

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

Mr. McCormick convened the meeting at 7:00 p.m. Both Messrs. Phillips and Rucho will be delayed this evening.

Read and acceptance of Minutes from Previous Meetings

Motion Mr. Pruneau to accept the meeting minutes of December 5, 2007 seconded by Mr. McCormick. Vote on the motion – Messrs. McCormick and Pruneau yes; Mr. DiPietro abstains as he was not in attendance.

NEW BUSINESS

1. Baldarelli Brothers, Inc. issue

This item will be postponed until February.

2. Review and Request for Reserve Fund Transfer from the Veterans' Services Department in the amount of \$13,797.00

The budget was prepared to provide benefits to two veterans, and with the addition of a new eligible veteran, the balance remaining in the account is \$810.00. The \$13,797 being requested will get them through the remainder of the year, and the town is reimbursed 75%. Mr. Gaumond suggested replenishing the Reserve Fund at the May town meeting.

Motion Mr. Pruneau to approve the Request for Transfer from the Reserve Fund in the amount of \$13,797, seconded by Mr. DiPietro, all in favor.

3. Review request from the Beaman Memorial Public Library to accept donations in the amount of \$110.95

Motion Mr. DiPietro to accept donations in the amount of \$110.95, seconded by Mr. McCormick. Vote on the motion – Messrs. McCormick and DiPietro yes; Mr. Pruneau abstains.

4. Revote contract with Charter Communications and the Town of West Boylston

Due to the fact that there has been one minor change in the contract under 2.3 (b), which maintains PEG financial support from 90% to 85%, the Board will need to revote the contract. The 90% was not agreeable to Charter, however, town council and the Cable Advisory Committee do agree with the change.

Motion Mr. Pruneau to accept the contract with the change of 85% financial PEG support, seconded by Mr. DiPietro, all in favor.

5. Review request from the Worcester Regional Transit Authority for letter of support to legislators for changes to the way the Regional Transit Authorities are funded

The Board has received a request from Stephen O'Neil, Administrator of the WRTA, who is contacting all 37 communities served by the WRTA for their support on legislative changes for the way the Authority is funded. Currently they are on reverse funding, and reimbursements are not covering what has already been expended. They are looking for forward funding legislative

language.

Motion Mr. DiPietro for Mr. Gaumond to prepare a letter of support to be signed by the Chairman, seconded by Mr. Pruneau. Mr. DiPietro noted that the WRTA is carrying a debt of \$2,017,000, and at the end of this fiscal year they will incur another \$1,200,000 of debt. Vote on the motion – all in favor.

OLD BUSINESS

1. Review request from Edwin and Diane Attella and Robert and Opal Morse to transfer an existing right-of-way at 151 Sterling Street

Mr. Attella provided the Board with a letter from Mr. and Mrs. Morse as they are unable to attend the meeting this evening. Their home has no frontage and the only access they have to Route 12 is with the easement, which was granted to them by the town for the duration of their lifetime. The request and the previous action have been reviewed by town counsel, who has indicated that the Selectmen have the authority to pass the easement onto somebody. Mr. Attella would like to purchase the property and requests the Board issue a letter indicating their intention to transfer the right-of-way to them should they purchase the house.

Mr. McCormick explained that the town is in the midst of developing a building program and one of the recommendations may be to bring in a driveway from Route 12 to the Mixer Building. In order to do this we would need to use the existing easement and may request the granting of an additional ten or fifteen feet of the easement for a driveway. Mr. Attella indicted that whether it was the same easement or a different easement in order to facilitate the driveway, he would have no objection to that. He suggested including that in the letter from the Board to the Attellas. Mr. DiPietro would like to include in the deed “his successors or heirs.” Mr. McCormick questioned whether this would have to go back to town meeting. He recommends doing step one, the letter, so that the Attalla’s could obtain financing.

Motion Mr. Pruneau to grant the easement to the Attalla’s and their successors, pending the sale with the understanding that upon a successful purchase and sale on the property that there would be the granting of a 25-foot easement to the town for municipal purposes, seconded by Mr. DiPietro, all in favor.

Mr. Attella agreed to update the Board periodically on his progress. He also requested the language that “the easement would not affect their quite enjoyment of their property”. The Board would like to locate the exact location of the easement. Mr. Gaumond will prepare a draft letter to be faxed to Mr. Attella at 508.835.7880.

2. Approve Motel Operation Permits for 2008

At the last meeting The Board deferred action on this agenda item as a joint inspection was scheduled by the Building Inspector, Fire Department and Board of Health. Those inspections have been completed and those departments recommend license renewals.

Motion Mr. Pruneau to approve the renewals of the Motel Operation Permits for 2008, seconded by Mr. DiPietro, all in favor.

3. Michael Staiti – Request for waiver of sewer & building fees for 3 affordable units

Mr. McCormick explained that Mr. Staiti appeared before the Board two weeks ago and

requested the town waive the building permit fees and sewer connection fees for the three affordable units in Angell Brook Phase II, consisting of 18 units. He offered the town the three units, however, as part of the package to the Department of Housing and Community Development they like to see that the town is making a contribution and for the project it would be the waiving of the fees.

Mr. McCormick noted that in a letter dated February 15, 2006 Mr. Staiti wrote that he was "in the process of permitting 18 additional units as part of the Angell Brook Village. The Planning Board has asked that I include up to three affordable units as part of this special permit. I have agreed to two units and I am willing to do a third if the Town of West Boylston will waive all permit fees for these three units. This includes sewer, building and water totaling approximately \$9,000 per unit." On March 1, 2006 the Board reviewed the February 15, 2006 letter and Mr. McCormick made a motion not to waive the fees in exchange for the third affordable unit and thank him for the two units, which was seconded by Mr. Fallavollita and the vote was unanimously in favor of the motion.

On April 5 upon motion of Mr. Fallavollita the Board granted the revision to the Sewer Extension Permit issued for Angell Brook II, seconded by Mr. Phillips and it was noted that the privilege fees are collected in advance of the building permit being issued. Motion passes unanimously. Mr. McCormick noted that Mr. Staiti was told twice by this Board in 2006 that we were not going to waive the fees.

In reviewing the minutes of the Planning Board, Mr. McCormick further reported that Mr. Staiti met with the Planning Board on March 8, 2006 and the minutes read "Mr. Staiti noted that he sent a letter to the Housing Partnership concerning his willingness to have affordable units in this Phase, as well as a letter to the Board of Selectmen requesting a waiver of fees for three units. The Selectmen in a baffling decision, voted to allow two affordable units, not three.

They also met on May 10 and Ms. Paré reminded Mr. Staiti that he needs to prepare and submit a Conservation Restriction. She added that the approval of this project will be conditioned upon the agreement that three affordable units qualify per chapter 40B as well as the conditions stipulated by the Water Department. Ms. Halpin thanked Mr. Staiti for his willingness to build the three affordable units. Mr. McCormick voiced his displeasure that Mr. Staiti was already told on two previous occasions by the Board of Selectmen that we were not going to waive the fees so we could get the third unit. Mr. McCormick noted that also at the May 10 Planning Board meeting the minutes read. "The last issue concerns the promise of Mr. Staiti to build and offer at least two affordable housing units. He is agreeable to offering a third affordable unit, however, he needs to have the Board of Selectmen agree to waive the sewer and building permits for a third unit".

Mr. McCormick feels the Board's previous vote stands, we said we will take two and pay the fees. Mr. McCormick does not understand as Mr. Staiti said if Selectmen do not waive the fees he couldn't do the three. Mr. Gaumond explained that when you do a LIP there is a requirement that the town and the developer are working hand in hand, however, there is nothing that says it has to be cash.

Mr. McCormick was also under the understanding that the Board would have to sign off on a LIP before it goes forward. The Board also received a request from Mr. Staiti for a letter of support for his LIP. He noted that originally the conversation was around waiving the building permit fees, however, when he came before the Board at its last meeting he is now requesting building and sewer permit fees. Mr. McCormick is concerned that the Selectmen said no on March 1, 2006 to the third affordable unit, and there was no mention of a LIP or a 40B and now a year and a half later it is a LIP. In May of 2006, three months after the Selectmen said no, he agreed to three

affordable units with the Planning Board. He does not believe this was upfront and everyone else was required to pay their fee.

Motion Mr. Pruneau to deny the request from Mr. Staiti for the waiver of building and sewer fees for the three units, seconded by Mr. DiPietro, all in favor.

4. Review and vote Order re: Tashjian Dog Complaint

On December 5th the Selectmen held a dog hearing and directed Mr. Gaumond to prepare a draft letter for their consideration.

Motion Mr. Pruneau to accept the letter as written and concur with the order, seconded by Mr. DiPietro, all in favor.

5. Vote to authorize Timothy Hanson of Central Mass. Regional Planning Commission access to the Community Development Block Grant computer system to submit grants on behalf of the Town of West Boylston

At the last Board meeting, Mr. Hanson spoke with the Board about the Community Development Block Grant Program. For him to be able to access our account he needs permission from the town. This goes towards the regional housing habilitation program. We are exploring the possibility of submitting a joint application with a couple of other communities.

Motion Mr. Pruneau to authorize Timothy Hanson of Central Mass. Regional Planning Commission access to the Community Development Block Grant computer system to submit grants on behalf of the Town of West Boylston, seconded by Mr. DiPietro, all in favor.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. Mr. Gaumond distributed the list of Board of Selectmen meetings for 2008.

2. Mr. Gaumond distributed the third Municipal Calendar for the town, which was developed through the assistance of the Municipal Assistant and will be posted on the town's web site under the Town Administrator and the Board of Selectmen. It is a collection of important dates and to do lists for each month.

3. Mr. Gaumond gave each member of the Board an Ezra Beaman Day pin. As part of the town's bicentennial events, on January 30th we will have an Ezra Beaman Day event at the schools.

4. On December 28th at noon the Council on Aging will celebrate the New Year with a Chinese food luncheon. All are invited to attend.

5. January 29, 2008 – 8:30-4:00 p.m., Planning & Public Health: Working Together – Creating Safer and Healthier Communities, Marlborough

Mr. Gaumond plans to attend the event on behalf of the town.

SELECTMEN'S REQUESTS AND NEW BUSINESS

Mr. Pruneau asked Mr. Gaumond if Mr. Westerling could look into removing the large snow piles and widen the sidewalk around Central Street. He suggested using the bucket and loader to eliminate a hazardous situation.

Mr. DiPietro received a telephone call from a resident requesting the waiver of a burial permit fee. Mr. Gaumond will refer this item to the Cemetery Trustees as this is under their purview.

Mr. McCormick reported that two people approached him with compliments for the DPW's snow plowing of Route 140. They felt that the West Boylston portion was in much better condition as compared to other towns.

Mr. DiPietro suggested having the DPW purchase a small sander to be mounted on the back of the sidewalk unit so that the walks could be sanded and plowed at the same time.

NEW BUSINESS (cont.)**6. Review MIIA Voting Delegate Designation Form**

Mr. Gaumond explained that the voting member is typically the Chairman of the Board, however, since Mr. McCormick does not intend to be at the event on Saturday, Mr. Gaumond recommends the Board designate him as the town's voting delegate.

Motion Mr. Pruneau to designate Mr. Gaumond as the town's MIIA Voting Delegate, seconded by Mr. DiPietro, all in favor.

Messrs. Phillips and Rucho arrived at 8:00 p.m.

7. Review MMA Annual Meeting Credential Vote Form

Motion Mr. Rucho to designate Mr. Phillips as the MMA Annual Meeting Credential Vote for the town, seconded by Mr. Pruneau, all in favor.

8. Approve alcoholic beverage licenses for Steve's Pizzeria & Choey Lee's II and sign Renewal Affidavit Certifications for Alcoholic Beverage Licenses

Mr. McCormick recused himself. Both establishments have received Certificates of Inspection signed by the Fire Chief and Building Inspector.

Motion Mr. Pruneau to approve renewal of the alcoholic beverage licenses for Steve's Pizzeria & Choey Lee's II and sign Renewal Affidavit Certifications for Alcoholic Beverage Licenses, seconded by Mr. Rucho, all in favor.

9. Approve business licenses for Steve's Pizzeria & Choey Lee's II

Motion Mr. Pruneau to approve business licenses for Steve's Pizzeria & Choey Lee's II, seconded by Mr. DiPietro, all in favor. Mr. McCormick returned to the meeting.

SELECTMEN'S REQUESTS AND NEW BUSINESS

Mr. Rucho has nothing this evening

Mr. Phillips would like to include an item on the early January agenda to name the baseball field in front of the Mixter Building after Kyle Little. He has had a conversation with Kyle's mother, whom he would like to be in attendance at the meeting, and she is fine with the recommendation as he was a big baseball fan. Mr. Rucho recommends contacting the Parks Commission for their comments and suggested that perhaps another option would be dedicating the school field as he did play ball in school. Mr. Phillips would like to have the Parks Commission involved with the dedication at the field during a summer month.

Mr. Phillips announced that the Bicentennial Committee is publishing a cookbook and invited everyone to submit their favorite recipe to be included in a part of the town's history, the

West Boylston's Bicentennial Cookbook. You can log onto www.wb200.com and follow the instructions. A password is not needed to submit a recipe.

Motion Mr. Phillips at 8:07 p.m. for the Board to enter executive session under the provisions of Massachusetts General Laws Chapter 39, Section 23b, Part 3 to discuss strategy with respect to contract negotiations, strategy with respect to litigation and strategy with respect to contact negotiations with non-union employees, and the Board will be going back into open session seconded by Mr. Rucho. Roll call vote: Mr. DiPietro yes, Mr. Pruneau yes, Mr. McCormick yes, Mr. Philips yes, Mr. Rucho yes.

Motion Mr. Rucho at 9:00 p.m. to come out of executive session and reconvene in open session, seconded by Mr. Pruneau. Roll call vote: Mr. Pruneau yes, Mr. DiPietro yes, Mr. Rucho yes, Mr. Phillips yes, Mr. McCormick yes.

The Board reconvened in open session at 9:05 p.m. All members are present.

Read and acceptance of Minutes from Previous Meeting

Motion Mr. Rucho to accept the meeting minutes of December 5, 2007 seconded by Mr. Phillips. Vote on the motion – Messrs. McCormick, Phillips, Pruneau and Rucho yes; Mr. DiPietro abstains as he was not in attendance.

Motion Mr. Phillips to approve the contract between the Town of West Boylston and Wheelabrator Millbury Inc., seconded by Mr. Pruneau, all in favor.

Motion Mr. Phillips to approve the three-year employment contract between the Town of West Boylston and Town Administrator Leon A. Gaumond, Jr., seconded by Mr. Pruneau, all in favor.

With no further business to come before the Board, motion Mr. Phillips at 9:10 p.m. to adjourn, seconded by Mr. Pruneau, all in favor.

Respectfully submitted,

Approved: January 2, 2008

Nancy E. Lucier

Kevin M. McCormick, Chairman

Allen R. Phillips, Vice Chairman

Valmore H. Pruneau, Clerk

Christopher A. Rucho, Selectman

John B. DiPietro, Sr., Selectman