

Members present: Valmore H. Pruneau  
Allen R. Phillips  
Steven Quist  
Members absent: Kevin McCormick  
Christopher A. Rucho

Mr. Pruneau convened the meeting at 7:02 p.m.

**Read and acceptance of Minutes from Previous Meeting:**

Motion Mr. Phillips to table approve the meeting minutes for the March 25 regular session and April 1 regular and executive sessions, seconded by Mr. Quist, all in favor.

Motion Mr. Phillips to approve the meeting minutes from April 8, seconded by Mr. Quist, all in favor.

**Tom Cohan, Charter Communications**

Mr. Gaumond explained that Mr. DiPietro had requested Mr. Cohan come in to discuss the restructuring of Charter Communications and give an update on their bankruptcy proceedings. Mr. Cohan, Director of Government Relations for Charter Communications, reported that back in February they reached an agreement with their bond holders. Charter has been in business for about ten years and in that time has grown to be the fourth largest cable company in the country. They purchased a lot of systems, which lead to a large debt load. Charter was \$21 billion in debt and the bond holders agreed to reduce their debt by \$8 billion and invested \$3 billion into the company.

Day to day operations have been quite strong. CEO Neil Smith and a new team have approved the day to day operations. Their performance exceeds the performances of the larger cable companies. Paul Allen, one of the co-founders of Microsoft, is a major share holder of Charter and controls 92%. By April 1 they filed Chapter 11 bankruptcy protection and sought and received approval on March 30 to continue paying employees and vendors. As usually, things happen and in March they sent out franchise fees to 20 communities. They were sent out on March 20<sup>th</sup> and they discovered that they needed to freeze those accounts. They called all the communities they had sent checks to and the only one that had been cashed was by West Boylston. It went though and the other towns were told that they would get a stop payment notice.

The first day they requested this approval they got it and final approval was issued on April 15<sup>th</sup>. Charter will now begin to reissue the checks and continue to operate as usual; there will be no rate increases, change in programs or layoffs. It is a Chapter 11 bankruptcy protection as we restructure. He has spent a lot of time explaining to people who are reading the headlines on the three big auto makers. Charter still has its customers and there is a greater demand for cable, television and internet services. They are in pretty good shape and hope to be in and out of Chapter 11 prior to the end of the calendar year. The goal is to come out a stronger company. All obligations are still in force and the town will be receiving its Form 394 in the next week.

Mr. Phillips noted that there is a section in West Boylston, which borders the Town of Holden and when cable was installed those residents were denied because they were told they could get their cable services through the Town of Holden. They would like the ability to watch their own town's cable access stations.

Mr. Cohan explained that in all franchises Charter has a line extension formula of 25 homes per mile. If they were immediately adjacent to their plant in Holden it could have been a little less expensive. He offered to look into it. Mr. Phillips noted that the street in Huntington Highway and he thinks it would be good customer relations to work with the community you serve. The Board has no

further questions. Mr. Gaumond credited Municipal Assistant Nancy Lucier and the Treasurer/Tax Collector's Office for quickly depositing the Charter franchise fee check.

**Library Friends To Provide Letters Of Support**

Mr. Pruneau recused himself and turned the meeting over to Mr. Phillips. Friends Chairman Sally Phelps and Jean Costello, Advocacy Chair, joined the Board. Ms. Phelps explained that they have been talking with residents about the possibility of the library not being funded for next year. She presented the Board with petitions to save the library, many of which are from the children. The citizens are puzzled and dismayed about not having the library funded. Mr. Phillips explained that the Board is still working on getting the library funded and they voted to commit funds to the library. Once we complete the exercise of identifying pieces of funds we will allocate them out. It is a slow process, which he expects to speed up. Mr. Phillips requested copies of the petitions for all members of the Board. Jean Costello noted that as they collected the signatures a lot of people expressed genuine statements and the value of taking children to the library. One fifth grader had her first play date at the library.

**NEW BUSINESS**

1. Vote to accept donations and gifts in the amount of \$370. on behalf of the Beaman Memorial Public Library

Motion Mr. Quist to accept donations and gifts in the amount of \$370. on behalf of the Beaman Memorial Public Library, seconded by Mr. Phillips, all in favor.

Mr. Pruneau returned to the meeting.

**OLD BUSINESS**

1. Review and consider voting to approve draft Agreement between DCR and the Town of West Boylston for Wachusett Earthday Project (tentative)

As the Board has not yet received information from Town Counsel on the agreement, Mr. Phillips recommends tabling this issue.

Motion Mr. Phillips to table this until the April 29<sup>th</sup> meeting, seconded by Mr. Quist, all in favor.

John Scannell arrived with Colleen Abrams and were informed that the item was tabled. Mr. Scannell stated that this has been a long process, and we need to move forward. He reported that they are going out to bid for construction, we need to get going, we had a to do with DEP today on the grant and we need to move forward with this.

2. Update on Brush Debris Pick-Up & (tentative) Sign Agreement

Mr. Gaumond asked the Board not to sign anything at this time. He would like to let everyone know that we did receive a Storm Plan and a copy of the MOU between DCR and the towns that should be ready for signature soon. This will cover hangers and leaners and debris removal from each and every street. Jeff Daley of DCR is hopeful that by the end of the week they will have two bids awarded for the two contracts. Once they get the bids back they will be able to provide us an estimated cost. There is still a question regarding work on state owned roads. Initially we were told that Routes 12 and 110 would not be included under this contract as they are the responsibility of the state. Mr. Gaumond has been working with Holden and our State Representative to see if there is way we could have an agreement with DC for cleaning up those streets. Mr. Gaumond feels this will be ready by April 29<sup>th</sup>.

Motion Mr. Phillips to carry this over until the April 29<sup>th</sup> meeting, seconded by Mr. Quist, all in favor.

### 3. Budget Discussion

With regard to the Board's request to reduce stipends and street lighting costs, Mr. Gaumond outreached to the elected official to gauge their feelings about giving up their salary. By in large, most have responded that reducing their salaries would be highly appropriate due to the financial condition. They would like the dollar amount reduced to \$1. If agreeable, he will outreach and thank them for their decision. Mr. Pruneau believes the only one who objected to this was Mr. Rucho.

Mr. Gaumond noted that the Board of Health and Board of Assessors both indicated willingness to reduce their stipends. He has not yet heard from the Municipal Light Plant, however, that would not impact our bottom line. The Planning Board agrees to the reduction and indicated that most of their members do not take their stipend and the Parks Commission advised that they planned to eliminate their stipends. The Moderator, currently at \$50 has agreed to \$0.

Motion Mr. Phillips to set the salaries for FY2010 for the Board of Selectmen, Board of Health, Board of Assessors, Parks Commission, Planning Board and Town Moderator at \$1, seconded by Mr. Quist, all in favor.

Jack McCormick entered the meeting to inform the board that the Cemetery Trustees would also be willing to go to \$1.

Motion Mr. Phillips to set the salary for FY2010 for the Cemetery Trustees at \$1, seconded by Mr. Quist, all in favor.

With regard to the Board's discussion relative to the Street Lighting budget, Mr. Gaumond received a list of 1,033 street lights in town. In order to achieve a \$30,000 reduction we would need to turn off one out of every three lights. Mr. Gaumond asked the Board for guidance. Mr. Phillips questioned whether the fixture would need to be removed. Mr. Gaumond feels that type of question would be part of the whole discussion and noted that more than likely the Municipal Lighting Plant would charge the town for removing those units. Mr. Phillips feels the next step should be to form a committee, which he offered to serve on. Mr. Pruneau also offered to assist on the committee. Mr. Phillips would like an approximate value for each light as should the Board vote to shut off every third light and a resident wishes to pay for the light to be one he would like to be able to give them an approximate cost. It was noted that the average cost for the town per light is \$80, however, the cost to a homeowner would be more than what the town pays. Mr. Phillips recommends including a representative from the Municipal Light Plant on the committee as a technical expert.

Motion Mr. Phillips to have Mr. Pruneau and he serve on the Street Light Committee, seconded by Mr. Quist, all in favor.

Mr. Gaumond has received the House budget proposal, reviewed the general terms, and has a lot of questions. It will take some time to go through it all, and at first glance it eliminates the Quinn Bill, cuts the library and community policing. It looks like we will have an additional cut of 25% over the Governor's budget, or about 32% from this year's original estimate for local aid. He noted that it is a very significant cut. It could be likely that the Senate Budget is going to be a lot worse and it looks like the library was cut 40% from 9.8% to 5.8%. Mr. Phillips requested Mr. Gaumond prepare a synopsis on what this means to the bottom line and email it to the members. It was also noted that the House version has nothing included for an increase in meals or hotel taxes. Mr. Gaumond stated that he is not convinced that the town is out of the woods yet on state aid cuts for this year's local aid.

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

1. Concurrence on the reappointment of Colin Cahlin to the Conservation Cmsn.

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

2. Concurrence on the appointment of Diana Engelbart, 68 Bowen Street to the Sustainability Committee effective April 17, 2009 for a term to expire on April 30, 2011

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

3. Concurrence on the appointment of Lynn Fallavollita, 272 Lancaster Street to the Agricultural Commission effective April 17, 2009 for a term to expire on April 20, 2011

Motion Mr. Phillips to concur with the appointment, seconded by Mr. Quist, all in favor. Mr. Phillips requested the appointment slip be amended to spell out his name as Clerk of the Board of Selectmen

4. Vote to accept the resignation of Andrew Gambaccini from the Bylaws Committee

Motion Mr. Phillips to accept the resignation, seconded by Mr. Quist, all in favor.

5. Update on vacancies on town boards and committees

Mr. Gaumond announced the following vacancies for Town Administrator appointees : Council On Aging 2 Parks Commission 1, Town-Wide Planning Committee 1, Transportation Cmte. 4, Economic Development Cmte. 1, Affordable Housing Trust 1, Naming Committee 1, Agricultural Cmsn. 2 (with some income derived from agriculture, Sustainability Cmte. 2. The following vacancies are Board of Selectmen Appointments: Personnel Board 3, Finance Committee 2, and By-Laws Committee 1. These will be advertised on Channel 11 and in the Town Administrator's blog.

6. Vote to accept donations and gifts in the amount of \$3,350.00 on behalf of the West Boylston Bandstand Committee

Motion Mr. Phillips to accept donations and gifts in the amount of \$3,350.00 on behalf of the West Boylston Bandstand Committee, all in favor. Mr. Pruneau thanked all who donated.

7. Consider changing the number of members on the Transportation Committee from 7 to 5

Mr. Gaumond explained that the Transportation Committee was established with seven members. With two vacancies they are finding themselves in danger of not having a quorum and because of that he is requesting the Board's permission to reduce the membership from 7 to 5. Rather than rush into this, Mr. Phillips recommends advertising the vacancies, and bringing something back at the meeting on April 29<sup>th</sup>.

Motion Mr. Phillips to table this item until April 29 to see if there is any interest, seconded by Mr. Quist, all in favor.

9. Review Response to RFP for Property Tax Assessment Services

The town went out to bid this service, and our current contract will expire on June 30<sup>th</sup>. On March 31<sup>st</sup> Mr. Gaumond held a bid opening in his office and received one respondent to our RFP from our current provider, Regional Resource Group of Ashby. He has found the respondent to be qualified and would like to begin contract negotiations with the provider as soon as possible. Mr. Phillips asked if there would be an increase in the cost. Mr. Gaumond would be willing to negotiate anything the Board would like him to do and he thinks it would be appropriate as we are asking everybody else to take a reduction.

Motion Mr. Phillips to begin negotiations with Regional Resource Group of Ashby with no increase in costs, seconded by Mr. Quist, all in favor.

10. Review Executive Report of February 28, 2009 SWOT Exercise

As Chairman of the Town-wide Planning Committee, Mr. Gaumond presented the Board with the Executive Report of the SWOT Exercise, which is the result a five and a half hour long planning session. The report outlines the strengths, weaknesses, opportunities and threats facing the town. This exercise was facilitated by Rocky Blunt, who has a great deal of experiencing conducting SWOT exercises and he did not charge the town a fee.

The first section was community strengths, and at the end of the day, we came up with the following as the top five: location of the Town, Public Safety Forces, the Library, stability of the community and beauty of the Town/Reservoir. The second section dealt with weaknesses and the top five in that category was: lack of revenue, DCR impact/control over the Town, lack of control over the reservoir, high pension costs and State mandates. Section four dealt with opportunities and the top five were: using DCR lands to our own advantage, regionalization of some town services, new alternative energy funding, economic stimulus – investigate opportunities, and hire grant writer. The last category was Threats and the top five identified were: economic downturn, new unfunded mandates, less local aid, aging infrastructure/buildings and increased competition for limited resources.

Mr. Gaumond thanked all the residents and the non-resident who came forward and volunteered five and a half hours of their time. The document will be distributed to the town via the web site and the Town Administrator's blog. It will also be in the 2010 Master Plan update. Mr. Quist feels this is a great showing of a lot of issues and he commended those who took the time to do this. He added that some things are not new and highlighted alternative sources of energy.

Mr. Phillips reviewed the information as part of the Shared Services Committee and he questioned why the post office only received one vote as he thinks it is nice and easy to use. Mr. Gaumond explained that it was a round table discussion of many items, which totaled 180 suggestions. Each section was followed by a vote and we continued to vote to decrease the initial list to the top five items. He also feels it is an honor to be nominated. He is working with our Computer Consultant on creating a surveying tool for the web site.

Don DeMarsh, 44 Central Street, Library Trustees who represented the Library at the SWOT exercise noted that in the process of doing this it became apparent that no one had any ideas about how this was going and people honestly came up with 'hair-brained ideas' because they were challenged to do this. The voting was all done in secret and it was an amazing, quite worthwhile day. He thinks it was very telling outlook of what the town should be. Mr. Phillips feels if this was on line the results would be the same. Mr. Gaumond feels if you did this survey on line the chances are that the answers would be very different unless you could monitor the number of votes from people or certain organizations. We also need to be careful on how we look at statistics. Mr. Phillips suggested making it a requirement that you need to have a West Boylston address. Mr. Gaumond is concerned about special interests groups flooding the ballot. Mr. Philips suggested a registration process. He also recalled the Town-wide Planning Committee doing this type of exercise and noted how important it is for town leaders to know what people want.

11. Present warrant articles

Mr. Gaumond stated that the Board is not voting on the list this evening. He also announced that the deadline has passed for warrant articles and we did not receive any petitioned articles. With regard to the article on the brush damage, he believes the estimate on the damage may be higher.

**MEETINGS, INVITATIONS & ANNOUNCEMENTS**

1. April 22 – joint meeting with Finance and School Committee per Town Meeting Schedule. Mr. Gaumond has been asked whether the Board will be entertaining discussion from both boards that evening. Mr. Phillips recommends scheduling a separate meeting at the school for that discussion as there are 52 articles for the Board to consider and he wants to ensure sufficient time to complete that task. The Board suggested April 21<sup>st</sup> as a meeting date. Mr. Gaumond will contact both boards and report back to the Selectmen.
2. Announce that the Town of West Boylston will receive \$222,689 in Chapter 90 funds for Fiscal 2010
3. April 13 & 27<sup>th</sup> - the Shrewsbury Street/Tivnan Drive Yard Waste Recycling center will be open to accept yard waste from 8:00 a.m. until 1:00 p.m.
4. April 26 - Little League Parade begins at 1:00 p.m.
5. May 1 – WB's Got Talent at Major Edwards Stage- questions call Amy Corneliussen at 835.9777 or Pam Frechette at 835.2359
6. May 3 – Meat Raffle Funder Raise to Fund Memorial Day Exercises at the American Legion Post #204 begins at 1:00
7. May 13 – Planning Board Meeting on Site Plan Review for Surabian Realty Company 7:00 p.m.

**FUTURE AGENDA ITEMS**

Mr. Phillips would like to include on either the April 22 or 29 agenda, a discussion on creating a town bylaw prohibiting meetings on election days. He would also like to bring back the discussion on a Volunteer Coordinator for an upcoming agenda so that people who want to volunteer can be matched up with an assignment. The position would be a volunteer position and maybe include a volunteer to work with the volunteer. Mr. Gaumond noted that he is in the process of preparing a report on this topic and he is in the process of finding out if any other communities have this position.

Mr. Quist would like to include on a future agenda the creation of a bylaw changing the zoning where the sewer system currently is located. Mr. Gaumond noted that the Planning Board is required to hold public hearings on any zoning bylaw changes.

Mr. Pruneau would like to include a bylaw on the October town meeting to tighten up business licenses to prohibit patrons bringing in their own alcoholic beverages.

Motion Mr. Phillips at 8:15 p.m. for the Board to enter executive session under the provisions of MGL Chapter 39, Section 23b, Part 3 to discuss strategy with respect to contract negotiations and litigation, and the Board will not be going back into open session, seconded by Mr. Quist. Roll call vote: Mr. Quist yes, Mr. Pruneau yes and Mr. Phillips yes.

Motion Mr. Phillips at 9:00 p.m. to come out of executive session, seconded by Mr. Quist. Roll call vote: Mr. Quist yes, Mr. Pruneau yes, Mr. Phillips yes.

**MEETING**

**BOARD OF SELECTMEN**

**APRIL 15, 2009**

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

Respectfully submitted,

Approved: May 6, 2009

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Nancy E. Lucier

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Valmore Pruneau, Vice Chairman

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Allen R. Phillips, Clerk

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Steven Quist, Selectman