

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 7:05 p.m.

Read and acceptance of Minutes From Previous Meetings:

Motion Mr. Phillips to approve the meeting minutes of May 2, 2007, seconded by Mr. Rucho, all in favor.

Observance of Moment of Silence

The Board observed a moment of silence in honor of serviceman and resident Kyle Little who was killed in Iraq last week. The funeral will be held on Friday, May 18th at 10:00 a.m. at the First Congregational Church and calling hours are Thursday night from 5-8 at Mercadante Funeral Home in Worcester.

Motion Mr. Phillips to request Mr. Gaumond prepare a letter of condolence to send to Mr. Little's mother on behalf of the Board, seconded by Mr. Rucho, all in favor

Memorandum of Understanding

Board members signed a Memorandum of Understanding which was also signed off on by School Committee members and endorsed by the West Boylston Finance Committee. The language meets the expectation the Board of Selectmen on the usage of the funds should the override pass. Mr. Gaumond feels that with some conservative budgeting over the next couple of years we may be able to see the override monies last for five years.

Motion Mr. Phillips for the Board to sign the Memorandum of Understanding, seconded by Mr. Pruneau, all in favor.

Public Hearing: Re, Bylaw To Establish The Community Preservation Committee

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, May 16, 2007 at 7:05 p.m. for the purpose of establishing a bylaw to create a Community Preservation Committee. 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 May 2 and 9, 2007.

Before the Board is a draft bylaw as presented in the town meeting warrant for the creation of a Community Preservation Committee, which is part of the responsibility of the town under the recently passed Community Preservation Act. This committee is charged with reviewing requests and making recommendations to town meeting. Mr. Gaumond thanked George Bernardin for taking a leadership role in providing the town with a number of draft bylaws for consideration. The Chairman of the Parks Commission has reviewed the materials and does not have any comment on it. He believes it is a little wordy, but fine as written. Mr. Gaumond plans to advertise for

committee members after town meeting approval and hopes to have the appointments made by the end of June or the first meeting in July.

George Bernardin joined the Board. He explained that he has been involved with the Community Preservation Act, and he feels the make up for the committee is a good one. It will include nine members, five required by the law and four appointed by the Town Administrator. The bylaw is modeled after the Town of Lenox's bylaw.

There is no one present who wishes to provide further comment.

Motion Mr. Rucho to close the public hearing, seconded by Mr. Phillips, all in favor.

Motion Mr. Rucho to recommend the Bylaw To Establish The Community Preservation Committee as presented, seconded by Mr. Pruneau, all in favor.

OLD BUSINESS

1. Review of proposals for Workers' Compensation & Liability Insurance Coverage

This item was initially discussed at the last meeting and since that time Mr. Gaumond provided the Board with additional information from Braley and Wellington and MIIA. Mr. Gaumond is recommending the MIIA plan based upon the proposals. Both agencies came in with very close price quotes. However, MIIA does have a rewards program, which Mr. Gaumond worked with, in his previous town.

Mr. Rucho questioned the rewards program and the bottom line price for the bid. Mr. Gaumond explained that Braley and Wellington came in with \$160,287 and MIIA at \$162,810. In addition, MIIA offers a 1.5% discount if we pay in full by August 1, which is \$81 favorable to Braley & Wellington. The MIIA Program offers terrorism coverage at no cost and Braley & Wellington's cost is \$87, which gives you \$6.00 in favor of MIIA. The only other difference is the Rewards Program, which is offered in the MIIA quote. Subsequent to that Braley & Wellington does do a loss program. The Rewards Program does force the town to go to training seminars to gain those credits. The Braley & Wellington loss control does not reference savings that Mr. Gaumond is aware of. They are comparable plans with similar coverage, and his recommendation is go with somebody who can save the town additional funds through the year.

Mr. Rucho asked if there had been any problems with the current carrier. Mr. Gaumond does not believe we have had any problem with them and his recommendation is based on saving funds. We are going to be saving some money this year by just going out to bid and the Board's decision to go out to bid was a great benefit to the town.

John Brissette of Braley and Wellington joined the Board. He noted that the MIIA Rewards Program dollars are not given to the town unless you attend classes. Braley and Wellington does not charge anything for their loss control programs. Last year MIIA had 306 communities and they gave out \$1,400,000, about \$4,000 per community, which is based on the amount of classes you attend. Those monies are not realized until 2009. He noted that John Westerling attended a couple of his loss control programs. He has enjoyed working with the Town of West Boylston and has a great relationship with the School Department. He would like to continue in West Boylston and noted that he is accessible all the time. With regards to the Workers' Compensation numbers they are based on the payroll and Braley and Wellington gives a 30% discount while MIIA only gives a 25% discount. Braley and Wellington's terrorism coverage is also backed by the Federal Government, and MIIA's is not. They also offer free loss control programs. Mr. Brissette hopes to continue to work for the town.

Mr. Gaumond noted that the School Department has had very positive things to say about Braley and Wellington. He disagrees with Mr. Brissette's comments on the MIIA Rewards Program. You begin to get credits in your first year. He noted that one of the things the Selectmen were so impressed with when he took the job in West Boylston was that he received \$25,000 of insurance savings in one year for his previous town. His recommendation is based purely on a financial basis to go with MIIA, and he plans to go out to bid ever year.

Motion Mr. Rucho to stay with Braley & Wellington. No second on the motion

Motion Mr. Phillips to go with MIIA, seconded by Mr. Pruneau. Vote on the motion – Messrs. McCormick, Phillips and Pruneau yes; Mr. Rucho no.

2. Review RFP for Computer Network Administration and vote to authorize the Town Administrator to enter into negotiations with the respondent

Mr. Gaumond went out to bid for computer services and received one response from Stillwater Computer Services. He has reviewed the materials and recommends the Board authorize him to enter into contract negotiations with the respondent.

Motion Mr. Phillips to authorize the Town Administrator to enter into negotiations with the respondent, seconded by Mr. Pruneau, all in favor.

3. Board appointments to various subcommittees (incumbents noted)

Earth Removal Board – Mr. Fallavollita

Motion Mr. Phillips to appoint Mr. Pruneau to the Earth Removal Board, seconded by Mr. Rucho, all in favor.

TWPC – Mr. McCormick

Motion Mr. Phillips to appoint Mr. McCormick to the Town-wide Planning Committee, seconded by Mr. Pruneau, all in favor

Upper Blackstone Water Pollution Abatement District – Mr. Fallavollita

Motion Mr. Pruneau to appoint Mr. Phillips to the Upper Blackstone Water Pollution Abatement District, seconded by Mr. Rucho, all in favor.

MBTA – Mr. McCormick

Motion Mr. Phillips to appoint Mr. McCormick to the MBTA, seconded by Mr. Rucho, all in favor.

Watershed System Advisory Cmte – Mr. Phillips – alternate Mr. McCormick

It was agreed that no appointment will be made to this Committee as we have never been contacted for a meeting. Should that change, we will revisit the appointment.

Motion Mr. Phillips to do away with this appointment, seconded by Mr. Rucho, all in favor.

Policy Subcommittee – Mr. McCormick & Mr. Phillips

Motion Mr. Rucho to appoint Messrs. McCormick and Phillips to the Policy Subcommittee, seconded by Mr. Pruneau, all in favor.

Economic Development Cmte. – Mr. Rucho

Transportation Cmte. – Mr. DiPietro

With regard to the appointments to the Economic Development Committee and the Transportation Committee because they are full members, Mr. Gaumond recommends deleting them from this list.

Motion Mr. Phillips to delete the Economic Development Committee and the Transportation Committee appointments from the Board's list, seconded by Mr. Rucho, all in favor.

RFP Tivnan Dr. – Messrs. Rucho & Phillips

Motion Mr. Pruneau to appoint Mr. Rucho and Mr. Phillips to the RFP Tivnan Drive committee, seconded by Mr. McCormick, all in favor.

Parks and Recreation Facility Review Committee – Messrs. Rucho & Phillips

Motion Mr. Phillips to appoint Mr. Rucho and Mr. Pruneau to the Parks and Recreation Facility Review Committee, seconded by Mr. Rucho, all in favor.

Affordable Housing Trust Board of Trustees – Mr. DiPietro

Mr. Gaumond noted that he has not yet appointed this committee, however, Mr. DiPietro is interested in serving as the Board's representative once the committee is established.

Motion Mr. Rucho to appoint Mr. DiPietro to the Affordable Housing Trust Board of Trustees, seconded by Mr. Phillips, all in favor.

4. Review correspondence from PEG Board of Directors and the Cable Advisory Committee in support of the "Keep it Local" campaign

At the last meeting Mr. Phillips requested additional information on this item and for a recommendation of the Cable Advisory Committee. The agenda package includes an email from Steve Howland reporting that the PEG Board of Directors and the Cable Advisory Committee both voted unanimously to support the "Keep it Local" campaign. The campaign deals with Verizon's attempt to pass legislation changing the franchising process from a local municipal process to one statewide franchise agreement. Verizon claims this will expedite the process of bringing fiber optic connections to each and every town and city so TV can then be offered through Verizon as an alternative to traditional cable TV and satellite TV. It ignores the fact that then cities and towns will have no say whatsoever in the franchising process. The Keep it Local campaign is against one statewide franchise agreement and believes that every town and city should have a vote. The agenda materials include a sample letter from the Mass Municipal Association to be signed off on.

Motion Mr. Phillips for the Board to sign the letter of opposition, seconded by Mr. Pruneau. It was noted that Verizon is looking for one statewide contract and everyone would have to do what they say. Under Verizon, they would have local control over the cable access and the town would have no guaranty. Mr. Gaumond noted that this is not an issue of competition but rather more of local communities having a say. We want to make sure that the decision making process is left up to the community. Jack McCormick, who is present in the audience this evening, noted that one of the things with Verizon is they could actually cut out a channel if we did not produce enough television. Mr. Phillips agrees with the town having the control, but he would like to see some competition.

Vote on the motion – all in favor.

NEW BUSINESS

1. Review and approve Requests from the West Boylston Historical Society to install a banner on the side of Historical Society building three months out of the year and to display an A-Frame Sign three times a year each for a 3-week period

Motion Mr. Rucho to approve the request for the signs, seconded by Mr. Pruneau, all in favor.

2. Review and vote to sign 3-year Contract for the Operation & Maintenance of the Sewer System with Weston & Sampson Services

John Westerling joined the Board and presented them with two contracts from Weston & Sampson for the next three years. He noted that they agreed to lower their price by \$1,200 to offset the budget differential and John Giorgio has approved the document as to form.

Motion Mr. Phillips for the Board to approve the contract, seconded by Mr. Pruneau, all in favor.

3. Review and approve Request for Intra-Departmental Transfer for the Department of Public Works in the amount of \$5,000 from Salaries and Wages to Purchased Services

Mr. Westerling has a balance of \$66,000 in his Salaries and Wages line item and needs \$55,000 for the remainder of the year. He has \$900 in his Purchased Services and Supplies line items, has a number of jobs to do, and he was able to charge off time to his Snow and Ice line item.

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

4. Concurrence on the appointment of Robert Ash to the Earth Removal Board as the designee of the Water Commission, effective May 17, 2007 for a term to expire on April 30, 2007

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

5. Concurrence on the appointment of David Eckhardt to the Earth Removal Board as the designee of the Conservation Commission, effective May 17, 2007 for a term to expire on April 30, 2007

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

6. Concurrence on the appointment of Edward J. Philbin to the Council on Aging effective May 17, 2007 for a term to expire on April 30, 2010

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

7. Concurrence on the appointment of Nancy C. Barakian to the Historical Commission effective May 17, 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.

8. Review and approve Request for Intra-Departmental Transfer for the Communications Center in the amount of \$2,000 from Purchased Services to Salaries and Wages

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

9. Review and approve Request from West Boylston Fire Department to install a sign at 39 Worcester Street

Mr. Phillips recused himself. Mr. Gaumond explained that the sign is to advertise a Fire Training Course. He also noted that we will be bringing forward a modification to the sign bylaw at the October town meeting.

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

Mr. Phillips returned to the meeting

10. Appointment of Barbara M. Deschenes as Temporary Clerk for the May 24 election

Motion Mr. Rucho to appoint Barbara M. Deschenes as Temporary Clerk for the May 24 election, seconded by Mr. Phillips.

11. Assignment of Motions for May 21, 2007 town meeting

Mr. Gaumond spoke with Mr. DiPietro who indicated that he is uncertain if he will attend town meeting and would rather not take any motions at this time.

Article 1 - Authorization To Hear The Reports Of Officers And Committees Of The Town - Mr. Rucho will read the motion for this article.

Article 2 - Authorization To Borrow In Anticipation Of Revenue And To Enter Into A Compensating Balance Agreement With A Bank - Mr. Phillips will read the motion for this article.

Articles 3 –15 are all traditional revolving fund articles - Mr. McCormick will read two motions; one to allow the articles to be combined under one vote and the second the actual vote.

Article 16 - Authorization To Establish A Revolving Fund For Recycling - Mr. Pruneau will read the motion for this article.

Article 17 – Authorization To Expend Funds In Anticipation Of Reimbursement Of State Highway Assistance Aid - Mr. Rucho will read the motion for this article.

Article 18 – Authorization To Amend The Personnel Bylaw And To Review The Classification And Compensation Plan So As To Provide Employees A Cost –Of-Living Pay Increase (2.5%) – Mr. McCormick will read the motion for this article.

Article 19 - Authorization To Set The Salary Of Elected Officials – Mr. Phillips will read the motion for this article.

Article 20 – Authorization To Appropriate Money To The Sewer Enterprise Account For Fiscal Year 2008 - Mr. Pruneau will read the motion for this article.

Article 21 – Authorization To Transfer Free Cash Or Available Funds To Reduce The Fiscal Year 2008 Tax Rate. Mr. Rucho will read the motion for this article.

Article 22 - Fiscal Year 2008 Omnibus Budget Appropriation Article - Mr. Phillips will read the motion for this article

Article 23 - Fiscal Year 2008 Omnibus Budget Appropriation Article With A \$3,100,000 Operational Override - Mr. McCormick will read the motion for this article.

Article 24– Authorization To Transfer Unexpended Funds From Fiscal Year 2007 Appropriations And Other Necessary Transfers To The Fiscal Year 2007 Appropriations - Mr. Pruneau will read the motion for this article.

Article 25– Appropriation To Fund An Elderly Community Services Program - Mr. Rucho will read the motion for the motion for this article.

Article 26 - Authorization To Appropriate Funds For Post-Closure Landfill Monitoring – Mr. Phillips will read the motion for this article.

Article 27 - Authorization To Expend Funds From The Capital Investment Fund For The Purchase Of Fire Car I – Mr. McCormick will read the motion for this article

Article 28 – Authorization To Appropriate Funds For Parks Related Safety And Repair Items – Mr. Pruneau will read the motion for this article.

Article 29 – Authorization To Appropriate Funds For The Bicentennial Celebration Committee – Mr. Rucho will read the motion for this article.

Article 30 - Authorization To Pay Bills From Previous Fiscal Year Mr. Rucho will read the motion for this article – Mr. Phillips will read the motion for this article.

Article 31 – Authorization To Appropriate Funds For Odor Control Measures For Woodland Street Pump Station – Mr. McCormick will read the motion for this article.

Article 32 – Authorization To Appropriate Ambulance Receipts Reserved For Appropriation For Ambulance Billing Expenses – Mr. Pruneau will read the motion for this article.

Article 33 – Authorization To Amend The General Bylaws Of Town Of West Boylston By Adding Section XXXI Community Preservation Committee Bylaw – Mr. Rucho will read the motion for this article.

Article 34 – Authorization To Grant An Easement To Verizon –Mr. Phillips will read the motion for this article.

Article 35 - Authorization To Enter Into A Long-Term Transfer Station Lease – Mr. McCormick will read the motion for this article.

Article 36 – Authorization To Enter Into A Lease Of The DPW Site On Tivnan Drive – Mr. Pruneau will read the motion for this article.

Article 37 – Acceptance Of The Lay Out Of Recreational Land On Tivnan Drive – Mr. Rucho will read the motion for this article.

Article 38 – Acceptance Of The Lay Out Of A Road – Mr. Phillips will read the motion for this article.

Article 39 - Authorization To Amend The Zoning Bylaws To Require A Special Permit Of Certain Businesses Which Desire To Operate Between The Hours Of 11pm And 6am In The Business And Industrial Districts – this article will be presented by the petitioner.

Article 40 - Authorization To Amend The Zoning Bylaws To Allow The Operation Of Convalescent Or Nursing Homes In The Industrial District With A Special Permit – The Planning Board will present this article.

Article 41 - Authorization To Transfer A Parcel Of Land – Mr. McCormick will read the motion for this article.

Article 42 – Authorization For The Board Of Selectmen To File Special Legislation Relative To Administrative Oversight Of The Hiring Process In The Town Of West Boylston – Mr. Pruneau will read the motion for this article.

Article 43 – Authorization To Transfer Money To The Stabilization Fund – Mr. Rucho will read the motion for this article.

Article 44– Authorization To Raise And Appropriate Funds To The Capital Investment Fund – Mr. Phillips will read the motion for this article.

Mr. Gaumond noted that there was a question as to the motion for Article 37 which is the designation of recreational land on the Tivnan Drive property. The Parks Commission questioned if this should be under their control. Town Counsel offered an opinion that if town meeting votes that the land shall be under the care, custody management and control of the Board of Selectmen, the Selectmen could itself vote to place the land within the care, management and control of the Parks Commission. Mr. McCormick prefers having the project under the control of the Board of Selectmen until such time as everything is set up. Dennis Mulryan, Chairman of the Parks Commission commented via email that he is okay with the wording as it is assuming that the Selectmen will vote to place the land within the care, management and control of the Parks Commission at a later date.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. May 21, 2007 – 7:00 Semi-Annual Town Meeting

Mr. Gaumond will prepare agenda packages for town meeting with details on all the motions and information on the warrant articles.

2. May 24, 2007 – 12-8 Election – Override Vote

Mr. Pruneau noted that if any residents will be out of town they can go to the Town Clerk for an absentee ballot.

3. June 9, 2007 – Scout Day on the Common & Race for Safety

SELECTMEN'S REQUEST AND NEW BUSINESS

Mr. Pruneau has nothing this evening.

Mr. Phillips would like an update from John Westerling on the work for the North Main Street Triangle. Both Mr. Phillips and Mr. Pruneau offered their assistance on the project.

Mr. Rucho would like an update from John Westerling on when the intersection of Central and Prospect Street will be cleaned. Mr. Gaumond will have a formal response on both projects at the next meeting.

Mr. Rucho asked if the Board previously approved the installation of a banner across Central Street. He would like to get clarification on the process for putting up banners and whether or not the Selectmen need to grant approval. Mr. Gaumond will speak with the Building Inspector

Motion Mr. Phillips at 8:20 p.m. to go into executive session under the provisions 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 if such discussion may have a detrimental effect on the negotiating position of the governmental body and the Board may or may 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 at 9:15 p.m. to come out of executive session, seconded by Mr. Pruneau. Roll call vote: Mr. Pruneau yes, Mr. Phillips yes, Mr. McCormick yes, Mr. Rucho yes.

With no further business to come before the Board, motion Mr. Phillips at 9:15 p.m. to adjourn, seconded by Mr. Rucho, all in favor.

Respectfully submitted,

Approved: June 6, 2007

Nancy E. Lucier

Kevin M. McCormick, Chairman

Allen R. Phillips, Vice Chairman

Valmore H. Pruneau, Clerk

Christopher A. Rucho, Selectman