

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

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

Read and acceptance of Minutes From Previous Meetings:

Motion Mr. Rucho to approve the meeting minutes of August 1, 2007 seconded by Mr. Pruneau. Messrs. McCormick, Pruneau, and Rucho yes; Mr. Phillips abstains, as he was not present at the meeting.

Fire Chief Richard Pauley, Jr.

Mr. Phillips recused himself. Chief Pauley informed the Board of an opportunity that has been made available by the Federal Government through the Department of Homeland Security. It is a Safer Grant Program, which is highly competitive, with not a lot of money, but it allows communities to apply for funding to help pay for the costs of additional fire personnel. It is a five-year commitment with the following contribution breakdown: year one the town will get 90% of the actual cost of the firefighter position or \$37,950, whichever is less, year two it is 80% or \$33,730, whichever is less, year three 50% or \$21,080, whichever is less, year four it is 30% or \$12,665, whichever is less and in year five the community takes on the funding obligation.

Former Fire Chief Chandler previously applied for the grant, however, we were not selected. Chief Pauley intends to submit paperwork for two firefighter/EMT's, and it will put the department at the staffing level recommended by the MMA Study. The application process is grueling, and the town has the ability to decline it. He is also still researching whether or not the "actual" cost includes health insurance. If the town accepts the grant we would be obligated to fund the positions for the five years, and the Chief would have to include those funds in his budget for the additional two firefighters. Chief Pauley noted that according to the MMA study we should have had these additional positions in 1995. He reported that the level activity continues to increase with five ambulance calls from 10:00 to 5:00 today.

Although Mr. Rucho thinks it is a good program, 90% does not cover everything, and he would like to know what the actual cost is to the town for each year. According to Mr. Gaumond the starting salary is \$42,000 and with benefits it would bring it to about \$51,000 per year with the cost to the town being \$12,500 per person for the first year. Mr. Rucho is concerned that the town may not be able to afford this. Chief Pauley feels there may be some opportunity to handle \$10,000 to \$12,000 of the salary costs within his department. This will allow for a scheduling situation that gives him flexibility with overtime, which we have not had at all since we started adding full-time people during the week. The grant application is due August 31, and the Chief is willing to apply for one position if the Board would rather take that approach. Two years ago we did ask for two and didn't get any.

Mr. McCormick recommends initiating the process, and should we be successful, we would need to review all costs. If it is determined that it is too much of a risk we can withdraw or decline.

Motion Mr. Pruneau to authorize the Fire Chief to apply for a Safer Grant, seconded by Mr. Rucho, all in favor. Mr. Phillips returned to the meeting.

Public Hearing, Re: Consider Amending The Building Permit Fee Schedule And The Electrical Permit Fee Schedule

Mr. McCormick opened the public hearing and read the following notice. Public notice is hereby given, in conformity with the requirements of the General Bylaws of the Town of West Boylston, ARTICLE XXIII - PUBLIC HEARING AND NOTICE, that the Board of Selectmen will meet on Wednesday, August 15, 2007 at 7:10 p.m. for the purpose of considering amending the fee schedules for Building and Electrical Permits. The meeting will be held in the Mixter Municipal Office Building, 120 Prescott Street, West Boylston. For additional information, or to review the proposed information, please contact the Office of the Board of Selectmen/Town Administrator at 508.835.3490. All interested persons, groups, and agencies are invited to attend. Kevin M. McCormick, Chairman, advertised on August 1 and 8, 2007.

Building Inspector Mark Brodeur joined the Board. At the Board's request, he has also reviewed plumbing and electrical fees and found that the electrical fees had not been adjusted for at least ten years and the plumbing fees were very much in line. He provided the Board with a spreadsheet of fees charged by surrounding towns and West Boylston is low on the average.

Bruce Peterson, who is in the audience this evening asked about a state law that says you cannot collect more fees in the Building Department than what it costs to run the department as the town is not supposed to make money. Mr. Gaumond explained that when you establish a fee the goal is not to raise money for the level of service, however, you should include all the components of the department with salaries and benefits. Our goal is not to raise fees but to provide adequate payment for the service provided, and when you establish your budget you do not know how many inspections you are going to be doing each month. We are trying to make our fee structure more on par with what other neighboring communities do and we are establishing a base line by examining our neighborhood communities.

Mr. Peterson questioned if there was a deficit last year and how much was brought in and what the cost was to run the department. Mr. Brodeur noted that we try to come up with something equitable and reflective of the market place today. Mr. Gaumond feels Mr. Peterson raises a good point, however, when we look at this we try to come up with a fair and equitable number. We are trying to say based upon the environment and the cost of services that have not gone up in ten years and we look at this as a way to address the shortfalls we have in town government. Mr. Brodeur looked strictly at what is happening in the market place. He noted that he also uses his own vehicle and does not charge mileage back to the town because he does not have enough funds in his budget for reimbursement. Mr. Gaumond reported that the Wiring Inspector collected \$16,600 during the period of July 1, 2005 through June 30, 2006 and was paid \$8,500 plus mileage. However, you also have to factor in overhead of the office and office support staff. Mr. Phillips does not see anything unreasonable in the proposed fee increases. Mr. Brodeur would like to be able to give the Wiring Inspector a raise and give the Plumbing Inspector a stipend as he currently is paid on a per inspection basis. Mr. Phillips asked if the Board adopted the fees and in three years we find we are making more money from them could we change them. Mr. Gaumond noted that the fees could be lowered at any time. Mr. McCormick suggested establishing a policy on review of fee schedules.

Mr. Brodeur explained that in reviewing his building department fees he tried to determine where we were with the basic categories. He provided the Board with a spreadsheet, which indicated that the least expensive permits are in Worcester for single-family homes, where you pay \$325.00 for 1,800 square feet or less. We are now at \$7.00 per \$1,000 estimated value and he is recommending \$10.00 per \$1,000 estimated value. Mr. Brodeur does not feel a need to increase fees for commercial or industrial permits. Mr. Rucho would like to review the fees for the Benchmark Communities, which we have used in the past. Mr. Brodeur explained that many of those communities do not have their fees posted on their web sites. With the increase he would have an

added \$1,100 to his July receipts. In reviewing the fees collected by the department as reported in the town report covering the period of July 1, 2005 through June 30, 2006, Mr. Gaumond found that the Building Department took in \$152,488, the Gas Inspector \$4,200 and the Plumbing Inspector \$25,000. Mr. Rucho does not want to raise fees just because they have not been raised for a long time. There is no one present to speak on this issue.

Mr. Phillips suggested going back and looking at the average of what it will cost to run the department and put this off until the next meeting of the Board. Mr. Rucho requested the last five years of income for the department for permits and projecting out the future five years with the cost of running the department.

Motion Mr. Phillips to close the public hearing, seconded by Mr. Rucho. Mr. Rucho voiced concern that should the Board get back information and have more questions. Motion and second withdrawn.

Motion Mr. Phillips to continue the public hearing until the September 19th meeting of the Board, seconded by Mr. Rucho, all in favor. Mr. Rucho thanked Mr. Brodeur for his efforts in working with the business community.

Refer Sign Bylaw amendments to the Planning Board

Mr. Gaumond distributed copies of the current Sign Bylaw contained within our Zoning Bylaws and suggested modifications from the Building Inspector.

The first change would be under Section 4, Signs Permitted in Business Districts and Industrial Districts. Under f) Standing Sign, second paragraph shall be amended to read as follows. "The sign and structure shall be kept in good repair. Such signs shall be set back from the public way in such a manner that the "leading or forward most edge of the sign not project beyond the property line or into the public way or sidewalk."

The second change would be under Section D, General Requirements, and would read as follows: "Permanent or temporary signs which do not comply with this bylaw maybe authorized by "General Permit" granted by the Inspector of Buildings to said public, civic or non-profit organization. All requests for such signs "may" be subject to review with the Town Administrator, Chairman of the Zoning Board of Appeals and/or the Chairman of the Planning Board. Such review, for cause, is at the discretion of the Inspector of Buildings.

Mr. Brodeur feels these modifications together with a one-page application will streamline the process and make it a lot easier on the town.

Motion Mr. Phillips to refer the amendments to the Planning Board for public hearing for a future town meeting, seconded by Mr. Rucho, all in favor.

Mr. Phillips asked Mr. Brodeur if he was having any success in finding the person who keeps putting up the "singles" signs around town. Mr. Brodeur reported that a person was observed erecting a sign, his registration was run and the owner, who was found to live in Fitchburg, was sent an order with a \$100 citation. The letter was returned, opened and marked "addressee unknown." Since then there have not been any more signs around town, however, he keeps watching.

Personnel Board

Personnel Board Chairperson Paula Ceglowski, Vice Chairperson Rick McCarthy and Amy Pasquale joined the Board. The Selectmen requested a meeting with the Board to address a letter they sent regarding the Selectmen's vote not to go forward with the Wage and Classification Study.

Mr. McCormick felt that the Personnel Board should be able to make a presentation to the Selectmen.

Ms. Ceglowski stated that she appreciates having an opportunity to come in to discuss this. In the letter of June 28th, the Personnel Board requested the Board its their decision not to go forward with the Wage and Classification Study. She stressed the importance of acknowledging the rights of employees to receive fair and equitable treatment and the fact that he has been over ten years since a study was done for non-represented personnel. Section 5 of the Personnel Bylaw under A Policy Statement, Section 5 states “the Town of West Boylston acknowledges the rights of the employees to work in safe and decent working conditions, to receive fair and equitable compensation”. The Personnel Board is unable to answer questions as to whether or not they receive fair and equitable compensation or whether they are under or over paid and request the Board of Selectmen re-consider the town meeting appropriation. Originally when we issued a Request for Proposals the bids exceed the appropriation, however, the Town Administrator went out for another round of bids narrowing the scope and one bid was received. In all rounds of bidding the Personnel Board did due diligence and met with and researched the firm. They feel confident going forward in recommending approving the study, as they cannot tell if we are fairly and equitably paying our employees. The Personnel Board lacks the tools for rating of positions and you are asking the Personnel Board to evaluate new revised job descriptions without any tools. Ms. Ceglowski stated that they are requesting this for the employees, taxpayers and the Personnel Board for the Board to reconsider its vote.

Mr. Rucho suggested using the Mass Municipal Association Study done for every city and town as a resource. Ms. Ceglowski explained that what is lacking in that information is it is just a title and it does not give you job functions in West Boylston. Without the detail of what the duties include with the job title, the Personnel Board cannot tell you if we are in the middle of the road and that might be fine. The cost of the study is \$6,700 and the appropriation was \$7,500. The Board’s agenda package includes the Scope of Services for the project. Ms. Ceglowski stressed the fact that this will give the town and the employee accurate job descriptions and a means to evaluate any future job descriptions. It will also let us know if we have sufficient grades or steps in our plan.

Mr. Rucho suggested sending letters to other communities requesting copies of their job descriptions. Mr. Phillips is 100% in agreement with paying the town employees what they are worth. His objection is he would rather take the \$6,700 and use it towards compensating our employees rather than paying for the study. Ms. Ceglowski explained that you could get the information, but how would you rank them as no members of the Personnel Board feel they have that expertise. She also stressed the point that we have job descriptions and not all have been updated since shortly after the last round. Mr. Phillips asked if that could be undertaken by the department head. Ms. Ceglowski noted that the job description would go to the Personnel Board who would then rate and rank them, but they have no tools to do that. Mr. Gaumond advised that this would cover 25 different types of positions. Mr. McCormick feels an independent person should accomplish this, and we have done this for other departments and we did it with the Fire Department. If we do not have the money we will not give them the additional money. Mr. McCormick suggested having a policy to review wage and compensations every ten years by an independent firm. Mr. Phillips feels job descriptions are subjective by town. Ms. Ceglowski explained that with an accurate job description they could compare to ensure we are paying a competitive salary. Mr. Phillips noted that the MMA did a study of our Fire Department, which indicated we needed additional personnel, which is a safety issue, and we didn’t have the funds to go forward. He does not want to see another study that sits on a shelf and would rather put the funds

towards the personnel. Ms. Ceglowski stated that by not funding this study employees have no means of understanding why they are being paid the amount they are being paid. It also provides us with a plan, and currently we do not have a plan. Although Mr. Phillips understands Ms. Ceglowski's point, he feels a lot of the information we are looking for we can get without spending any money. Ms. Pasquale disagrees she feels that for people who work in private industry they have a human resource department staffed with trained people who can evaluate the position and the work they are doing and understand how to compare it with other jobs in the community. This is all about equitable compensation and job descriptions and that is what the Personnel Bylaw says we should be doing, and if we do not do it now when are we going to.

Mr. Phillips is not comfortable with this, however, this was a vote at town meeting and he will not say no to a town meeting vote. He also feels the money could be better used by giving it to the employees. Mr. Rucho questioned why each department head could not get the information for its staff. Mr. McCarthy feels it would lead to favoritism and an independent study would not do that. Mr. Phillips asked if the study will take into account the benefits people receive as we may be paying an employee \$2,000 less than another town, however, we also have a generous benefit package that other communities may not offer. Mr. Gaumond noted that is when there is a business decision that has to be made and that goes into the decision of whether or not you do something about this and it does not include looking at benefits. Mr. Phillips has no problem paying people, however, we should look at the benefits they receive. Both Messrs. Phillips and Rucho voiced concern with spending money on a study, having the inability to act on the recommendations and the study sits on a shelf collecting dust.

Mr. Rucho feels that the town is in a much more dire situation financially since the town meeting approved the appropriation. We had a \$3,000,000 override vote, and next year the forecast is much worse. Mr. McCormick feels the study may help the town restructure itself. Mr. Phillips feels the study will change job descriptions a great deal. Ms. Pasquale She noted that the final report will provide the town with a recommended implementation methodology and cost estimate. This will be recommended on the basis of the most cost-effective way to reach both internal equity and market competitiveness in compensation. At the conclusion of the project, they will also provide the town will a recommenced maintenance schedule for updating and administering the new classification and compensation plan. Mr. Phillips feels the town received the same schedule for the Fire Department and it did not help. Mr. Pruneau noted that he has served on two other boards and went through hiring and changing positions on employees. He thinks it is essential we should get this done.

Motion Mr. Phillips to go forward with the Wage and Classification Study and expend the \$6,700, seconded by Mr. Pruneau. Vote on the motion – Messrs. McCormick, Phillips and Pruneau yes, Mr. Rucho no.

Zoning Board Of Appeals & Planning Board

This item will be tabled.

OLD BUSINESS

1. Review and sign proposed License Agreement for Huntington Square sign

Mr. Pruneau has been working with Sterling Greenery and provided the Board with a copy of the sign for Huntington Square for their consideration. Mr. Pruneau instructed Sterling Greenery that the lettering of their business was not to be larger than the lettering for Huntington Square. Mr. Phillips feels it is a good job and in line with what he wanted. Mr. Pruneau also asked that the top of

the sign be rounded off. Mr. McCormick thanked Mr. Pruneau for his efforts; however, he feels the sign is too much of an advertisement for Sterling Greenery. He distributed a version of a sign for the Board's consideration. He also took photographs of similar signs in the town of Sterling and city of Leominster. His recommendation is for the name of the business only without any advertisement. Mr. Rucho asked the length of time the sign would be up for. According to the License Agreement, which Sterling Greenery has signed, it would be up until 2017. Mr. Rucho also questioned if this offered was advertised to other greeneries. Mr. Pruneau explained that Sterling Greenery came forward when John Westerling went to purchase materials from them. They will cover the cost of maintenance of the square in addition to providing all the materials. Mr. Gaumond suggested having a conversation with the Police and Fire Chiefs with regard to sight distance. Mr. Pruneau offered to measure the sign in Sterling and it was noted that the license allows for a sign no greater than 3x5.

Mr. Jack McCormick who is in the audience this evening noted that the sign for Huntington Square was erected by the state, and it was a town meeting vote to erect the sign.

Motion Mr. Pruneau to pass over this agenda item until the next meeting and include it under Old Business, seconded by Mr. Phillips, all in favor.

NEW BUSINESS

1. Bruce Peterson – ongoing water problems on properties at 419, 435 and 445 Prospect Street

Mr. Peterson thanked Mr. Westerling for shooting grades of his property and Mr. Pruneau for visiting his property. The concern is over 419, 445 and 435 Prospect Street. He has an issue with Mass Highway, however, that is in the rear of his property. Years ago when sewer line was put in and they came by his property there is a lot of ground water below Prospect Street in that area and they had a difficult time when they installed the line. When the project was completed they joked with FedCorp that his property would be under water because all the water would come to him. He has been at the location for 49 years and the front field is a hay field, which was always dry. However, since sewers the next season they would pick up water on the tires of their tractor. He tried to deal with the issue himself. Eight years ago a pipe plugged coming under I-190 from the opposite side of the property and they drained a big part of that onto Mr. Peterson's land. When I-190 was put in the drainage was diverted to their side of Prospect Street, and it previously was on the other side of the street. About eight years ago the pipe plugged and the other side of I-190 flooded and the flows came towards the pump station on Woodland Street. The water was there for four years before the problem was corrected and it traveled down Mr. Peterson's side of I-190 and dumped onto his property. They put in a berm to hold the 100-year storm. The water would sit in that area, breach the berm, go across the back field, and make its way to Gates Brook. It also killed two and half acres of trees.

With regard to the letter submitted by Mr. Westerling to the Board regarding Peterson water, Mr. Westerling indicated that Mr. Peterson stated that he told him that the sewers are probably the least of the contributing factors to the problem, According to Mr. Peterson that is completely wrong. The sewers have nothing to do with the problem in the back, but have everything to do with the problem in the front. When the pipe going under I-190 is plugged less water comes in the front field. The lowest point on Prospect Street is across the street where the little pump station is and Mr. Peterson's property and he gets all the water around the sewer pipe. In 1994 when he put in his own water line and dug the same area we have just put the sewer in and it was about 5-6 feet below grade and there was little evidence of any ground water. When he just dug his brother's sewer line he hit water at 30-inches below grade. He thinks John Westerling was trying to say it is a beaver

problem and not the sewer problem. Across the street the beavers started to build a dam and there is a ton of water over there. The field was wet before the beavers and it is contributing, but it started with the sewers. As soon as they hit the crushed stone they had to dewater and the contractor said he never saw that much water in his life. Nothing was coming in along the excavation it was all coming around the sewer pipe. They started with a 2-inch pump and went with a three-inch pump which pumped 430 gallons per minute. The only place water came in was through the stones around the sewer pipe it is all coming from the sewer line. Mr. Peterson wants to have the area back to the way it was before the sewer line came through.

Mr. Westerling did take some elevations of what he calls the swamp and it is actually the Tashjian property. Mr. Peterson called Mr. Westerling today. Prospect Street, at its lowest point is at 100 feet. The Tashjian property is at 98.36, a foot and a half lower than Prospect Street. He noted that the beavers only have to work a little more and the water will come right across Prospect Street and the Board may want to look at that. The lowest point in the Peterson field is 97.44 feet and if everything from the other side of the road comes into that they will be under water. There is a drainage swale where all the water from I-190 and Prospect Street empties into and it is at 94.71. He feels one way may be to dig trenches across the field and fill them with stone; however, it will eventually fill up the stone and back fed the water into the field and become another maintenance issue. According to Mr. Westerling's letter when sewers were constructed borings were taken and the groundwater table was 8 to 10 feet below the elevation of Prospect Street. When Mr. Peterson dug his brother's sewer line they put in perforated pipe to monitor the ground water with stone around it and it was at 96.39, which is now 3.61 feet below Prospect Street. Mr. Peterson does not think it all due to the beavers.

He feels the fix to the problem would be raise the elevation to the land, which would be a considerable amount of money to try to divert into a drainage brook. The other issue is the beavers need to be taken care of. The cheaper option is divert the water into the drainage brook through a series of trenches with stone and pipe. He stated that he is here this evening to see what the town thinks they could do and what part of the problem is their responsibility.

Mr. Phillips suggested having John Westerling go out and make an evaluation and issue a report and have Mr. Gaumond get involved with the beaver issue. Mr. Pruneau reported that Mass Highway has been involved with negotiating a pipe through the Tashjian land, and he thinks they should be brought into the equation. Mr. Peterson stated that when they dug the sewer line down the water gushed in and they needed a pump to get it out. If they turned the pump off the water would flow in. Mr. Westerling inspected the sewer installation and all the water coming in around the sewer pipe. Mr. Phillips would like a recommendation on how to fix the problem. The Board suggested dealing with the beaver issue and asking town counsel what options we would have in dealing with beavers on private property.

Mr. Gaumond noted that the town has a lot of outstanding issues related to the installation of the sewers and suggested getting our legislative delegation involved because the sewer design is not working and we may not be able to solve this problem with tax payers' money. We could send letters to our legislators on Mr. Petersons' behalf. Because Mass Highway is in the area, Mr. Pruneau feels the Board should move quickly as perhaps they could do the job at no cost to the town or Mr. Peterson. Mr. Gaumond will speak with the appropriate parties with regard to the beavers and Mr. Westerling will meet with Mr. Peterson on the site and come up with some solutions and then met with Mass Highway.

Mr. Peterson reported that Mass Highway has been great. The pipe that plugged last year they solved it with a man hole to access and clean their property. The water is not going into the

backfield any more. Mr. Phillips noted that there are other areas in town where the beavers area creating problems, and Mass Highway is working to change the piping under Route 12 across from the Sterling Meadows Condominium complex.

Mr. Peterson informed the Board that when they hooked 419 Prospect Street into the sewer they had an underground water leak. The Water Department sent him a letter indicating there was a leak, which now needs to be abated by the Sewer Commission. The Board instructed Mr. Peterson to work though Mr. Westerling and fill out the required paperwork.

2. Joshua Nunnemacher, 51 Cavour Circle – new driveway expansion

Mr. Nunnemacher is requesting Board's approval on the installation of a 29-foot driveway, which was denied by Mr. Westerling as it exceeds the maximum width of 18-feet. Mr. Westerling recommended Mr. Nunnemacher come before the Board and request a waiver. Mr. Nunnemacher explained that his driveway is too small for a second vehicle and he and his wife decided on installing a new driveway, which would accommodate two vehicles parked side by side. He researched our driveway regulations and found that at 22-foot wide driveway would be ideal. He then spray painted the grass and found that due to the angle of the road and the inclusion of a three-foot skirt the measurement was approximately 26-feet wide. Mr. Westerling advised him to appeal this to the Board of Selectmen. Mr. Nunnemacher then went around and measured other driveways on Cavour Circle and found that very few are 18-feet. The majority of the driveways are greater than 20 to 25 feet

Motion Mr. Phillips to approve the installation of a driveway up to 29-feet, seconded by Mr. Pruneau, all in favor.

3. Derrah, 41 Prospect Street dog barking issue

On April 13 Mr. Gaumond held a dog hearing, and at that time he determined that the dog owner was in violation of an excessive barking situation that impacted Barbara Bissonnette, a direct abutter. The Board's agenda package contains a lengthy Order dated April 17, 2007 to Mr. and Mrs. Christopher Derrah, owners of the dog. On July 23 Mr. Gaumond sent another letter to the Derrahs reminding them of the Order and notifying them that we continue to receive complaints and that they needed to solve the issue. The situation has not improved, and the Board also received an Affidavit from Barbara Bissonnette and the agenda package contains over ten pages of loges kept by Ms. Bissonnette, who works at home during the day and this has caused her inconvenience in trying to get her work done.

According the MGL, the Board of Selectmen has the ability of having to deal with this issue. Mr. Gaumond has attempted to deal with this situation and unfortunately it needs to get to the next level. Mr. Phillips asked if the Derrahs responded to the letter. Mr. Gaumond noted that Mr., Derrah did come forth with a letter signed by some of the businesses around his home saying that they did not have any problem with the dog. Mr. Phillips suggested having the Derrahs come before the Board. Mr. McCormick thinks the Board should issue a new Order. Mr. Gaumond noted that the Derrahs had the ability to appeal the Order and they did not.

Mr. McCormick is aware of mechanisms to stop dogs from barking and suggested keeping the dog in the house or purchasing anti-barking collars. Mr. Gaumond's understanding is that Mr. Derrah is at home during the day. Mr. McCormick recommends sending a firm Order to collar the dog or it will be banished.

Motion Mr. Phillips to send an Order to the Derrahs that within three days of being served the Order that they take any effective measures whether it be collar or muzzle to effectively stop the dog from barking or the Board will take further action, seconded by Mr. Pruneau, all in favor.

4. Review Report to Board on Develop Wellness Program for Citizens and Employees – Goal #18

Mr. Gaumond has been working with the Council on Aging, Department of Public Health and our Board of Health on developing a Wellness Program for citizens and employees. He has established a schedule which focuses monthly on a different issue. The schedule is as follows: August is walking, September is men's health awareness and prostate cancer awareness, October is women's health awareness and breast and cervical awareness, November is diabetes awareness, December is physical fitness month and anti-smoking, January is children's health awareness, February is heart month, March is nutrition awareness, April cancer awareness, May stroke awareness, June home and workplace safety awareness and July is asthma awareness. Information will be posted monthly on the town's web site and on August 21 at 4:30 Mr. Gaumond will be walking the rail trail and invited anyone interested to join him. He thanked the Board for their attention to this very important goal. Mr. Phillips thanked Mr. Gaumond for his work in this area.

5. Appointment of the Board of Selectmen's Alternate to the Central Mass Regional Planning Commission for FY08

On an annual basis the Board appointed an alternate who worked with the Central Mass Regional Planning Commission. Charles Greenough has served in that capacity since 1991 and is willing to continue if the Board wishes, however, he feels it is time to give someone else an opportunity. Mr. DiPietro, who serves on the Transportation Committee, has expressed an interest in the position.

Motion Mr. Rucho to appoint Mr. DiPietro as the Board's alternate to work with the Central Mass Regional Planning Commission, seconded by Mr. Pruneau, all in favor.

6. Review and approve schedule for October 15, 2007 Semi-Annual Town Meeting

Motion Mr. Phillips to approve the schedule as submitted, seconded by Mr. Pruneau, all in favor.

7. Review information on joining Municipal Coalition for Affordable Housing

The Municipal Coalition for Affordable Housing is a non-profit organization consisting of municipalities and officials of cities and towns in the Commonwealth of Massachusetts whose purpose is the development of better methods for producing affordable housing in Massachusetts. The members believe that responsibility for the production of low-cost housing should be returned to the individual communities. Existing statutes, administrative regulations and policies should be reformed to enable municipalities to implement a broader range of low-cost housing alternatives, ensure consistency with long-range planning, maintain historical preservation and environmental protection, use appropriate local preferences and exercises sensible oversight. Mr. Gaumond sent the information to various groups and the Planning Board did respond and recommend joining the coalition. The Selectmen would be designed as the key contact for the group. In order for the town to join the Board of Selectmen must vote to do so.

Motion Mr. Rucho to join the Municipal Coalition for Affordable Housing, seconded by Mr. Phillips, all in favor.

8. Review information from Counsel regarding the suspension of the Classic Suites & Inns, Inc. and set dates of suspension

Mr. Gaumond reported that the town has been successful in the appeal on the suspension for the Classic Suites litigation. The Classic Suites is prepared to serve the suspension on August 31 and September 1, 2 and 3. However, they requested the following considerations. (1) to be able to conduct some renovation work to the licensed premises during this period; the facility has several residents who are construction workers employed on the Wachusett Reservoir Dam project. They would request that they be allowed to remain on the premises during the suspension; and that the staff be allowed to be on the premises during the suspension for security purposes.

According to the town's Motel Operation Permit Regulations, under Section 14. Service of Suspension Orders, this would be in direct violation of the bylaw, which calls for the public display of a suspension. Mr. Rucho does not have a problem with the construction workers on the premises during the suspension. Mr. Phillips does not want to contradict anything in the Motel Operation Permit Regulations. The Board will not allow the residents who are construction workers employed on the Wachusett Reservoir Dam project to remain on the premises during the suspension.

Motion Mr. Rucho to set the suspension dates at August 31, and September 1, 2 and 3 and allow them to do renovation work as requested and allow staff to be on premises for security purposes only, not for living, seconded by Mr. Phillips. The Police Department will be asked to make period checks to ensure compliance with the suspension. If the facility is posted closed and should the police drive by and find there are three vehicles there and people are in the rooms, Mr. McCormick feels they should appear before the Board. According to Section 14 b. of the Motel Operation Permit Regulations, "failure to maintain the order of suspension in the manner and place required prior to the expiration of the suspension period shall be deemed the act of the permittee and shall be cause for further suspension, modification or revocation of the license." That will also be noted in the response letter to Attorney Brackett. Mr. Phillips noted that they have done a lot of work to improve the establishment and comply with the Police Department. Vote on the motion – Messrs. McCormick, Phillips and Rucho yes; Mr. Pruneau abstains.

9. Review and vote to release executive session meeting minutes for the period covering September 26, 1979 through December 30, 1994

This was one of the goals set by the Board. The vote will be to release executive session meeting minutes, which can now be released to the public and have previously been approved by Boards of Selectmen.

Motion Mr. Phillips to release executive session meeting minutes for the period covering September 26, 1979 through December 30, 1994 executive session meeting minutes for the period covering September 26, 1979 through December 30, 1994, seconded by Mr. Rucho, all in favor. Mr. Gaumond noted that we will have another five years of minutes for the Board to release at its September 19th meeting. He thanked Mrs. Lucier for all her work on this project.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. August 21, 7:00 p.m. – Municipal Buildings Committee Meeting
2. August 21, 4:30 p.m. – Walk with the Town Administrator on the Rail Trail
3. August 22, 8:30 a.m. – GIC information session for MORE membership at the Central Mass Regional Planning Commission Office, 35 Harvard Street, Worcester

4. August 23, 7:45 p.m. – ZBA public hearing on the petition of the Municipal Lighting Plant for a Special Permit
5. August 23, 7:15 p.m. – ZBA public hearing on the petition of 175LLC for a Special permit
6. August 24, 9:30 a.m. - 4:00 p.m. – Operation Twin Strike Full Scale Exercise at The Salter School, 184 West Boylston Street
7. September 4, 7:00 p.m. Town-wide Planning Committee Meeting
8. September 21, 6:00 p.m. Friends of the Council on Aging Fundraiser at The Manor - Broadway Broadway starring Valerie Sneade and John O'Neil - social hour at 6; dinner buffet at 7; show at 8:30. Proceeds benefit the Senior Center Building Fund \$45.00 per person
9. August 26 from 8:00 a.m. until 7:00 p.m. the Football Jamboree will be held at Goodale Park. The area will be closed down for the event and all Wachusett league towns will participate.

SELECTMEN'S REQUEST AND NEW BUSINESS

Mr. Phillips has nothing this evening.

Mr. Pruneau requested Mr. Westerling look at the entrance to the rail trail parking lot which is getting washed out and starting to break up the road. Mr. Rucho noted that the Planning Board required the town pave the entrance to its parking lot on Goodale Street.

Mr. Rucho thanked the Parks Commissioners for running such a successful summer recreation program, and he thanked the school for the use of the building.

Motion Mr. Phillips to enter into executive session at 10:30 p.m. under the provision of Massachusetts General Laws Chapter 39, Section 23B, Parts 3 and 6 to discuss strategy with respect to contract negotiations and to consider the purchase, exchange, taking, lease or value of real property and the Board will not be going back into open session, seconded by Mr. Rucho. Roll call vote: Mr. Pruneau yes, Mr. McCormick yes, Mr. Phillips yes, Mr. Rucho yes.

Motion Mr. Phillips to come out of executive session at 11:30 p.m., seconded by Mr. Pruneau. Roll call vote: Mr. Rucho yes, Mr. Pruneau yes, Mr. McCormick yes, Mr. Phillips yes.

With no further business to come before the Board, motion Mr. Phillips at 11:30 p.m. to adjourn, seconded by Mr. Rucho, all in favor.

Respectfully submitted,

Approved: September 5, 2007

Nancy E. Lucier

Kevin M. McCormick, Chairman

Allen R. Phillips, Vice Chairman

Valmore H. Pruneau, Clerk

Christopher A. Rucho, Selectman