

Board of Selectmen
January 26, 2023
Via Zoom Remote Conferencing*

Stanley Wysocki
Robert Czekanski

Don Lowe, Town Administrator
Jenny Jacobsen, Town Secretary

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

SIGNS

626 Main Street-Robert DiBenedetto, owner of Main Street Dance Center appeared before the Board to seek approval for a 9'X2' sign for Main Street Dance Center located at 626 Main Street. He and Monique Dorian are the owners of the business. Board reviewed the sign and had no issues. The business will be moving in in February and plans to have classes beginning this summer. The website will be up and running shortly. The Board welcomed Mr. DiBenedetto to town.

On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call unanimously to approve the signs as requested. (Czekanski-yes, Wysocki-yes)

Town Common-Parks & Recreation Commission member Erica Mond was in attendance to request approval to place two temporary signs (18"X24", 18"X12") at the Town Common skating rink and sliding hill as well as a permanent 18"X24" sign for Nature's Play Area also at the Town Common. Board had no issues with the signs.

On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call unanimously to approve the signs as requested. (Czekanski-yes, Wysocki-yes)

HUMAN RESOURCES (HR) DIRECTOR UPDATE

Kristen Noel, Human Resources Director, appeared before the board to present the findings of the wage survey for non-union employees. Ms. Noel was tasked to conduct the survey by the Town Administrator due to the disturbing trends in the municipal world. There are a lot of open positions in surrounding communities. The survey included the towns of Stow, Harvard, Lancaster, Boylston and Boxboro and 25 positions. Ms. Noel's goal was retention of employees for cost savings, improved morale and employee engagement, and institutional knowledge. The last study was done in 2015. We want to strive for the midpoint to remain competitive. We were 5% below surrounding communities on average. Ms. Noel shared her recommendations and stressed that the adjustment should happen in FY23 so we don't start off behind. The FY23 adjustment would cost about \$88-\$90K and could be funding with ARPA. Ms. Noel noted that the FY24 numbers include a 3% COLA and scheduled step increases. Mr. Wysocki thanked Ms. Noel and agreed that the staff in Town are a dedicated and fabulous team and supported the recommendations 100%. Mr. Czekanski noted that we have gone through wage studies as part of all of the union contract negotiations that we have gone through. Mr. Lowe asked for an affirmative vote to accept Ms. Noel's recommendation retroactive to July 1st, 2022 and to approve the use of ARPA funds for the FY23 adjustment.

On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call unanimously to accept Ms. Noel's recommendation retroactive to July 1st, 2022 and to pay the current fiscal year out of ARPA funds. (Czekanski-yes, Wysocki-yes)

TOWN CLERK POSITION

Ms. Noel made a recommendation, with the full support of the Town Clerk, to change the position of Town Clerk from elected to appointed to ensure that we are able to get the most qualified and experienced person available from the largest pool of applicants possible. The position has become more specialized and there is an increased technical component. The Town wants the best opportunity to attract the best talent. The Town Clerk issues dog licenses, marriage licenses, business certificates, and conducts the annual census. She is the elections official and maintains the vital records of the town. She maintains several databases. Ms. Powell explained that the elections have changed tremendously. Ms. Powell explained that process for achieving this change is to have an article on the warrant to petition for a special act. Ms. Powell added that as an elected position the term is only for a single year and you can't learn it in a year. She has been lucky to have been unopposed.

Mr. Czekanski noted that with the changes it is time to professionalize the position. Ms. Noel added that this would put us in line with the communities that were part of the wage survey.

On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call unanimously to initiate the process of converting the position of Town Clerk from elected to appointed position and to authorize the Town Administrator to prepare an article for presentation to the Town at the May Town Meeting. (Czekanski-yes, Wysocki-yes)

DCAMM SURPLUS PROPERTIES

Project Manager Lisa Verrochi and Director of Real Estate, Stephen Andrews, appeared before the Board from DCAMM to discuss the potential acquisition of surplus properties in town. The 12-acre parcel of land off of Forbush adjacent to the soccer field and Presentation on potential acquisition of parcel off Forbush Mill and an 8.2-acres adjacent to the Taggart property. If the property is transferred at municipal use value it would be deed restricted for that use. Ms. Verrochi explained the process which would include a warrant article on the Town Meeting warrant to submit legislation to acquire the property. Mr. Andrews agreed to put together legislation. Mr. Lowe explained we would need that language by early to mid-March for the warrant which will close on March 30th.

Mr. Wysocki opined that the Town would need to know the cost of the land before voting at Town Meeting. Mr. Lowe explained that the article would only be to authorize the Town to pursue the acquisition, but it would not be binding. Mr. Czekanski was interested in separating the parcels understanding that the decommissioning of a dam could delay the acquisition. Mr. Andrews explained if both were included the Town would be under no obligation and could act on any portion that the Town deems necessary.

BABA & THE LEGACY KITCHEN LIQUOR LICENSE

The Board considered the application for Amendment to change the business corporate structure for Bolton Baba LLC to Baba & The Legacy Kitchen Inc. DBA Baba & The Legacy Kitchen for the Liquor License at 544 Wattaquadock Hill Road.

On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call unanimously to approve the application for amendment for Bolton Baba LLC to Baba & The Legacy Kitchen Inc. DBA Baba & The Legacy Kitchen for the Liquor License at 544 Wattaquadock Hill Road to be sent to the ABCC. (Czekanski-yes, Wysocki-yes)

NASHOBA REGIONAL SCHOOL DISTRICT BUDGET IMPACTS

At the invitation of the Chair, Brian Boyle, Chair of the Advisory Committee appeared before the Board to present the a slide presentation. The original intent was to present to the Select Board following an interactive discussion with the School Committee representatives on January 24th which was cancelled due to a power outage. Mr. Boyle presented on the revenue sources of the town and explained the restraints of proposition 2 ½ which sets the levy limit which is the maximum the Town can tax and showed the impact that an assessment increase has on the new revenue for the Town. The proposed 6.04% increase would result in in nearly 225K in Townwide budget cuts to support the school budget.

Mr. Wysocki thanked Mr. Boyle for the information and noted that from FY18 through now assuming the 6.04%, the school budget has increased by \$13M which is over 50% of our entire budget. Mr. Czekanski summarized that the increases in the school budget are stripping the town of services to support.

Mr. Lowe commented that the only position increases that have been added in the 15 years that he has been Town Administrator were a full time fire chief and a part time parks and recreation coordinator.

Mr. Boyle thanked the school committee representatives for their willingness to come in and have this discussion.

NASHOBA REGIONAL SCHOOL BUILDING COMMITTEE UPDATE

Superintendent Kirk Downing appeared before the Board with Amy Cohen to update the Board on the school building committee progress. Final estimates will be in by mid-May at which time a final recommendation will be made to the school committee at which time they will use MGL Chapter 71 provision 16D for how regional school committees incur debt. The School Committee will vote to incur the debt and notify the Chair of the Select Boards of the three member times. The town has 60 days to hold a town meeting to vote to approve the debt. Chapter 71

provision 16N is a regional provision that under a vote of the SC, the SC can conduct at their own cost a vote of the three towns in which it would person one vote in aggregate of the three towns. The SC will need to take up that decision in the summer. In August the MSBA will vote to approve the plan that will be submitted on June 21st. If all three towns voted in favor the project could begin. If one town opposed the committee could conduct the regional vote.

Mr. Downing informed the Board of a few bits of good news including the raising of the reimbursement rate from 3.60 to 3.93 from the MSBA. The percentage of grounds cost was increased from 8% to 10%.

Mr. Wysocki thanked Mr. Downing and asked for clarity on the potential reimbursable costs. Mr. Downing explained that it is not a straight percentage. Only the costs deemed reimbursable are considered.

Mr. Czekanski clarified that Construction Manager-at-Risk is well-tested and sound method of managing construction of school building projects. Ms. Cohen invited members of the community to like the social media pages on Facebook, Instagram and twitter as well as to visit the website to stay abreast of what is going on. Ms. Cohen invited the community to approach her with any questions that they have and she will bring the concerns to the committee.

TOWN ADMINISTRATOR REPORT

Derby Field Update-The team met again. A draft of the proposed grant has been sent to the team for review. Ms. Bucciaglia is gathering letters of support for the grant application. Mr. Heglin got an engineer to commit to a wetland delineation.

Capital Update- The school committee submitted their capital requests. Mr. Lowe is supportive of three of them including the second phase of the replacement of the carpet with tile, a fuel tank replacement and replacement of the Emerson Café sliding door.

Mr. Heglin submitted his 5-year plan. Two out of three of the vehicle requests would be eligible to be paid for out of Chapter 90. Mr. Lowe will have recommendations when he meets with advisory on February 21st.

The fire Chief is looking for the replacement of a fire apparatus. It would require a vote but no commitment of funds for FY24.

ARPA Update-Mr. Lowe reported that it looks like MIAA is able to pay for a portion of the work done to repair the bathroom at the public library which has freed up some funds to be reallocated. Also, Representative Hogan secured a 400K earmark in the economic development bill for culvert repair and the Sawyer Road culvert can be sliplined rather than replaced so it will be done for less money than previously planned.

SELECTMEN BUSINESS

Public Service Announcements -Mr. Wysocki asked the public to use the red barn for their returnable bottles and cans and reminded the public that we will be switching from stickers to bags to help with compliance and discourage out of town residents from using the transfer station.

Mr. Wysocki announced that he will be running in May for a 7th term on the Select Board.

Vacant Seat on Board- The Board discussed how to approach the vacant seat on the Board following the resignation of Emily Winner.

On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call unanimously to fill the vacant position on the Select Board at the election in May. (Czekanski-yes, Wysocki-yes)

Future Agenda Items Discussion

Mr. Wysocki asked to have Mr. Heglin in for an update on the conversion from stickers to bag and to consider a window sticker as a further indicator that a visitor is a resident of the Town. Mr. Czekanski noted that a discussion over the price of the bags should happen at that time as well.

Eagle Scout Commendation

Mr. Wysocki read a commendation letter to Mark Kimball on the work he completed to create benches for a vista at Little Pond.

On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call unanimously to sign the commendation letter to Mr. Kimball. (Czekanski-yes, Wysocki-yes)

Bills/Payroll Warrant

On a motion made by Wysocki and seconded by Czekanski the Select Board voted by roll call 2-0 to approve the bills/payroll warrant 23-15 and 23-15. (Czekanski-yes, Wysocki-yes)

Minutes

On a motion made by Keep and seconded by Czekanski the Select Board voted by roll call 2-0 to approve the minutes of December 15th, 2022 regular session. (Czekanski-yes, Wysocki-yes)

Executive Session

On a motion made by Czekanski and seconded by Wysocki the Select Board voted by roll call 2-0 to enter executive Session at 8:40 pm, pursuant to MGL c. 30A, §21(a)3 to discuss strategy with respect to collective bargaining with The Teamster's Union, Local 170 if an open meeting may have a detrimental effect on the bargaining or litigating position of the Board of Selectmen and the chair so declares and approve minutes. (Czekanski-yes, Wysocki-yes)

Mr. Wysocki announced that the Board will return to open session for the purpose of adjournment only.

The Board returned from executive session at 9:12 pm.

On a motion made by Czekanski and seconded by Wysocki the Select Board voted by roll call 2-0 to adjourn at 9:12pm. (Czekanski-yes, Wysocki-yes)

Respectfully submitted by J. Jacobsen.