

Select Board
March 14th, 2024

Via Zoom

Robert Czekanski, Chair
Stanley Wysocki
Brian Boyle

Don Lowe, Town Administrator
Jenny Jacobsen, Administrative Assistant

Ms. Czekanski called the meeting to order at 7:00 pm.

ANNOUNCEMENT OF PATROL OFFICER

Chief Nelson was present to announce the promotion of Reserve Officer Nikki Fahlbeck to full-time Patrol Officer. Officer Fahlbeck who has been with the department since 2019. Officer Fahlbeck completed the Bridge Academy and 2,400 hours to receive the equivalence to the full-time police academy and her full-time status from MPTC and POST. Officer Fahlbeck was previously employed in Marlborough and Harvard. The Board extended congratulations to Officer Fahlbeck.

MINUTEMAN NASHOBA HEALTH GROUP UPDATE

Treasurer and Human Resources Director Kristen Noel presented an update on Town's dissolution of the Minuteman Nashoba Health Group and more specifically the responsibility of the Town for the runout claims through the end of FY24. Ms. Noel presented a plan for covering the unexpected expense of \$114K utilizing the \$30K balance in the health insurance line. The balance would come from the ARPA funds. Mr. Lowe referred to an email distributed the Board earlier in the day which itemized the source of the funds repurposing of \$50K in unspent ARPA funds and \$34K of uncommitted ARPA funds. The Town will be moving to MIIA to provide health insurance beginning in FY25.

On a motion made by Wysocki and seconded by Boyle, the Board voted unanimously by roll call vote to repurpose \$50K in ARPA funds from a previous DPW allocation, \$30K from the balance of the 945 insurance budget account, and the balance from additional ARPA funds to pay the runout claim to Minuteman Nashoba Health Group. (Wysocki-yes, Czekanski-yes, Boyle-yes)

ANNUAL TOWN MEETING

The Board reviewed the Annual Town Meeting warrant with Town Counsel, Attorney Brian Falk and Moderator Doug Storey.

Article 1- Accept Annual Reports

No questions or comments.

On a motion made by Wysocki and seconded by Boyle, the Board voted unanimously by roll call vote to recommend Article 1 to accept annual reports. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Article 2- Unpaid Bills for Previous Fiscal Years

Mr. Czekanski requested that summary include the total of the bills.

Atty. Falk noted that the article requires a 4/5 majority.

On a motion made by Wysocki and seconded by Boyle, the Board voted unanimously by roll call vote to recommend Article 2 for Unpaid Bills for Previous Fiscal Years. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Article 3-Fiscal Year 2025 Operating Budget

The Board took no action until the final numbers are in.

Article 4- Spending Limits of Revolving Fund Accounts

Mr. Czekanski noted the increases in the Parks and Recreation account from \$25K to \$80K and in the Advanced Life Support (ALS) from \$250K to \$275K.

On a motion made by Wysocki and seconded by Boyle, the Board voted unanimously by roll call vote to recommend Article 4 Spending Limits of Revolving Fund Accounts. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Article 5- Replenish the Stabilization Fund

Mr. Lowe commented that the number could change and would need to be revoted if that occurred. He did not have the current free cash figure.

On a motion made by Wysocki and seconded by Boyle, the Board voted unanimously by roll call vote to recommend Article 5 to Replenish the Stabilization Fund.(Wysocki-yes, Czekanski-yes, Boyle-yes)

Article 6- Replenish the Reserve Fund

Mr. Czekanski asked for an expanded summary.

Mr. Lowe recommended that the Board hold off on voting on Article 6th until the final budget numbers are in. The Board could vote on the article on March 28th prior to closing the warrant.

Article 7- Special Revenue Fund for Opioid Settlements

On a motion made by Wysocki and seconded by Boyle, the Board voted unanimously by roll call vote to recommend Article 7 to Special Revenue Fund for Opioid Settlements. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Article 8- Animals At Large

Board heard Citizen's Comments from Carter Anderson seeking clarification. Atty. Falk explained that the bylaw is a prohibition of animals at large. The Animal Control Officer currently has jurisdiction to enforce the bylaw in the roadway. This change would give authority to the Animal Control Officer to go on private property if asked to do so to respond to an animal at large.

On a motion made by Wysocki and seconded by Boyle, the Board voted unanimously by roll call vote to recommend to approve Article 8: Amendment to the Code of the Town of Bolton, Division I, Part II, Chapter 110, Section 110-9 Animals at Large Prohibited. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Article 9- Non Criminal Disposition

On a motion made by Wysocki and seconded by Boyle, the Board voted unanimously by roll call vote to recommend to approve Article 9: Amendment to the Code of the Town of Bolton, Division I, Part I, Chapter 1 General Provisions, Article III Section 1-5, Noncriminal Disposition. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Article 10-Goose Pond Path Road Acceptance

The Board passed over the article until receipt of the requisite information for the road closing.

Article 11- Amendment to the Code of the Town of Bolton, Division I, Part II. Wetlands Bylaw, Chapter 233

Mr. Boyle asked if the Conservation Commission was unanimous in their vote and asked if a member of the Commission would be present at Town Meeting to speak to the article.

Mr. Storey shared Mr. Boyle's desire to have a member of the commission speak to the changes. Mr. Storey inquired why the 25' of additional jurisdiction has been added and noted that the article gives additional powers to impose restrictions on a project they are reviewing.

Mr. Boyle asked for additional time to review the Conservation Commission's meetings on the topic prior to voting whether to recommend the article. The Board agreed.

Article 12- Forbush Mill Road Bridge Replacement

Mr. Wysocki asked if the article could be rewritten as a table.

On a motion made by Wysocki and seconded by Boyle, the Board voted unanimously by roll call vote to recommend to approve Article 12: Forbush Mill Road Bridge Replacement. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Article 13- Citizen's Petition

Atty. Falk commented that the article is the same as the citizen's petition from the prior year and noted that it is not permissible because Town Meeting cannot direct the discretionary actions of officers of the Town. This article would direct the Town Treasurer who has the authority to do by statute. To modify those statutory powers or duties you would need a special act of legislature.

On a motion made by Wysocki and seconded by Boyle, the Board voted unanimously by roll call vote to make no recommendation on the article. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Article 14- Authorize Town Election

On a motion made by Wysocki and seconded by Boyle, the Board voted unanimously by roll call vote to approve the article to vote to authorize the Town Election. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Ms. Jacobsen pointed out that the warrant includes a QR code to the town meeting guide that was included in the warrant in 2023.

MAWORKS PROJECT AT MAIN/FORBUSH/GREEN

Department of Public Works Director Randy Heglin was in attendance to report on the MassWorks project for the roundabout and specifically to seek guidance on options for lighting and signage. The design is 90% complete. The timeline for the decision is short. Mr. Wysocki suggested that the design review board take a look at the options. Mr. Heglin suggested the acorn style dark sky compliant lights. The Board agreed with the recommendation.

Mr. Heglin explained that anything beyond plantings, like signage or a memorial obelisk, would not be project cost eligible. After discussion, the Board was not in favor of a sign in the roundabout at this time.

TOWN ADMINISTRATOR

MVP Update

Mr. Lowe reported on the recent meeting of stakeholders on the Derby Field project including discussion of a community garden and edible species. There was discussion on whether the food could be served in the school cafeteria.

School Budget Update

Mr. Lowe updated the Board on the school budget which is down from 4.77% to 4.16% as of the school committee meeting held on March 13th.

Discussion on Committing ARPA funds to FY25 budget

Mr. Lowe discussed the concept of utilizing \$100K of ARPA money to balance the budget. Other variables to consider are whether to replenish \$115K to the stabilization fund, whether to include any funding for OPEB and how much to fund reserve fund. Mr. Wysocki commented that some money should be included in the budget to at least partially fund OPEB.

SELECT BOARD BUSINESS

There were no public service announcements.

There were no future agenda items.

Appointments

On a motion made by Czekanski and seconded by Boyle, the Board voted by roll , per MGL C51 § 20, of Clare Moses as a Temporary Registrar for the recount to be held on Thursday, March 21st, 2024. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Bills/Payroll Warrant

On a motion made by Wysocki and seconded by Boyle, the Board voted unanimously by roll call vote to approve bills/payroll warrants W24-18 & W24-18A. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Minutes

On a motion made by Wysocki and seconded by Boyle, the Board voted to approve the minutes of February 15th, 2024. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Executive Session

On a motion made by Wysocki and seconded by Boyle, the Board voted to enter executive session at 8:35pm pursuant to MGL c. 30A, Section 21 (a) for purpose 2 to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel Luke Hamburger-Police Chief Contract and purpose 3 to discuss strategy with respect to collective bargaining or litigation with the Teamster's Union, Local No. 170 if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. (Wysocki-yes, Czekanski-yes, Boyle-yes)

The Board returned from executive session at 8:42pm.

Police Chief Contract

On a motion made by Wysocki and seconded by Boyle, the Board voted to approve the contract between the Town of Bolton and Luke Hamburger. (Wysocki-yes, Czekanski-yes, Boyle-yes)

On a motion made by Wysocki and seconded by Boyle, the Board voted to approve the contract between the Town of Bolton and Luke Hamburger and authorized the Town Administrator to execute the contract on behalf of the Town. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Fire Union Side Letter of Agreement

On a motion made by Wysocki and seconded by Boyle, the Board voted to approve the side letter of agreement between the Town of Bolton and the Teamster's Union Local 170 and authorized the Town Administrator to execute the contract on behalf of the Town. (Wysocki-yes, Czekanski-yes, Boyle-yes)

Change of Meeting Time for March 28th, 2024 The Board discussed altering the start time of the March 28th, 2024 meeting to 8pm due to the schedule of the Town Administrator Screening Committee applicant

interviews scheduled to run from 3pm until 7pm. Both Ms. Jacobsen and Mr. Wysocki are on the committee and would have a difficult time being punctual to the Select Board meeting.

On a motion made by Wysocki and seconded by Boyle, the Board voted unanimously by roll call vote to adjourn at 9:52pm. (Wysocki-yes, Czekański-yes, Boyle-yes)

Respectfully submitted by J. Jacobsen.