



Board of Selectmen Minutes 11-03-16

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Board of Selectmen
November 3, 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.

TAX CLASSIFICATION HEARING

Pursuant to Massachusetts General Laws, Chapter 40, Section 56, the Board of Selectmen held a public hearing regarding the property tax classification to discuss the option of a single or split tax rate for fiscal year 2017. Jeff Nichols, Susan Mason and Charlotte Johnson-Zembko, Board of Assessors, and David Manzello, Regional Tax Assessor were present for the hearing and recommended that the Board of Selectmen approve a single tax rate classification for residential and commercial property.

On a motion made by Wysocki and seconded by Frain, the Board of Selectmen voted to approve a single tax rate in the Town of Bolton. (Wysocki – yes, Frain – yes, Keep – yes) The Board of Selectmen executed the LA-5 documentation to be forwarded to the DOR.

POLE HEARING

al Grid to install 1 Solely Owned (SO) pole beginning at a point approximately 1200 feet Southwest of the centerline of the intersection of Main Street (Route 117). Mr. Rich Nawleski representative of National Grid attended the meeting. The installation of this pole will be to feed the 2nd phase of the Syncarpha solar project on Still River Road behind Bolton Orchards. On a motion made by Keep and seconded by Frain, the Board of Selectmen voted to approve the petition. (Wysocki – yes, Frain – yes, Keep – yes)

DISCUSSION AND POSSIBLE VOTE ON TOWN ADMINISTRATOR CONTRACT

Chairman Wysocki reported that the discussion regarding the renewal of Mr. Lowe's contract has been continued to the next meeting so that the Board of Selectmen can review additional information. Therefore, the Board of Selectmen hasn't taken any vote on Mr. Lowe's contract.

Several residents present at the meeting expressed their support for Mr. Lowe and the time it was taking to come to an agreement on Mr. Lowe's contract and felt it was disrespectful.

Elizabeth Calcagni, of Old Bay Road asked what the issues were with Mr. Lowe's contract and in the spirit of transparency felt the townspeople would appreciate understanding what the criteria is being used to judge Mr. Lowe's performance.

The Board of Selectmen have received several letters of support for Mr. Lowe include a letter from Mr. Troup that he asked be shared. He stated that Mr. Lowe has been a good fit for Bolton and feared that the delay could potentially make vacancies in towns such as Lancaster more attractive.

Mr. Wysocki stated that the details of the executive session couldn't be discussed at this time, but that there was certain information being requested for review and that the process would continue. Minutes of the meetings will be available after the Board of Selectmen vote to approve and release the minutes.

Mr. Dinjian of Wattaquodock Hill Road and Mr. Czekanski of Nourse Road agreed that if this was a priority, the Board of Selectmen should have a longer executive session at Town Hall where the documents can be obtained so that they can get it done.

Mr. David Calcagni of Old Bay Road stated his personal observation is that there is a trend being taken to second guess and micromanage the Town Administrator, Police Chief and Public Works Director which shows a complete lack of trust when these departments have the support of the town and do a great job.

Mr. Wysocki stated that the details of the executive session couldn't be discussed at this time, but that there was certain information being requested for review and they would then be in a position to vote on a contract.

Mr. Storey of Spectacle Hill Road has been involved in town government for 21 years and has worked with Mr. Lowe for many years. The Town has been blessed with having a period of stability with a very confident Town Administrator and if the Town lets this very competitive Town Administrator leave we will be at a loss and the Town will have a very difficult time filling the position.

GOBBLER RUN 5K/WALK – NOVEMBER 24, 2016

Eli Lemieux and Nicky Streeter requested approval for the 10th annual Stow Gobbler run 5K on Thursday, November 24, 2016 which raises money for Habitat for Humanity and the Stow Community Chest. They are fully insured. A small portion of the run will cross over Route 117 in Bolton. Police Chief Nelson approved this event and has requested a 4-hour detail officer. On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to approve the event. (Wysocki – yes, Frain – yes, Keep – yes)

REQUEST FOR ONE-DAY LIQUOR LICENSE AND ONE-DAY BINGO LICENSE

Terry Abdalian, Brian Boyle and Bruce Slater met with the Board of Selectmen to request approval for a one-day liquor license and one-day bingo license for a Drag Bingo fundraiser at the Davis Hall at the First Parish Church of Bolton on Saturday, December 3, 2016. Slater's will be serving the wine and beer. On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to approve the above-mentioned licenses. (Wysocki – yes, Frain –yes, Keep – yes)

REQUEST FOR ONE-DAY LIQUOR LICENSE

Ms. Jill Parcell met with the Board of Selectmen to request approval for a one-day liquor license for a business networking event at the Clinton Savings Bank on November 16, 2016. On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to approve the above-mentioned license. (Wysocki – yes, Frain –yes, Keep – yes)

UPDATE ON THE TOWN COMMON

Ms. Meg O'Leary, Mr. Robert Roemer and Dan Gaffney met with the Board of Selectmen to update them on the town common and present a draft proposal for a public/private partnership.

The proposal includes the Town of Bolton purchasing the Common for \$270,000. Ms. O'Leary stated that the fundraising would continue and the price would be reduced with any funds received. Ownership by the Town would make the Common eligible for more State and Federal Grants not available to the Trust. The responsibilities would be shared with the Town being responsible for the grass and snow plowing and road maintenance estimated at \$11,000 and the Trust would be responsibility for landscaping, structural maintenance, beautification remediation closure and monitoring and event management and scheduling.

Mr. Storey of Spectacle Hill Road commended the Conservation Trust for what they have done. He stated the previous opportunities to purchase the property didn't get approved largely on the fear of contamination and with the site cleaned up it would be a great asset to the Town that he looks forward to voting on.

The Trust would like to place an article on the Annual Town Meeting warrant in May 2017 and will be meeting with the Advisory Committee and Capital Planning Committee to discuss the proposed public/private partnership.

CREATION OF A LOCAL SEWER DISTRICT

Mr. Erik Neyland, Chairman of the Economic Development Committee (EDC) met with the Board of Selectmen to discuss re-opening the Public Sewer District and initiating a study group to continue the effort of a Public Sewer District. The EDC became interested in this while looking to fill vacate business space around the Town Common including 713 Main Street and the Cracker Barrel. Septic systems issues and no public water supply put limitations on the types of businesses.

The EDC would like to look at Main Street from Harvard Road to 601 Main Street just before the Bolton Manor as the proposed sewer district.

Mr. Neyland stated that the wastewater treatment plant is designed to a maximum of 38,000 gallons per day and data shows it is currently using 14,000 gallons per day and therefore the system is underutilized. Based on the data collected by the EDC it is possible that the wastewater treatment plant could accommodate the proposed public sewer district.

Mr. Keep stated that the wastewater treatment plant is functioning way below the capacity and we are paying the full amount for the capacity, so it is worth taking a look at it.

Ms. Panny Gerken stated that a proposed sewer district would eliminate any opportunity for the Florence Sawyer School to expand on the same property. Mr. Neyland stated that the system could be expanded if necessary although Mr. Czekanski said the surrounding wetlands wouldn't allow for an expansion.

Mr. Mark Sprague, member of the Wastewater Treatment Plant Committee was in favor of the study group but stated that actual flow numbers should be revisited. Mr. Christopher Slade, Chairman of the Board of Health offered the Board of Health records for review and is happy to help with the study group. Ms. Megan O'Leary applauded the initiative. The Board of Selectmen will discuss the structure and vote to establish Water Resource Subcommittee at their next meeting.

Update on Minuteman: Belmont voted to withdraw from the Minuteman District and it is in the best interest of the remaining district towns to allow them to do so. Therefore, if there is no vote to oppose the withdrawal it is the same as approving it.

Update on Town Hall Portico: As authorized by the Board of Selectmen, Mr. Lowe hired a structural engineer to assess the portico at the town hall. The cost of the assessment was \$3,450. Mr. Lowe and Mr. Brown, DPW Director met with Mr. Kanoya Lala to look at the structure. Although the report wasn't available for this evenings meeting, Mr. Lowe stated that Mr. Lala has concluded that the portico needs to be replaced and can't be repairs. Mr. Lowe anticipated the project getting underway as soon as winter breaks. The Historical Commission and Design Review Board would be involved with the project.

Status of 2nd Sergeant: At a previous meeting the Board of Selectmen voted not to approve the promotion of a Police Officer to the Sergeant position but didn't discuss the status of the unfilled second Sergeant position. Although it was up to the Board of Selectmen as to how they would like to proceed, Police Chief Nelson recommended the second Sergeant position be filled. A lot of administrative work can be done by the second Sergeant that is currently being done by the Lieutenant and first Sergeant who are no getting out to patrol the town. At this point the department is lacking Supervision on the evening shifts.

Police Chief Nelson stated that to make the 4 and 2 schedule works he needs 9 officers, 2 Sergeants and the Special Resource Officer.

Police Chief Nelson provided the Board of Selectmen with a chart showing the positions and vacancies along with a schedule to explain the 4 and 2 schedule. He stated that if he had 9 officers there would be no overtime. Without a second Sergeant a patrol officer is deemed the officer-in-charge and is eligible for extra pay.

Mr. Sean Collins, Fry Road works with a similar Police Department and stated that it is important to have a Sergeant on each shift who is also available for any complaints.

Mr. Shnitzler, Meadow Road stated that the Town Meeting approved the Police Department budget which included all the officers and 2 Sergeants and it is unclear to him how the Board of Selectmen can override the decision of Town Meeting.

On a motion made by Wysocki and seconded by Frain, the Board of Selectmen voted to retain the existing structure of the Police Department that included 2 Sergeants and Police Nelson will come back to the Board of Selectmen with his recommendation to fill the 2nd Sergeant position.

(Wysocki – yes, Frain – yes, Keep – yes)

Appointment: On a motion made by Keep and seconded by Frain, the Board of Selectmen voted to appoint Dan L'Ecuyer to the Economic Development Committee. (Wysocki – yes, Frain – yes, Keep – yes)

Adoption of the Energy Reduction Plan and Fuel Efficient Vehicle Policy for Green Community Designation: (Board of Selectmen member Thomas Frain had to leave the Selectmen's meeting but indicated his support for the adoption of the above mentioned Plan and Policy for the Green Community Designation)

Erica Uriarte, Town Planner, Laura Kischitz, Energy Committee member and Ani Krishnan, representative of Metropolitan Area Planning Council (MAPC) met with the Board of Selectmen to request the adoption of the Energy Reduction Plan and Fuel Efficient Vehicle Policy for Green Community Designation. This is the first version of the plan as it only includes recommendations for the Bolton municipal buildings and doesn't yet include the recommendations of the schools. Given the timing of the Selectmen's meeting and deadline of November 21, 2016 for applying for the Green Community Designation the recommendation is to adopt Version 1 of the Plan and Policy that can then be updated when the recommendations from the school are received. Mr. Lowe complimented everyone on the incredible amount of work done in drafting the Energy Reduction Plan. Mr. Krishnan stated that there aren't any other hidden costs and no out of pocket expenses to the town. Mr. Kirchner stated that the fuel efficiency policy will put an end to hand me down vehicles that will have to be purchased new.

On a motion made by Keep and seconded by Wysocki, the Board of Selectmen voted to adopt the Energy Reduction Plan and Fuel Efficient Vehicle Policy for Green Community Designation. (Wysocki – yes, Keep – yes)

Review of the Special Town Meeting Warrant: The Board of Selectmen reviewed the Special Town Meeting warrant articles as follows:

Article 1: Purchase of New Boiler at Emerson School: This will allow the town to reimburse the school district in the amount of \$37,500 for a boiler at Emerson. Mr. Wysocki suggested that the summary clarifies that the boiler has already been replaced and paid for by the Nashoba Regional School District and this appropriation is to reimburse the NRSD for the expense.

Article 2: Repair of the Wastewater Treatment Facility: This will allow the town to pay for the replacement of 6 pumps in the wastewater treatment plant facility. We are currently in a state of non-compliance.

Article 3: Unemployment Settlement: This will allow the town to pay the unemployment that the town owes the Department of Revenue.

Article 4: Retroactive Pay – Police Contract – FY15: This will allow the town to meet the contractual obligations for FY15 for the negotiated police union contract by using remaining funds in an old article and appropriation \$5,274.39 for a total of \$11,986.60.

On a motion made Keep and seconded by Wysocki, the Board of Selectmen voted to call the Special Town meeting for December 12, 2016 at 7:00 p.m. (Wysocki – yes, Keep – yes)

The agenda items to schedule the Board of Selectmen's meetings for January – May, 2017 and minutes were deferred to the next meeting.

On a motion made by Keep and seconded by Wysocki, the Board of Selectmen voted to adjourn at 9:45 p.m.

Respectfully submitted by Linda L. Day

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