

**Board of Selectmen Agenda  
Municipal Center Resource Room  
Tuesday, January 3, 2023**

**6:30 PM**

- Call to Order
- Pledge of Allegiance

1. Executive Session
  - a. Discussion of Building Security with the Douglas Public Schools and Douglas Police Department – TA / Selectmen's Office

**7:00 PM**

- Chairman Announcements
- Citizen's Forum

2. Public Hearing Continued from 12/6/22 for Sochia's Oil Flammable Storage Permit – Possible Votes
3. Meal Expense Reimbursement Policy (2<sup>nd</sup> Read)
4. Review of Audit Services – Possible Votes
5. ARPA Discussion – Possible Votes
  - Economic Development/Request ARPA funds to be used for the MassWorks Expression of Interest Application for the North Street Infrastructure Upgrade Project and Review Scope from Stantec.
6. Approve Minutes – Possible Votes
7. Town Administrator's Report
8. Open Session for Topics Not Reasonably Anticipated 48 Hours in Advance of the Meeting
9. Executive Session
  - b. Discussion of Building Security with the Douglas Fire Department
  - c. Interest in Real Property
  - d. Potential Litigation
10. Adjournment

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*Note: Times are estimates unless denoted as a Hearing.*

*The Town of Douglas is an equal opportunity provider and employer.*

APPROVED  
MARCH 7, 2023

BOARD OF SELECTMEN  
TUESDAY, JANUARY 3, 2023  
MEETING MINUTES

Attendance: Chair Kevin Morse, Vice Chair Mike Fitzpatrick, Tim Bonin, Hal Davis (remotely), Matt Wojcik Town Administrator, Lisa Freeman Executive Assistant, Attorney Rich Bowen Town Counsel

Chair Kevin Morse called the meeting to order at 7:00 PM

(0:10 TS) Pledge of Allegiance

1. Executive Session
  - a. Discussion of Building Security with the Douglas Public Schools and Douglas Police Department – TA / Selectmen's Office – Postponed until the 1/17/23 meeting
- (0:35 TS) Chairman Announcements: NONE
- (0:42 TS) Citizen's Forum: NONE

2. (0:50 TS) Public Hearing Continued from 12/6/2022 for Sochia's Oil Flammable Storage Permit – Possible Votes

The 2 items the board requested at the last was a written letter from a professional engineer specifying the gross capacity of each large outside storage tank and a code analysis. The applicant stated that his tank farm has been in existence since 2004 but the tanks have been there since 1948 and he is the 3<sup>rd</sup> generation operating there. In 2004 the EPA was pushing for SPCC plans for counter spill measures, the applicant decided to have a complete tank farm renovation done. Mr. Sochia had all the tanks dug up and inspected and redid the containment by an engineer. The applicant was under the impression that the contractor that did all the work took out the proper permits at the time and he has been running his operation for the last 20 years without incident. Now the state fire marshal has decided they would like to have a permit from the fire department to be renewed every five years, he will be meeting with engineer that did the previous work in the next 5-10 days to do an overview of the facility. The applicant stated that even though there are 50k gallons worth of tanks (5 tanks total) there he has never had more than 30k gallons at any one time. The engineer is going to do what needs to be done to satisfy the state fire marshal. Assistant Fire Chief Kelly Manning is satisfied with the applicant's due diligence in getting the requested things moving to for the fire department inspections. Assistant Chief Manning stated that they just need to find out the capacity of the tanks if they are over 10k gallon tanks because then it would fall under a different state program. Assistant Chief Manning doesn't see an imminent hazard with the facility and feels that they can get the property inspections and permits licensing done in the next 90 days. The code analysis is part of what the professional engineer will be providing that the facility met the fire code when it was installed in 2004 and if there are any gaps now. Mr. Fitzpatrick asked Attorney Bowen if the town is able to license this since it is a pre-existing non-conforming use, Attorney Bowen responded that yes they are but any zone considerations would be separate. Mr. Fitzpatrick asked about the increase in business or truck trips, and the applicant stated that he just merged with another company and the trucks don't go out after 5 PM and they start at 6 AM. The applicant stated that the truck traffic is not much more than before when he has 2 trucks compared to 3 now. Carol Fields 16 Cook Street stated that there is more truck traffic than before, that in December there was 16 trucks which about 30 trips in that month, and she is

concerned about the continued growth of the facility. The applicant is willing to discuss changes in pickup and delivery times if that helps. TA Wojcik asked Attorney Bowen if additional traffic or additional trade on a lot constitutes the expansion of a pre-existing non-conforming use. Attorney Bowen responded that it could but he stated there is no threshold for stating the amount of traffic for expansion, the general standard is are they increasing the intensity of the use. The building department would have to do some analysis of the site in activity. But again, these are zoning issues and not what the board is deciding on tonight, the safety issues are in regards to the fire department inquiries. TA Wojcik asked if traffic would be part of the safety considerations for tonight and Attorney Bowen stated that they could be if that triggers a safety concern. TA Wojcik recommended that the licensing board require the license to annually the paperwork so that the town always has the most up to date contact information. Mr. Sochia responded that he would update any information or contact as they change, and TA Wojcik agreed that would be better. TA Wojcik asked Mr. Sochia about the valves connecting each tank and Mr. Sochia stated that those valves are always off and there is only one tank at a time being used. TA Wojcik would like to see monthly inspections done and a report sent to the fire department. Mr. Sochia responded that he would do that if they wanted him to. They discussed the possibility of arranging truck traffic around the school pick up and drop times for the safety of the kids, and Mr. Sochia responded that he thinks they can accommodate that. Another neighboring resident voiced concern about the increase in traffic affecting the value of her home and the integrity of the road in the long-term future, and the possibility of maybe having the road redone at some point and rerouting traffic. Assistant Chief Manning will let Lisa Freeman know when the engineer has completed his work and they can put it on the agenda. Resident of Cook Street, Carol Fields was wondering if members of the board would have a conflict of interest in this issue if they were customers of Sochia's Oil. Attorney Rich Bowen stated that if they disclose that fact in public then there is no conflict of interest. Mr. Morse and Mr. Davis stated that they are current customers and Mr. Fitzpatrick and Mr. Bonin stated that they are not current customers for the record. The board appreciates Mr. Sochia's willingness to work with the town.

(50:50 TS) Motion to continue the public hearing no more than 90 days made by Mike Fitzpatrick, seconded by Tim Bonin. Roll call vote – Mike Fitzpatrick, Tim Bonin, Kevin Morse, Hal Davis all in favor.

3. (51:20 TS) Meal Expense Reimbursement Policy (2<sup>nd</sup> Read)

TA Wojcik stated that nothing has changed from the 1<sup>st</sup> reading.

4. (51:35 TS) Review of Audit Services – Possible Votes

TA Wojcik stated that the town of Douglas does not have an audit committee, but it would be best practice to institute one. An audit measures the performance of the management of the town against federal / state local board of selectmen standards therefore it is inappropriate for the management of the town to comment on this process at all. TA Wojcik stated that the selection of an auditor would be the job of the board or an audit committee should one be formed. TA Wojcik believes that the existence of an audit committee is one of those governances that could give the town extra points in bond rating. This conversation is triggered because the town's current auditor Melanson Heath has merged with a much larger company Markham, and that is in his eyes a change in auditing and Mr. Wojcik does not know enough about Markham to give any input on how they operate and if they would be good or bad for the town. TA Wojcik provided the board with information on auditing to review so that they can decide with some knowledge going forward. Finance Director Jeanne Lovett stated that the town did have an audit committee when they chose Melanson and stated that Melanson will be doing the single audit and the FY22 audit. Ms. Lovett did ask that the board look at this in the next month or so because it is getting to the time when she would be sending over information to the auditor and does not want to fall behind in this. Mr. Fitzpatrick suggests that the board of

selectmen be the ones to create a committee to choose auditors because making a new committee they aren't going to have any direction and because of the complexity in how the town operates it could be very confusing. TA Wojcik agrees with Mr. Fitzpatrick that the board of selectmen should be a part of this committee and with Ms. Lovett to ask some Finance Committee members if they would be on the audit committee as well.

5. (1:10:55 TS) ARPA Discussion – Possible Votes

- Economic Development / Request ARPA funds to be used for the MassWorks Expression of Interest Application for the North Street Infrastructure Upgrade Project and Review Scope from Stantec.

TA Wojcik's opinion on this project is that he would like to see community engagement and some form of consensus from the residents on North Street and the rest of the town. This improvement would be done for the benefit of a significant private developer and TA Wojcik recommends opening this conversation up to doing a tax increment financing (TIF), where they receive a tax incremental financing agreement where they pay for the bond. TA Wojcik looked to Attorney Rich Bowen for his opinion on this and he stated that he would have to do some research on it. Essentially TA Wojcik would rather see this project finance itself than use the ARPA one-time funds for this project. TA Wojcik stated that if the ARPA funds do get used for this project that the board is aware that it is only for the design and not a potential funding source for the project once the design is done. The board is not opposed to setting aside the \$120,700 to fill the gap for this project to go forward, and TA Wojcik just asked for the guidance of the board to say that they are not closed off to the idea of doing a TIF going forward to finance this project.

(1:26:05 TS) Motion to reserve \$120,700 out of ARPA funds to be used for the North Street infrastructure upgrade made by Hal Davis, seconded by Tim Bonin. Roll call vote – Mike Fitzpatrick, Tim Bonin, Kevin Morse, Hal Davis all in favor.

Mr. Fitzpatrick would like to know more about the specifics of TA Wojcik's request for the boards opinion a TIF with the developer, and TA Wojcik recommended making this an agenda item for the next meeting.

6. (1:30:55 TS) Approve Minutes – Possible Votes: Pass Over

7. (1:31:00 TS) Town Administrator's Report

- TA Wojcik stated that today they found out that the former governor of Rhode Island passed away and wanted to acknowledge him as a person and his life.
- Gilboa Street and Lackey Dam Road will become very busy with construction over the next couple of weeks, the water line was installed on one side and the sewer line was installed on the other side of the road and they handled diverting the traffic pretty easily for those projects. Natural gas line install will begin next week, and they are going down the middle of the road which will be a more complicated traffic flow pattern during working hours, and Mr. Wojcik would like to build a plan internally to address the issue that will arise with this. He feels that there needs to be more lighting and signage and public notice than has been done.
- Public Safety Radio Update – This project is nearing its completion, the town will for a short period of time have the old system up and running at the same time as the new radio system and the transition of the radio traffic from the old system to the new system will begin on the week of the 9<sup>th</sup> of January. The actual complete switchover will be in the first week in February.

(1:39:30 TS) Mr. Fitzpatrick mentioned the outreach meeting regarding the project on North Street and how they would like to set that up. TA Wojcik stated that they should make this a separate agenda item for the next meeting for a communication plan.

8. (1:40:10 TS) Open Session for Topics Not Reasonably Anticipated 48 Hours in Advance of the Meeting. NONE

9. (1:40:20 TS) Executive Session

- b. Discussion of Building Security with the Douglas Fire Department

c. Interest in Real Property

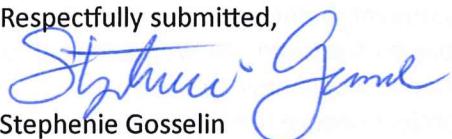
d. Potential Litigation

(1:40:35 TS) Motion to move into executive session for the purpose of discussion of building security with the Douglas Fire Department, Interest in Real Property, and Potential Litigation and to leave executive session for the sole purpose of adjournment made by Tim Bonin, seconded by Mike Fitzpatrick. Roll call vote – Mike Fitzpatrick, Tim Bonin, Kevin Morse, Hal Davis all in favor.

10. Adjournment

Mr. Bonin made a motion at 9:55pm to leave Executive Session and return to regular session for the purpose of adjournment. Mr. Fitzpatrick seconded the motion. All in favor. Roll call vote: Tim Bonin, Mike Fitzpatrick, Hal Davis, Kevin Morse.

Respectfully submitted,



Stephenie Gosselin

Recording Secretary