

Members present: Kevin M. McCormick Alexander Fallavollita, Sr.
 Christopher A. Rucho John B. DiPietro, Sr.
 Allen R. Phillips

Mr. McCormick convened the meeting at 6:00 p.m.

Presentation By Town Administrator On Fire Chief Appointment

Mr. Gaumond approached the Board and explained that he comes before them this evening to report on the Fire Chief selection process. Late last fall Fire Chief Jack Chandler informed Mr. Gaumond of his decision to seek employment in the Town of Holden. This came as a great blow to Mr. Gaumond both personally and professionally as he had come to rely on Chief Chandler and his even-handed and prudent approach to his role of Fire Chief and community leader. In addition to being a good Fire Chief and good department manager, he was also a good friend whom Mr. Gaumond deeply respected.

Having been through a chief search process before, he knew that this position is one in which the community, and especially the department, cares deeply about. He established a search process that began with a request by the Town Administrator to the townspeople to find out what qualities they would be looking for in a new chief. He also asked them to participate in the interview process as members of the Interview Committee. The Interview Committee had the responsibility of meeting with the six finalists for the position and providing the Town Administrator with their personal and professional advice. The Committee consisted of Mr. Gaumond, West Boylston Police Chief Dennis Minnich, Boylston Fire Chief Joseph Flanagan, East Longmeadow Fire Chief Robert Wallace, Personnel Board Member James Morrissey, West Boylston Deputy Fire Chief Robert O'Connell, and Selectman John DiPietro. The questions delved into areas of leadership, managerial experience, budgetary experiences, and firefighting backgrounds. The responses received from the candidates for the position and from the participants in the Interview Committee were extremely positive.

All of the six finalists were asked to formulate a written response to a question to be sent to the Town Administrator prior to the initial interview. This provided an opportunity to gauge how well they prepare and research issues for the Town Administrator and to get a sense of their written communication skills. Following the initial interviews three candidates were invited in for second meetings and began the process of conducting background and reference checks. The three candidates were the top three candidates as ranked by the Interview Committee. The second interviews were a chance for the candidates to answer different questions in a more relaxed atmosphere. Progress on the selection was reported back to the Board of Selectmen and direction was received relative to contract negotiations with the potential chief candidate.

After a thorough examination into the educational and professional credentials of all the applicants, the firefighting experiences of the applicants, the managerial credentials and leadership styles of the applicants, and the reference checks made of the candidates, Mr. Gaumond announced that his choice for the position of West Boylston Fire Chief is Richard J. Pauley Jr., former Fire Chief of Milford, New Hampshire.

Chief Pauley has had a long and distinguished career in fire services. He has over ten years of senior management experience as a chief fire officer and has served as Fire Chief for the last 7 years in Milford. Prior to that, he served as an investigator for the New Hampshire State Fire Marshall's office and a program manager for the Massachusetts State Fire Marshall's office. He also has senior fire experiences as Fire Chief in North Hampton, Deputy Fire Chief of Laconia, and

as a Lieutenant in the Amherst Fire Department. His experiences have been in combination fire departments similar to West Boylston.

Chief Pauley received his Associate Degree in Applied Sciences: Fire Protection from New Hampshire Vocational-Technical College and his Bachelor of Science Degree In Safety Studies/Occupational Safety from Keene State College. He has also served as an Adjunct Professor for both of these schools. He is a member of the National Fire Protection Association, the International Association of Fire Chiefs, the New England Association of Fire Chiefs, and is the past president of the New Hampshire Association of Fire Chiefs.

During the interview process, Chief Pauley was extraordinarily impressive. He was organized and thoughtful, demonstrated a wealth of experience, and was extremely confident in his abilities. He excelled in areas of leadership and budgeting and he was the one candidate who spoke at length about the role of Fire Chief in terms of public service. He spoke to his experiences as an emergency management director, his experiences in capital planning and budgeting, and his experiences in regionalization. He demonstrated a hard-nosed, no-nonsense approach to his duties with a clear passion for his work as a firefighter.

The references for Chief Pauley spoke very highly of his abilities and attitude in his job performance. He has been described by people he has worked with as community committed, rational, extremely professional, meticulous, self-motivated, self-supervised, one who works well in a team setting, and one who had strong report writing skills. He was also described as someone well versed and familiar with building codes and regulations and as someone whom his fellow firefighters respected and worked well with. Milford Police Chief Frederick Douglas described Chief Pauley as 'professional and is very good at strategic planning when it comes to Fire Department operations' and someone he works very well with.

Mr. Gaumond was also able to review Chief Pauley's employee performance appraisals for his tenure in Milford, which showed a greater insight into a man, dedicated to public service, capable in his position as a Department Manager, and technically astute in his skills as a fire officer. Mr. Gaumond feels that Chief Pauley has the skills and desire to serve the citizens of West Boylston and to ask the Selectmen to concur with this appointment.

Motion Mr. Rucho to concur with the appointment of Richard Pauley as Fire Chief and authorize the Town Administrator to enter into contract negotiations with the candidate, seconded by Mr. Fallavollita. Vote on the motion – Messrs. McCormick, Rucho, Fallavollita and DiPietro yes; Mr. Phillips abstains.

Mr. Pauley stated that it is an honor and privilege to be with the Board this evening and he seeks this as a new opportunity to come close to home again. He came from the Town of Lunenburg and always admired the Town of West Boylston as a child growing up. He is very exciting about the opportunity and challenges we will be facing together as a team. Mr. Gaumond welcomed Mr. Pauley's mother, father and son, who are in attendance at the meeting.

Read and acceptance of Minutes From Previous Meeting:

Motion Mr. Fallavollita to approve the meeting minutes of January 3, 2007, seconded by Mr. DiPietro. Vote on the motion Messrs. McCormick, Fallavollita and DiPietro yes; Messrs. Rucho and Phillips abstain, as they were not in attendance at the meeting.

Report of Designer Selection Committee

Mr. McCormick thanked Bruce Peterson for his service as Chairman of the Designer Selection Committee. The Committee concluded its interviews and unanimously agreed on the ranking of the top five firms.

Motion Mr. Phillips to accept the submittal of Lamoureux, Pagano & Associates of Worcester and authorize the Town Administrator to enter into contract negotiations, seconded by Mr. Fallavollita. Mr. Fallavollita thanked committee members John Hadley, Bruce Peterson and Mike Maljanian for their service. Vote on the motion – all in favor.

Mr. Gaumond recommends the Board designate a member of the Board of Selectmen to work with him and the Chairman of the Designer Selection Committee to negotiate a contract. Mr. Fallavollita offered his services.

Motion Mr. Phillips to designate Mr. Fallavollita to work with Mr. Gaumond and Mr. Peterson, seconded by Mr. DiPietro, all in favor.

NEW BUSINESS**1. Regional health insurance effort**

The Board's agenda package contains an invitation from the Town Administrator of Princeton to attend a meeting scheduled for January 31 to discuss a regional approach to employee health insurance benefits. As a majority of the Board would like to attend, a meeting will be posted.

Motion Mr. Phillips at 6:20 p.m. to go into executive session under the provisions of Massachusetts General Laws Chapter 39, Section 23B, Part 3 to discuss strategy with respect to contract negotiations with non-union personnel, and the Board will be going back into open session, seconded by Mr. Fallavollita. Roll call vote: Mr. DiPietro yes, Mr. Phillips yes, Mr. McCormick yes; Mr. Rucho yes, Mr. Fallavollita yes.

Motion Mr. Rucho to come out of executive session at 7:05 p.m., seconded by Mr. Fallavollita. Roll call vote: Mr. Rucho yes, Mr. Fallavollita yes, Mr. DiPietro yes, McCormick yes.

The Board reconvened in open session at 7:10 p.m.

Mr. Gaumond announced that the town's Pop Warner Football League was undefeated this year. The team went on to the Central Mass New England Pop Warner Regional Playoffs. Mr. Gaumond and the Board congratulated Head Coach Pat Inderwish and Assistant Coaches Abe Farraj, Bill Inderwish and Mike Nelson. The following members of the team were introduced and congratulated by the Board of Selectmen: Connor McDavitt, William Foley, Justin Beshai, Connor Beardsley, Michael Houck, Ryan Morris, Tyler Hartman, Daniel Polnerow, Joshua Auger, Matthew Farraj, Michael Coppolino, Kyle Barrows, Michael Roche, Colby Bostek, Ryan Harlow, Brian Fradsham, Dylan Casamassa, Lawrence Fritz, Nicholas Sieber, Luke Fancy, Nicholas Keddy, Ryan Hartman, Justice Johnson, Michael Pace and Brian Kochanowski.

Housing Partnership, Zoning Board Of Appeals & Planning Board

Michelle Harris, Chairman of the Housing Partnership, Matt Colangelo, Chairman of the Zoning Board of Appeals (ZBA) and Karen Paré, Chairman of the Planning Board joined the Board. Mr. McCormick explained that this meeting was planned to give the Selectmen an opportunity to speak with these three Boards to learn more about the processes involving 40B and Local Initiative Projects (LIP).

Mr. Colangelo explained that a 40B is a Comprehensive Permit, which was developed by the state of Massachusetts to try to get all communities to achieve that 10% of their housing stock is deemed affordable. The town is currently at 3.3% with 81 units and we need to get to 240 to fulfill the 10% requirement. A developer will come in and apply for a 40B and ask for waivers in order to provide the required 25% of the housing stock as affordable. He gives us 25% or more and we allow him to waive some of the Zoning Bylaw requirements. Within the application the developer needs to list the waivers. The ZBA holds a public hearing and they have to negotiate the best they can. Should they deny the application, the applicant will appeal the decision to the Housing Appeals Court who will make the decision. He further explained that a LIP could be called a friendly 40B as the applicant will try to get the Board of Selectmen to approve the project, and the next step is going to the ZBA.

Ms. Paré explained that there are other types of permits other than Comprehensive Permits. Local Action LIPS are when we get credit if we do something other than and that is where our incentive zoning bylaw change is a benefit. The Board of Selectmen's role is before the project gets to the ZBA they have to give comments to the state and they are the only real chance of modifying the project as the ZBA has limited means of negotiating.

Mr. Gaumond pointed out that under Roles and Responsibilities in the 40B Guideline Booklet, "The Board of Selectmen, mayor or other chief elected official should provide detailed factual and focused comments to the state housing agency responsible for issuing a project eligibility letter."

Ms. Paré further explained that another way the town has control on this is to make progress on our numbers. If we have a Certified Housing Plan approved by the state and we have added $\frac{3}{4}$ of one percent or one and a half percent will cover us for two years. That would prevent the town from an unfriendly 40B project. Mr. Colangelo explained that the ZBA cannot really reject a permit unless it is a health or safety issue. They try to negotiate the best project possible for the town. Mr. Phillips questioned whether public safety resources could be considered part of safety issues.

Mr. Gaumond explained that Mass General Laws establishes very high thresholds if we have not met our 10%, including health and safety of the occupants, if they are imperiled, the natural environment is endangered, the design of the site and the proposed housing is seriously deficient, open spaces are critical. Mr. Phillips questioned what if the Fire Chief says that he does not have enough staff. Ms. Pare explained that the HAC would have to balance that. Mr. Phillips questioned the benefit of a LIP project. Mr. Colangelo stated that what they hope to do is create a friendly project and the Board of Selectmen partners with the developer and then the package goes to the ZBA, and hopefully it is a more town-friendly project. Ms. Pare explained that with the project the developer and the Selectmen would look at the best place in town. Mr. DiPietro asked when the ZBA is making a decision on a 40B what consideration do you give to it. Mr. Colangelo explained that the ZBA hears from all the boards in town, not just the Planning Board and they take their comments into consideration. They have 20 days to get the packages out to the local boards.

Ms. Paré explained that there are many units in town that rent below the affordable housing numbers. However, houses on the subsidized housing inventory are the only ones we can count.

Mr. DiPietro questioned who follows through to make sure the rents are maintained. Mr. Colangelo explained that there are different monitoring agencies for different developments. The ZBA stays with the project in perpetuity and any changes have to come before the ZBA the monitoring agency. Heritage Lane housing is affordable in perpetuity. Mr. Rucho questioned the advantage of the Housing Plan. Ms. Harris explained if we become certified it wouldn't be for one or two years. Then if a plan came before us we could say we are following our housing plan, and we would need to be doing a something every year.

Ms. Harris explained that the Housing Partnership is now working on our affordable Housing Production Plan. Once drafted the plan goes to the Selectmen as it has to be submitted from the Board of Selectmen.

Mr. Phillips questioned the time frame for completion. Ms. Harris feels it should be completed by the end of March and encouraged people to come forward and assist in the preparation. They thought their target would be three-quarters of a percent. The Planning Board has also provided feedback. Mr. Colangelo explained that even if the town gets 18 units per year, should we have a 40B filing the ZBA would have to go ahead and have a hearing. Ms. Harris is concerned that the numbers are based on the 2003 census. Mr. Colangelo reported that the ZBA just finished the Franklin Street project and Afra Terrace is under way. The DHCD approval is dated the date you submit it. Afra has 14 units and Franklin Street has 24 units over a two-year period, and as long as we show we are adding we will be okay.

Mr. Fallavollita is opposed to affordable housing as he thinks the number of affordable units should be 50%. He is concerned that town's are always playing catch up and he thinks we should do away with 40B. Mr. Colangelo stressed that you need to keep in mind that you cannot make a project uneconomical. Ms. Harris explained that affordable housing is not all 40B. She feels we need a mix of affordable housing units. Mr. Fallavollita feels the government should build the project and turn it over to the town.

Mr. DiPietro reported that the IG is investigating 40B abuses because contractors that own units are not supposed to show more than a 20% profit and on rental it cannot be more than 10%. He noted that there are grants available to the ZBA for people to come in and do research if needed. Mr. McCormick advised that when Mr. Staiti met with the Board of Selectmen he mentioned that if the town had a piece of land he would be happy to help us develop a plan. He wonders if this is something the Board of Selectmen should be looking at. Ms. Harris feels the town has to be pro active. She is hopeful that the Incentive Zoning Bylaw will help us increased our numbers. Mr. Gaumond suggested getting people involved on the Affordable Housing Trust, which will work on developing our own destiny.

Mr. Fallavollita feels the state and federal government should increase funding for these types of projects. Ms. Harris noted that there are housing funds, which include 689 Funds. If the town accepted the Community Preservation Act a portion of those funds could be used for affordable housing. In February of 1999 she worked on a 689 grant.

Mr. McCormick suggested a private and public partnership to build a 40B project. Ms. Harris explained that as the Housing Partnership gets more information they should be able to help drive some of the conversations with developers on what we need. The DHCD web site has a list as what counts as subsidized housing and West Boylston has 81 units on that site.

Ms. Paré feels one of the other issues is accessory apartments. We do allow them in West Boylston with Special Permits from the ZBA. To be counted, they would have to have deed riders, could not be rented to family members, and every year income criteria would have to be certified. The restriction would remain on the property. Making progress on our affordable housing numbers also helps us in other ways and on our ComCap Application as the higher the score controls the grant moneys the town is able to get.

Ms. Harris will be working with the Housing Partnership on how to market accessory apartments. She will also report back to the Board at the end of March with their Housing Plan. They also intend to report back on the incentives for turning over your property.

Mr. Fallavollita recommends requesting our legislators file special legislation on the town's behalf. Ms. Harris recognized Sandra Menard and Patricia Halpin who are also members of the

Housing Partnership. Ms. Halpin stressed the need for the Selectmen to gather evidence once the official application has been filed. Vincent Vignaly noted that once the Board receives the official filing the first thing they should do is ask for comments to ensure compliance with the 30-day deadline. Mr. Gaumond suggested including that as a policy for the Board.

Mr. DiPietro recognized Planning Board member Elise Wellington, who will not be seeking re-election. He noted that she has served the town most diligently and thanked her for all she has done for the town.

Linda Isgro, Zoning Board of Appeals member, feels we are sending a message that we are not doing a pro-active job with our affordable housing. She feels the town has done a phenomenal job and should all the approved projects be built we may be within nine units of our reach. She provided Mr. Gaumond with a package of information for each Board member.

MEETINGS & INVITATIONS

1. On Monday, February 26, 2007, 6:30 p.m. State Ethics Commission will conduct a seminar on the Introduction to the Conflict of Interest Law. All town employees and public officials and invited to attend.

2. February 7, 2007 Agenda items to date

- Ladies Soccer State Championship Team
- Andrew Beardsley
- Henry & Kathy Michie, K & H Realty Trust
- John Westerling, Director of Public Works

3. February 21, 2007 Agenda items to date

- Michael Staiti, Local Initiative Project
- Public hearing to consider adopting Policy on New Growth Taxation Revenue
- Public hearing to consider increasing fees for Alcoholic Beverage Full-Pouring Licenses

SELECTMEN'S REQUEST AND NEW BUSINESS

Mr. DiPietro would like to look into forming a Grant Writing Committee.

Mr. DiPietro reported that the Water District has cleared the hurdle to bringing the water line up Shady Lane and suggested installing a sewer line in the same trench. He told the members of the Water Commission that he would bring this to the Sewer Commission. Mr. Fallavollita suggested referring to the Board's policy. Mr. Westerling will be asked to research the pros and cons.

Mr. Phillips recommends discontinuing Mr. Westerling's monthly agenda appointment with the Board, as none of the other department managers are required to meet with the Board.

Mr. Phillips would also like to separate sewers from the Board of Selectmen, and recommends a new elected or appointed entity under the Town Administrator be established.

Mr. Phillips recommends contacting our legislators to look into mitigation and/or payment-in-lieu of taxes funds as the Sheriff's Department is looking for an expansion project.

Mr. Phillips would also like to review the Attorney General's correspondence concerning the Sex Offender Bylaw, which was recently passed.

Mr. Gaumond asked if the items under Selectmen's Requests are to come forward once the Town Administrator has researched them. Mr. Phillips' expectation is within a few months. Mr. Gaumond recommends sending a letter requesting the Bill be refilled for mitigation funds.

Messrs. Rucho and Fallavollita have nothing this evening.

Mr. McCormick extended his condolences to the Cranston family on the sudden passing of Robert "Bobby" Cranston. Mr. Cranston served as a former Parks Commissioner and supported many activities of the town in the last thirty to forty years.

With no further business to come before the Board, motion Mr. Fallavollita at 9:00 to adjourn, seconded by Mr. Phillips, all in favor.

Respectfully submitted,

Approved: February 7, 2007

Nancy E. Lucier

Kevin M. McCormick, Chairman

Christopher A. Rucho, Vice Chairman

Allen R. Phillips, Clerk

Alexander Fallavollita, Sr., Selectman

John B. DiPietro, Sr., Selectman