

Search


## Board of Selectmen Minutes 09-22-16

[Printer-Friendly Version](#)

[Home](#)  
[About Bolton](#)  
[Americans With Disabilities Act](#)  
[Bids and Proposals](#)  
[Bolton GIS Maps](#)  
[Bylaws & Regulations](#)  
[Contacts Directory](#)  
[Emergency Management](#)  
[Forms](#)  
[Job Opportunities](#)  
[Online Payments](#)  
[Online Permits](#)  
[Public Documents](#)  
[Subscribe to News](#)  
[Trail Maps](#)  
[TV Schedule](#)  
[Contact Us](#)

Board of Selectmen  
 September 22, 2016  
 Houghton Building

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 6:30 p.m.

### EXECUTION SESSION

On a motion made by Wysocki and seconded by Frain, the Board of Selectmen voted 3-0 by roll call (Wysocki – yes, Frain – yes, Keep -yes) to enter into executive session at 6:30 p.m. pursuant to MGL c. 30A, Section 21 (a) to discuss strategy with respect to contract negotiations with non-union personnel. The Board announced it would reconvene to open session.

### DISCUSSION AND POSSIBLE VOTE ON TOWN ADMINISTRATOR CONTRACT

Chairman Wysocki reported that the executive session held this evening pursuant to MGL c. 30A, Section 21 (a) to discuss strategy with respect to contract negotiations with non-union personnel is being continued to the next Board of Selectmen's meeting on October 6, 2016 at 6:30 p.m.

### ALS BIKE RIDE FUNDRAISER

On a motion made by Keep and seconded by Frain, the Board of Selectmen voted to approve the request of Myke Farricker for the 2016 ALS Positive Spin bike ride to travel through Bolton on Sunday, September 25, 2016. Chief Alfano has approved this request. (Wysocki – yes, Frain – yes, Keep – yes)

### SIGN REQUESTS – TOWN COMMON

Mr. Roemer requested permission to install a permanent sign for the Common on the left hand side driveway announcing the Town Common and serve as a location for notices and announcements.

Also requested was a temporary sign announcing the Menorah Light Celebration on December 10, 2016 from 6:00 to 7:30 pm. The celebration will include a bonfire, DJ and secret Santa. The event will be coordinated with the Police Chief and Fire Chief. On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to approve both requests. (Wysocki – yes, Frain – yes, Keep – yes)

### RECOMMENDATION AND VOTE ON OPEN SERGEANT POSITION

Mr. Wysocki stated that at the last Board of Selectmen meeting Police Chief Nelson informed the Board of Selectmen he would be coming back to a Selectmen's meeting to backfill the Sergeant position vacated by Luke Hamburger who was appointed Lieutenant.

Police Chief Nelson stated that upon completing the selection process Police Officer Jonathan Couture scored the highest overall and recommended that he be appointed as Sergeant.

Mr. Wysocki was supportive of the recommendation to appoint Officer Jonathan Couture to the Sergeant position.

Mr. Keep stated that he felt Police Chief Nelson was moving too quickly to fill the vacate position and would like to take pause to consider options. He stated that Chief Nelson has done a great job looking at overtime and training and this would be a good juncture to find a way to reduce costs. Mr. Keep suggested that Police Chief Nelson meet with Mr. Lowe to look making adjustments to personnel, scheduling and equipment to save money. Police Chief Nelson objected stating that to reduce the budget he would have to reduce officers on the street which meant putting one officer on the midnight shift which is not a safety practice.

Mr. Frain stated that he wouldn't support the appointment of Police Officer Couture to the Sergeant position stating that shortly after he was elected he had two bad experiences with Police Officer Couture that made Mr. Frain very uncomfortable.

Police Chief Nelson stated that Mr. Frain's brief encounters with Police Officer Couture is not how Police Officer Couture operates and is skilled, experienced and competent to do the job.

Mr. Keep reiterated his issues and would not support the recommendation to appoint Police Officer Couture to Sergeant at this time until Police Chief Nelson looked at the scheduling and personnel to reduce the budget. Mr. Wysocki cautioned Mr. Keep that he can't direct a town department head to do anything and reminded him that this was discussed last week.

On a motion made by Keep and seconded by Frain, the Board of Selectmen voted not to promote Police Officer Couture to the Sergeant position at this time. (Wysocki – no, Frain – yes, Keep – yes)

Mr. Wysocki was not pleased to hear that Mr. Keep would like to see the police department go down to zero which he didn't feel was good practice and he didn't feel that Mr. Frain's issues were justified. As a Selectmen looking at what best for the town this is really a travesty and is embarrassed to be associated with his colleagues. Mr. Wysocki apologized to Police Chief Nelson and Police Officer Couture.

### STATUS OF PERSON'S PARK

Ms. Martha Remington stated that it has been a busy year since the Friends of Persons Park, Inc. last met with the Board of Selectmen in July 2015. She informed the Board of Selectmen that the Friends of Persons Park are now a 501c (3) and are ready to apply for some grants in hopes of renovating the cottage to make it a useful place for meetings or groups to use. Members of the Friends of the Persons Park, Inc. include Martha Remington, Rona Balco, Kenyon Keily, Tim Fiehler, Peter Kaufman, Ann Forbes and Eleanor Sargent, as honorary member.

Ms. Remington met with the Board of Selectmen to inform them of the damage done to the stone chimney by youths that scaled the chimney in an attempt to enter the second floor. She has obtained an estimate from an insured mason to fix the chimney and requested approval from the Board of Selectmen to go ahead with the repair of the chimney. She stated this by no means indicates that the entire structure will be preserved but feels it is important to repair the chimney for safety reasons.

Mr. Wysocki reminded Ms. Remington that at the last meeting the Friends of the Persons Park the discussion was for them to come up with a plan for the use of the cottage by a group or groups and to do some fundraising to maintain the cottage. Mr. Wysocki appreciated the efforts to preserve the cottage but is concerned that donations will be used to preserve the cottage and it will then need to be taken down in the end.

On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to allow the Friends of Persons Park, Inc. to make the repairs to the chimney and that the contractor be licensed and insured and that the town be named on the certificate of insurance. (Wysocki – abstained, Frain – yes, Keep – yes)

#### TOWN ADMINISTRATOR REPORT

**Update on Minuteman:** Mr. Lowe reported that the Minuteman Building project passed on the district-wide ballot with 70% in favor and 30% opposed with the only Town in opposition being Belmont. Mr. Lowe will be attended a Building Committee meeting on Monday, September 26, 2016.

**Department of Transportation:** Mr. Lowe has scheduled a meeting for Tuesday, October 4, 2016 at the Nashoba Regional High School at 3:00 p.m. and will report on the meeting at the Tri-Town Meeting on Wednesday, October 5, 2016. He has requested representation from Lancaster and Stow, the Public Ways Safety Committee, Harold Brown, DPW Director, Burt Shnitzler, a representative of the Route 117 Study Committee and a member of the Board of Selectmen to be decided.

**Camp Virginia:** Mr. Lowe followed up with Ashley Davies and the Girl Scouts would like to a decision made by December 31, 2016 as to whether the Town is interested in the purchase of Camp Virginia. Although Ms. Davies thought the Girl Scouts would be amendable to \$800,000 the Girl Scouts are firm on \$975,000. If the Town were to move forward with the purchase, the article would have to be written to appropriate the entire amount of \$975,000 just in case the town doesn't receive a grant and/or donations.

The suggestion to form a Subcommittee to help prepare the Board of Selectmen to justify the purchase at Town Meeting was discussed. The open space plan effort would need to start immediately.

At the next meeting the Board of Selectmen will be discussing the necessity for a Special Town Meeting for the work that needs to be done at Emerson School relative to the boilers and the wastewater treatment plant with Superintendent Clenchy.

**Application for the Small Town Rural Assistance Program (STRAP) Grant for the Route 110/117 intersection:** Mr. Harold Brown, DPW Director and Assistant Leslie Caisse met with the Board of Selectmen to request approval of the application for the above-mentioned grant for improvements to the Route 110/117 intersection.

The Public Ways Safety Committee voted to support the improvement project.

The grant application is for a \$1,092,000 and the town's portion would be approximately 50% of the Chapter 90 monies which would be approximately \$150,000 based on receiving \$300,000.

Mr. Brown presented a colored plan that showed the boundaries of the work area. The proposed improvements include new traffic signals, lane configuration, roadway widening to include 5- foot shoulders for safer bicyclists. New 5-foot sidewalks and wheelchair ramps will also be included.

Every three years the town can apply for a grant as long as the population is under 7,000.

On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to approve the application and authorize Mr. Wysocki to execute the application for the STRAP grant for the Route 110/117 intersection project. (Wysocki – yes, Frain – yes, Keep – yes)

#### BOARD OF SELECTMEN BUSINESS

**Creation of Town Senior Oil Assistance Program:** Ms. Terry Abdalian, Chairman of the Friends of the Bolton Seniors (FOBS) and Ms. Lisa D'Eon, Bolton's Outreach Worker met with the Board of Selectmen to discuss the creation of a Town Senior Oil Assistance Program and fund to be administered by the Town.

The FOBS started this program back in 2008 and over the course of the years have been able to help an average of 15 seniors in town. Ms. Abdalian stated that she is moving out of town and would like to see the program to continue. She proposed transferring the review of the application to Ms. D'Eon and Mr. Lowe followed by submitting the paperwork to the accountant for payment and notification to the oil company for delivery of oil. FOBS will create a criteria for eligibility (that will mirror the federal requirements) and an application and process for applying for assistance through the town hall where a small team would review the application and once approved submit for payment. Ms. Abdalian will transfer over a check in the amount of \$7,000 to carry program through the first year.

Both Mr. Lowe and Ms. D'Eon were happy to help with the program and the Council on Aging members have offered to help as well.

On a motion made by Keep and seconded by Frain, the Board of Selectmen voted to approve the Senior Oil Assistance Program. (Wysocki – yes, Frain – yes, Keep – yes) Mr. Lowe applauded Ms. D'Eon for her a job well done as Bolton's Outreach Worker.

**Appointment:** On a motion made by Frain and seconded by Keep, the Board of Selectmen voted to appoint Gwen Cook and Rick Bernier to the Economic Development Committee. (Wysocki – yes, Frain – yes, Keep – yes)

**Proposed Policy and Procedures for Expenditures from the Bolton Ambulance Gift Account:** Ms. Margy Diaz, Ambulance Director met with the Board of Selectmen to continue the discussion regarding the proposed above-mentioned policy.

Mr. Frain recommended didn't think the Town should be managing a charity and recommended that the Ambulance Squad apply for a 501(c)(3) which is a tax-exempt nonprofit organization approved by the Attorney General's Office.

Ms. Diaz provided the Board of Selectmen with an email dated August 2005 that explained the procedure regarding the donation account. Ms. Diaz stated that checks received are made out to the Bolton Volunteer Ambulance Squad and are accompanied by a note with a specific intent for the donation but more often than not there isn't a specific request for the donation. If a specific intent is noted the Department honors the intent and Ms. Diaz has always been careful not to use donation money for operations expenses.

Mr. Wysocki found the recommendation of Mr. Frain to be a bit contradictory when the Board of Selectmen just approved a similar account for the Friends of the Bolton Seniors and there wasn't any mention of them forming 501(c)(3) organization.

Mr. Keep was open to eliminating the 2<sup>nd</sup> to the last sentence at the end of the paragraph titled "Statement of Policy" which reads "Under no circumstances are the funds to be used for entertainment purposes". If approved this evening the effective date will be revised to September 22, 2016.

On a motion made by Frain and seconded by Wysocki, the Board of Selectmen voted to adopt the Policy and Procedures for Expenditures from the Bolton Ambulance Gift Account as amended this evening. (Wysocki – no, Frain – yes, Keep – yes)

**Location of Future Board of Selectmen's Meetings:** Mr. Frain and Mr. Keep both found the Lois J. Alex meeting room at the Houghton Building to be more comfortable and suggested the Board of Selectmen meet there on a regular basis.

Mr. Wysocki didn't see the need to move the meetings to the Houghton Building but wasn't opposed to meeting in the Lois J. Alex meeting room at the Houghton building when a large attendance was anticipated. He was also mindful of the burden being put on Mr. Lowe and Ms. Day.

On a motion made by Keep and seconded by Frain, the Board of Selectmen voted to use the Lois J. Alex Meeting Room at the Houghton Building for the Board of Selectmen's meetings for the foreseeable future. (Wysocki – no, 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 8:48 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

Bolton Town Hall, 663 Main St., Bolton, MA 01740 Ph: (978) 779-2297 Fax: (978) 779-5461  
Hours: M, W, Th - 9:00am to 2:30pm, Tues - 9:00am to 4:00pm and 6:00pm to 8:00pm, Closed Fri-Sun