

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.

**Read and acceptance of Minutes From Previous Meetings**

Motion Mr. Rucho to accept the meeting minutes of October 15 and 17, 2007 seconded by Mr. Pruneau, all in favor.

**NEW BUSINESS**

1. Review and approve performance review for Chief of Police and vote cost of living adjustment

In accordance with the contract for the Police Chief, Mr. Gaumond conducted his performance review, found his service to be commendable and recommends he receive the cost of living adjustment per his contract.

Motion Mr. Rucho to accept the performance review and approve the cost of living adjustment, seconded by Mr. Pruneau, all in favor.

Mr. Gaumond thanked the Chief for his continued service to the town.

**Colleen Abrams, Wachusett Earthday**

Mr. Gaumond introduced Colleen Abrams, who has been the coordinator for the Wachusett Earth Day group for the last twelve years. She is in attendance this evening to discuss a plan for a permanent regional household hazardous waste collection site and to answer any questions the Board may have about the effort, which they hope will be successful. Ms. Abrams explained that the group decided that a one-day collection at a school site, which has been done in the past, was no longer feasible. The Department of Conservation and Recreation has come forward and offered the use of a piece of their property. The towns are working together to open a site which would provide a high level of year-round services. The site would take hazardous waste such as paints, fertilizers, pesticides, herbicides, pool chemicals, certain types of cleaning products, thinners, gasoline, and things that cannot go into the landfill or incinerators. They would also accept fluorescent tubes, propane tanks and small appliances. The site would also accept recycling.

Mr. DiPietro complimented Ms. Abrams on what she has accomplished. He used the services in Holden and found them to be fantastic and well organized. He asked if the group would need to purchase the land from DCR. Ms. Abrams explained that they will have a five-year lease with DCR, which is subject to renewal. Mr. DiPietro questioned the \$300,000 development fee. Ms. Abrams explained that the land is five acres off of Raymond Huntington Highway and the Wachusett Earth Day group has been meeting with DCR for over two years. These are the best first numbers they have for the land to be cleared, the roadway laid out and pads for containers and sheds. They hope in the future to come up with small buildings and sheds. They have visited ten different sites and are trying to put together a hybrid of the best of all those things. In Blackstone they use advertisements on buildings. Mr. DiPietro offered to walk the land and assist in finding ways to save funds. Ms. Abrams believes the \$300,000 figure includes the installation of the well, not the septic. They would use a portable ty. Mr. DiPietro suggested using tailings for the roadbed as the water could penetrate through them. Ms. Abrams noted that she would welcome all input.

Mr. Phillips voiced concern about DCR allowing five acres of their property to be used for hazardous material storage for seven communities when they eliminated the lease of the men's softball field by the Town of West Boylston due to its proximity to the Wachusett Reservoir. He also voiced concern over control of what is being brought into the facility. Ms. Abrams explained that DCR has been involved with the project from its inception in 1994. At that time it was Giesler Walker and John Scannell, and they worked out how to handle hazardous waste. Later, they would get grants to fund the collection and at one point DCR paid for the hazardous waste collection. It was always questionable whether DCR would have the funds for the collection. With this new project, people will always be able to dispose of their household hazardous waste. Ms. Abrams explained that the site will be supervised and monitored by the DEP, DCR and the town in which it resides. They have been collecting hazardous waste for twelve years and only had one incident of a spill. It involved a can of shellac being dumped over after the collection day had ended.

Mr. Phillips questioned how security will be dealt with. Ms. Abrams explained that they would follow the regulations DEP has established on how long the materials can be held on site. Any hazardous waste it will come in and go out on the same date. The only difference will be this will be a permanent site and time will tell what the buildings will look like. Mr. Phillips questioned who will pay for the buildings. Ms. Abrams explained that the \$300,000 pays for the site development and who will pay for the buildings has yet to be determined. The goal is to have the site open 2, 3, or 4 days a week so it will be a convenient service for people.

Mr. Rucho asked Ms. Abrams if the purpose of this conversation is to ask for the Board's approval or purely informational. Ms. Abrams noted that the town has been involved for the past twelve years in terms of being involved with these collections. They have applied for a \$50,000 grant from DEP to develop the site. In the past the collection day cost was \$6,000 per year which was split amongst the towns. With the DEP grant and some other treasury fund, the remainder is \$150,000, which they hope to raise from private volunteers. The cost to the participating towns will be \$22,000. She hopes to have the facility open in 2008. None of the towns have been assessed money yet and some have put money in their budget for this project.

Mr. Rucho questioned whether people will pay a fee to drop things off. Ms. Abrams feels there will be some operating costs the towns will bear. They have operated in the past as a self pay and everything has been considerably less than any other way of disposal. The expectation is to use volunteers. The Town of Sterling currently has recycling; however, they do not have hazardous waste collection. The collections have always been in Holden as it is easily accessible; however, each of the towns pays for police details.

Mr. Pruneau questioned whether the site construction estimates were firm prices. Ms. Abrams explained that the prices came from a contractor whom they have used on the rail trail site, and the land clearing person has been used before. The location of the site, which is DCR property, is mid-way on Huntington Highway close to the Sterling line and has one curb cut.

Mr. Phillips suggested taking this under advisement to give the Board an opportunity to put on paper all the questions they have dealing with building security, cost of clearing the property and concerns about hazardous waste on the site. Mr. Rucho suggested having the Fire Department and the Building Inspector involved as well.

Motion Mr. Phillips to take this under advisement, seconded by Mr. Rucho.

Mr. DiPietro thinks the answers will be with the EPA as they will dictate how the hazardous waste will be contained in addition to the DEP being involved. Ms. Abrams noted that the timber is valued by DCR and a private forester at about \$3,000. Board members will submit their questions to Mr. Gaumond who will forward them to Ms. Abrams for answers.

Mr. McCormick noted that at this point the town has not set any funds aside for the project and it would have to go to town meeting. Mr. Rucho voiced his concern that the town is going forward with the Tivnan Drive Project which will be taking these types of items. He would also like feedback from the Fire Chief, Police Chief, Building Inspector, Planning Board and Conservation Commission.

Vote on the motion – all in favor.

### **Worcester Regional Transit Authority – Proposed Bus Route Changes**

Mr. Gaumond introduced Steve O'Neil, the new Administrator for the Worcester Regional Transit Authority. In recent weeks there have been a lot of articles in the newspaper on bus route changes. Mr. O'Neil informed the Board that in the Towns of Holden and Clinton services will be reduced due to fuel costs, health and general liability insurance and decreases in ridership. They will be increasing their Council on Aging services and may have a shuttle service. They also intend to increase their service to Walmart. He reported that at this time the agency is in good shape, however, they have major concerns going forward over the next five to seven years due to the state formula for their funding. He will continue to keep West Boylston informed through Mr. Gaumond. Because the agency is funded in arrears, they need to borrow dollars. He noted that the ridership is heavy on West Boylston Street with Walmart and Salter School being big trip generators.

The Board thanked Mr. O'Neil for his update.

### **NEW BUSINESS (cont.)**

#### **2. Review auction items and schedule**

The Board was provided with a list of items, which have declared surplus and a suggested disposal schedule. Mr. Phillips questioned the dollar values. Mr. Gaumond explained that the last time we out to bid for these items, the Police Chief recommended not accepting the bids as the vehicles were worth more than the bids received. He provided the office with the minimum bid figures. Mr. Phillips suggested putting in the approximate value and Mr. McCormick would rather not include any money.

Motion Mr. Phillips to approve the list and advertise per the schedule, seconded by Mr. Pruneau. Mr. McCormick suggested sending the vehicles to the auction. Vote on the motion all in favor.

### **John K. Westerling, Director Of Public Works**

#### **1. Snow Plowing**

On an annual basis, the DPW advertises for drivers. Mr. Westerling has four people who are already employees of the town who have indicated an interest and have all filled out a Disclosure of Financial Interest by Municipal Employee form, which needs to be approved by the Board of Selectmen. The employees are Matt Jean of the Cemetery Department, Harvey Hulk of the School Department, Tom Larson of the Fire and Police Departments and Adam Mercurio of the Fire Department.

Motion Mr. Phillips to approve the Disclosure of Financial Interest by Municipal Employee forms for Matt Jean and Harvey Hulk, seconded by Mr. Pruneau, all in favor.

Motion Mr. Rucho to approve the Disclosure of Financial Interest by Municipal Employee forms for Tom Larson and Adam Mercurio, seconded by Mr. Pruneau. Vote on the motion – Messrs McCormick, Pruneau, Rucho and DiPietro yes; Mr. Phillips abstains.

Mr. Westerling reported that all his snow removal equipment is operational with the exception of one plow which will be fixed.

2. Oxford Street request for repairs to private road

Mr. Westerling reported that 200-feet of the private street is in disrepair. According to Section 7 of Article 12 of the General Bylaws, entitled Private Street Repairs, repairs are limited as follows. Repairs shall be limited to the filling of holes or depressions with suitable materials to make ways passable and the resurfacing or reconstruction of said ways with road chip and oil pug mix or other suitable materials approved by the Board of Selectmen and installation of drainage. All repairs will be done at the sole discretion of the Board of Selectmen. Requests for repairs to a private street shall be made in writing to the Board of Selectmen, by a majority of the owners of property who abut said private way. A list of abutters shall be approved by the Board of Assessors prior to submittal. The cost of materials to facilitate the repairs shall be paid by the abutters in the form of a betterment charge. The cost of all materials to facility a private way shall be paid by the abutters of said private way in the form of a betterment charge. The Town of West Boylston shall bare no liability for repairs to private ways under the provision of Chapter 40, Section 6N of the Massachusetts General Laws. Repairs shall be limited to the following unaccepted streets: Alcazar Ave., Alhambra Road, Ardmore Ave., Brayton Road, Delmar Ave., Evergreen Ave., Harvard Ave., Howard Ave., Oak Ave., Oxford Street, Princeton Ave. (Longview to dead end), Reed Street, Robin Lane, Valley Street and Western Ave. (Prescott street to dead end).

Mr. Westerling feels the town has three options. We could do nothing, and require the abutters to plow the street themselves. There are viable alternative routes around this short section of roadway. The second option is make the appropriate repairs to the street and charge the abutters in accordance with the provisions of the bylaw, or require the abutters to improve the street before the town will pave the street. Mr. Westerling could also plow the street with the plow blade raised up six or eight inches. Mr. DiPietro visited the site and observed a lot of leaves, which would need to be removed from the street. Mr. Westerling agreed that there would be a significant amount of labor involved in preparing the street. The repairs would require two out of the four people on the street to agree to pay for the repairs. He also noted that all the driveways have access off the back towards Evergreen.

Mr. Pruneau suggested putting down grindings and compacting them. Mr. Phillips questioned public safety concerns over ambulance and police access to the road. Mr. Westerling noted that there are a number of other access points to the road. Mr. McCormick suggested closing off the road. Mr. Phillips suggested asking the residents to repair the streets and should they decline, the town would discontinue plowing the street. Mr. Westerling noted that this is the only piece of street in the entire town he has an issue with.

Motion Mr. Phillips for the town to approach the 3 or 4 abutters to the street and request them to pay for the repairs through a betterment, should they not agree, the town will discontinue plowing services, seconded by Mr. Rucho.

Mr. Westerling will prepare a draft letter and approach the abutters. In reading the bylaw, the Board feels the bylaw means assessing the total number of houses on the street, rather than just the houses which abutter the area to be improved. Motion and second withdrawn.

Motion Mr. Phillips to inquire of the 8 or 10 residents on the street and if they do not agree to the improvements the town will discontinue plowing that portion of the road, seconded by Mr. Rucho. Mr. Westerling will give the residents until the end of next week to reply and he will report back to the Board at its next meeting. Vote on the motion – all in favor.

3. Request from Ed Arnieri, 78 Woodland Street for second driveway

Mr. DiPietro recused himself. Mr. Arnieri's request for a second driveway has been denied by Mr. Westerling. According to the bylaw, he has 120-feet of frontage and properties are allowed one driveway for every 90 feet of frontage. Woodland Street is so difficult to back out onto, Mr. Arnieri wants to curve the driveway around so that he does not have to back onto the street. The improvements will not encroach on the neighbors.

Motion Mr. Phillips to grant the driveway extension permit, seconded by Mr. Pruneau, all in favor. Mr. DiPietro returned to the meeting.

4. Prescott Street drainage project

The work has been completed under budget and in accordance with the plans. The DPW and the property owners are satisfied with the work. The town saved \$3,500 by using existing materials we had on hand.

5. Trenton Lane drainage project

The previous bids for the drainage improvements came in too high. The plan was revised by reducing the number of pipes from two to one and reducing the cross section of stone from 30 square feet to 12 square feet and allowing for the use of native soils for backfill and finishing grade. The low bid came in at \$41,200. Mr. Westerling recommends taking a different approach that does not require the installation of a drainage improvement. The DPW discovered a drainage structure which was buried at the time of the sewer reconstruction; they have uncovered that structure and found it was compromised by a sediment build up. He recommends vacuuming out that existing pipe to increase water flow, encourage the abutters to clear the debris from the existing swale, trim the existing vegetation and evaluate the condition of the swale and flow of the water for the next six months.

Mr. Pruneau feels the neighborhood is using the area to dump their leaves and grass clippings. He suggested posting a sign. Mr. Westerling will first send letters out to the abutters informing them of the problem and requesting their cooperation in refraining to dump in that area in the hopes that the problem can be resolved without expending additional town funds.

Motion Mr. Phillips to accept Mr. Westerling's recommendation on the improvements and not expend any funds at this time, however, should these steps not correct the situation, the Board will revisit the project, seconded by Mr. Pruneau, all in favor.

Mr. DiPietro noted that a while back he asked Mr. Westerling to begin a list of town-owned properties that were no longer of any value to the town, which the town still maintains. Mr. Westerling will review the list of town-owned properties and prepare the information.

**NEW BUSINESS (cont.)**

3. Establishment of Sharing of Services Committee

At the last meeting of the Board the Board requested Mr. Gaumond to explore the possibility of creating a regional services or a Sharing of Services Committee. He provided the Board with a model for their consideration.

The emphasis would be to find ways to continue to provide the very best services. Based upon the actions at town meeting and the conversation with the Board, he recommends the scope of duties for the committee as follows. Develop a working definition of shared services, review other studies and community initiatives regarding shared services, discuss shared service opportunities with town department managers and/or governing boards, elected or appointed, identify potential new or expanded shared services, assess potential challenges and obstacles to expanded share services partnerships and prepare a written report of committee findings and recommendations. The committee would be made up of seven West Boylston residents, appointed to two-year terms with a member of the School Committee and Board of Selectmen serving on the committee with voting powers. The committee, in accordance with the Special Act, would be appointed by the Town Administrator.

Mr. Phillips offered to be the board's representative on the committee. He would also prefer the committee be appointed by the Selectmen. Mr. Gaumond is not opposed to that, however, the Special Act, details which committees are appointed by the Board of Selectmen and notes that all other committees are to be appointed by the Town Administrator. He would have no problem having the committee be a Selectmen's appointment with the Town Administrator having no responsibilities. Mr. Phillips would like the committee to report its findings back to the Board of Selectmen.

Mr. Pruneau feels the Town Administrator should appoint the committee. Mr. DiPietro feels "if it isn't broke, do not fix it." Mr. McCormick is concerned with Mr. Gaumond not being involved as we may need a driving force.

Motion Mr. Rucho to establish the committee as outlined by the Town Administrator, seconded by Mr. Phillips, all in favor. Mr. McCormick would like to encourage new people to participate on the new committee. Mr. DiPietro would like to advertise, fill the room up with interested applicants and discuss ideas and then have the Selectmen make a recommendation to Mr. Gaumond.

Motion Mr. Rucho to designate Mr. Phillips as the Board's representative on the Shared Services Committee, seconded by Mr. Pruneau, all in favor.

#### 4. Review 2<sup>nd</sup> Edition of A Report on Performance Measurement Managing for Results

Last year the Board of Selectmen challenged the Town Administrator and the departments underneath him to begin to look at performance measurements. Mr. Gaumond recently completed his second report on Managing for Results. In year one the Police, Fire, DPW, Council on Aging, Computer Administrator, Selectmen's office and the Board of Assessors participated. In the second year, we added the Library and Building Department. We are hoping to compare year to year and in the future compare ourselves to other communities. Mr. Gaumond asked the Board if there is anything else they would like to add to the list. The project is infrequently done in Massachusetts and never done in communities the size of West Boylston. The report will be given to department managers on Friday.

Mr. Pruneau would like to see a maintenance type of program for all our buildings. Mr. Gaumond has spoken to the Municipal Buildings Committee on this, and prior to building anything we need to get a handle on the way our buildings are maintained. He would like to include the School and Library in on those discussions. This is also a priority of the Capital Investment Board.

Mr. Phillips would like to work on reduction of motor vehicle accidents in town. Mr. Gaumond has discussed that with the Chief and he would like to involve the Transportation Committee and the DPW. We did talk about doing something meaningful to address them and the Central Mass Regional Transit Authority works with the data and puts together overlay maps on this. Mr. Phillips would like to do something with the Pierce and Worcester Street intersection.

The report will be published on the Town Administrator's web site and any and all suggestions are welcomed. The Board thanked Mr. Gaumond for his work on the project.

**5. Review documentation on problems at Reservoir Motel**

The Police Chief has provided the office information with regard to two incidents which occurred at the Reservoir Motel. Mr. Gaumond had a visit today from a proposed new owner who has been acting as the owner's agent. That person was unaware of the second incident which occurred. He spoke with the Police Chief and the manager and they are addressing this issue regardless of what action the Board of Selectmen takes. Motel permits are renewed during the month of November. Pursuant to the regulations, Mr. Phillips feels it would be appropriate to bring the owners in to have a conversation with the Board. If they have addressed the deficiencies by that time they can come in and report that to the Board. We will also have a report from the Police Chief.

Motion Mr. Phillips to invite the Reservoir Motel owner in to have a discussion with the Board at its December 5<sup>th</sup> meeting, seconded by Mr. Rucho. All in favor.

**MEETINGS, INVITATIONS & ANNOUNCEMENTS**

1. Mr. Gaumond received a telephone call from the state that the town was not successful in securing a grant for the pool and athletic field projects. He thanked the Parks Facility Committee and Heather Feland who donated her time and effort in writing the grants. The town has not yet received the formal denial letter.

2. Review information from the Mass Municipal Association regarding the Annual Meeting & Trade Show scheduled for January 1 and 12, 2008. Board members interested in attending should submit their application to the office.

3. Mr. Gaumond has a request from the School and Finance Committees to schedule an initial meeting to discuss the budget process. The Board's preferred date would be December 3<sup>rd</sup>.

**SELECTMEN'S REQUESTS AND NEW BUSINESS**

Messrs. Rucho, Phillips, Pruneau and DiPietro have nothing this evening.

Due to the fact that the next meeting of the Board is scheduled for Thanksgiving eve, Mr. McCormick prefers putting the agenda items off until December 5<sup>th</sup>. As the joint meeting with the Housing Authority to fill a vacancy on the Housing Authority has already been advertised, Mr. Gaumond will check with them to see if this would be a problem. If needed, the Board will meet for this one item only.

Motion Mr. Phillips at 9:10 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, and the Board will not be going back into open session seconded by

Mr. Rucho. Roll call vote: Mr. DiPietro yes, Mr. Pruneau yes, Mr. McCormick yes, Mr. Phillips yes, Mr. Rucho yes.

Motion Mr. Pruneau at 10:00 pm. to come out of executive session, seconded by Mr. Phillips. Roll call vote: Mr. McCormick yes, Mr. Pruneau yes, Mr. Rucho yes, Mr. DiPietro yes, Mr. Phillips yes.

With no further business to come before the Board, motion Mr. Phillips at 10:00 p.m. to adjourn, seconded by Mr. Rucho, all in favor.

Respectfully submitted,

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Nancy E. Lucier

Approved: December 5, 2007

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Kevin M. McCormick, Chairman

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Allen R. Phillips, Vice Chairman

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Valmore H. Pruneau, Clerk

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Christopher A. Rucho, Selectman

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John B. DiPietro, Sr., Selectman