

Select Board  
April 7, 2022

Robert Czekanski, Chair  
Stanley Wysocki  
Jonathan Keep

Via Zoom Remote Conferencing\*

Don Lowe, Town Administrator  
Jenny Jacobsen, Town Secretary

Mr. Czekanski called the Select Board meeting to order at 7:00 pm. The meeting was recorded.

#### REPRESENTATIVE HOGAN

Representative Hogan thanked the Board for the invitation to discuss the budget. Currently the increase is at 3% but that may not be the final number. Rep. Hogan is proud of the transportation bill-Chapter 90 in the amount of 350K. Bolton has been doing very well spending ARPA funds including the 400K for Forbush Mill Road culvert which was very important. Rep. Hogan is proud that the cadet EMT program received its waiver. Rep. Hogan is proud to have learned from the pandemic how quickly pivot. The Commonwealth embraced technology to make voting accessible and to safeguard our elections. Remote open meeting law was extended to July 15<sup>th</sup>. Rep. Hogan provided an update of a few important bills that have passed through the house and mentioned the PFAS report that she is working on. The Board thanked Representative Hogan for being an excellent partner and for her support of the many grant applications Bolton submits.

#### LGBTQIA PROCLAMATION

Sarah Kaschak an ally of the LGBTQIA+ community and a representative of the Nashoba Area Social Justice Alliance made a statement to the Board highlighting the higher risk of our LGBTQIA+ youth and the importance of the community demonstrating their support of their community.

Mr. Czekanski read a proclamation drafted by Representative Hogan's staff in support of the LGBTQIA+ community and declaring the month of June 2022 to be Pride month in the town of Bolton. The Board strongly supported the proclamation.

**On a motion made by Wysocki and seconded by Keep the Board voted unanimously by roll call to accept the Pride Month 2022 Proclamation and to make the month of June 2022 Pride month in the Town of Bolton. (Wysocki-yes, Keep-yes, Czekanski-yes)**

Mr. Czekanski addressed the request to fly the pride flag on the flag pole commenting that it could open the door for other groups. Nationally there have been legal cases related to arbitrary decisions to fly or not fly particular groups' flags on municipal property. Mr. Wysocki agreed stating that the flag pole should be reserved for municipal flags. The Board briefly discussed alternate locations such as the Town Hall or on the Common. Mr. Keep asked if smaller flags could be flown on private residences along main street. Mr. Lowe opined that any municipal property would be subject to the same scrutiny. Mary Ciummo who was in attendance inquired about the railing at Pond Park.

The Board determined to place the discussion on the agenda of the next meeting.

Ms. Kaschak asked if the vote was specific to 2022. Mr. Czekanski noted that it has been the custom of the Board and an opportunity for the group making the request to get publicity for their cause.

#### TOWN MEETING UPDATE

Town Moderator Doug Storey was in attendance to discuss his plans for holding Town Meeting on Monday May, 2, 2022. This year, the meeting will be held indoors at the Nashoba Regional High School auditorium. Mr. Storey anticipates that the short warrant will no lead to anything more than a normal

turnout which should easily be accommodated in the auditorium. There will be a masked section for residents who choose to wear a mask. We purchased 300 remote counting devices that would allow us to do a contested count much quicker than a regular recount. This year we will do a test vote to try them out. It is not Mr. Storey's intent to use them for every vote but he is pleased to have the technology available. The public was encouraged to attend Town Meeting as well as the election on May 9<sup>th</sup>.

#### BOLTON YOUTH BASEBALL

Tiffany Hoffman was in attendance to request permission to hold their annual Bolton Youth Baseball parade on April 30<sup>th</sup> at 11:45 am. The road would need to be closed for 30 minutes max. They have received approval from the police department. Candy will not be thrown.

**On a motion made by Wysocki and seconded by Keep the Board voted unanimously by roll call to approve the request of Bolton Youth Baseball to hold their parade on Saturday April 30<sup>th</sup> at 11:45 am. (Wysocki-yes, Keep-yes, Czekanski-yes)**

#### NASHOBA VALLEY WINERY

Rich Pelletier appeared before the Board to discuss a proposed project on APR land at 100 Wattaquaddock Hill Road. The plan will come to the Board for approval when it is further along in the process. Notice to abutters will be a part of that process. Mr. Pelletier requested the Board's opinion from an APR standpoint on allowing the building as the Town is the co-owner of the agricultural restriction. The plan is to construct a subterranean flat-roofed building in a gully and back the land up to it to create a cave-like feel. The waste water treatment facility conceptually would treat sewerage before it would go into the septic system to hopefully eliminate the need for a tight tank which the property uses except for the restaurant. Currently the sewerage is hauled away at a cost of \$60K that is not sustainable.

**On a motion made by Wysocki and seconded by Keep, the Board voted unanimously by roll call in support, at this point, of Nashoba Valley Winery's request to construct a sub terrain building and waste water treatment facility on APR land which is Nashoba Valley Winery. (Czekanski-yes, Keep-yes, Wysocki-yes)**

#### PFAS DISCUSSION

Mary Jude Pigsley of Massachusetts Department of Environmental Protection (DEP) and presented with Andrea Briggs, DEP liaison to the Boards of Health. Ms. Pigsley presented a slide show on PFAS or Poly and perfluoroalkyl Substances which are the slippery or sticky substances that you find on the inside of microwave popcorn bags and grease proof take out containers and firefighting foam among other places. They were invented in the 1950s by Dupont and 3M and are now in our environment. They can only be removed by incinerating at a very high temperature. Most people have PFAS in their blood. Drinking water is the primary source of ingesting these substances. Massachusetts has developed a drinking water and cleanup standard that is very low. Ms. Pigsley introduced the PFAS testing program for private well owners to have their water tested. April 15<sup>th</sup> is the last day to sign up for the free testing. The first 40 residents to return their paperwork will be sampled. The cost of remediation falls to the property owner. Mr. Lowe noted that the information to register for the program is already on the Board of Health website.

#### BUILDING DEPARTMENT FEES

Building Inspector Michael Sauvageau appeared before the Board and presented comparisons for building, electrical, plumbing and gas fees and requested approval for the Board for the proposed changes to the fee schedule. The proposed changes are to keep our fees in line with surrounding towns. There is administrative work involved with implementing the changes in ViewPoint.

**On a motion made by Keep and seconded by Czekanski, the Board voted \*2-0 by roll call to approve the proposed changes to the building, wiring, plumbing and gas fee schedules effective June 1<sup>st</sup>, 2022. (Czekanski-yes, Keep-yes, Wysocki-yes)**

#### HORSE SIGNS

Mary Ciummo was in attendance representing the Public Ways Safety Committee (PWSC) to request the placement of 10 Horse signs to be placed at 5 locations. 6 of the signs would be horseback riding signs and the 4 signs proposed for Sugar Road and Main/Forbush intersection would be horse crossing signs. Cindy Ayotte who made the initial request to the PWSC explained that the request would preserve Bolton's rural character by allowing horse owners to ride their horses in town. The sign at the rotary would not be put up until the work to replace the rotary is complete. Mr. Czekanski voiced concern that the Town would be devoting town resources to the needs of an individual person. Ms. Ciummo explained that sign requests are often received by individuals. This request would serve all of the horse owners and would provide safety not only to the horse owners but the drivers and passengers in the vehicles as well. Ms. Ayotte will be paying the cost of the signs.

**On a motion made by Keep and seconded by Czekanski, the Board voted \*2-0 by roll call to approve the request for the placement of the signs as requested contingent that the installation of the 117/Forbush/Green Road signs be delayed until the intersection work has been completed. (Czekanski-yes, Keep-yes, Wysocki-yes)**

#### TOWN ADMINISTRATOR REPORT

Mr. Lowe invited the public to attend the Coffee with the Town Administrator scheduled for April 8<sup>th</sup>, 2022.

580 Main Street-The Board reviewed a list of 14 items related to 580 Main Street. Mr. Lowe invited the Board to utilize the staff at the meeting to get any questions answered. At a future meeting, the Board will be asked to begin to identify their priorities for the benefit of the Board of Appeals. Mr. Keep opined that more detailed plans would be preferred. The early look is to establish which priorities should be fleshed out more specifically. Mr. Sterling, Chair of the Parks and Recreation Commission stated his shared concern and desire for an information session. There was brief discussion about the relocation of the community garden. Ms. Longvall voiced a willingness to oversee the community garden though Ms. Oorthuys noted that there would be a significant time commitment involved in that undertaking. Andy Kischitz, member of the Zoning Board of Appeals (ZBA) had concern about the well head area in the southwest section of the property and stated that it needs to be very clear that cars are not to be parked on the land. Mr. Sterling asked for clarity if the lower field is being lost. Mr. Lowe stated that the field is not going anywhere but the access to the field is being considered. Gerard Ahearn, Chair of the Zoning Board of Appeals was present and explained that the ZBA has a statutory requirement to close the hearing after 180 days and draft a decision. Mr. Ahearn requested the Board consider if there are items on the list that are priorities to the Town the ZBA can incorporate the information into the decision. Ms. Oorthuys was asked to provide further detail on the Town Center trail loop that was identified as a priority of the Complete Streets initiative. The list for 580 Main Street will appear again as an item on the next agenda on April 28<sup>th</sup> when the Board can resume the discussion.

#### SELECT BOARD BUSINESS

Public Service Announcements-Mr. Lowe encouraged the public to utilize the EV charging stations when they are out at a ball game at Memorial field. Mr. Lowe also reminded the public to use the red barn to bring their recyclable bottles and cans for the benefit of the Scouts.

Ms. Jacobsen asked the public to pick up litter around their homes for Earth Day. Trash bags can be brought to the transfer station free of charge if they let the attendant know they are helping to clean up Bolton.

Proclamation for Antisemitism-The Board reviewed the proclamation made by Governor Baker for Antisemitism.

**On a motion made by Wysocki and seconded by Keep the Board voted unanimously to endorse the governor's proclamation on antisemitism. (Wysocki-yes, Keep-yes, Czekanski-yes)**

Appointment to ZBA-The Board reviewed the recommendation of Elizabeth Hutchins to the open seat on the Zoning Board of Appeals. Ms. Hutchins has been an associate member.

**On a motion made by Wysocki and seconded by Keep the Board voted unanimously to appoint Elisabeth Hutchins to the Zoning Board of Appeals. (Wysocki-yes, Keep-yes, Czekanski-yes)**

Bills/Payroll Warrants-

**On a motion made by Wysocki and seconded by Keep the Board voted unanimously to approve Bills/Payroll warrants w22-20 and w22-20A. (Wysocki-yes, Keep-yes, Czekanski-yes)**

Minutes-

**On a motion made by Wysocki and seconded by Keep the Board voted unanimously to approve the regular session minutes of March 10, 2022. (Wysocki-yes, Keep-yes, Czekanski-yes)**

**On a motion made by Wysocki and seconded by Keep the Board voted unanimously to adjourn at 9:45 pm. (Wysocki-yes, Keep-yes, Czekanski-yes)**

Respectfully submitted by J. Jacobsen.

\*Mr Wysocki temporarily lost connectivity to the meeting during the time the vote was taken.