

Board of Selectmen  
March 26, 2020  
Zoom Virtual Meeting

Approved via Zoom  
on 4/16/20  
by  
Stanley Wysocki (by Zoom) SW  
Robert Czekanski (by Zoom) RC  
Jonathan Keep (by Zoom) JK  
Don Lowe, Town Administrator (by Zoom)  
Jenny Jacobsen, Town Secretary (by Zoom)

Mr. Wysocki called the meeting to order at 6:30 p.m.

**On a motion made by Czekanski and seconded by Keep the Board voted by roll call 3-0 to enter into executive session at 6:30 pm in accordance with M.G.L. c. 30A, Section 21 (a), Purpose 6, to consider the purchase, exchange, lease or value of real property, the Taggart land off of Forbush Mill Road, if an open meeting may have a detrimental effect on the negotiation position of the Board and the chair so declares. Board will return to open session. (Czekanski-yes, Keep-yes, Wysocki-yes)**

Board returned to open session at 7:00 p.m.

#### ESTABLISH NORMS FOR REMOTE ACCESS PARTICIPATION

Board reviewed a document entitled Board of Selectmen Public Meeting Remote Participation Guidelines dated March 2020.

**On a motion made by Czekanski and seconded by Keep the Board voted 3-0 by roll call pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. Section 18 and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place to adopt the guidelines as written. (Czekanski-yes, Keep-yes, Wysocki-yes)**

#### BICYCLES BATTLING CANCER RIDE

Mark Walter with the American Cancer Society was in attendance by Zoom and requested approval for the Annual Bikers Battling Cancer Bike Ride on June 14<sup>th</sup>, 2020. They are aware that times are tough and that it may not be feasible as they approach the race date but wanted to pursue the necessary approvals.

**On a motion made by Keep and seconded by Czekanski the Board voted 3-0 by roll call to approve the American Cancer Society ride for June 14, 2020. (Czekanski-yes, Keep-yes, Wysocki-yes)**

#### TAGGART ARTICLE

The Board waited as the Advisory Committee established a quorum. Chairman, Brian Boyle, Ann Hurd, Joe Myerson and Craig Lauer were in attendance by Zoom remote participation.

Brian Boyle requested any information related to that Article be shared with the Advisory Committee, specifically the amount of the request. Mr. Lowe confirmed that the Article is written for 650K and can be considered a not to exceed amount. Mrs. Taggart's appraisal came in at 1.3 million dollars and she has suggested she would sell the land for half of that appraised value. As we negotiate that may change. Mr. Boyle also requested information regarding the intended uses. Mr. Lowe explained that it would be to preserve most of it but if there was a way to carve out space for a municipal purpose that is the most desirable outcome to the Board of Selectmen.

Ms. Hurd agreed with Don that we'd like to maintain flexibility, noting that the land itself is quite outstanding. Mr. Myerson agreed that the Town could use some land for a municipal purpose but questioned how it would conflict with the Conservation Commission's purpose.

Ms. Longvall representing the Conservation Commission noted that the property owner would like the land to go to Town use in honor of her father and his goals. Ms. Longvall also pointed out that the access to the land is the largest hurdle with the slope and the resource areas, both factors have deterred the land from being developed thus far. If the Town were to develop the parcel that would be a challenge for the Town to overcome.

Mr. Lowe confirmed that this capital request is at the bottom in the ranking. Mr. Boyle opined that he'd prefer more time to research and allow Boards and Committees to research and vet the possible uses. Ms. Longvall would investigate the seller's view on delaying the sale of the land until next year. Ms. Longvall reviewed the grants that could be pursued for the benefit of the Advisory Committee. Mr. Czekanski highlighted that all of the grants are reimbursement grants which means that the Town would need to come up with the money and hope that we will get the money back in reimbursements. Mr. Wysocki also noted that we may not be as competitive with the grants in the current economic climate with the uncertainty of the Coronavirus. Mr. Wysocki also commented a lack of faith in the Sudbury Valley Trust. Mr. Boyle made a motion to disapprove Article 23. There was no second.

**On a motion made by Lauer and seconded by Myerson, the Advisory Committee voted by roll call 3-1 to approve Article 23 for the purchase of the Taggart property. (Boyle-no, Hurd-yes, Lauer-yes, Myerson-yes)**

Mr. Boyle requested the Advisory Committee to stay on the meeting.

**On a motion made by Keep and seconded by Czekanski, the Board of Selectmen voted by roll call 2-1 to approve Article 23 for the purchase of the Taggart property. (Czekanski-yes, Keep-yes, Wysocki-no)**

#### TOWN ADMINISTRATOR REPORT

MassWorks update-The project has been placed on hold due to the state of emergency and the stay at home advisory for an estimated time period of 4-5 weeks. Mr. Keep pointed out that the work is exempt. Mr. Lowe agreed stating that we could go forward with it if the Town chose to but we are erring on the side of caution for the safety of workers and residents.

COVID-19 update- A Bolton resident has tested positive. Mr. Lowe reviewed the protocols to be followed by the Nashoba Associated Boards of Health and recommendations for prevention. It is anticipated that this number will go up.

Mr. Lowe reviewed the actions taken by the Council on Aging to assist our senior community during this crisis. Information can be found on our website [www.townofbolton.com](http://www.townofbolton.com).

Mr. Lowe shared information from Verizon on actions they are taking to assist the public. Verizon is waiving overage charges and late charges to support customers, they are adding 15 gigabytes of highspeed data for wireless consumers and small business customers, they are providing discount internet option for low income customers, waiving 2 months charges for current lifetime customers.

Mr. Lowe reviewed the DPW cleaning protocol for Town Buildings. Town Buildings are staffed every day to keep the Town running as well as we can. Mr. Lowe stated that we are aware that you are counting on us to provide continuity of services and noted we in turn are counting on you to understand that we are doing the very best we can. We thank you for your understanding as we work through this. We are in this together.

COVID-19 Personnel Policy-Board reviewed the COVID-19 Personnel Policy which was crafted in partnership with HR director, Kristen Noel. Mr. Lowe asked the Board to codify the policy with a vote.

**Mr. Czekanski made a motion to accept the COVID-19 Personnel policy as put forth by the Town Administrator. Keep seconded. Board voted by roll call 3-0. (Czekanski-yes, Keep-yes, Wysocki-yes)**

Discussion and Possible vote to designate Town Administrator to sign bills and payroll warrants.

After discussion with Town Counsel, this would not comport with the law. As the Chairman has been designated as the individual signer an email approval will suffice.

**Czekanski moved to authorize Stan Wysocki to sign warrants and to pay bills by email. Keep seconded. The Board voted 3-0 by roll call. (Czekanski-yes, Keep-yes, Wysocki-yes)**

Public Service Announcements

Mr. Czekanski announced that the Devens Hazardous Waste will be closed in the month of April due to the Coronavirus. The next dates they will be open are May 6<sup>th</sup> and 9<sup>th</sup>.

Electronic Signatures

There are some forms including grant applications that can be executed via electronic signature. Taking a belt and suspenders approach Mr. Lowe asked that the Board vote to designate the Town Administrator or the Chairman of the Board be authorized to utilize electronic signatures.

**On a motion made by Czekanski and seconded by Keep the Board voted by roll call 3-0 to designate the Town Administrator with the Chairman of the Board as a back up as authorized signatories for electronic signatures. (Czekanski-yes, Keep-yes, Wysocki-yes)**

Annual Town Election and Annual Town Meeting

Mr. Lowe had a meeting with the Town Clerk, Town Accountant and Town Secretary on how to approach Town Elections and Town Meeting. No one believes that Town Meeting will happen on May 4<sup>th</sup>. The recommendation is to move it to Monday June 22<sup>nd</sup> with the election to follow on the 29<sup>th</sup>. Stow voted on Tuesday night to do the same. Lancaster has not taken a position yet.

**Pursuant to section 1 of chapter 45 of the Acts of 2020 and because of the state of emergency declared by the governor pursuant to executive order 591, Declaration of a State of Emergency to Respond to COVID-19, the municipal town meeting scheduled for May 4<sup>th</sup>, 2020 is hereby rescheduled to June 22<sup>nd</sup>, 2020. Motion passed by roll call 3-0.(Czekanski-yes, Keep-yes, Wysocki-yes)**

**Pursuant to section 1 of chapter 45 of the Acts of 2020 and because of the state of emergency declared by the governor pursuant to executive order 591, Declaration of a State of Emergency to Respond to COVID-19, the municipal town election scheduled for May 9<sup>th</sup>, 2020 is hereby rescheduled to June 29<sup>nd</sup>, 2020. Motion passed by roll call, 3-0.(Czekanski-yes, Keep-yes, Wysocki-yes)**

Article 3-**On a motion made by Czekanski and seconded by Keep the Board voted by roll call 3-0 to recommend approval for Article 3 on the FY21 Annual Town Warrant. (Czekanski-yes, Keep-yes, Wysocki-yes)**

**On behalf of the Advisory Committee, Mr. Boyle made a motion to approve Article 3 for the sum of \$25,119,643.01. Myerson seconded. Motion passed by roll call, 4-0. (Hurd-yes, Lauer-yes, Myerson-yes, Boyle-yes)**

Article 22- Advisory voted in favor of what the language at the time had said. There was a small change by recommendation of John Petrin. It does not change the purpose of the article. There is no need for Advisory to revote the article. The warrant will reflect the 4-0 vote made by the Advisory Committee.

**On a motion made by Czekanski and seconded by Keep the Board voted by roll call, 3-0 to recommend approval for Article 22 on the FY21 Annual Town Warrant. (Czekanski-yes, Keep-yes, Wysocki-yes)**

Mr. Wysocki asked the minutes to reflect his vote in opposition to article 23 being on the warrant.

**Article 21- On a motion made by Czekanski and seconded by Keep the Board voted by roll call, 3-0 to reconsider Article 21 School district feasibility study. (Czekanski-yes, Keep-yes, Wysocki-yes)**

Mr. Czekanski wanted to reiterate that he'd like to have a feasibility study done, but he'd like the amount requested be reconsidered. Mr. Wysocki was in agreement and recommended that the designated liaison to the district communicate that we'd like to see this article changed on the Town Meeting floor to have a ceiling of 1.5 million dollars. Keep was interested in revising the article. With the delay in the Town Meeting there may be time to get this done.

**On a motion made by Wysocki and seconded by Czekanski, the Board voted by roll call, 3-0 to disapprove the article 21. (Czekanski-yes, Keep-yes, Wysocki-yes)**

**On a motion made by Wysocki and seconded by Czekanski, the Board voted by roll call, 3-0 to designate the Town Administrator to communicate to the district management that the preference of the Board be to keep a cap of 1.5 million dollars and communicate to the other town administrators as well. (Czekanski-yes, Keep-yes, Wysocki-yes)**

Mr. Czekanski asked the Advisory Committee if they wished to opine on the topic. Mr. Boyle did not wish to make a motion. He felt comfortable with the presentation made to the Advisory Committee and felt that the in good faith, the District would not over borrow. Ms. Hurd and Mr. Myerson voiced concern over the lack of supporting material to justify the number being requested.

**On a motion made by Hurd and seconded by Myerson the Advisory Committee voted by roll call 3-1 to reconsider article 21 (Hurd-yes, Lauer-yes, Myerson-yes, Boyle-no).**

**On a motion made by Hurd and seconded by Myerson the Advisory Committee voted by roll call 2-2 to disapprove article 21. (Hurd-yes, Lauer-no, Myerson-yes, Boyle-no).**

The warrant will reflect the Committee's neutral position.

The Board left the warrant open until April 16<sup>th</sup> in case there are any changes.

#### Declaration of a State of Emergency

**On a motion made by Wysocki and seconded by Keep the Board voted to declare a local state of emergency in the Town of Bolton per Governor Baker's COVID-19 order #13 by roll call 3-0. (Czekanski-yes, Keep-yes, Wysocki-yes)**

#### Remote Participation

**On a motion made by Wysocki and seconded by Keep the Board voted to authorize remote participation by roll call 3-0. (Czekanski-yes, Keep-yes, Wysocki-yes)**

Mr. Lowe recognized the efforts of C.M. Geeks, Nicky McGachey of Bolton Access Television and Jenny Jacobsen to get the remote participation up and running. The Board thanked all involved.

Bills/Payroll Warrants

**On a motion made by Keep and seconded by Czekanski the Board voted by roll call 3-0 to approve bills and payroll warrants W20 & W20-A. (Czekanski-yes, Keep-yes, Wysocki-yes)**

Minutes

**On a motion made by Keep and seconded by Czekanski the Board voted by roll call 3-0 to approve minutes of February 27, 2020. (Czekanski-yes, Keep-yes, Wysocki-yes)**

**Keep made a motion to adjourn at 8:30 pm. Czekanski seconded. Motion passed by roll call 3-0. (Czekanski-yes, Keep-yes, Wysocki-yes)**

Respectfully submitted by J. Jacobsen.