

**Board of Selectmen Agenda
Municipal Center Resource Room
Thursday, January 18, 2024**

7:00 PM

- Call to Order
- Pledge of Allegiance
- Chairman Announcements ~ Acknowledgement of Eagle Scouts
- Citizen's Forum

1. Whitinsville Fish & Game / Change of Manager – Possible Votes
2. Review & Approve Board of Selectmen 2024 Meeting Schedule – Possible Votes
3. ARPA Update – Possible Votes
4. Moratorium for Roads 1st Reading
5. Meeting Minutes – Possible Votes
6. Discussion Regarding Oak Street – Possible Votes
7. FY25 Budget Discussion – Possible Votes
8. Town Administrator's Report
9. Open Session for Topics Not Reasonably Anticipated 48 Hours in Advance of the Meeting
10. 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 – Assistant Fire Chief Kelly Manning**
 - 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 – Riedell Road**

Douglas Cable is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/85229376841>

Meeting ID: 852 2937 6841

PLEASE NOTE: ALL WISHING TO JOIN THIS MEETING WILL NEED AN AUTHENTICATED ZOOM ACCOUNT

To create an authenticated Zoom account in order to join these meetings, please visit:

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For information about the Zoom platform, including how-to videos and forms for requesting a Zoom meeting:

<https://douglas-ma.gov/530/Remote-Meetings>

APPROVED
March 12, 2024

BOARD OF SELECTMEN
THURSDAY, JANUARY 18, 2024
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 7:03pm.

(0:07 TS) Pledge of Allegiance

(0:25 TS) Chairman's Announcements – The BOS would like to congratulate 5 young men for achieving the rank of Eagle Scout: Griffin Beaulieu, Troy Cami, Ethan Chisholm, Luke Lightbown, and Alex Wheeler.

(2:05 TS) Citizen's Forum – NONE

1. (2:20 TS) Whitinsville Fish and Game, change of manager – Possible votes

The current manager Cindy MacDonald stepped down and relinquished any control she had over the bar. The WFG board voted Kyle Hetherington in as the new manager; he has been tending bar for the last couple of years there. Ms. Freeman stated that they had received all the proper paperwork and they paid the state the \$200.

(3:15 TS) Motion to approve the change of manager made by Mike Fitzpatrick, seconded by Tim Bonin. The vote passed unanimously.

2. (3:35 TS) Review and approve Board of Selectmen 2024 meeting schedule – Possible votes

(6:30 TS) Motion to approve the meeting schedule for 2024 as amended made by Mike Fitzpatrick, seconded by Ross Smith. The vote passed unanimously.

3. (6:45 TS) ARPA update – Possible votes

The phone project has been completed and it came in just a little under budget, now all the town buildings are all on the same system. The fire department HVAC project will be able to be put out to bid shortly. The electrical project with the fire department was a capital project and the HVAC was an ARPA project. Everything is held up until the HVAC designer marries up the HVAC electrical needs to the electrical plan. The school security project bid has been posted and there is a mandatory walk through for interested bidders on January 25, 2024 at 10 AM. Final design plans will not be shared until they have a successful bidder, and they believe that the \$250k will be sufficient for this project. The final project that has a major remaining uncommitted source of funding is the Depot Street water/sewer project. TA Wojcik believes that this project should be able to be completed by the end of the year.

4. (11:10 TS) Moratorium for Roads 1st Reading

Bob Sullivan Systems Manager for the Water and Sewer Department discussed some of the recent road improvements made throughout the town and are looking into protecting the new road investments that the town has put a lot of time and money into.

5. (15:15 TS) Meeting Minutes – Possible votes

Passed over.

6. (15:20 TS) Discussion regarding Oak St – Possible votes

The Board is going to wait for the Conservation Agent to join the meeting to discuss this matter and move on to the rest of the agenda items.

7. (16:30 TS) FY25 Budget discussion – Possible votes

TA Wojcik provided the Board with a printout of one of the steps in the budget process which is to review the house keeping items (article 1) from special town meeting in November and to determine whether some of those items continue to be funded in the budget for FY25. Other items to review would include the police wages that increased by \$34,000 which was the retro payment of salaries due to the dispatchers after they settled their contract. Fire and Ambulance together went up a total of \$155,000, including one non-recurring expense of \$95,000 which was a contract buy out for the former fire chief, and leaving about \$60k that was added to the base salary budget. Tree warden expenses will be added in the fall due to it being dependent on the new growth. The Douglas Public Schools received a replenishment for recurring expenses in the amount of \$187,347 at fall town meeting being incorporated into the base which is a recurring allocation of revenue. TA Wojcik's intention is to publish for the Finance Committee a budget that is 99% done by next Tuesday. The revenue is a number that he believes will not change and that number right now is \$35,447,312 which is a 4.9% increase year over year driven almost entirely by new growth. The precise valuation in addition to new growth from the warehouse building is a number the town can count on in doing next years budget. That value will generate 1.891 million dollars of new growth and the Assessor feels that they should hold back over 1.5 million of that in overlay incase the warehouse tenant challenges the value. TA Wojcik also stated that he is not balancing the budget to zero, he is trying to put as much money as he can in surplus in order to have funds available for the purchase of real estate in association with the highway building project. The other major additions are ambulance coverage for paramedics, a new school resource officer, and an additional highway worker (which had been cut from the budget a few years ago). He also stated that his draft budget is going to have a 10% increase for BVT and a 4% increase for Douglas Public Schools, which is significantly higher for the public schools in the history of the town.

8. (32:51 TS) Town Administrator's Report

TA Wojcik went over the fire and police department's needs regarding compensation and employees and what that looks like for the budget. The fire department had more

catching up to do for compensation than the police department. The school union contracts are going to be up and they will be discussing them in the near future.

6. (37:40 TS) Discussion regarding Oak St.

Conservation Agent Brian Faneuf joined remotely and stated that as of today the Conservation Commission has met twice on this matter and has spent close to 5 hours in meetings since this started on December 11, 2023. At the last meeting they issued an enforcement order under the Wetlands Protection Act and the local wetlands protection bylaw with fines of \$200 per day. The first two weeks' worth of fines have been issued and dropped off at the Uxbridge District Court, and the town of Sutton also issued an enforcement order with fines. Mr. Faneuf was at the Sutton Conservation meeting last night and Blue Wave Solar handed the chairman a check for \$4,200 which covers the first two weeks' worth of fines in Sutton. There is no end in sight to the fines in Douglas and he stated that the fines will stop once the matter is resolved and the site is stabilized. Blue Wave Solar through their subcontractor Weston and Sampson created a restoration plan which was accepted earlier this week. Due to the level of concern from residents as to what might be in the soil the Douglas Conservation Commission added a condition that soil on the site must be tested first and any imported soil must be tested. The Conservation Commission also required from Blue Wave Solar a progress plan to date of the detention basin being built that handles all of the stormwater which will ultimately become a permanent fixture as part of the solar farm. Mr. Faneuf went over the issues with the site and what he saw. Blue Wave has agreed to clean up the site but the biggest hinderance is the weather at the moment. Mr. Faneuf inspects the site twice a week on average. Soil infiltration testing should be done before any engineered plans are approved by anyone. There was discussion about making it policy that the testing be witnessed. TA Wojcik stated he feels it needs to be a required practice specifically because of the soil types in Douglas and the surrounding towns. Shirley Mosczynski of 60 Oak St spoke to the issue of soil and silt in Lake Manchaug and stated that she has not received the paperwork to sign in order for them to test her properties soil. She wants to know when the soil samples are going to be taken and when this is going to be fixed because what Blue Wave is currently doing is not working. Mr. Faneuf stated that he has not been able to get a straight answer about the soil testing being done and he is still waiting for samples of another property Blue Wave said they have done. The Board is wondering what they have the authority to do to move this along, and the bylaw fine is capped at \$200 per day. Mr. Faneuf stated that he had spoke to Town Council about this and there can be an injunction made, but only when the fines are not being paid. Lori Hout of 41 Oak St commented that the Planning Board was upset to find out that they did not know what was going on with the site, and she voiced her concerns and frustrations about the issues seeming not being resolved. She wanted to make sure that the Planning Board and Conservation Commission were on the same page and that the work that Blue Wave is doing is actually fixing the issues. Bill Rossi of 41 Oak St asked if the \$200 fine should be per day, per violation for each property that is being affected. Mr. Faneuf stated he is unsure, and they can look into this. Mr. Faneuf stated that Haley Ward who did the stormwater pollution prevention plan inspections visit the site weekly or bi-weekly and write a report on findings and recommendations.

In one of their previous letters, they alluded to the fact that there may have to be a redesign of the drainage. A letter was sent to Matt Benoit Community Development Director dated today on whether or not the system needs to be redesigned. Mr. Faneuf read through the letter and relayed to the Board what it states. Phyllis Shapante with the Manchaug Pond Foundation explained what the damages are and that there was report that a catch basin was blown out. They are concerned about what is flowing into the lake and impacting the water and fish. The water level has changed and this is the drawdown season however, the level is higher than it should be and boats and docks are in ice. She asked if they could be made to take their stormwater off site if they cannot manage it on site. Ms. Kroll from Sutton asked Mr. Faneuf if there is a stormwater management plan in Sutton and a notice of intent because she is concerned that her property is being used as a dumping ground. Mr. Faneuf responded about the notice of intent being something that is issued when someone is building a single-family home and stated that the enforcement order is the best way to move forward in this situation because you can order the violator to remedy and clean it up. Regarding stormwater management he stated that the engineers have to come up with a better solution because the unexpected rainfall events have saturated the ground. Mr. Faneuf read for the public what the Haley Ward letter reads:

"The applicants design engineer, Beals and Thomas did not analyze the pre-development versus post-development runoff at the base of the driveway that meets Oak Street. The design point that was analyzed is several hundred feet downstream, however, there appears to be an increase in runoff at the base of the access road to the site. The area of the old cart path was partially vegetated, rutted, wooded, etc., whereas now the road is a compacted gravel road that conveyed stormwater at a higher rate and volume."

The Board asked if the state would play a role in this and Mr. Faneuf stated that they can if either Sutton or Douglas are not carrying the ball. He stated that the DEP Central Region Wetlands and Waterways Program does know about this situation and visited the site in December. He received a call from Section Chief Judy Schmidtz asking if the Town of Douglas was going to be doing anything about this. It is their rule to allow the municipality to administer and enforce the state laws and they only step in something has gone egregiously wrong, or there is no action on the local level. The state is watching the situation and they were ready to issue what is called a unilateral administrative order, possibly including fines. Shirley Mosczynski of 60 Oak St handed out a letter written by Haley Ward dated December 12, 2023 that states the system should be redesigned. She does not know if the Planning Board had ever seen the letter. Mr. Fitzpatrick discussed the Planning Board and Zoning Board and what they have listed on their agendas to be able to discuss at a meeting, and feels it is up to the Boards themselves to address and look into the items.

TA Wojcik wanted to follow up on what Mr. Fitzpatrick said and that the integrity of local government is based upon the public's trust in everyone doing their individual jobs and working together professionally to get a common solution.

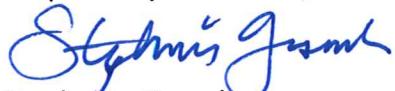
9. (2:05:00 TS) Open Session for Topics not reasonably anticipated 48 Hours in Advance of the Meeting.

Gerson "Butch" Gurwitz property owner of 179 Davis St stated that he received his tax bill and was singled out and he spoke to the tax assessor. He read some surrounding property tax assessments to the board. He feels that the assessments are outrageous and inconsistent and would like to be put back at the normal raises that have been going for the last 10 to 20 years. This is not something the BOS can change, and TA Wojcik suggests applying for an abatement is the first step in the process. TA Wojcik suggested the Assessor to come to the next BOS meeting to discuss how he came to his values. Other property owners from 174 and 175 Davis St wanted to reiterate what was previously said about the assessed values and they don't agree with them. They stated if this cannot be rectified these businesses will leave town and go elsewhere. The property owners also asked if there is anything the town can do about the culvert at their properties because of the amount of water that washes it out.

10. (2:27:00 TS) Executive Session: Motion to move into executive session to discuss collective bargaining with Assistant Fire Chief Kelly Manning, as well as interest in real property on Riedell Road 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.

11. Adjournment: Mr. Bonin made a motion at 10:16pm to leave executive session and return to regular session for the sole purpose of adjournment, Mr. Fitzpatrick seconded the motion, all in favor. Roll call vote: Fitzpatrick – aye, Bonin – aye, Smith – aye, Posta – aye, Morse - aye.

Respectfully submitted,



Stephenie Gosselin
Recording Secretary