



Board of Selectmen Agenda
Municipal Center Resource Room
Tuesday, March 12, 2024
7:00 PM

- Call to Order
 - Pledge of Allegiance
 - Chairman Announcements
 - Citizen's Forum
1. Reorganization – Possible Votes
 2. Conservation Commission Appointment / Josiah Burch – Possible Votes
 3. Ratify Contract for Assistant Fire Chief Kelly Manning – Possible Votes
 4. Review Town Meeting Warrant Articles – Possible Votes
 - Discussion Regarding BVT Proposed Warrant Articles – Possible Votes
 5. Review ATM & STM Warrants – Possible Votes
 6. Douglas Historical Society / Letter of Support for Grant – Possible Votes
 7. MA Dept. of Fish & Game / Letter of Support for Land Purchase – Possible Votes
 8. Authorize TA to sign CEMLAC Mutual Aid Agreement – Possible Votes
 9. Grant Acceptance – Possible Votes
 - FY24 Legislative Earmark Grant for COA Bus
 - FY24 Legislative Earmark Grant for New Highway Building
 10. Meeting Minutes – Possible Votes
 11. Monthly Update of Goals – Possible Votes
 12. Discussion Regarding Conservation Commission Meeting Minutes – Possible Votes
 13. Discussion & Votes – Employee Health Insurance Rates for FY25
 14. Town Administrator's Report
 15. Open Session for Topics Not Reasonably Anticipated 48 Hours in Advance of the Meeting
 16. Executive Session
 - a. 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 – 331 Main Street**
 17. Adjournment

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BOARD OF SELECTMEN
TUESDAY, MARCH 12, 2024
MEETING MINUTES

Attendance: Chair Mike Fitzpatrick, Tim Bonin, Ross Smith, Max Postma, Matthew Wojcik Town Administrator and Lisa Freeman Executive Assistant.

TA Wojcik the Town Administrator called the meeting to order at 7:00 pm.

TA Wojcik stated that the Board is holding a full reorganization and traditionally the town administrator presides over that section and all other agenda items will be postponed until the Board reorganizes with exception of the Pledge of Allegiance.

(0:25 TS) Pledge of Allegiance

1. (0:45 TS) Reorganization –TA Wojcik went over Robert’s Rules of Order. The nomination for office does not require a second to leave the floor open until all nominations, once the floor is closed if there is no debate you move immediately into a vote. TA Wojcik asked for nominees for the chairman of the Douglas Select Board that is vacant. Mr. Postma and Mr. Smith nominated Mike Fitzpatrick for chairman. The vote was unanimous for Mike Fitzpatrick as chair of the BOS. (2:00 TS) Mr. Fitzpatrick asked for nominations for the Vice Chair position. Mr. Smith nominated Max Postma, the vote for Max Postma for Vice Chair passed unanimously.
2. (3:30 TS) Conservation Commission Appointment / Josiah Burch – Possible votes
Mr. Fitzpatrick is going to recuse himself because Mr. Burch is his son’s father-in-law. Mr. Burch was previously on the Open Space Committee for a number of years and the Planning Board to fill an 11-month term about 15 years ago. Mr. Burch stated that he is aware of some of the rules for Conservation and wetlands from his real estate background, he also took a class for Robert’s Rules of Order when he served on the Planning Board. TA Wojcik asked if he has the frame of mind it requires to hold people accountable to written plans that have been submitted and enforce the things they have promised to do. Mr. Burch stated that he absolutely is and would keep the town’s best interest in mind.
(6:15 TS) Motion to appoint Josiah Burch to a 3 year term as an alternate on the Conservation Commission made by Ross Smith, seconded by Tim Bonin. The vote passed unanimously.
3. (7:00 TS) Ratify Contract for Assistant Fire Chief Kelly Manning – Possible votes
Mr. Fitzpatrick had some questions about how it will be paid for, referring to the section titled discipline under section 8 which states:
“in the event there was a termination by the town and the termination was subsequently vacated, reverse, or modified the employee would have the option to either a lump sum severance equal to the balance of the salary, benefits, costs, fees to be paid according to this agreement and then some remaining term of this agreement for the then remaining term of this agreement but in no less than 12 month salary of benefits or could reinstated into the position.”
Mr. Fitzpatrick is not concerned that this will ever happen, his concern is if something does go sideways and 2 years and 11 months how does the town pay for that 12 months. TA Wojcik had an explanation for Mr. Fitzpatrick that has somewhat satisfied him but he would prefer to review further during executive session.
(12:00 TS) Motion to ratify the contract for Assistant Fire Chief Kelly Manning made by Tim Bonin, seconded by Max Postma. The vote passed unanimously.

4. (12:50 TS) Discussion & Votes – Employee Health Insurance Rates for FY25

TA Wojcik circulated earlier this week the actuarial worksheet associated with calculating the rates to the BOS and Finance Committee. The actuary takes the town's claim experience for the last two years and isolates those that were catastrophic that are unlikely to repeat and then applies a market trend to the number that is left over and then puts back into that forecast the portion of the catastrophic claims that were not covered by stop loss insurance. TA Wojcik talked about the pharmacy rebates and that typically 20% of the town's pharmacy cost come back to the town in form of rebates, which lowers a very significant portion of the health claims by 20%. That yielded one rate and not factoring in the rebates got another rate. The town ends up with 2 negative numbers because the average claim is small, the actuary would be comfortable with the Town of Douglas taking a small rate deduction of either 3.9% in the case of the pharmacy rebates or -0.9% if not included. TA Wojcik and Ms. Lovett do not like to go along with a negative rate recommendation because it creates ups and downs and the employee is paying 20% of their insurance cost. The board votes the rates of the individual towns and the only thing before them will be the 3.9% or the -0.9%, unless the board takes a position and asks for a zero which is what Ms. Lovett and Mr. Wojcik are asking. This would be the third year in a row that the rates for employees have not gone up. The two things they are working on is OPEB and how to lawfully bring some of the money back to the employees without violating IRS rules around HSAS and other premium holiday type conversations. TA Wojcik and Ms. Lovett are asking the board to support his recommendation to request that the MSHG Board give the Town of Douglas a rate pass this year or a 0% increase. The Town of Douglas' current surplus in the MSHG claims trust fund is somewhere between \$1.4 and \$2 million dollars.

(23:05 TS) Motion to request that the MSHG Board of Directors give the Town of Douglas a 0% increase this year made by Tim Bonin, seconded by Ross Smith. The vote passed unanimously.

5. (24:30 TS) Douglas Historical Society / Letter of Support for Grant – Possible votes

Lisa Mosczynski on behalf of the Douglas Historical Society is in attendance to speak about the letter to the Massachusetts Historical Commission. The Douglas Historical Society is asking that the BOS support their request to the commission for a matching grant to do another phase of repair in the barn area of the E.N. Jenks building.

(26:05 TS) Motion to sign the letter of support for the Massachusetts Historic Commission's round 30 grant application made by Tim Bonin, seconded by Ross Smith. The vote passed unanimously.

6. (26:40 TS) MA Dept. of Fish & Game / Letter of Support for Land Purchase – Possible votes

Sue Perkins 148 Wallum Lake Road is in attendance for the request. Mr. Fitzpatrick read the letter from the Massachusetts Department of Fish & Game stating that they are considering the purchase of the fee interest in land located in the Town of Douglas. The property under consideration contains 20 acres plus or minus of wildlife habitat and they enclosed a locust map. The current use of the property is predominantly open space in its natural condition, and if acquired they will retain the property as open space and protect and manage the wildlife resources. Also provide public access for passive outdoor recreation opportunities including wildlife observation, hunting, and trapping. It is the owners desire to sell the land as an addition to the Department of Fish & Games Mine Brook wildlife management area. The letter also talked about payment of the taxes on the property would be made by the state depending on when the date of the transaction. Mr. Fitzpatrick also read the letter from the Open Space Committee stating that they recommend that the BOS fully support the efforts of the Commonwealths Division of Fish & Game to acquire Mr. Bick's property.

(32:50 TS) Motion to endorse the MA Department of Fish & Game purchasing the parcel of land discussed made by Tim Bonin, seconded by Max Postma. The vote passed unanimously.

7. (33:20 TS) Authorize Town Administrator to sign CEMPLAC (Central Mass Law Enforcement Council) Mutual Aid Agreement – Possible votes
(34:15 TS) Motion to authorize the Town Administrator to sign the CEMPLAC Mutual Aid Agreement made by Tim Bonin, seconded by Ross Smith. The vote passed unanimously.
8. (34:50 TS) Grant Acceptance – Possible votes
 - FY24 Legislative Earmark Grant for COA Bus
 - FY24 Legislative Earmark Grant for New Highway Building
 (35:15 TS) Motion to accept the FY24 Legislative Earmark Grant for the COA Bus in the amount of \$15k made by Ross Smith, seconded by Max Postma. The vote passed unanimously.
 (36:05 TS) Motion to accept the FY24 Legislative Earmark Grant for the new highway building in the amount of \$25k for designing and building costs made by Max Postma, seconded by Ross Smith. The vote passed unanimously.
9. (36:50 TS) Meeting Minutes: January 2, 2024 & January 18, 2024 – Possible votes
 (38:40 TS) Motion to accept the meeting minutes of January 2, 2024, as written made by Ross Smith, seconded by Max Postma. The vote passed unanimously.
 (41:40 TS) Motion to accept the January 18, 2024, meeting minutes as written, made by Ross Smith, seconded by Max Postma. The vote passed unanimously.
10. (42:10 TS) Discussion Regarding Conservation Commission Meeting Minutes – Possible votes
 The BOS discussed the open meeting law requirements which is 90 days for the state and the local is 30 days or the next available meeting which ever happens first.
11. (46:55 TS) Open Session for Topics Not Reasonably Anticipated 48 Hours in Advance of the Meeting.
 Mr. Smith asked if there was an update on the EV Chargers. Mr. Fitzpatrick stated that it is before the Capital Committee and the town received a \$50k grant and the cost to install is \$56k. He discussed the grant stipulations and the statewide issues with these particular chargers. TA Wojcik received two quotes for \$33k and \$36k. Capital voted on it today and they are going to put it on the special town meeting for \$38k.
12. (51:40 TS) Monthly Update of Goals – Possible votes
 Mr. Fitzpatrick stated that he was looking for just the Town Administrator piece, not every department and had it on the agenda once a month. It will be revisited at the next meeting.
13. (53:20 TS) Highway – Weston and Sampson have not met their design milestone that the town had hoped, and they need an accurate guesstimate and set of plans in order to move forward with it. There is an appraisal being done on a piece of property the town has interest in and waiting for that to come back.
14. (57:20 TS) Discussion Regarding Conservation Commission Meeting Minutes – Mr. Fitzpatrick wanted to add to this from earlier that the open meeting minutes law stated that if someone comes to the town and requests the minutes for a meeting that they have 10 days to produce them.
15. (1:05:10 TS) Review Town Meeting Warrant Articles – Possible votes
 Discussion Regarding BVT Proposed Warrant Articles – Possible votes
 Jeanne Lovett, the Finance Director stated that BVT is on as a placeholder to be considered by the board and went over the three major things that Dr. Fitzpatrick went over at the Finance Committee meeting on February 27th. Dr. Fitzpatrick presented his budget, setting up a stabilization account, and the request for a new roof and HVAC units. It is up to the towns whether they want to debt exclude the roof project and Ms. Lovett would recommend that. This would require a town meeting as well as a ballot question, which is important for a \$10 million dollar project. Ms. Lovett would like to find out what the other towns are going to do with this project and what town meeting they are going to put it on. The BOS has until the next meeting to vote on this.

16. (1:13:40 TS) Review ATM & STM Warrants – Possible votes

Ms. Lovett went through the warrant articles for the STM.

- Article 1 – Standard housekeeping items.
- Article 2 - \$75k for snow and ice if needed.
- Article 3 – prior year bills
- Article 4 – set up receipts reserved for appropriation for opioid money for the settlement.
- Article 5 – Capital items needed; Mr. Fitzpatrick went through the capital projects.
- Article 6 – Oil spill additional funds because the project is still not closed out.
- Article 7 – Supplement to the North St project.

The ATM warrant articles:

- Articles 1 & 2 are the six-page document of the budget will be inserted there.
- Article 3 – elected positions
- Article 4 – BVT assessment
- Articles 5, 6 & 7 are the transfer station, water/sewer enterprise and Cable receipts reserved.
- Article 8 – reoccurring business / housekeeping
- Article 9 – Personnel compensation chart
- Article 10 – adoption of the FY25 – 29 capital improvement budgets
- Article 11 – Ratify Fire & Police Union contracts
- Article 12 – Amendment to the general bylaw, article 8 wetlands bylaw section 13 citizen's petition. Lisa Mosczynski 60 Oak St. spoke on this petition because she submitted it and is asking to increase the fine amount. The BOS asked Lisa Freeman to run this bylaw through legal counsel to make they are not violating any rights with this.
- Article 13 – Amended Zoning bylaw section 6.8 solar, the Planning Board is holding a meeting tomorrow night for a recommendation.
- Article 14 – Transfer of land ownership map parcel 118-2 Caswell Court. Mr. Benoit stated that the Open Space Committee has recommended the transfer of ownership from the Town of Douglas to the Douglas Conservation Commission with a little over 47 acres.
- Article 15 – Revise stormwater management bylaw and regulations. Mr. Benoit has the draft bylaw for the BOS to review tonight. Nick Christofori with CEI spoke about the mandatory requirements and regulations adopted by the towns. They discussed the bylaw more in depth and accounting for the smaller developments with the regulations. TA Wojcik spoke of the importance of this for the Town of Douglas.
- Article 16 – Sutton Douglas Development LLC subdivision, Mr. Benoit stated that they needed to transfer the open space to the town prior to the start of construction. Tim Flynn with Flynn Build & Develop spoke on this article.
- Dr. Vieira and Ms. Keegan spoke about the article to do a facilities audit of all of the school buildings. The need is for upkeep and the age of all the school buildings. There was some discussion about seeing if the school and town could combine forces and do this town wide. Mr. Bonin asked if there has been any thought or discussion of moving the 8th grade up to the high school to possibly help with not losing students to BVT, and they said it has been discussed but they would have to look into it more.
- Article 18 – BVT roof reconstruction and replacement of rooftop HVAC units
- Article 19 – BVT creation of stabilization account
TA Wojcik recommends the BOS members listen to Dr. Fitzpatrick's presentation on these articles to make a more informed decision and to get BVT to disclose more information to the towns on these requested article items.
- Article 20 – Ratify Police and Fire contracts.

17. (2:32:40 TS) Town Administrator's Report – TA Wojcik is going to recommend that the BOS skip executive session because he does not have new information to give them. He distributed the current status of the budget for them to review.

(2:38:35 TS) Motion to adjourn the meeting made by Max Postma, seconded by Ross Smith. The vote passed unanimously.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Stephenie Gosselin".

Stephenie Gosselin
Recording Secretary