

Members present: Kevin M. McCormick Valmore H. Pruneau
Allen R. Phillips John B. DiPietro, Sr.
Members absent: Christopher A. Rucho

Mr. McCormick convened the meeting at 7:00 p.m.

Motion Mr. Phillips for the Board to enter executive session under the provisions of Massachusetts General Laws Chapter 39, Section 23b, Parts 3 and 7 to discuss strategy with respect to contract negotiations and to comply with the provisions of any general or special law or federal grant-in-aid requirements and the Board will be going back into open session, seconded by Mr. Pruneau. Roll call vote: Mr. Pruneau yes, Mr. McCormick yes, Mr. Phillips yes.

Motion Mr. Phillips at 8:00 p.m. to come out of executive session, seconded by Mr. Pruneau. Roll call vote: Mr. McCormick yes, Mr. Pruneau yes, Mr. Phillips yes, Mr. DiPietro yes.

Read and acceptance of Minutes From Previous Meetings:

Motion Mr. Phillips to accept the open and executive session meeting minutes from the March 28, 2007 and April 4, 2007 meeting, seconded by Mr. Pruneau, all in favor.

Public Hearing: Re, Proposed Stormwater Management Bylaw (cont.)

At the request of Mr. Westerling this item will be continued until the May 2 meeting.

OLD BUSINESS

1. Concurrence on the appointment of Dennis Parker, 80 Maple Street to the Historical Commission effective April 19, 2007 for a term to expire on April 30, 2010

Motion Mr. Phillips to concur with the appointment, seconded by Mr. Pruneau, all in favor.

NEW BUSINESS

1. Concurrence on the hiring of fractional-time dispatcher Abbi Parkinson to full-time dispatcher effective May 23, 2007 at Step 3, \$15.53 per hour

Motion Mr. Phillips to concur with the appointment, seconded by Mr. Pruneau, all in favor.

2. Concurrence on the appointment of Brenda Bowman, 18 Crescent Street to the Open Space Advisory Committee effective April 19, 2007 for a term to expire on June 30, 2008

Motion Mr. Phillips to concur with the appointment, seconded by Mr. Pruneau, all in favor.

3. Concurrence on the appointment of Robert Matthews, 21 Prescott Street to the Economic Development Committee, effective April 19, 2007 for a term to expire on April 30, 2009

Motion Mr. Phillips to concur with the appointment, seconded by Mr. Pruneau, all in favor.

Mr. Gaumond thanked Mr. Parker, Ms. Bowman and Mr. Matthews for their willingness to come forward and serve the town.

4. Review and approve Request for Finance Committee Reserve Fund Transfer in the amount of \$1,900 for Election Salaries & Wages

Motion Mr. Phillips to approve the request, seconded by Mr. Pruneau. Mr. Gaumond explained that when the budget was prepared last year we did not anticipate both a special election and a primary, which require all day polling hours. Vote on the motion - all in favor.

5. Review and approve Request for Finance Committee Transfer in the amount of \$600 for Election Other Charges

Motion Mr. Phillips to approve the request, seconded by Mr. Pruneau, all in favor.

6. Review and approve Request for Intra-Departmental Transfer from Computer Capital Outlay and Computer Supplies to Computer Purchased Services in the amount of \$4,585.00

Motion Mr. Phillips to approve the request, seconded by Mr. Pruneau. Mr. Gaumont explained that we saw some additional costs on the service side for the computer department. We were able to free up capital outlay by extending warranties, and we are looking to cover those costs for the remainder of the year. Vote on the motion - all in favor.

7. Review and approve Request for Intra-Departmental Transfer from Library Salaries & Wages to Library Purchase of Services in the amount of \$2,500.00

This item will be passed over.

8. Consider granting request from Verizon for telephone easement on Pierce Street

Scott Burns joined the Board. Mr. Gaumont explained that the Board has two suggested Easements for consideration. The first includes the sum of \$233 to cover town counsel fees and the second includes for less than \$100. Both documents contain the verbiage that states, "In the event that the Grantor elects to further improve the roadway for its use, the Grantee shall pay for all relocation costs for any conduits, cables and wires, which may be placed in public or private ways adjacent or contiguous to the aforesaid premises". This is included should the town wish to develop the road for a direct truck route into the Industrial Area. The easement is also subject to approval of town meeting scheduled for May 21. Mr. Gaumont recommends the Board approve the easement with the inclusion of the \$233 to cover our legal costs.

Motion Mr. Phillips to grant the easement to Verizon, pending town meeting approval, in consideration of \$233 and with the stipulation that in the event that the Grantor elects to further improve the roadway for its use, the Grantee shall pay for all relocation costs for any conduits, cables and wires, which may be placed in public or private ways adjacent or contiguous to the aforesaid premises, seconded by Mr. Pruneau, all in favor.

The Board will sign the paperwork once town meeting takes its required action. Mr. Burns does not believe the language would apply because his work is not within a public way or a private way. Mr. Gaumont suggested that Mr. Burns provide the language he would be comfortable with. He also offered to go aerially. He feels the purpose of the easement is to grant a perpetual location, and the proposed language would require relocation. It was explained that due to the fact that it is town property should we decide to develop that area of Pierce Street where those underground conduits are located, we may ask Verizon to move the conduit at Verizon's expense. Mr. Gaumont stressed that if, for some reason, it is necessary to move the material we want to make sure that the town does not have to pay for those costs. Mr. Burns will review the language with his people, and if needed, will return to the Board.

Dr. Tashjian Project

A member of the audience asked if Dr. Tashjian will be in attendance this evening to present to the Board his bioterrorism project. Mr. McCormick replied no. Mr. Gaumont explained that Dr. Tashjian was looking to come in and meet with the Board at some time and we were talking about having a discussion for this evening, however, we do not have it scheduled for this evening. It is

expected that the Board of Selectmen will have a discussion with him about the article, but the town is not yet in partnership with Dr. Tashjian. He has some draft ideas he has proposed to the Board of Selectmen. The meeting, once scheduled, will be in open session.

Mr. McCormick reported that the Board met with Dr. Tashjian two years ago for preliminary discussions, and we need to have much further discussions as this is certainly not a done deal. We will have an open discussion when the time comes.

Another gentleman in the audience stated that it appears there is a document that describes this project and it appears to have support from town officials and the corporate seal of the Town of West Boylston. Mr. McCormick explained that the letters did come from the Board of Selectmen following the initial meeting and in order for him to begin he needed to know if the town would support him looking into it and we said fine go and look into it. The gentleman asked are you concerned about the town's seal on the document? Mr. McCormick stated that it is not endorsed by the Board at this time. We had an initial meeting and Dr. Tashjian wanted to look into this. We gave him that support on his small idea and said if you want to get started go ahead, however, we never had another discussion with it. The big booklet has never been endorsed by the Board of Selectmen and there will be much discussion on our side.

Mr. DiPietro noted that he would like to see Dr. Tashjian donate part of his land for a new town well.

9. Review Petition opposing Verizon's recent cable franchising legislation

Mr. Gaumond explained that the town received correspondence from an organization who is protesting Verizon's entry into the local TV franchising in Massachusetts, and it is being provided to the Board with no editorial whatsoever. They are asking for the Board to endorse Verizon not to come into the state. When Verizon comes in certain things that are aspects of our cable, like local public access, are not included. Mr. Phillips voiced his concern that this is a personal choice and he will not endorse this.

Motion Mr. Phillips not to endorse this or take any action, seconded by Mr. DiPietro.

Steve Howland, PEG Coordinator joined the Board. He explained that what the letter addresses is Verizon is trying to get passed having the franchise authority the state and not the individual municipality. We would lose our right to negotiate our contract and it would be the state who would do that. Mr. Howland is having a meeting of regional access stations tomorrow afternoon as the way this is written now Verizon would be obligated to offer the same PEG as is being offered. However, how much longer that would continue they do not know. By removing the negotiating power to the state they could let that fall through the cracks, and they do not support removing the negotiation power. Motion and second withdrawn.

Motion Mr. Phillips for the Board to take no action until they have a recommendation from the Cable Advisory Committee, seconded by Mr. DiPietro. Mr. Howland noted that Verizon does not have fiber optics in West Boylston. Mr. Phillips would encourage any provides to come into town as it may create a bidding war. Mr. Howland believes this will keep the power in West Boylston. Mr. Gaumond offered to find out more information on the bill summary language. This is not a time critical item. Vote on the motion – all in favor.

10. Review Report to the Board – Goal #5 Assist Selectmen Policy Subcommittee

Mr. Gaumond reported that over the last several months he has been working on assisting the Selectmen's Policy Subcommittee on the development of policies. Due to the work of Mrs.

Lucier he provided the Board with a draft Table of Contents, which will be used as a framework in preparing the manual. It includes suggested policies from the Board, and feedback is welcomed.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. April 19, at 8:15 p.m. the Zoning Board of Appeals will act on the petition of Ernie's Touchless Car Wash System, Inc.
2. April 19, at 7:45 p.m. the Zoning Board of Appeals will act on the petition of west Boylston Nursing Home d/b/a Oakdale Rehabilitation and Skilled Nursing Center
3. Thursday, June 7, 2007 New Officials Finance Form at the College of the Holy Cross. If a member of the Board has an interest in attending we would be happy to submit the required paperwork, which is due by May 25th.
4. Wal-mart has donated \$500 to the Children's Room and the Young Adult Department of the Beaman Memorial Public Library for the purchase of audio-visual materials. Motion Mr. Phillips to accept this gift on behalf of the town, seconded by Mr. Pruneau, all in favor.
5. April 24, 2007 at 9:00 a.m. the Board will be meeting with Bay Colony Recovery
6. April 23, 2007 the Finance Committee will be conducting departmental budget hearings

SELECTMEN'S REQUEST AND NEW BUSINESS

Mrs. Pruneau has nothing this evening.

Mr. Phillips requested the Board's concurrence on taking a position on declaring a State of Emergency in West Boylston effective Sunday, April 15, 2007 at 6:00 p.m. until Wednesday, April 18, 2007 at 11:59 p.m.

Motion Mr. Phillips to declare a State of Emergency in West Boylston effective Sunday, April 15, 2007 at 6:00 p.m. until Wednesday, April 18, 2007 at 11:59 p.m., seconded by Mr. Pruneau, all in favor. Mr. Phillips asked that notification of this vote be given to the MEMA's Region 3 office first thing in the morning.

Mr. DiPietro asked Mr. Gaumond how he is progressing on simulated driving tests for insurance credits. Mr. Gaumond is working on that item.

Mr. Pruneau thanked Mr. Gaumond and the Streets and Parks Department for their assistance with the flooding at Sterling Meadows on Monday of this week.

Mr. DiPietro asked Mr. Gaumond about his progress on weight limitations for trucks and Class II licenses for firemen. Mr. Gaumond noted that Mr. Westerling will have an update on the weight limitations at the next meeting and the Fire Chief is working with his command staff on the licensing issue.

Motion Mr. Phillips for the Board to take a five minutes recess, seconded by Mr. Pruneau, all in favor.

NEW BUSINESS (cont.)

8. Consider scheduling Override Vote for May 24, 2007

Mr. Gaumond provided the Board with a budget without an override, which will require almost \$700,000 in cuts and that does not include any warrant articles, or remedies for the Cemetery Department, Board of Health and Planning Board. He recommends an override figure of \$4,350,000, which is level funding for the budget previously prepared. This will give the school \$9,274,000 and provide a modest increase for the school in years two and three. A more balanced approach could be \$700,000 a year for three years for \$2,100,000, which will call for cuts in services. Mr. Phillips voiced concern with the out years. Mr. Gaumond recommends the Board agree to what they would be looking for in the second and third years and forward an agreement to the Finance and School Committees.

Mr. Gaumond explained that the budget for town meeting will be a cut budget and if the Board of Selectmen authorizes a ballot override question we will have a default budget. Mr. Phillips asked if we enter into an agreement to split the funds equally for three years and instead of a 10% increase in insurance we end up with a 20% increase, what do we do? Mr. Gaumond replied we would be in deep trouble and would need to make cuts as this figure contains modest growth. Mr. Phillips wants to make sure that people at town meeting are told how their taxes will be impacted, and he would like to have information prepared in advance. Mr. Phillips suggested having two figure options at town meeting. Mr. Gaumond explained that you put the figure at \$4,350,000 and it is decided that it should be \$2,800,000, the default budget would automatically go into effect.

Finance Director Michael Daley joined the Board. He completed running a model with a \$3,100,000 figure, and that would give us a figure of \$800,000 for FY08 and will take care of the School Department and the other budgets. In FY09 we raise to 4% on the school and 2% and 3% on other departments, and in the third year we need \$740,000.

Mr. Daley's recommendation is a figure of \$3,100,000. Mr. Phillips plans to vote to put the question on the ballot, however, he questions what we do in years 4 through 7. Mr. Daley feels everything is cyclical and the message is you have to continue to discuss cuts, go looking at the three-year window and if you can manage this you can maybe get a fourth year. Mr. Gaumond pointed out that the GIC proposal might be a possibility. Mr. McCormick asked if we go with the \$3,100,000 is there a way in the wording of the article that you can only use a certain amount per year and it is the maximum we can grow as in his opinion that is the only way this will work. Mr. Daley replied that the answer is no because the statute defines the wording on the ballot. Town meeting could do a resolution, but it would not be binding. Even if the Board of Selectmen and the School Committee agree on an MOU if somebody on the floor makes a motion the agreement could obligate them to argue against it, however, there is nothing the Selectmen can do to lock that down. The only guaranty that the levy limit would not be open and exposed would be to do it on an annual basis. Mr. McCormick's preference is going for one override. Mr. Daley thinks the idea of an MOU with the school board is a good idea.

Mr. DiPietro voiced his displeasure that ever year we have to do this to support the schools and it is never the school sacrificing. He also does not think we can do anything in town because of the large numbers we have to pay school staff. Mr. Daley noted that we have the CPA and the exempt debt also loading on to the tax rate, so it will be a challenge to get these votes and it has to be a combination of getting the revenues up. Mr. DiPietro stated that he was asked by a School Committee member to give up a police officer, a fire fighter or a DPW employee. He thinks we are living for a school and wonders where this will stop. Mr. Gaumond recommends two separate motions; one for a \$3,100,000 override and the other for an MOU with the School Committee, Finance Committee and Board of Selectmen.

Motion Mr. Pruneau to go for a \$3,100,000 operational override, seconded by Mr. Phillips. Vote on the motion- Messrs. McCormick, Phillips, Pruneau yes; Mr. DiPietro abstain.

The Board requested Mr. Gaumond prepare a MOU to be signed by the Board of Selectmen, Finance Committee and School Committee outlining the numbers to be spent each year. Mr. Gaumond recommended the Board meet with the Finance and School Committee members on April 25 at 7:00 p.m. to discuss the Town Administrator's default budget. Following that discussion, the Board will review the warrant for the May 21, 2007 town meeting.

Mr. DiPietro asked Mr. Daley if he would be in attendance at town meeting. Mr. Daley indicated that he planned on it. Mr. DiPietro asked everyone listening if they would like to make a financial pledge to the School Department at the meeting Mr. Daley would be happy to take their checks. Mr. DiPietro also asked the School Committee to come to the Board with a list of fundraisers for the school and suggested a cotillion, car wash, or a raffle.

With no further business to come before the Board, motion Mr. Phillips at 10:20 p.m. to adjourn, seconded by Mr. Pruneau, all in favor.

Respectfully submitted,

Approved: May 2, 2007

Nancy E. Lucier

Kevin M. McCormick, Chairman

Allen R. Phillips, Vice Chairman

Valmore H. Pruneau, Clerk

John B. DiPietro, Sr., Selectman