

Select Board
September 23, 2021
Via Zoom
663 Main Street

Stanley Wysocki, Chair
Robert Czekanski
Jonathan Keep

Approved via Zoom
by SW, RC, JK
10/14/21

Don Lowe, Town Administrator
Jenny Jacobsen, Town Secretary

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

SINGLE PRECINCT VOTING

Town Clerk Pam Powell was present and requested the Board to vote to allow Bolton to remain a single precinct and sign the single precinct authorization form and the record of vote memo. Both will be sent to the attorney general's office with the single precinct map. The census counted our residents at 5,665 people. Once the threshold of 6,200 residents is reached it is necessary to divide the Town into two precincts. Bolton will remain a single precinct for 10 years until the next census.

On a motion made by Czekanski and seconded by Keep the Board voted unanimously by roll call vote to execute the single precinct authorization form. (Czekanski-yes, Keep-yes, Wysocki-yes)

LION'S CLUB

The Board was running ahead of schedule, but Lion's Club member Craig Lauer was in attendance to request permission to put up two A-frame signs at the Bolton Town Common Road and at Berlin/Wattaquaddock Hill Road Intersection to advertise their cider donut sale at Schartner Farm.

On a motion made by Czekanski and seconded by Keep the Board voted unanimously by roll call vote to approve the request to put up the signs at the specified locations through the end of October. (Czekanski-yes, Keep-yes, Wysocki-yes)

HALLOWEEN PARADE

Parks and Recreation Coordinator appeared before the Board to request permission to hold the annual Halloween parade on October 31st. The parade will start at the Town Common at 2pm. There will be a performer. The Chief of Police approved the event and will assist the crossing of Main Street at the crosswalk. Mechanic Street will be closed to traffic for Candy Lane.

On a motion made by Czekanski and seconded by Keep the Board voted unanimously by roll call vote to approve the request to put up the signs at the specified locations through the end of October. (Czekanski-yes, Keep-yes, Wysocki-yes)

DANGEROUS DOG UPDATES

Dog owner Monica Danaher and her attorney Taylor Dauksewicz were present. Animal Control Officer Phyllis Tower provided an update to the Board on the dangerous dog at 79 Lancaster Road. Ms. Tower did a site visit to view shed floor which turned out to be plywood and not an interlocking plastic floor. Ms. Danaher previously submitted a product description for a kennel from tractor supply company with extra panels to serve as the second gate and mesh wire floor to be attached. The size is 4 feet wide and 4 ½ feet wide.

Mr. Wysocki recommended that the Board consider amending the decision to reflect the scrivener's error which omitted the requirement for the double gate.

On a motion made by Czekanski and seconded by Keep the Board voted unanimously by roll call vote to amend the scrivener's error to add the requirement for the double gate. (Czekanski-yes, Keep-yes, Wysocki-yes)

Atty. Dauksewicz asked if the Board could address the structure that her client shared.

Atty. Murphy stated that questions about the structure could be addressed with the Animal Control Officer outside the meeting. Ms. Tower can provide guidance as to whether the structure meets the criteria of the order.

Mr. Czekanski explained that the amended order directs is that the dog can be off premises on a leash and muzzle. If it on the property it needs to be in the house or in a pen with a roof over it, a dog house and a double gate at the end of the pen. Mr. Czekanski recommended that the public call the police or the ACO if they witness any violations of the order.

Ms. Tower apprised the Board that the dog owner for the dangerous dog at **42 Fox Run Road** has not been responsive. Atty. Murphy provided an additional update that the attorney, Mr. Neuman sent an email to notify the Town that Mr. Cohen filed a motion to withdraw from the appeal which was allowed. Mr. Neuman is unrepresented in the appeal and is trying to secure new counsel prior to the appeal. The appeal is scheduled for 11am on September 30th in Clinton District Court. Atty. Murphy advised that if there was a request for a continuance it be done this week or the Town would object to that request due to the effort the Town has put into preparing for the appeal.

TOWN ADMININSTRATOR'S REPORT

Covid-19

There are 7 new cases in Town this week which is trending downward. The Board of Health voted unanimously on September 22 to recommend that the public wear masks indoors in public spaces. A message will be sent out to local businesses.

Approximately 91.5% of individuals eligible to be vaccinated are.

Grant Update-Mr. Lowe announced that the police department applied for and received a grant in the amount of \$9,900 for traffic enforcement.

Packet Deadline Policy-Mr. Lowe read the new administrative packet deadline policy which will be put on the website:

"Packet materials for Thursday evening Select Board meetings are due by no later than 1pm on the Monday prior to the scheduled meeting date. Any materials submitted late will not be shared with the Select Board prior to the scheduled appointment and may result in the cancellation of the appointment if the Board feels they have insufficient information on the topic. Monday holidays do not impact the deadline."

Mr. Lowe announced that Kristen Noel put out a bid for refinancing our debt. The winning bid was .38%. Mr. Lowe credited the treasurer and accountant as well as the AAA bond rating.

SELECT BOARD BUSINESS

Public Service Announcements- Mr. Wysocki urged the public to get vaccinated and wear a mask when appropriate.

Bills/Payroll Warrant

On a motion made by Czekanski and seconded by Keep the Board voted unanimously by roll call vote to approve the bills and payroll warrants W-21-6 & W-21-6A. (Czekanski-yes, Wysocki-yes, Keep-yes)

Minutes

On a motion made by Czekanski and seconded by Wysocki the Board voted 2-0-1 by roll call vote to approve the minutes of August 9th 2021. Mr. Keep who was not at the meeting abstained. (Czekanski-yes, Wysocki-yes, Keep-abstain)

EXECUTIVE SESSION

At 7:33pm, on a motion made by Czekanski and seconded by Keep the Board voted unanimously by roll call vote to Executive session pursuant to MGL c. 30A, Section 21 (a) for purpose 2 & 3

- to conduct collective bargaining sessions or contract negotiations with nonunion personnel (Town Administrator).
 - to discuss strategy with respect to collective bargaining for the
 - o Teamster's Union, Local No. 170
 - o The Bolton Police Union, Local 286, IUPA, AFL-CIO
- as the Chair finds that an open meeting may have a detrimental effect on the Board's bargaining position.
- To review and approve executive session minutes.
- The Board will return to open session. (Czekanski-yes, Keep-yes, Wysocki-yes)**

The Board returned to open session at 7:40pm.

On a motion made by Czekanski and seconded by Keep the Board voted unanimously by roll call vote to renew the Town Administrator's contract for a term of 3 years. (Czekanski-yes, Keep-yes, Wysocki-yes)

58 MAIN STREET

Ben James appeared before the Board and revisited the presentation from the previous meeting with his team of subject matter experts. The presentation covered topic including well and septic needs, noise and odor plans, as well as safety and security. Subject matter experts were Joel Frisch of NGI, Jacob Lemieux of Hancock Associates, and Erik Gath of BLW Engineers.

Board members had concerns with the 4,000- 6,000 gpd requirement for the business. Mr. Frisch stressed the massive reduction to approximately 1,800 gpd required due to the recycling/reuse of the water in their proposed process equating it to the water needs of 66 condominiums in an age restricted community development. Waste Water of about 400 – 1600 gallons/day will be removed for disposal. Mr. Lemieux explained that the process water would require a process water holding tank with 500% capacity. Mr. Gath provided an overview on odor control to include building pressure controls, Secureaire filtration in the building, charcoal filtration and Fogco Odor Neutralization on exhaust air. Mr. James discussed Noise Control plans.

Mr. Czekanski asked about commercial traffic in and out of the parking lot outside of normal business hours (8am – 5pm). Mr. James explained the transportation of the waste water would likely happen within normal business hours. Deliveries of soil or other items would happen within business hours. Deliveries of product out of the building would fit in a van as they are light and small. Mr. James discussed plans to close off and landscape the upper and lower existing egress/ingress and convert the middle egress/ingress would be converted to a single direction with a breakaway gate for emergency responders. Mr. Czekanski added that he'd like to consider minimizing traffic during the hours the school bus is picking up and dropping off. Mr. Keep opined that the bus stop was considered with the retail component of the last entity. Mr. James will look to the Board for direction. Mr. Lowe suggested it be considered if the Board determines to enter negotiation toward a Host Community Agreement. Mr. Czekanski inquired on the electrical infrastructure.

The Board will take public comment after the community outreach meeting scheduled for Monday September 27th at Florence Sawyer School Auditorium beginning at 7pm.

On a motion made by Czekanski and seconded by Keep the Board voted unanimously by roll call vote to enter into negotiations with Good Leaf on a Host Community Agreement and to authorize the Town Administrator and Town Counsel to negotiate on the Town's behalf. (Czekanski-yes, Keep-yes, Wysocki-yes)

On a motion made by Czekanski and seconded by Keep the Board voted unanimously by roll call vote to adjourn at 8:41pm. (Czekanski-yes, Keep-yes, Wysocki-yes)

Respectfully submitted by Jenny Jacobsen.