmen voted unanimously to approve Article 8. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 9- On a motion made by Czekanski and seconded by Keep the Board of Selectmen voted unanimously to approve Article 9. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 10- On a motion made by Czekanski and seconded by Keep the Board of Selectmen voted unanimously to approve Article 10. (Czekanski-yes, Keep-yes, Wysocki-yes)
Requires 2/3 majority vote.

Article 11- On a motion made by Keep and seconded by Czekanski the Board of Selectmen voted unanimously to approve this Article 11. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 12- Mr. Lowe stated that we do not need to borrow for this with where free cash stands. If that changes bond counsel would need to weigh in.

On a motion made by Keep and seconded by Czekanski the Board of Selectmen voted unanimously to approve this Article 12. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 13- On a motion made by Czekanski and seconded by Keep the Board of Selectmen voted unanimously to approve this Article 13. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 14- On a motion made by Czekanski and seconded by Keep the Board of Selectmen voted unanimously to approve this Article 14. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 15- On a motion made by Czekanski and seconded by Keep the Board of Selectmen voted unanimously to approve this Article 15. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 16- On a motion made by Czekanski and seconded by Keep the Board of Selectmen voted unanimously to approve this Article 16. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 17- On a motion made by Czekanski and seconded by Keep the Board of Selectmen voted unanimously to approve this Article 17. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 18- On a motion made by Czekanski and seconded by Keep the Board of Selectmen voted unanimously to approve this Article 18. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 19- Mr. Keep noted that this is not granting the easement but only to give Selectmen the ability to negotiate.

On a motion made by Czekanski and seconded by Keep the Board of Selectmen voted unanimously to approve this Article 19. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 20- We are awaiting the summary. If approved, the expense would be rolled into the borrowing for the entire project.

Mr. Wysocki explained that this is money is needed for the district to move forward with the study to make the determination if a new school is needed.

On a motion made by Czekanski and seconded by Keep the Board of Selectmen voted unanimously to approve this Article 20. (Czekanski-yes, Keep-yes, Wysocki-yes)

Article 21- John Petrin, member of the Community Choice Aggregation Subcommittee was present. He questioned the omission of language in the article to reestablish if the Town didn't like the rates. Atty. Falk will add the article language as requested.
Moved to next meeting.

Article 22- Mr. Lowe recommended that the amount be changed to \$650,000. This would be debt excluded. Table until next meeting. This would be debt excluded and we would need to vote to borrow the entire amount.

The Advisory Committee was recommended to attend the March 26th meeting. Brian Boyle was in attendance.

Article 23- The Mosquito Response Subcommittee held a public meeting at the Florence Sawyer School Auditorium. It is the unanimous decision of the Mosquito Response Subcommittee to go forward with this article. They do a lot of prophylactic work as part of the service. This is an impact to our local aid. It is not in the budget.

It shows up on the revenue side. State provides the funds to the mosquito control group.

To join is required but to renew is not required. No penalties to not renew.

On a motion made by Czekanski and seconded by Wysocki the Board of Selectmen voted 2-1 to approve this Article 23. (Czekanski-yes, Keep-no, Wysocki-yes)

Atty Falk mentioned that there might be one more article added to the warrant.
Moderator had no questions

BOARD OF SELECTMEN BUSINESS

Public Service Announcements

Coffee with Town Administrator is cancelled.

Bolton Police Union Contract 7/1/17 – 6/30/20

On a motion made by Czekanski and seconded by Keep the Board voted to execute the Bolton Police Union, Local 286, Massachusetts Coalition of Police, IUPA, AFL-CIO contract from July 1, 2017 – June 30, 2020.

Bills/Payroll Warrants

On a motion made by Czekanski and seconded by Czekanski, the Board voted unanimously to approved the Bills/Payroll warrants: W20-19 & W20-19A.

Minutes

On a motion made by Keep and seconded by Czekanski, the Board voted unanimously to approved the regular session minutes and executive session minutes of February 13th, 2020.
Executive session minutes from February 13th to be reviewed in a future executive session.

Keep made a motion to adjourn at 8:11pm. Czekanski seconded. Motion passed unanimously.

Respectfully submitted by Jenny Jacobsen