Some matters have been taken out of agenda order but were typed up in agenda order for ease of locating information when necessary.

1. Call to Order, Pledge of Allegiance:

Steven Sullivan called the meeting to order at 6:35pm. In attendance were Paul Joseph, Kerry Cyganiewicz and Jason Johnson. Also in attendance was Jonathan Ruda, Town Administrator and Michelle Jervis, Administrative Secretary. John Marsi was absent.

2. Acceptance of Minutes:

Paul Joseph motioned to approve the minutes of July 29, 2019. Kerry Cyganiewicz seconded. Unanimous 4-0.

Paul Joseph motioned to approve but not release the executive session minutes of July 29, 2019. Kerry Cyganiewicz seconded. Unanimous 4-0.

3. Appointments:

Police Department – Conditional Appointment of four (4) Reserve Police Officers – Chief Steven Wojnar came before the Board introducing two (2) of the four (4) Reserve Officers. They are Eythan Ducat who resides in Thompson, CT. and Elizabeth Wojnar from Grafton, MA. He stated there were six candidates and the Police Evaluation Committee recommended four of them. Regarding the appointments he stated the Board of Selectmen are the hiring authority and handle hiring/firing of police officers. He hired an outside company to conduct the testing and the Police Evaluation Committee was brought back along with the Police Chief. Background checks were completed and these are conditional appointments for now. Regarding one of the Reserve Officers, Elizabeth Wojnar, Chief Wojnar stated that she is the daughter of his first cousin. Due to this relationship he filed a form formulated by the State Ethics Commission - Disclosure of Appearance of Conflict of Interest as required by G.L. Chapter 268A §23(b)(3) with the Town Clerk. These appointees have completed reserve academy. In September he will have the Board appoint another list since he has ten (10) slots open. After discussion Paul Joseph motioned to appoint as conditional appointments four (4) reserve officers: Mariano Conte, Jose Vallejo, Eythan Ducat and Elizabeth Wojnar. Jason Johnson seconded. Unanimous 4-0.

4. Resignations:

5. Public Comments/Citizens Comments:

6. Town Administrator’s Report:

Mr. Ruda stated that last week all department heads met with a consultant from the Abrahams Group to compile a list of all our capital improvement needs. This included our entire infrastructure such as pump stations, water and sewer lines, bridges, dams etc. as well as our vehicles and other assets. Unfortunately we found out today that we are going to have to replace our underground fuel tank up at the highway garage. A follow-up meeting will be conducted in September, and after completion of the plan, the
Abrahams Group will make a presentation to the Board. Another issue is that the Water Department engineers, Tighe and Bond, are working with the Commissioners and Superintendent to address immediate issues with the entire water system. In the future he will provide the Board with informational materials and maps when received.

Compensation Study – Mr. Ruda discussed inviting a firm to conduct a Compensation Study on non-union employees in the town. He spoke with a firm that is highly recommended by the Massachusetts Municipal Association and they will be here to discuss the Study at our September 23, 2019 meeting. Any questions Board members will have should be submitted prior to the date.

Scanlon and Associates, our auditor, conducted the audit last week. He met with the Audit Manager and overall very pleased with our financial management and there will only be some very minor notations in the final report. He does not anticipate the report for several months since the auditors go from town to town and after completion write all their findings.

Finally, Mr. Ruda wanted the Board to get involved with the vacancy of the Building Department. He stated that as we all know the Building Clerk has been hired to fill the vacancy of the Water/Sewer Department Clerk, who is now the Town Clerk. In any event, he has done extensive research and is highly recommending moving forward combining the Board of Health, Building Department and Zoning Board of Appeals’ Clerks into a Licensing, Zoning and Code Enforcement Clerk. He forwarded to the Board four (4) job descriptions: Building Department Clerk, Board of Health Clerk, Zoning Board of Appeals Clerk and a Draft of Licensing, Zoning and Code Enforcement Clerk job description that came from the Town of Northborough. As we work together on a Compensation and Classification Study he recommends the proposed combined position not to adjusted or reclassified in advance of the Study but to leave the position classified as an OAS-3 (the pay grade of both the Board of Health and Building Clerk) and in terms of compensation, he recommends setting the minimum pay rate at not less than the pay rate of the former Building Clerk. He stated that the in the absence of a wage classification he has concerns with the OAS-3 classification which ranges from $13.26/hour to $20.40/hour with the medium pay of $17.81. All classified OAS-3 with no continuity. Jason Johnson questioned whether certifications and experience would trigger the $7.00 difference in the OAS-3 classification. Mr. Ruda checked it out and could not find any. It doesn’t matter when you were hired; it was who had the better advocate/department head asking for increase in pay. Paul Joseph disagreed. He feels the person who is currently taken on a dual role as the Board of Health Clerk and the Building Clerk should be paid the same pay rate until we have the Compensation Study since we’ve been doing it piece meal. Steven Sullivan stated we must post the position internally first and thinks the combining of the departments is an excellent idea. After much discussion Steven Sullivan stated that we need to clean up the OAS-3 classification and wait and see regarding the classification study and all agreed to continue the dual role on an interim basis.

7. Licenses/Permits:

Nichols College – Twelve (12) Applications for Outdoor Orchestra/Entertainment Licenses – Kerry Cyganiewicz motioned to approve the following Twelve (12) Outdoor Entertainment Licenses - Fall Opening Weekend Activities - Friday, August 30, 2019 from 4:00-5:00pm to welcome students and 10:00pm to 11:30pm for an ice cream truck event with soft music, Saturday, August 31, 2019 from 2:00pm to 6:00pm for mini golf with music, and Sunday, September 1, 2019 from 1:00pm to 5:00pm for Carnival Games with music all located on the Copper Beech Quad, Guest House Lawn and Shamie Green; Wednesday, September 4, 2019 from 7pm to 10:30pm located on the Guest House Lawn for Outdoor Movie; Wednesday, September 4, 2019 from 11:00am to 4:00pm located on the Academic Green and Fels Sidewalk for Organizations and Offices Outdoor Exhibition; Friday, September 6, 2019 from 4:00pm to 12:00am located at the Copper Beech Quad and Shamie Green for Outdoor BBQ with music; Saturday, September 7, 2019 from 2:00pm to 11:00pm located on the Copper Beech Quad for Outdoor Cover Band; Saturday, September 14, 2019 from 7:00pm to 11:00pm located on the Copper Beech Quad for Pub Night with Music; Wednesday, September 18, 2019 from 2:00pm to 6:00pm located outside the Fels Student Center for Student Organization Fair; Saturday, September 21, 2019 from 2:00pm to 8:00pm located on the Copper Beech Quad and Shamie Green for BBQ, Music and Outdoor
Games; Saturday, September 28, 2019 from 11:00am to 4:00pm located in Lot M for music during Homecoming tailgating; Saturday, September 28, 2019 from 7:00pm to 12:00am located on the Copper Beech Quad for Homecoming, Food Trucks and DJ; Friday, October 18, 2019 from 5:00pm to 6:00pm located on the Daniels Auditorium patio for Outdoor Cocktail Hour with music over speakers; Saturday, October 19, 2019 from 12:00pm to 5:00pm located on the Copper Beech Quad and Shamie Green for Family Day – Taste of Nichols.  Jason Johnson seconded.  Unanimous 4-0.

8. Old Business:

9. New Business:

Nichols College – Parking Waivers – Kerry Cyganiewicz motioned to approve the request to park on both sides of Center Road on Sunday, September 1, 2019 for Student Move In Day and on the west side of Center Road on Saturday, September 28, 2019 from Healy Road to the area of the Olsen Residence Hall from 12:00pm to 5:00pm for the Annual Homecoming Football Game.  Jason Johnson seconded.  Unanimous 4-0.  Chief Wojnar stated that police detail has been scheduled.

Workplace Violence Policy – Mr. Ruda stated that this policy comes from the Mass Municipal Association and has been legally reviewed.  Paul Joseph requested the policy be reviewed by our Town Counsel.  Tabled for next meeting.

Restraining Order Policy – Mr. Joseph requested this policy be reviewed by Town Counsel.  Tabled for next meeting.

10. Board Member Comments:

11. Departmental Communication:

12. Adjournment:

Paul Joseph motioned to adjourn from Public Session at 8:02pm and to convene into Executive Session under MGL Chapter 30A, Section 21(a)(3) – To discuss strategy with respect to litigation, if the chair declares that having an open meeting may have detrimental effect on the bargaining or litigating position of the public body and the chair so declares.  Superior Court – Docket No: 1985CV537B.  Kerry Cyganiewicz seconded.

Roll Call Vote
Steven Sullivan, Aye
Kerry Cyganiewicz, Aye
Paul Joseph, Aye
Jason Johnson, Aye

Respectfully submitted

Michelle Jervis
Administrative Secretary