



TOWN OF SHREWSBURY

Board of Selectmen Meeting
Board of Selectmen's Meeting Room
Richard D. Carney Municipal Office Building
100 Maple Avenue
Shrewsbury, Massachusetts 01545-5398

Tuesday, March 22, 2022 - 7:00 PM

Minutes

Present: Mr. John Samia, Chair, Mr. John Lebeaux, Vice-Chair, Mr. Maurice DePalo, Clerk, Ms. Beth Casavant, Selectmen, Ms. Theresa Flynn, Selectmen

Also Present: Mr. Kevin Mizikar, Town Manager, Ms. Kristen Las, Assistant Town Manager, Ms. Taylor Galusha, Principal Department Assistant (Board of Selectman and Town Manager)

Preliminaries:

1. **Approve bills, payrolls and warrants**

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, the Board unanimously voted to approve bills, payrolls, and warrants 2274, 2235, and 22765.

2. **Approve Minutes of March 8, 2022**

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, the Board unanimously voted to approve the minutes of March 8, 2022 as written.

3. **Announcements/Reports**

Mr. DePalo provided an update on the Police Station – it is almost weather tight and they are working on pouring the floors and finishing the roofing.

4. **Town Manager's Report**

Mr. Mizikar provided updates on the DEI Consultant contract with VISIONS and he anticipates having the contract fully executed by the end of the week.

He noted the Communications Strategic Plan and the progress thus far. They have moved on from planning to document review. The plan will be focusing on serving the underserved populations in the community.

He also noted the progress on the Strategic Plan and that we have received over 900 responses to the National Community Survey. The survey has since closed, but residents can visit GetInvolvedShrewsbury.com to participate and provide feedback. He noted the need to provide an email, but that is just to ensure the integrity of the strategic plan and the feedback on the page.

Special Reports/Actions/Updates:

5. **COVID-19 Updates on Positive Case Counts, Vaccination Data and Town Operating Status**

Mr. Mizikar shared a COVID-19 update presentation, adding that Town Hall has been open to the public without the need for an appointment.

There were 31 cases in the last seven days. The Town continues to ask people to work to minimize the spread. There have been 7,298 positive cases in Town to date, an increase of 66 cases since last reported on March 8, 2022. There have been 87 COVID-19 deaths, an increase of 0 since last reported on March 8, 2022.

91% of all eligible residents, have received at least one dose of a COVID-19 Vaccine. 80% of all eligible residents, are fully vaccinated. 49% of all eligible residents, have received a COVID-19 Booster shot. Effective Friday, March 18, 2022, the Town will only report vaccination data as a percentage of the population.

All residents 5 and older who live, work, or study in Massachusetts are now eligible. Ages 5 to 17 can only get the Pfizer vaccine. Pfizer and Moderna booster COVID-19 vaccinations are available for all individuals 18+ who received a 2nd dose of the Pfizer or Moderna vaccine at least six months ago. Johnson & Johnson COVID-19 booster shots are available to all individuals 18+ who received a single dose of the J&J COVID-19 vaccine at least 2 months ago.

6. Report on the minutes from the January 25, 2022 Executive Session

Mr. Mizikar noted the public records request of March 2, 2022. He specified that the minutes of the January 25, 2022 executive session cannot be released at this time as it would defeat the purpose and reasoning for the reason of the executive session.

Meetings/Hearings:

7. Meeting with GFI Partners, regarding a request for Zoning Amendments in the Limited Industrial Zoning District for the May 21, 2022 Annual Town Meeting

Hayley Palazola from GFI Partners and Attorney Todd Brodeur from Fletcher Tilton Attorneys were present to present on the request for Zoning Amendments in the Limited Industrial Zoning District for the May 21, 2022 Annual Town Meeting. They summarized the reason for the request for the amendment and more details can be found in the attached presentation.

8. Meeting with Jeff Howland, Department of Public Works Director, and Dan Rowley, Water and Sewer Superintendent, regarding Hexavalent Chromium Piloting

Justine Carrol water consultant from Tata and Howard was present along with Jeff Howland, Department of Public Works Director, and Dan Rowley, Water and Sewer Superintendent.

Mr. Howland summarized the process so far and the findings of the piloting program.

Started the pilot testing in September of 2020 – received report in July 2021 and have been reviewing the report. The issue they had with pilot testing is we needed to seed the water with Hexavalent Chromium since a certain level is needed for the piloting and the Town does not meet that level naturally. This is the second time they have done pilot testing for this. They were able to reach 93% and 96% removal Hexavalent Chromium through the biological method and ion exchange method.

Recommendation is to continue to test on a quarterly basis and if they start to see an uptick in levels then they will come back with another recommendation – they only have 6 years of data and have not seen the number deviate from that. Additionally, with the levels they see in the Town's Water, only 3.6 parts per billion, the amount that would be spent to on implementing a new water treatment plant is not cost effective.

The Board Members asked what level they would need to hit to change their recommendation. Mr. Howland noted that the max contaminate level is 100 ppb and we are at 3.6 ppb, if it starts to go up to 10 to 20 – they will start to see if it is increasing quickly – it is a heavy material and sinks to the bottom.. Not cost effective to do more than this at the moment.

Mr. Rowley added that they have a comprehensive scheduling plan for Mass DEP and they are only required to test one time over a period of three years, but the Town will be doing it quarterly. They have to send the samples to Indiana there are only two facilities that test in the country (California and Indiana).

They have not found a responsible party for the chromium source.

9. Meeting with the Community Preservation Committee regarding feedback for the Community Preservation Plan

Jason Molina, Chairperson and Debra Mooney, Vice Chairperson, were present to collect feedback from the Board.

Mr. Molina refreshed the community and the Board on the Community Preservation Act. Shrewsbury joined 186 other communities in adopting CPA last year. \$789,000 contributed this year through tax bills and they will have over \$1 million for FY23 for these quality of life projects. The feedback will guide the committee on reviewing project proposals.

The Community Preservation Committee is hosting a public forum on March 29, 2022 at the Shrewsbury Public Library at 6:30 PM.

Funds can be used for historic preservation, Affordable housing, open space preservation, and recreation.

Strengths of Shrewsbury in this Area:

Ms. Casavant noted that it was challenging to narrow the focus for these projects for these four areas of focus. She focused on the needs of the community not so much the strengths of the community – all of it seems to need some refreshing.

Mr. DePalo noted that even though it seems like the Town does not have a lot of open space, the Town has multiple town owned parcels that could be developed into open space or preserved space and recreation space. He noted that we need to do more with passive recreation and we have land to do it. He noted that we have land to work with and now we have the funds which is what we did not have before. There is a lot more private undeveloped land than we realized. No connectivity with our properties in Town, but there is land and places to acquire more land to create connectivity between parcels.

Ms. Flynn noted that the use of Dean Park is a strength and walking trails are a positive.

Needs of Shrewsbury in this Area:

Ms. Casavant noted that affordable housing is a need in Town. Affordability and cost of living to live and stay in Shrewsbury. She noted maybe utilizing a partnership between the Affordable housing Trust and the Community Preservation Committee. She also noted that the affordable housing projects in Town, but there needs to be access to actually affordable housing, not just below the market rate affordable housing. She noted that Edgemere Park could use attention in Town and be refreshed and improve its condition. Addition of pickle ball courts, Dog Park, splash pad – interactive recreation spaces, Studying invasive plants in the lake and flint pond, digitization and preservation of town records.

Ms Flynn noted that a lot of people who voted for this wanted to stop the growth and development in Town and noted the importance of open space preservation. Affordable housing is a need and need to be committed to and looking for new opportunities. Some spaces are underutilized and could use new activities to draw people to them there and could use a refresh and attention.

Mr. Lebeaux noted that this is a broad based tax and would like to encourage community members to think about what would benefit the greatest number of the population. Mr. Lebeaux added that one could say all existing parks could use improvement, but Lake Street Park was acquired for the purpose of putting a park there and transforming Lake Street Park into both a passive and active recreation space. Affordable housing should always be in the CPC's mind. Targeted strategic open space acquisition.

Mr. DePalo noted that it is good that CPA went through and it is going to be beneficial. He noted that he is surprised about the actual amount raised in Town for this fund. He also noted the overlap between all of these different boards/committees and concerned about how we will keep in line with the strategic plan and plans are being made based on each committees spheres. Collaboration and cooperation is needed to not overlap/duplicate efforts. He noted the need for land preservation and recreation programs. Important to realize the parks and the playgrounds have been underfunded for 30+ years – just barely have enough to do maintenance (no improvements). He would like to see public access to the lake increased somehow. He also added that affordable Housing is needed in Town and this is a great Town with lots of opportunities, but we need to be creating opportunities for people to live here and afford to live here. He noted that they still do not have a completed historic inventory of properties in Town.

Mr. Molina added that coordination amongst all of the committees is key and they are developing their plan to then coordinate with the others in Town.

Mr. Samia noted that these projects fall under the general category of the quality of life of residents. He noted the importance of affordable housing and how we saw age groups leaving and this may be how we get them to stay. He noted that the Town does not have classic affordable housing and younger people cannot afford to live here. Increase walkability of parks and the town – is there an opportunity to make it more ADA compliant and ways to make walking trails and keep individuals from walking on the road (not walking in the road and allows more people to get out there). He added that a dog Park in Town would be great. Skateboard park, pocket parks, or pocket dog parks- great way for individuals to get out there and interact and socialize. He noted that he appreciates their work and this opportunity for the community – the pandemic showed us that people want something to do and build a sense of community with these projects.

Mr. Molina thanked them for the feedback and noted that the Town's 300th anniversary is approaching and what we can do as a community to celebrate the past and future of the community – what can we do to highlight the town and CPC can hope to participate?

New Business:

10. Review and act to sign the Warrant for the May 21, 2022 Annual Town Meeting

Mr. Mizikar summarized the Warrant for the May 21, 2022 Annual Town Meeting. They have continued to refine the warrant, but are not in the position to act on the warrant.

Take up and consider signing and approving the warrant on Tuesday, April 5, 2022.

11. Review and act to amend the charge of the Police Station Building Committee

Mr. Mizikar summarized this item. He noted that he ARPA funds have a broad use and the amended would be focused on continuing the work that was started prior to the pandemic and work on much needed renovations of town hall and oversee the use of 55,000 to further explore the renovation options for Town Hall and those funds would be able to be used in renovations. One design concept was presented and this funding would allow for three additional design alternatives for the Town Hall.

On a motion by Mr. DePalo, seconded by Mr. Lebeaux the Board unanimously voted to amend the charge of the Police Station Building Committee.

12. Review and act to disband the Beal RFP/Beal Reuse Committee

Mr. Samia summarized the purpose of the agenda item

On a motion by Mr. Lebeaux, seconded by Mr. DePalo the Board unanimously voted to disband the Beal RFP/Beal Reuse Committee.

13. Review and act to approve the minutes of the Beal RFP/Reuse Committee of March 24, 2021 and March 5, 2018 as written

Mr, Samia summarized the agenda item

On a motion by Mr. Lebeaux, seconded by Mr. DePalo the Board unanimously voted to approve the minutes of the Beal RFP/Reuse Committee of March 24, 2021 and March 5, 2018 as written.

14. Review and act to approve the minutes of the Diversity, Equity, and Inclusion Task Force of October 4, 2021 as written

Mr. Samia summarized the agenda item.

On a motion by Mr. Lebeaux, seconded by Mr. DePalo the Board unanimously voted to approve the minutes of the Diversity, Equity, and Inclusion Task Force of October 4, 2021 as written.

15. Review and act on Amendment Number 2 to the Intermunicipal Agreement between the City of Worcester and the Town of Shrewsbury for Public Health Services

Mr, Samia summarized the agenda item noting it extends by one year with Worcester for public health services.

On a motion by Mr. Lebeaux, seconded by Mr. DePalo the Board unanimously voted to approve and sign Amendment Number 2 to the Intermunicipal Agreement between the City of Worcester and the Town of Shrewsbury for Public Health Services.

16. Review and act to layout Commerce Drive and a portion of Lake Street

Ms. Las summarized the agenda item noting it is common for Town Meeting to review street acceptances.

On a motion by Mr. Lebeaux, seconded by Mr. DePalo the Board unanimously voted to set their intention to act on the layout Commerce Drive and a portion of Lake Street on April 12, 2022.

17. Review and act on reappointments to the Zoning Board of Appeals

- a. **Maribeth Lynch, to the Zoning Board of Appeals for a two year term to expire on March 31, 2024**
- b. **Ann Refolo, to the Zoning Board of Appeals for a two year term to expire on March 31, 2024**
- c. **Peter Mulcahy, to the Zoning Board of Appeals for a two year term to expire on March 31, 2024**
- d. **Kevin Byrne, as an Associate Member to the Zoning Board of Appeals for a one year term to expire on March 31, 2023**
- e. **Matthew Armenti, as an Associate Member to the Zoning Board of Appeals for a one year term to expire on March 31, 2023**
- f. **Kevin Nisbet, as an Associate Member to the Zoning Board of Appeals for a one year term to expire on March 31, 2023**

Mr. DePalo noted that he thinks the Town should advertise every position especially if individuals who are up for reappointment are sitting on two Boards. He added that they should wait till the 12th to reappoint and should allow for the public to come forward to show interest in being appointed to the Zoning Board of Appeals.

Ms. Flynn added that she agrees going forward she would like to see the Town advertise any and all positions going forward to help be proactive to the community throughout the year.

Mr. Lebeaux noted his agreement to needing to advertise going forward and review Policy 28.

Mr. DePalo added that he thinks the Board should wait till April 12, 2022 to reappoint so the Town can advertise the positions.

Mr. Lebeaux noted that they should wait to revise Policy 28 until after this appointment and Ms. Casavant agreed.

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, the Board voted unanimously to reappoint Maribeth Lynch, to the Zoning Board of Appeals for a two year term to expire on March 31, 2024, Ann Refolo, to the Zoning Board of Appeals for a two year term to expire on March 31, 2024, Peter Mulcahy, to the Zoning Board of Appeals for a two year term to expire on March 31, 2024, Kevin Byrne, as an Associate Member to the Zoning Board of Appeals for a one year term to expire on March 31, 2023, Matthew Armenti, as an Associate Member to the Zoning Board of Appeals for a one year term to expire on March 31, 2023, and Kevin Nisbet, as an Associate Member to the Zoning Board of Appeals for a one year term to expire on March 31, 2023.

18. Review and act on the reappointment of Lynn Ljunggren, to the Registrar of Voters for a three year term to expire on March 31, 2025

Mr. samia summarized the agenda item.

On a motion by Mr. Lebeaux, seconded by Mr. DePalo the Board unanimously voted to reappoint Lynn Ljunggren to the Registrar of Voters for a three year term to expire on March 31, 2025.

19. Review and act to appoint a member to fill a vacancy on the Registrar of Voters for a term set to expire on March 31, 2023

- a. Ann M. Dagle
- b. Martha J. Gannon
- c. Kathleen M. Keohane

Mr. Samia noted they will act on this at their next meeting, Tuesday, April 5, 2022.

Correspondence: The Board of Selectmen will review and possibly act on the following:

- 20. **Email, dated March 7, 2022 at 5:39 PM, from Jennifer Roy, Marketing Manager – Green Meadows, re: Cannabis Education Event at Polar Park – So noted**
- 21. **Email, dated March 8, 2022 at 3:48 PM, from Karin Holovnia, 19 Wesleyan Street, re: Beal School – So noted**
- 22. **Letter, received March 8, 2022 at 4:10 PM, from Paul Zekos, 1 Beaver Drive, re: Beal School Reuse – So noted**
- 23. **Email, dated March 8, 2022 at 4:25 PM, from Paul Zekos, 1 Beaver Drive, re: Beal School Reuse – So noted**
- 24. **Email, dated March 8, 2022 at 4:44 PM, from Dan Gutekanst, 33 Colton lane, re: In Support of the Beal Project – So noted**
- 25. **Email, dated March 8, 2022 at 5:55 PM, from Eliot Weinman, 10 Turtle Creek Circle, re: Concerns about the Beal School Land Deal – So noted**
- 26. **Email, dated March 8, 2022 at 8:48 PM, from Scott Michalowski, 34 Edgewood Road, re: Beal – So noted**

27. **Email, dated March 9, 2022 at 4:54 PM, from Maribeth Lynch, 21 Westwood Road, re: Thank you – So noted**
28. **Email, dated March 12, 2022 at 8:24 PM, from Joe Trotta, 19 Main Circle, re: Beal School Redevelopment – So noted**
29. **Email, dated March 12, 2022 at 9:29 AM, from Jean-Marc Gauget, 23 Appaloosa Dr, re: letter my son wrote to the board – So noted**
30. **Email, dated March 16, 2022 at 6:01 PM, from Nicholas Waldron, Administrative Operations Assistant - New England Water Science Center, re: Blackstone Watershed Comments Due March 25th – So noted**
31. **Letter, received March 18, 2022 at 3:14 PM, from Keith Elmes, Town of Shrewsbury Animal Control Officer, re: Request for a hearing under M.G.L. CH 140 Section 157 regarding two dogs owned by George and Alane Stalcup of 88 Old Faith Rd. Shrewsbury, MA 01545, Copper (#1589) and California (#1648) – So noted**
32. **Letter, received March 18, 2022 at 3:21 PM, from Shonda D. Green Department Secretary – Department of Telecommunications and Cable, re: License Expiration Notice – So noted**

Executive Session:

33. **Executive session to discuss strategy with respect to litigation, because an open meeting may have a detrimental effect on the litigating position of the Board; (G.L c. 30A, S 21 (a)(3) Davis v. Town of Shrewsbury et. al)**
34. **Executive session to conduct strategy sessions in preparation for negotiations with nonunion personnel (G.L. c. 30A, S 21 (a)(2), Town Manager)**

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, on a roll call vote Ms. Casavant – Yes, Ms. Flynn – Yes, Mr. DePalo – Yes, Mr. Lebeaux – Yes, and Mr. Samia – Yes, the Board unanimously voted to enter into executive session at 9:05 PM.

Respectfully Submitted,



Taylor M. Galusha

Referenced Materials:

1. COVID-19 Update Presentation
2. GFI Partner's request for Zoning Amendments in the Limited Industrial Zoning District for the May 21, 2022 Annual Town Meeting Presentation
3. Memos to Board of Selectmen Regarding Hexavalent Chromium Piloting
4. Amended Police Station Building Committee Charge
5. Amendment Number 2 to the Intermunicipal Agreement between the City of Worcester and the Town of Shrewsbury for Public Health Services
6. Letters to the Board of Selectmen Regarding the Layouts of Commerce Drive and a portion of Lake Street