

BOARD OF SELECTMEN
MEETING MINUTES
October 16, 2018

Call to Order

Chairman Kevin Morse called the Board of Selectmen (BOS) meeting to order at 7:04 PM in the Resource Room of the Municipal Center.

ATTENDANCE:

Board: Kevin Morse (Chair), Tim Bonin, David Cortese (Vice Chair), Hal Davis, Mike Hughes (Absent), Matt Wojcik (Town Administrator), Suzanne Kane (Administrative Assistant)

Other Staff and Citizens: William Cundiff (Town Engineer), Keith Menard (Town Moderator), Fire Chief Kent Vinson, Police Chief Nick Miglionico, Suzanne Lussier, John Furno, Adam Furno, Mourcous Morgan and other staff and citizens.

- **Pledge of Allegiance (00:10)**
- **Chairman's Announcements (00:28)**
There were no announcements.
- **Citizen's Forum (00:30)**
No one came forward.

1. Accept Deed-North Village Playground Parcel-Possible Vote(s) (00:40)

In the packet is an email from Atty. Taipale dated 9/26/18, a letter from Matt Wojcik dated 8/20/18, a deed, an Amendment to the Amended MOU, and other related emails and materials.

Ms. Kane stated that this item will be held over until 10/23/18. It is Mr. Wojcik's opinion that a few items need to be finished.

2. STM Review with Town Moderator Menard and Clerk Furno (01:43)

Ms. Kane stated that the Town Clerk is on vacation. Mr. Menard joined the meeting. He stated that he has not yet seen the motions. He reviewed the articles.

Mr. Morse explained that the other 12 participating towns in the Blackstone Valley Tech (BVT) district voted to accept the full BVT budget, therefore Douglas also needs to award the full BVT request as well.

Mr. Menard asked for a "before and after" slide regarding the Firefighter's Union contract. Mr. Morse stated that negotiations are still ongoing, and he will be entertaining a motion to strike the ratification from the warrant so as to be readdressed at the spring Town Meeting.

Regarding the five-year contract with Charter, Mr. Wojcik stated that the Town is renegotiating its arrangement with Charter regarding the management of its wide-area network for Town government. (Mr. Morse recused himself for this

discussion). The new service contract will increase speeds for the same amount of money. A five-year contract saves \$300/month, however the Town Administrator does not have the authority to authorize any contract over three years in length. Mr. Morse rejoined the meeting for the remaining discussions.

Regarding the Municipal Energy Agreement, Mr. Wojcik stated that they have locked in with Hudson at \$0.096 until 2021. He has heard that starting 1/1/19, the Commonwealth may add renewable energy fees for anyone not already in a contract. The Commonwealth may accept that, if a municipality has entered into a contract no longer than five years, those fees will be waived. The Town is looking to extend their current contract in order to avoid those fees.

Regarding Article 9, Mr. Wojcik explained that the Douglas Axmen have proposed a lease for undeveloped space at the Martin Road facility.

The wording for Article 10 has not yet been finalized. Mr. Wojcik stated that the Town has been authorized to use up to \$40,000 in a float arrangement. The Town is receiving getting grant funds on a reimbursement basis. The Town needs to bank \$70,000 so as not to deficit spend. The Town will receive \$200,000 worth of work for a cost of \$145,000, none of which is being paid for with taxpayers' dollars.

Regarding the marijuana bylaw, the Planning Board has not yet made a recommendation on Article 13. Mr. Morse stated that they will be having a discussion regarding this article later in the meeting tonight. He does not anticipate that this will be an article moving forward.

3. Chapter 61 Land-Right of First Refusal-S. Lussier's 4+ Acres on Maple Street-Possible Vote(s) (15:59)

In the packet is "Chapter 61 Procedures Record", a Letter of Intent dated 9/26/18, maps, a Purchase and Sale dated 8/31/18 and other related emails and materials.

Ms. Kane stated that Ms. Lussier's Notice of Intent has been reviewed by the Planning Board, Conservation Commission and Open Space. All three boards have recommended that the BOS waive their right of first refusal.

Mr. Cortese made a motion to waive the right of first refusal for Suzanne Lussier's 4+ acres property on Maple Street. Mr. Davis seconded the motion. All-Aye.

4. Liquor License Change of Manager-Gregory's Pizzeria & Restaurant, M. Morgan-Possible Vote(s) (23:05)

In the packet is an application and related materials.

Mr. Morgan joined the meeting.

Mr. Davis made a motion to approve the Liquor License Change of Manager, namely Mourcous Morgan. Mr. Cortese seconded the motion. All-Aye.

5. Proposed Zoning Byaw Article & Possible Ethics Issue-Possible Vote(s) (17:44)

In the packet is a memo from the Planning Board dated 10/10/18, a letter from Louis Tusino dated 9/27/18, "New Zoning District and Amendment to Zoning

Map”, a Disclosure of Appearance of Conflict of Interest dated 10/3/18, a letter from Matt Wojcik dated 10/9/19, and other related materials.

Ms. Kane stated that the Board of Health’s decision is also in the packet. Mr. Cundiff joined the meeting. Mr. Morse asked if this bylaw change would affect a property currently in Land Court. Mr. Cundiff stated that he has not specifically looked into it, however he believes the lot in question would enjoy benefits awarded by the proposed bylaw. Mr. Morse stated that based on that information, he does not feel it is the BOS’s or Town Meeting’s jurisdiction to overturn a decision coming out of Land Court. Mr. Morse does not want to move forward with this article.

Mr. Cundiff stated that the Planning Board had concerns about the time constraints for review of this bylaw and for understanding the ramifications of moving forward. The Planning Board has asked the Central MA Regional Planning Commission (CMRPC) to help them draft a proposal for bylaw change. A proposal from CMRPC was received at a proposed cost of \$15,000. CMRPC is confident that they can cover the cost with grant funds. The Planning Board is targeting annual Town Meeting. Town Counsel has reviewed the proposal and is recommending some language changes.

Mr. Cortese made a motion to remove this article from the warrant. Mr. Bonin seconded the motion. All-Aye.

6. Open Warrant, Insert/Remove Articles, Close & Sign Warrant for Nov. 13, 2018 STM-Possible Vote(s) (25:27)

In the packet is a copy of the draft agenda, a memo from Suzanne Kane, and related materials.

Ms. Kane presented a memo outlining the changes in the warrant since the last time it was before the BOS. She reviewed all the changes.

Mr. Bonin made a motion to open the warrant for November 13, 2018. Mr. Cortese seconded the motion. All-Aye.

Mr. Bonin made a motion to insert Articles 7, 8, 9 and 10 to the November 13, 2018 special Town Meeting warrant as presented. Mr. Cortese seconded the motion. All-Aye.

Mr. Wojcik stated that the Town has tended a final offer to the Firefighters Union. He recommended keeping Article 6 on the warrant until 10/23/18 with the hope that an agreement will have been reached by that time. A discussion was held. **It was decided to leave Article 6 on the warrant until a final decision can be made on 10/23/18.** If the the contract is not finalized by 10/23/18, then the Union will be bound under the terms and conditions of the current contract until Spring Town Meeting.

Mr. Cortese made a motion to remove Article 13 from the November 13, 2018 Special Town Meeting warrant. Mr. Davis seconded the motion. All-Aye.

Mr. Cortese made a motion to close the warrant for the November 13, 2018 Special Town Meeting. Mr. Davis seconded the motion. All-Aye.

7. Insurance Coverage for Contracted Snow Plow Vendors-Possible Vote(s) (38:26)

In the packet is a letter from John Furno dated 10/11/18, MIIA recommendations, Plow Rates to Sub-Contractors in Surrounding Towns and related emails and materials.

Mr. Wojcik stated that many who do snow plowing do not understand that their personal automobile insurance does not cover them if they are using their personal truck while working for someone under a contract, nor does it protect the municipality under which they are working.

Mr. John Furno joined the meeting. He sent a letter to their subs last year saying that MIIA is looking for them to carry \$1,000,000/\$3,000,000 of General Liability insurance and \$1,000,000 in Auto Liability for 2018/2019. He sent out the packet a month ago. The subs went to their insurance agents and now they are in a panic over the increase in cost. The core of his subs that do snow plowing do not carry commercial auto insurance. Of the 15 subs that have been used, only 3 will be able to return if this policy is enforced.

Mr. Wojcik feels there should be a Town rider to cover the subs and the cost could be apportioned to the subs, however he does not know if such a thing exists. Mr. Morse suggested leaving the policy as is for this year and push MIIA to come up with a more affordable solution for next year. Mr. Davis suggested that the subs sign a Release of Liability to the Town.

It was decided that there is no need to increase the snow plow hourly rates as the Town is not offsetting an increase in insurance costs to the subs. Mr. Furno stated that the subs received a raise two years ago.

Mr. Bonin made a motion to continue with the Snow Plow policy for contracted snow plow vendors as it existed last year. Mr. Cortese seconded the motion. All-Aye.

8. Special Municipal Employees Designation Under c268A-Possible Vote(s) (48:58)

In the packet is a letter from Cortney Keegan, BOS minutes from 6/5/18, and related materials.

Mr. Wojcik stated that you cannot work under one contract with the Town and also work under the terms of another contract.

Mr. Davis made a motion to designate all School Department Applied Behavior Therapists and Paraprofessionals as “Special Municipal Employees”. Mr. Cortese seconded the motion. All-Aye.

9. Property Use Policy-Third Reading-Possible Vote(s) (51:00)

In the packet is the Town of Douglas Policy for Use of and Improvements Upon Town Property/Facilities.

Ms. Kane stated that there have been no changes since the second reading.

Mr. Cortese made a motion to approve the Property Use Policy as presented. Mr. Davis seconded the motion. All-Aye.

10. Assign Motions for Nov. 13, 2018 STM (51:23)

In the packet is “STM Motions & Presenters”.

Article 1 Mr. Bonin

Article 8 Mr. Hughes

Article 2 Mr. Bonin
Article 3 Mr. Cortese
Article 4 Mr. Cortese
Article 5 Mr. Davis
Article 7 Mr. Hughes

Article 9 Mr. Hughes
Article 10 Mr. Morse
Article 11 Mr. Morse
Article 12 Mr. Morse

11. Approve Minutes: October 2, 2018 Regular & Executive Sessions (54:10)

Mr. Cortese made a motion to approve the minutes of the October 2, 2018 regular and Executive session BOS meetings as presented, retaining the minutes of the October 2, 2018 Executive session meeting in their entirety. Seconded by Mr. Bonin. All-Aye.

12. Town Administrator's Report (54:34)

There was no report.

13. Old/New Business (55:00)

Old Business: There was no old business.

New Business: Mr. Morse reminded the members that the Town Administrator evaluations are due by the next meeting.

14. Adjournment (55:38)

Mr. Cortese made a motion at 8:00 PM to adjourn. Mr. Bonin seconded the motion. Vote: All-Aye.

Respectfully submitted,

Mary Wright
Recording Secretary