

Town Clerk Meeting Minutes
Oct. 16, 2021

Semi-Annual Town Meeting

Article 1 Section 3 of the Town of West Boylston's General Bylaws requires that "One Hundred (100) legal voters, including the presiding officer and the clerk, constitutes a quorum.

Elaine S. Novia, Town Clerk, informed Moderator Jonathan Meindersma that 100 registered voters were not in attendance and that the quorum requirement as set out in the General Bylaws has not been met. Moderator asked Town Meeting floor to call other family members and friends to come to the meeting. After waiting until 11 a.m. for additional bodies the meeting was dissolved due to lack of quorum.

Town Meeting was set to an Adjourned Session for Oct. 23, 2021 to be held at the West Boylston Middle/High School Baseball Field.

Attest,

Elaine S. Novia
Town Clerk

Town Clerk Meeting Minutes
Oct. 23, 2021

Adjourned Session
Semi-Annual Town Meeting

Article 1 Section 3 of the Town of West Boylston's General Bylaws states that "One Hundred (100) legal voters, including the presiding officer and the clerk, shall constitute a quorum, provided that a number less than a quorum may vote an adjournment; and that not more than Seventy-five (75) shall be required to maintain a quorum once the meeting has been called to order by the Moderator and that a quorum of Seventy-five (75) be required to reconvene any adjourned session of any such meeting."

Elaine S. Novia, Town Clerk, informed Moderator Jonathan Meindersma that 100 registered voters were in attendance and that the quorum requirement as set out in the General Bylaws has been met. At 10:20 a.m. the meeting was called to order.

M.G.L. Ch. 39 § 15 was accepted at the Oct. 20, 2008 Semi-Annual Town Meeting and placed in the General Bylaws Article I § 7. This bylaw section states: "If a two-thirds vote of Town Meeting is

required by statute, the Moderator may, at his or her discretion, decline to verify a voice vote by polling the voters or by dividing the meeting, and may record the vote as a two-thirds vote without taking such a count.”

After the Pledge of Allegiance, a moment of silence was conducted for all citizens whom have passed since our last meeting and to all those who serve in the military service, here and around the world, who have paid the ultimate sacrifice.

Upon a motion by Christopher Rucho and seconded by Patrick Crowley, it was unanimously voted to waive the reading of the Warrant and refer it as subject matter only.

ARTICLE 1 - AUTHORIZATION TO HEAR THE REPORTS OF OFFICERS AND COMMITTEES OF THE TOWN

MOTION- Christopher Rucho

SECOND- Kristina Pedone

EXPLANATION- No requests were submitted for reports under this article.

VOTE- Passed Over

To see if the Town will vote to hear the reports of the officers and standing committees of the Town.

ARTICLE 2 - AUTHORIZATION TO PAY BILLS FROM PREVIOUS FISCAL YEARS

MOTION- Patrick Crowley

SECOND- Christopher Rucho

EXPLANATION- The invoice was never received by the office.

VOTE- 9/10's required

Unanimously voted to transfer the sum of \$5,177.94 from Sewer Retained Earnings to pay an invoice from a prior fiscal year now in the hands of the Town Accountant from Weston & Sampson Services

ARTICLE 3 - AUTHORIZATION TO MODIFY FISCAL YEAR 2022 APPROPRIATIONS AND OTHER NECESSARY ADJUSTMENTS TO THE FISCAL YEAR 2022 BUDGET

MOTION- Barur Rajeshkumar

SECOND- Christopher Rucho

EXPLANATION- This is the annual authorization to transfer money within FY22 accounts to cover deficiencies in some accounts with the excess balances in others.

ENDORSEMENT-Finance Committee

VOTE-

Unanimously voted to transfer the unexpended balances of Fiscal Year 2022 appropriations and any other available funds, as follows:

From Account #	Description	Amount Required	To Account #	Description
01-543-5250-5770	Veterans Benefits	\$8,000.00	01-210-5100-5100	Police Salaries & Wages

ARTICLE 4 – AUTHORIZATION TO APPROPRIATE FUNDS FROM THE COMMONWEALTH TRANSPORTATION INFRASTRUCTURE FUND

MOTION- Kristina Pedone

SECOND- Patrick Crowley

EXPLANATION- This is part of a statewide distribution of fees (uber) paid into the state's Infrastructure Fund and it can be used only for transportation related projects such as signage.

ENDORSEMENT- Finance Committee

VOTE-

Unanimously voted to appropriate the sum of \$792.40, said amount being the funds received from the Commonwealth Transportation Infrastructure Fund, to be used for transportation-related projects by the Department of Public Works.

ARTICLE 5 – VOTE TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENT PURCHASES

MOTION- Paul Redmond

SECOND- Kristina Pedone

ENDORSEMENT- Capital Investment Board

VOTE-

Voted the Town vote to purchase or enter into contract for the following capital items by October 30, 2022, and if not purchased or leased by that date, or if any funds remain after said purchase or lease, the funds shall be returned to the source from which they were appropriated, with each appropriation being treated as a separate item:

	Project	Total Appropriation	Source of Appropriation
A	Paving of Middle/High School Parking Lot	\$40,000	Capital Investment Fund

Project A- Unanimously voted

	Project	Total Appropriation	Source of Appropriation
B	Chevy 250 Truck for the DPW	\$56,000	Capital Investment Fund

Project B- Unanimously voted

	Project	Total Appropriation	Source of Appropriation
C	Mount Vernon Cemetery Road Paving project	\$146,000	Capital Investment Fund

Project C- Unanimously voted

*Total appropriation for Article 5 part C should have been \$50,000. The article was voted and approved totaling the \$146,000. The meeting minutes had the total appropriation amount, not the itemized amount of \$50,000-Amended 1/3/2022 Daymian Bartek

ARTICLE 6 – AUTHORIZATION TO AMEND THE REVOLVING ACCOUNT FOR THE RECREATION DEPARTMENT

MOTION- Michael Kittredge

I move the Town vote to amend Article 6 by deleting the words 'fund raising' and inserting the word 'various' instead, and further deleting the words 'or take any other action'

SECOND- Barur Rajeshkumar

EXPLANATION- The Recreation Department is doing a number of events and activities. This amendment will allow the revenues collected as a result of those activities to be deposited into their revolving fund and used to benefit the recreation program.

ENDORSEMENT- Finance Committee

VOTE-

Unanimously voted as amended to amend the Revolving Account for the Recreation Department by inserting the below bolded verbiage:

REVOLVING FUND	AUTHORIZED TO SPEND FUND	REVENUE SOURCE	USE OF FUND	FY22 SPENDING LIMIT	SPENDING RESTRICTIONS OR COMMENTS
Recreation Program	Parks Commission	Recreation program user fees and donations collected by the Park Commission and proceeds derived from various activities for the benefit of the recreation program	Costs of operating the recreation program including wage and salary expenses of the part-time employees and expenditures relative to various activities for the benefit of the recreation program	\$50,000	

ARTICLE 7 – AUTHORIZATION TO APPROPRIATE FUNDS TO THE OPEB TRUST FUND

MOTION- Christopher Rucho

SECOND- Patrick Crowley

EXPLANATION- We have a balance of \$287,378 in the account at this time. When we had our S&P call on our bond rating for the senior center we did commit to regularly funding OPEB and it is also mentioned in our OPEB Policy.

ENDORSEMENT- Finance Committee

VOTE-

Unanimously voted to transfer the sum of \$50,000 from Certified Free Cash to the Other Post Employment Benefit Trust Fund.

ARTICLE 8 – AUTHORIZATION TO TRANSFER FUNDS FOR THE CEMETERY SALE OF LOTS ACCOUNT

MOTION- Patrick Crowley

SECOND- Christopher Rucho

EXPLANATION- This was a request from the Cemetery Trustees. Funds to be used for cemetery improvements including an application of lime and nutsedge grass killer, removal of 3 old large maple trees, planting new trees, development of new cemetery, repair of old headstones damages by large tree branches falling on them.

ENDORSEMENT- Finance Committee

VOTE-

Voted unanimously to transfer the sum of Twenty Thousand Dollars and No Cents (\$20,000.00) from the Sale of Lots Account for cemetery improvements.

ARTICLE 9 – VOTE TO APPROPRIATE FUNDS FOR COMMUNITY PRESERVATION FUND PROJECT AS RECOMMENDED BY THE COMMUNITY PRESERVATION COMMITTEE

MOTION- Patricia Halpin

SECOND- Christopher Rucho

EXPLANATION- This is the annual request from the Affordable Housing Task Force to be used for their efforts for affordable housing projects

VOTE-

Voted unanimously that the following amount shall be appropriated from Community Preservation Fund Revenues, or transferred from prior year reserves for Community Preservation purposes:

Project	Total Appropriation	Source of Appropriation
Appropriations:		
To Fund for Affordable Housing Purposes: A grant to pay for community housing needs. Submitted by the West Boylston Affordable Housing Trust be expended under the direction of the Town Administrator.	\$25,000	\$25,000 from the fund balance designated for affordable housing.

ARTICLE 10 - AUTHORIZATION TO TRANSFER FUNDS TO THE TAX LEVY STABILIZATION FUND

MOTION- Barur Rajeshkumar

SECOND- Michael Kittredge

EXPLANATION- This is the FY21 cannabis excise tax revenue, which will be used in the next article to reduce real estate taxes

ENDORSEMENT- Finance Committee, Select Board

VOTE-

Voted to transfer the sum \$97,946 from Certified Free Cash to the Tax Levy Stabilization Fund.

ARTICLE 11- AUTHORIZATION TO APPROPRIATE FUNDS TO REDUCE THE FY22 TAX RATE

MOTION- Kristina Pedone

SECOND- Christopher Rucho

EXPLANATION- An example of the impact on the estimate of the FY22 rate should translate into roughly a 13 cent reduction in the rate itself. Current 2021 average single family value of \$338,800 and current tax rate of \$18.46/\$1,000 = \$6,254.25 total year taxes. A 13 cent reduction would be \$18.33/\$1,000 tax rate = \$6,210.20 total year taxes, a net reduction annually of \$44.00.

ENDORSEMENT- Finance Committee, Select Board

VOTE-

Unanimously voted to transfer the sum of \$153,171 from the Tax Levy Stabilization Fund to reduce or stabilize the Fiscal Year 22 Tax Rate.

ARTICLE 12 – AUTHORIZATION TO TRANSFER FUNDS TO THE CAPITAL INVESTMENT FUND

MOTION- Michael Kittredge

SECOND-

EXPLANATION- Per our policy on Financial Reserves, the Town will make on going appropriations to this fund so that it maintains the ability to cover the Town's cash outlay for capital. Sustaining funding in this special fund enables the Town to pay outright for moderate-range capital expenditures and thereby preserve the debt capacity for major, higher-dollar purchases or projects

VOTE-

Unanimously voted to transfer the sum of \$300,000 from Certified Free Cash to the Capital Investment Fund.

ARTICLE 13 – AUTHORIZATION TO TRANSFER FUNDS TO THE STABILIZATION FUND

MOTION- Christopher Rucho

SECOND- Patrick Crowley

EXPLANATION- Per our policy on Financial Reserves our goal is to have this funded at a minimum of 5% of the budget. This will bring the town to 5.84% of the FY22 budget.

ENDORSEMENT- Finance Committee

VOTE-

Unanimously voted to transfer the sum of \$150,000 from Certified Free Cash to the Stabilization Fund.

ARTICLE 14 – AUTHORIZATION TO AMEND THE GENERAL BYLAWS

MOTION- Patrick Crowley

SECOND- Christopher Rucho

EXPLANATION- The Town successfully negotiated moving the Cemetery Department under the umbrella of the Department of Public Works. This will amend our General Bylaw to reflect that change.

DISCUSSION-

Jim Ryan- Change in organization, what problems are we trying to solve by combining the Cemetery with the DPW?

Pat Crowley- There are no problems, increasing the efficiency of town. We currently only have two cemetery workers.

Jim Ryan- Then why change this? The Cemetery is such a different function than the DPW. Cemetery staff deal with people in the darkest days of their lives.

Kim Hopewell- I would like to follow up on Jim's statement. I believe that the functions of the Cemetery staff would still be the same Jim. They will continue to work with the bereaved family members, not the DPW. So, I do not think you would have to worry about that. And it is not like you would have someone like the Sewer dept digging graves. Each dept. would have trained people within their departments working on or assisting in their own departmental functions. Isn't that right Nancy?

Town Administrator Nancy Lucier – Yes that is correct. The Cemetery Trustees would still maintain control of their own department. We have specially trained some of the DPW workers how to dig the graves. She noted that during the winter the Cemetery workers also assist the DPW with snow plowing activities at the current time.

Jim Ryan is this a change for a couple of years or forever?

Ron Menard- I am a Cemetery Trustee. This is directed to the Select Board. If the DPW is shorthanded and he pulls cemetery guys, this is a concern. We need to amend this article as to not pull cemetery employees to make more of a shortage in the cemetery dept. Kevin (the cemetery superintendent) should never be pulled.

Moderator Meindersmaw advised Cemetery Trustee Menard to file a Motion to Amend with Town Clerk Novia.

Town Administrator Lucier stated that most towns have these departments combined Cemetery and DPW for many years and have not had any issues. And that is the DPW that is pulled to assist the Cemetery with the digging of graves as necessary. This is done as a cost savings, so the Towns do not have to outsource. She again noted that our DPW workers were trained and tested. She also states that Kevin would never need to be pulled.

Former Moderator David Sweetmen stated that it will work if rules adhered to.

Town Administrator Lucier stated that everyone has a job description. The contract was carefully negotiated to prevent making shortages or transfers of labor.

Discussion on Motion to Amend;

Ron Menard

5 Meadowbrook Dr.

Article 14

"An Amendment to assure that the cemetery foreman is never pulled away from the cemetery by the DPW director."

Reviewed by;

Cemetery Trustee Menards Motion to Amend was discussed by Moderator Meindersma, Town Administrator Lucier, Select Board Christopher Rucho and Town Counsel Shirin Everett

Moderator Meindersma- Read the Motion to Amend to Town Meeting Floor and then proceeded to Move that the Motion to Amend is out of order. This Article is a General Bylaw change and the amendment as written is not applicable to the bylaw. Therefore, it is ruled out of order and can not be acted upon. This verbiage can not be placed in a General Bylaw.

Menard is afraid that the Cemetery will go down on a long list of priorities and will be neglected. Verbal assurances will end with those who made their bed.

Administrator Lucier assures that the DPW has job descriptions and that they will continue under the DPW umbrella. The Cemetery Board of Trustees voted for this. The Cemetery Board of Trustees still makes their own policies and decisions.

Mark Trudeau- Is there anything now that inhibits the helping out between DPW and the Cemetery? Why not continue in this venue?

Administrator Lucier-Teamsters are currently under two Unions. They are now under new contracts and put under one umbrella. Nothing changes.

The DPW and the Cemetery Trustees have all agreed to move forward to do this. The Cemetery Trustees have agreed and have made their decision.

Mark Trudeau one union managers?

Lucier- No. We are just making the Town's DPW General Bylaw verbiage match the contract by including the Cemetery Department.

Moderator called for a vote.

VOTE-

Voted by a simple majority to amend **ARTICLE XXIX- Department of Public Works**

There shall be established in the Town of West Boylston a Department of Public Works that shall be under the direction of the Select Board members through the Office of the Town Administrator. The Department of Public Works shall consolidate the functions of the Office of the Tree Warden, Streets and Parks Department, and Sewer Department, and the Cemetery Department, and shall assume the responsibility for the management and operations of the Office of the Tree Warden, Streets and Parks Department, Sewer Department, and the Cemetery Department.

ARTICLE 15 – REQUEST FOR ZONING CHANGE FOR 2 GOODALE STREET, WEST BOYLSTON

MOTION- Patrick Crowley

SECOND- Christopher Rucho

ENDORSEMENT- Planning Board, Bylaws Committee

VOTE- 2/3 rds

Unanimously voted to rezone a parcel known as 2 Goodale Street (A/K/A 114 Goodale St, Assessor Map 143 Parcel 68) from General Residence District to Business District

Which parcel is more specifically described as follows;

Beginning on the northerly sideline of Goodale Street, so-called, and at remaining land of the Boston & Maine Railroad at a point which is the center of a W.C.H., which point is 49.50 feet southwesterly from Station 461+67.23 on the center line location of the Terminal Division main line route of said Railroad;

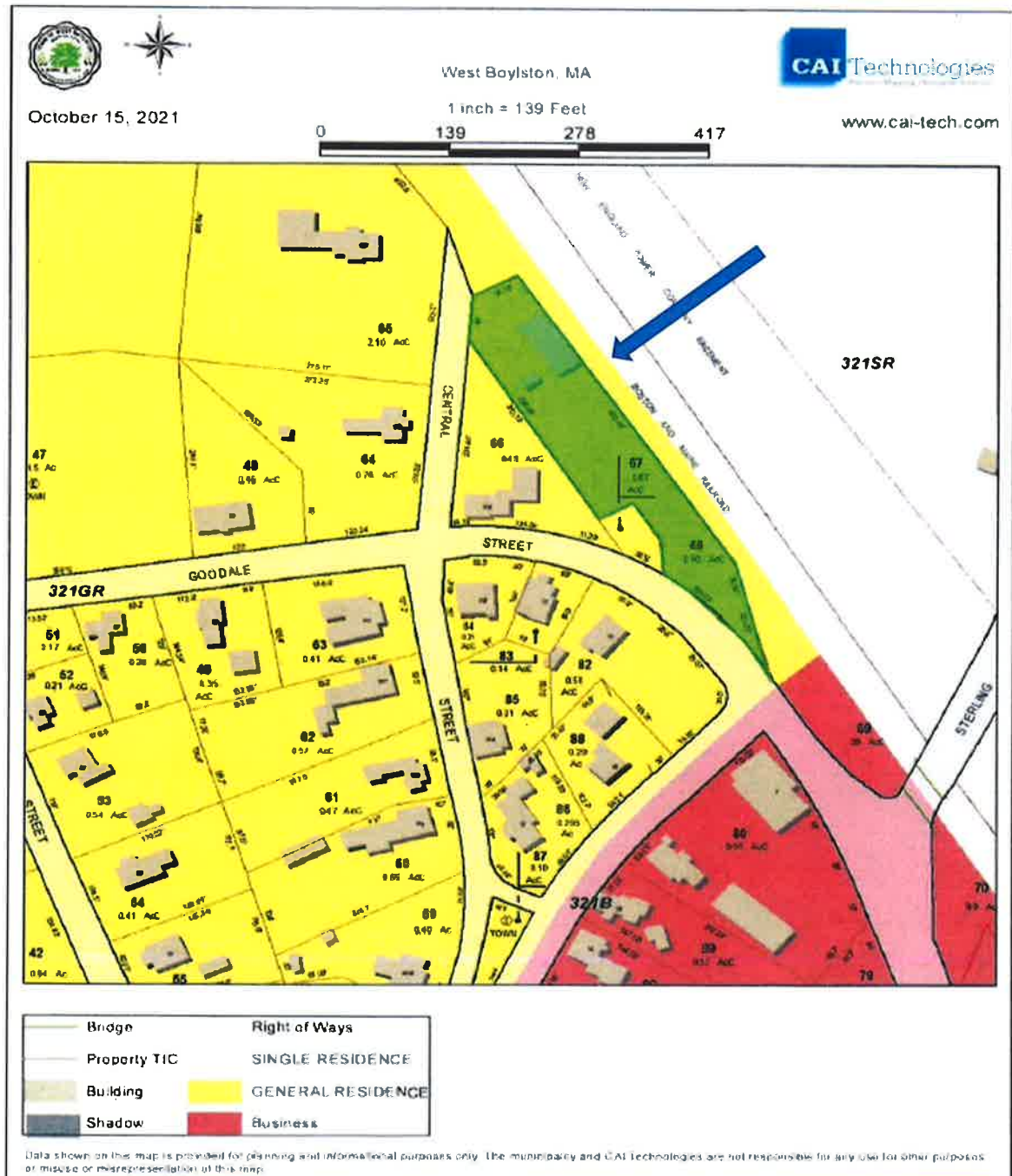
Thence running northwesterly by said Goodale Street on a curve to the left having a radius of 292.67 feet, 166.03 feet to a point at land now or formerly of Worcester County Electric Company;

Thence turning and running by said last mentioned land on three courses as follows: North 11 degrees 06' 33" West 41.63 feet, North 32 degrees 44' 35" West 50 feet and South 57 degrees 15' 25" West 40 feet to land now or formerly of Alfred Prentice;

Thence turning and running North 32 degrees 44' 35" West partly by said last mentioned land and partly by Central Street, so-called, 295.46 feet to a point;

Thence turning and running North 04 degrees 47' 55" East still by said Central Street 48 feet to said remaining land of said Railroad;

Thence turning and running by said last mentioned land on four courses as follows: North 57 degrees 15, 25" East 54.75 feet, South 32 degrees 44' 35" East 422.22 feet, South 11degrees 06' 3" East 36.62 feet and South 32 degrees 44' 35" East 123.22 feet to the point of beginning.



ARTICLE 16 – AUTHORIZATION TO AMEND THE ZONING MAP

MOTION- Barur Rajeshkumar

SECOND- Michael Kittredge

ENDORSEMENT- Planning Board

VOTE-

Unanimously voted to amend Section 2.3- District Boundaries to include the language in bold below,

The district boundaries shall be determined by concrete bounds separating the districts as shown on the zoning map prepared by the Central Massachusetts Regional Planning Commission, drafted in June of 1974 by Joseph F. Murr, **and amended from time to time by Town Meeting.** Figures in all cases serve as a guide, and the scale of the map may also be used. In cases of uncertainty, the boundary lines shall be determined by the Selectboard.

Attest

Elaine S. Novia
Town Clerk