

**Board of Selectmen Agenda
Municipal Center Resource Room
Tuesday, October 17, 2023**

7:00 PM

- Call to Order
 - Pledge of Allegiance
 - Chairman Announcements
 - Citizen's Forum
1. Swearing-in and Pinning of Fire Chief John Furno
 2. Joint meeting with School Committee Regarding Applicants / Interviews – Possible Votes
 - Julie Lagerholm
 - Kevin Rafter
 - Jessica “Meg” Rodzen (remote)
 3. Meeting with Town Moderator for Fall STM – Possible Votes
 4. Approve & Sign Fall STM Warrant – Possible Votes
 5. Open Space Request for Select Board Letter of Support for the 2023 Open Space & Recreation Plan – Possible Votes
 6. Chapter 61 Policy – 1st Read
 7. Department Updates
 - Community Development – Matthew Benoit
 - Economic Development – Robert Minarik
 8. Discussion on Crosswalks for North Street – Possible Votes
 9. Appoint Select Board Member for Master Plan Committee – Possible Votes
 10. Review & Approve Temporary Rate for Public Safety- Fire/EMS – Possible Votes
 11. Meeting Minutes – Possible Votes
 12. Town Administrator's Report
 13. Open Session for Topics Not Reasonably Anticipated 48 Hours in Advance of the Meeting
 14. Executive Session
 - a. Pursuant to M.G.L. Chapter 30A, Section 21(a)(3), To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. **Collective Bargaining – Fire Union & Police Union**
 - b. Pursuant to M.G.L. Chapter 30A, Section 21(a)(6), To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. **Interest in Real Property – Chapter 61 Parcels Orange St.**
 15. Adjournment

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BOARD OF SELECTMEN
TUESDAY, OCTOBER 17, 2023
MEETING MINUTES

Attendance: Chair Kevin Morse, Vice Chair Mike Fitzpatrick, Tim Bonin, Ross Smith, Max Postma, Matt Wojcik Town Administrator, Lisa Freeman Executive Assistant

Kevin Morse called the meeting to order at 7 pm

(0:05 TS) Pledge of Allegiance

(0:30 TS) Chairman Announcements

(0:32 TS) Citizen's Forum

1. (40 TS) Swearing-in and Pinning of Fire Chief John Furno

John Furno was sworn in by his wife Chris Furno and pinned by his family. Chief Furno thanked his family and coworkers for all their support. Mr. Morse thanked Chief Furno for his services and spoke to the character of John Furno and his commitment to the Town of Douglas.

2. (6:20 TS) Joint meeting with School Committee Regarding Applicants / Interviews – Possible votes

(6:30 TS) Monique Salvas called the School Committee meeting to order at 7:07 PM. In attendance was Monique Salvas, Theresa Brooks, Beth Bergstrom (remote) & Heather Morin (remote)

- Julia Lagerholm – spoke about herself for the board and committee. She and her family moved to Douglas about a year ago from Millbury where they were lifelong residents, she was on the Millbury School Committee and enjoyed her time volunteering for that position. She would be privileged to be a part of the Douglas School Committee. The Select Board and School Committee asked Ms. Lagerholm their questions.
- Kevin Rafter – stated that he has been a Douglas resident for 7 years and has been teaching for 10 years with one of those years being a teacher in Douglas. He stated that he felt this would be a great opportunity for him to move into the next phase for himself. The School Committee and Select Board asked their questions to Mr. Rafter.
- Jessica "Meg" Rodzen (remote) – she and her family have been residents of the Town of Douglas for 5 years, she is excited to advocate for the students' needs and help address needs for the schools. The School Committee and the Select Board asked their questions to Ms. Rodzen.

The Select Board and the School Committee members discussed the candidates and their thoughts about who is best for the position. They stated that all three are excellent candidates and whoever doesn't get the position tonight they would hope the other two would come back when there is another vacancy.

(35:05 TS) Motion to vote for Meg Rodzen made by Monique Salvas, seconded by Tim Bonin

(35:25 TS) Motion to vote for Julia Lagerholm made by Theresa Brooks, seconded by Mike Fitzpatrick

Theresa Brooks, Ross Smith, Mike Fitzpatrick & Heather Morin for Julia Lagerholm.

Monique Salvas, Kevin Morse, Tim Bonin, Max Postma & Beth Bergstrom for Meg Rodzen.

The votes are in at 5 to 4 for Meg Rodzen for the School Committee.

(38:05 TS) Motion to adjourn the School Committee meeting at 7:38 pm made by Monique Salvas, seconded by Theresa Brooks. Roll call vote – Monique Salvas, Theresa Brooks, Heather Morin and Beth Bergstrom all in favor.

3. (38:50 TS) Meeting with Town Moderator for Fall STM – Possible votes

Keith Menard / Town Moderator discussed the articles for the fall town meeting with the Board and TA Wojcik.

- Article 1: increase in Ambulance wages and Douglas Public School personnel expenses and why the increase for these departments. TA Wojcik stated that it is their intention to make a permanent fixture in the budget starting next spring. This will consist of per diem employees and call employees who will cover 10 hours a day 7 days a week to provide an additional person in the station so that 2 ambulances can run, without hiring a fully benefited full-time firefighter. They would like to start hiring them prior to July 1st because there is an immediate need for the help now. The School Department came in at the end of the budget process last year stating that they were \$327k short of where they felt they needed to be to fully fund the budget that had been established by the School Committee. The school has subsequently filled that with a drawdown of their reserves to fund that shortfall. The town and school had several meetings to discuss whether the town could, or would be willing to step up and address some of the shortfall. TA Wojcik's view is that the town can only pledge to backfill their budget with so much revenue that can be identified as recurring.
- Article 4: Mr. Menard asked what the funding source of waterways receipts, and Ms. Lovett responded that it is receipts reserved for appropriation and half of the boat excise goes into a receipts reserved for appropriation along with the penalties for the boats.
- Article 7: Mr. Menard asked for some highlights for the new contracts and slides to give the overview. TA Wojcik stated that this group did recently unionize, and the town decided that the dispatchers for Douglas are grossly underpaid, about 20 – 25% below competing towns wages and they are having significant difficulty retaining staff. In the spring the town gave that group of employees a 6% COLA to build up their base salary for this contract to not be such a huge jump once fully negotiated. TA Wojcik will provide a slide to highlight the details of the dispatcher's union contract amounts.
- Article 8 solar bylaw: Mr. Menard asked about the verbiage for the "tolling time periods". TA Wojcik explained that "tolling" is the starting countdown of the days allowed for something. Section c, 68133 stated "the amount shall include a mechanism for calculating increased removal costs due to inflation", Mr. Menard asked if inflation was the only driver of costs that can be included there and is there something that protects the town from those escalating costs. TA Wojcik stated that it a good question for Town Council and responded that his opinion with the phrase due to inflation is sufficiently broad to include any cost that has grown and is not tying it to a measure of inflation such as the consumer price index. TA Wojcik stated that the phrasing is probably too vague and questioned if they could change the language with a minor floor amendment and if Mr. Menard would consider that to be in the scope. Mr. Menard stated that it would depend on what that is. TA Wojcik stated that he would just strike the language, and have it read "the amount shall include a mechanism for calculating increased removal costs", and Mr. Menard stated that he does not have an issue with that change of language suggested.
- Article 9: door-to-door solicitation bylaw article language "each violation of any provision of this article shall be punished by a fine not to exceed \$100" Mr. Menard asked what that fine refers to, whether it's per house, per day, etc. Mr. Fitzpatrick stated that it reads "each violation" so someone could have multiple violations on the same day. Mr. Menard asked how sales organizations find out that this fine exists and could in his eyes potentially incur multiple fines before they knew there was a fine? Mr. Morse stated that in his experience larger organizations usually reach out to local towns if they were planning on doing a

canvassing to see if there is a solicitation bylaw. Mr. Fitzpatrick stated that in his opinion the purpose of this is not to have the police just throw out a fine. They would come out and let the organization know the bylaws and that they have to come register with the town first.

- Article 10: Mr. Menard asked what it entails. Mr. Fitzpatrick stated that it is for the design engineering for Depot Street, and the town has appropriated or encumbered \$1.4 million dollars out of the ARPA funds to do the actual upgrade of the water lines on Depot Street.
- Article 12: Mr. Menard asked about the citizens petitions for article 12 section e, and if the AG's office ends up striking certain verbiage like "no greater than 5 dwelling units" portion of this because this is general bylaws instead of Zoning Bylaws what is what would you be left with that Zoning will then have to try and reconcile the remnants of this bylaw with their current zoning bylaws? Mr. Pitcherello, who submitted the petition stated that if that language was going to be taken out then he can't imagine the AG would look at the remainder of the article at that point. Mr. Fitzpatrick stated that currently the limit is 15 dwelling units, and Mr. Pitcherello stated that he believes that limit expired in 2015 and that there is no current limit in the zoning bylaws. Mr. Menard then asked why this is not an amendment to the zoning bylaws instead of a general bylaw. Mr. Pitcherello responded that the intent of this is to apply it across the board and not to any particular zone. Mr. Menard stated that the zoning bylaws apply to the entire town and again asked why create a new general bylaw instead of amending the zoning bylaw. Mr. Pitcherello stated that the effectivity of such an article upon the approval by the AG's office, and not the date at which the town meeting voted upon it. With a concern that anyone who wanted to circumvent that article could put in a permit application because the bylaw that is effective at the time of the submission of the application is the one that prevails. Mr. Pitcherello took language from the zoning bylaw that is no longer in effect. Mr. Menard stated that the way this will work at town meeting is that Mr. Pitcherello will come up and move article 11 and 12 to field and defend the questions and take his seat at the end of the question and answers and then the debate will start. Mr. Menard stated that because Mr. Pitcherello is not a resident of Douglas but a landowner and taxpayer, only he would need someone else to make the motion and defer to him for questions and answers.

TA Wojcik stated he had booked travel plans with his family anticipating fall town meeting would be the second Monday in November. His desire is to be able to be present virtually instead of not at all and doesn't feel that it would be appropriate for either Town Council or the Finance Director to have him just on the phone. If he is going to answer questions or be a resource to the town he would like to find a way to have a remote presence. The Select Board and the Town Moderator is on board with having TA Wojcik join remotely, and Mr. Morse volunteered to check out what the school has for technology to be able to make this happen in a smooth fashion.

4. Approve & Sign Fall STM Warrant – Possible votes
(1:14:15 TS) Motion to approve and sign the Fall Special Town Meeting warrant made by Mike Fitzpatrick, seconded by Tim Bonin. The vote passed unanimously.
5. (1:14:40 TS) Open Space request for Select Board Letter of Support for the 2023 Open Space & Recreation Plan - Possible votes
(1:17:15 TS) Motion to sign the letter of support for the 2023 Open Space & Recreation Plan made by Max Postma, seconded by Tim Bonin. The vote passed unanimously.
6. (1:17:45 TS) Chapter 61 Policy – 1st Read
TA Wojcik stated that the Open Space Committee worked very hard and successfully translated the requirements of the statute into a series of deadline and period driven process steps to allow the Select Board to be fully informed and proactive in its assertion of the town's rights of first refusal on chapter 61 qualified properties. Lisa Mosczynski also stated that Matt Benoit was kind enough to run it by Town Council and gave the Board members a flowchart to review how the

process moves. TA Wojcik stated that in order for the town to preserve its rights it is important for the town to follow a policy like this because the right of first refusal and chapter 61 property should not be taken lightly. Mr. Fitzpatrick asked if they should incorporate into the policy that any land in Chapter 61 would automatically get circulated to the administration office. TA Wojcik stated that yes it should, and said that before anyone stamps an ANR application has been accepted (because that does start the clock on the process) the town should do what they do with building permits and run it through the process and check every box one being is this parcel currently in a chapter 61 or 61a or 61b protection situation so it is flagged right away. Mr. Fitzpatrick didn't want to see this slip through the cracks, he stated that in many of the towns he sees their process of everyone has to sign off on it and in Douglas the applicant hands in the application and it gets stamped, and the clock starts. They discussed adding language to the policy to make sure when an application comes in by a landowner that it gets checked or the landowner in some way discloses if the land is in chapter 61 and how to go about implementing it. TA Wojcik stated that from now until the next reading they will come up with language to add this conversation to the policy for the second reading.

7. (1:35:10 TS) Department Updates

- Community Development – Matthew Benoit

TA Wojcik asked that they pass over Community Development because Mr. Benoit was unable to attend the meeting.

- Economic Development – Robert Minarik

Mr. Minarik stated that in the last 3 years they have completed three of the five water/sewer projects on the water/sewer commissioners list since 2012, which includes the infrastructure upgrades to North Street, Gilboa Street and Northeast Main Street. The town has received over \$8 million in grant awards with a \$4.5 million MassWorks grant pending. There are two site readiness grants still in progress right now, North Street which is a \$12.7 million project for water/sewer upgrades, a sidewalk, road, and an elevated water storage tank. The other project is Davis Street and Monroe Street water/sewer design and engineering for water/sewer and well exploration. The Cubes at Gilboa is a current project being constructed as we speak, an \$820 million, 1.1 million square foot warehouse, and the roof should be done this week, and they are about 1/3 of the way done with the interior slabs. The Cubes at Pyne is a new project that is \$450 million private investment, 2.8 million square feet (two buildings) and they should be before the Planning Board soon, this is the driving force behind the North Street project. Mr. Minarik stated that his goal has always been to increase the commercial tax rate from 4% when he started to get the town to at least 20% or more. Mr. Minarik stated that North Street and Gilboa Street are currently under construction and should be fully paved by Thursday, then resetting the curb, doing sidewalks, and final overlay within a couple weeks after that. Lackey Dam Road is scheduled for Sunday night. Mr. Bonin asked how much the taxpayer has paid for all these projects in town, Mr. Minarik stated that the taxpayer has probably contributed about \$200k to these projects, and it has been mostly funded by EDA Grants and MassWorks Grants, the site readiness grant awards which have totaled over \$8.1 million so far.

8. (1:44:15 TS) Discussion on Crosswalks for North Street – Possible votes

Mr. Minarik stated that this item has come up with the resurfacing of North Street. There are currently 2 sidewalks, one on Charles Street which will be staying and the other in the vicinity of C Street that just goes into a parking lot. Building Commissioner Ken Frasier suggested relocating this sidewalk to the intersection of North Street, Main Street and Northeast Main Street where most of the pedestrian traffic moves. Mr. Fitzpatrick does not like the idea of a crosswalk in that busy intersection and he feels it would be too dangerous for pedestrian traffic. Mr. Fitzpatrick's opinion is to leave what is in place currently because that is what the residents are used to.

- (1:48:15 TS) Motion to leave the sidewalks and crosswalks as is, made by Mike Fitzpatrick, seconded by Max Postma. The vote passed unanimously.
9. (1:48:40 TS) Appoint Select Board Member for Master Plan Committee – Possible votes
TA Wojcik stated that this is a fundamental document for the town both in terms of emergency management grant applications, and it is a gentle guide for where the town wants to prioritize development initiatives through zoning changes or overlays and usually identifies the needs of a community that is growing.
(1:54:00 TS) Motion to appoint Maxwell Postma as the Select Board delegate for the Master Plan Committee, made by Tim Bonin, seconded by Mike Fitzpatrick. The vote passed unanimously.
10. (1:56:00 TS) Review & Approve Temporary Rate for Public Safety – Fire/EMS – Possible votes
The Public Safety compensation table inadvertently had the notation that was not removed from an earlier version. This note indicated everyone would start at step one and Ta Wojcik feels that the Fire Chief needs to have some room for having options of pay due to experience.
(1:58:00 TS) Motion to give the Fire/Ambulance Chief, Town Administrator the authority to advertise, negotiate and establish rates of pay for call firefighters and emergency medical technicians at any step of the town meeting approved Public Safety compensation table effective from now until annual town meeting in May 2024, made by Max Postma, seconded by Ross Smith. The vote passed unanimously.
11. (1:58:45 TS) Meeting Minutes: June 20, 2023, July 5, 2023 & July 18, 2023, September 19, 2023 – Possible votes
Lisa Freeman stated that the executive session minutes were reviewed by Attorney Rich Bowen and the Board would have to approve them and can hold them if they are still ongoing.
(2:00:55 TS) Motion to approve and retain the executive session meeting minutes of June 20, 2023, July 5, 2023 & July 18, 2023, as presented, made by Tim Bonin, seconded by Mike Fitzpatrick. The vote passed unanimously.
(2:02:10 TS) Motion to approve the September 19, 2023, open session meeting minutes as written, made by Max Postma, seconded by Ross Smith. The vote passed unanimously.
12. (2:02:40 TS) Town Administrator's Report
They held a nice event this past Thursday where they called out considerable accomplishments of many Douglas employees, past and present, who have given the town more than 20 years of service. Employee Recognition Committee members Matt Wojcik, Lisa Freeman, Lisa Postma, Patrice Rousseau, Christine Furno, Holly Cotnoir and Chris Pupka put a lot of time into planning this event. They had plaques made for the 20+ year employees to memorialize their service to the town. This will be a running practice now that if someone retires after more than 20 years of service, they will get their name on a plaque to be hung in the Resource Room. That is the only thing that is paid for with town funds; everything else is will be funded with donations. For the employees that are currently still working they had a "Douglas Blue" collared shirt made with the long-standing tiger revamped from the municipal center gym wall on it. TA Wojcik stated that it is a pleasure to work with these folks and an even bigger pleasure to acknowledge them.
13. (2:07:00 TS) Open Session for Topics Not Reasonably Anticipated 48 Hours in Advance of the Meeting
Mr. Fitzpatrick would like to put on the next agenda to talk about a moratorium on street opening on all the newly paved roads.
14. Executive Session: (2:08:15 TS) Motion to move into executive session for the purpose of collective bargaining for Fire Union and Police Union and interest in Real Property for Chapter 61 Parcels for Orange Street and to leave executive session for the sole purpose of adjournment, made by Tim Bonin, seconded by Mike Fitzpatrick. Roll call vote – Max Postma, Mike Fitzpatrick, Kevin Morse, Tim Bonin and Ross Smith all in favor.

15. Adjournment: Mr. Fitzpatrick made a motion at 9:37 pm to leave executive session and return to regular session for the sole purpose of adjournment, Mr. Bonin seconded the motion, all in favor. Roll call vote: Postma – aye, Morse – aye, Fitzpatrick – aye, Smith – aye, Bonin – aye.

Respectfully submitted,


Stephenie Gosselin
Recording Secretary