

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

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

OLD BUSINESS

1. Update on Brush Debris Pick-Up & Sign Agreement

Mr. Gaumond reported that the biggest issue his offices faces on a daily basis are questions on the status of the brush from the ice storm. In addition to the storm debris we also have the Asian Longhorned Beetle to contend with. The communities of Boylston, Holden, Shrewsbury and Worcester area also dealing with the beetle. DCR and the USDA have been working with FEMA and those four communities on trying to establish a brush removal plan for the entire town, and the benefits would be economy of scale and the coordination of one message to all residents. The Town of Boylston has determined that they will not participate at all and Shrewsbury will not participate as they did not have as much damage as Holden and West Boylston. The contract includes brush removal and tree hangers and leaners. In addition, the DCR will cover all costs associated with chipping.

Mr. Gaumond credited Mr. Westerling and Keri Miknaitis who have driven all 51 miles of town roads taking GPS pictures for FEMA. Northern Tree Removal submitted the best deal and we will have three crews for brush removal in West Boylston and one crew for hangers and leaners. Each crew will also have a monitor. The estimate for the leaners and hangers is \$17,200 as we have 1,000 at \$17.00 each. We also have about 20-30 trees to be removed, which will cost about \$18,000 and the estimate on the cubic yards of brush from the Army Engineers back in January or February was 5,400 at a cost of \$72,000. Mr. Gaumond feels this is a good estimate and based on that the cost to the town will be between \$200,000 to \$250,000, which is on the high end. We will go to town meeting with that number, and he does not feel we would get a better number should we decide to go out on our own.

Mr. Phillips asked about the 12-1/2% funding from the state. Mr. Gaumond is still hopeful and will continue to check on that. Mr. Phillips asked about leaners and hangers on personal property. According to Mr. Gaumond, FEMA will not allow any reimbursement for going onto private property, and the requirement of the contractor will be no private property will be dealt with at all. In addition, Route 110 and 12 will be the responsibility of Mass Highway. He has outreached to the State Senator and Representative on that issue as his concern is we could start brush removal as early as next week and we will get questions from those residents on those state highways and it would be helpful to have the schedule Mass Highway plans to follow. Mr. Pruneau asked about municipal property, parks and schools. Mr. Gaumond explained that the contract does not cover any municipal property and the town will have to take care of hangers and leaners themselves. Mr. Rucho noted that people should pull their debris to the front of their yards. Mr. Gaumond noted that the contract will be doing at least two passes by. At his meeting yesterday they discussed responsibility and who would be responsible for what. The town's responsibility is to show we have the money and execute the contract. Our plan is collect using our snow plow routes and we will be responsible for internal communication. He expects the first pass through to take place in two weeks.

Mr. McCormick questioned how we can commit to money if we have not yet had the article voted on at town meeting. Should we not get approval from town meeting, Mr. Gaumond noted that we will get an order from the state, and \$250,000 is our 25% of the total cost. However, because this has taken so long some people burned their brush or had it removed. He does not think we are going to get a better deal for the town.

Motion Mr. Phillips for the town to sign the contract with DCR to have them come in and clean up the brush debris, seconded by Mr. Rucho, all in favor.

Mr. Gaumond stated that the number one priority is get the message out to people, which he intends to do through his blog, The Banner, the Telegram and Gazette, Channel 13 and the town meeting mailer. We will have our initial meeting within the next couple of days and we will work out the routes. By the time we get to town meeting, we will have the final figure for the motion.

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

Mr. McCormick noted that the Board has been discussing this for over one year. He asked the Board to share their final comments and then he will call for a decision. Mr. Gaumond noted that DCR has provided copies of the Memorandum of Agreement and the decision now is are we going to execute the agreement or not.

Mr. McCormick asked Mr. Rucho if he had anything and he indicated that he is all set now. Mr. Phillips noted that we have been through this for months and he appreciates the patience DCR has shown in trying to work with the town on the Memorandum of Agreement. However, with the new Memorandum of Agreement between the DCR and Wachusett Earthday, the facility does not seem to be a state project and as such is subject to local zoning and permitting. That to him is a huge sticking point. Mr. Quist has nothing at this time. Mr. Pruneau thinks that with the pay-as-you-throw system we are going to be implementing it leaves us out in the cold for people to get rid of items. Mr. McCormick feels the Board reviewed all the issues with DCR to make the best deal we can make, and he also feels that DCR will built the facility regardless of what we can do. Barry Esteves, resident of Raymond Huntington Highway asked if this was a public hearing and was told that it is not.

Motion Mr. Pruneau to execute the agreement between DCR and the Town for the Wachusett Earthday Project, seconded by Mr. Quist. Vote on the motion – Messrs. McCormick and Pruneau yes; Messrs. Phillips, Rucho and Quist no.

Mr. Phillips noted that the Board will be entering into executive session to review its options which include let the project go on without us, litigate or get an injunction. Mr. Quist thinks we need to stick to our principles here.

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

Mr. Gaumond has advertised for members, and thus far has no additional members and is still unable to meet a quorum.

Motion Mr. Rucho to agree to change the number of members on the Transportation Committee from 7 to 5, seconded by Mr. Phillips, all in favor.

4. Budget Discussion

Mr. Gaumond reported that on April 15th he adjusted the budget with the turn backs from the various departments. With the wage and spending freeze he initiated back in January we have turn backs in this years' budget of \$108,000, which will offset our deficits. The total of our 9C cuts and our snow and ice deficit is a \$326,000 gap we need to fill in. In our health insurance budget we have the capacity to take care of the snow and ice deficit. We are also expecting revenue on our FEMA reimbursement which can be used. He credited his department heads for their hard work in getting us to \$108,000 in turn backs. Freezing computer purchases, going with a regional building inspector, a reduction in Veterans' benefits, turn back of Bicentennial Funds in addition to working on lowering our insurance premiums allowed us to reduce our deficit to \$41,308 going into next year. He is using the House budget numbers as he keeps hearing that the Senator numbers will be close to theirs. Mr.

Gaumond also feels that it is going to be okay to vote our budget in May and should we have a need to adjust any numbers we could do that in October. Our local estimated receipts are trending towards are reduced levels and we are getting what we forecasted. We currently have \$19.2 million in revenue.

He has changed the budget as follows. Selectmen salaries reduced to \$1.00 and Planning Board was decreased, as requested. Total General Government is down 4.3% at \$1,052,373. Public Safety is slightly down at \$2,000,756, Education remains the same. Public Works has been increased by \$14,000. He eliminated the warrant article and included the funds in their purchased service line item to cover parks maintenance. Street Lighting is fully funded and once the Street Lighting Sub-Committee meets to determine which lights will be eliminated, we can amend the number in October. Trash has been reduced by \$120,000. Cemetery Salaries have been reduced for the part-time employee. Total Public Works is at \$1,050,915. Public Safety has been decreased 7.3%, School by 5.7% and Public Works by 12.6%, mainly due to pay-as-you-throw and the elimination of one employee.

Human Services – Board of Health reduced slightly to reflect eliminating the \$1.00 salary.

Culture and Recreation. Mr. Gaumond noted that many residents have come forward to express their support of funding for the Library. The budget this evening allows for \$267,000 for the Library, and although it is short what was requested and they will again need to get a waiver, Mr. Gaumond feels they will be able to remain open for the next fiscal year. Funding for Memorial Day and Cultural Council has been eliminated. Total Culture and Recreation is \$267,000, down 15%.

Total Intergovernmental is down to \$1,509, or 55% as the MORE group has waived any fees for this year.

The only change in Employee benefits is in the health insurance line item. Mr. Gaumond credited the employees of West Boylston who have taken on additional costs for their health insurance and as such we can level fund health insurance for this year. Total increase in Employee Benefits is 1.8% as we added funds to our Unemployment Benefits.

General Insurance. In 2005 that line item was at \$200,000 and we are now down to \$140,000 in that category.

We have \$19,044,207 in expenditures, \$192,213,058 in revenues, which leaves us \$168,851 for appropriation. If we take out the \$16,000 for the Council on Aging work off program and the \$36,500 for landfill monitoring we have about \$116,000 remaining.

Mr. Gaumond noted that the Board of Selectmen had an agreement with the school that we would give them 2/3rds of any monies still on the table. There could be \$76,000 for the schools and \$39,000 for appropriation on the town's side of government. He has several areas of concern for this year's budget, including Police, Treasurer/Tax Collector, Town Counsel, the Reserve Fund and Board of Selectmen. He asked the Board for input and direction on the \$39,000.

Mr. Phillips agrees with Mr. Gaumond's recommendation of \$76,000 for the schools, \$15,000 for the police, \$4,000 for the Treasurer/Tax Collector, \$11,000 for Town Counsel, \$900 for the Board of Selectmen/Town Administrator and \$8,659 for the Reserve Fund. Mr. Gaumond noted that this year we have not used any non-reoccurring funds to balance the budget as we have none to use. There are also no raises built into any of the budgets. Pay-as-you-throw saved us \$120,000, and health insurance concessions saved about \$200,000. He noted that this has been a difficult budget, which everyone worked very hard on. Moving forward we will be prudent in using our reserves and growth money.

Mr. Rucho questioned the parks money going into the DPW Park's line item. He asked if they still plan to hire a part-time person after the season is over. Patrick Inderwish indicated that his understanding is the person will be hired. Mr. Rucho noted that for the past few years we have talked

about having the person come in early in the season rather than when everything is over. His recommendation is not to hire the person on July 1, but rather hold off until next year.

Motion Mr. Phillips to accept the recommendations of \$76,000 for the schools, \$15,000 for the police, \$4,000 for the Treasurer/Tax Collector, \$11,000 for Town Counsel, \$9,000 for the Board of Selectmen/Town Administrator and \$8,659 for the Reserve Fund, seconded by Mr. Pruneau, all in favor. Mr. Phillips credited the Library for turning back funds especially because they were facing a zero funded budget.

Motion Mr. Phillips to accept the Town Administrator's budget as of today, seconded by Mr. Pruneau. Mr. Rucho questioned why the Board is meeting tomorrow with the School and Finance Committees. Mr. Gaumond explained that both committees' want to know moving forward how we are going to continue to work on the budget. Mr. McCormick feels the meeting will give both committees the opportunity to see what the Board has agreed to. Mr. Phillips noted that should more funds become available we will use the same formula. Vote on the motion- all in favor.

5. Final Warrant Review and Signing

Mr. Gaumond updated the Board on articles, which were re-drafted.

Article 16 was changed per the Town Accountant's recommendation. The Library Revolving Article was also reworded per the Town Accountant.

Motion Mr. Phillips to accept Article 16 as written, seconded by Mr. Pruneau.

Motion Mr. Phillips to accept Article 17 as written, seconded by Mr. Rucho. Vote on the motion – Messrs. McCormick, Phillips, Rucho and Quist yes; Mr. Pruneau abstain.

Article 20 has been amended per the Boards' request.

Motion Mr. Phillips to accept Article 20 as amended, seconded by Mr. Pruneau, all in favor.

Articles 21 and 22 have been amended to include the budget numbers, and have been approved by the Finance Director and Town Counsel.

Motion Mr. Phillips to accept Article 21 and 22 as amended, seconded by Mr. Pruneau, all in favor.

Mr. Gaumond removing the parks article as the funds have been included in the DPW.

Motion Mr. Phillips to concur with the removal of the Parks article, seconded by Mr. Pruneau, all in favor.

Article 23 – to transfer funds from Stabilization for the Governor's 9C cuts, Mr. Gaumond recommends it be removed.

Motion Mr. Phillips to remove Article 23, seconded by Mr. Pruneau, all in favor.

Article 24 – will transfer Free Cash to reduce the tax rate. Mr. Gaumond noted that we are going to do this as a transfer to fund the Council on Aging article.

Motion Mr. Phillips to accept Article 24 as described, seconded by Mr. Pruneau, all in favor. Mr. Gaumond anticipates fixing Snow and Ice from Health Insurance.

Article 29 and 30 deal with the CPA and now have dollar figures rather than percentages.

Motion Mr. Phillips to accept Articles 29 and 30 as amended, seconded by Mr. Pruneau, all in favor.

Articles 33 and 34 create revolving funds for pay-as-you-throw. The spending threshold on FY09 is \$25,000 and on FY10 it is \$200,000.

Motion Mr. Phillips to accept Articles 33 and 34 as amended, seconded by Mr. Pruneau, all in favor.

Article 36 – on landfill monitoring – we will fill in the figure.

Article 43 authorizes the amendment of the General Bylaws on Public Ways and Properties. Town Counsel recommends we do not include the entire text we are taking out. Mr. Gaumond noted that the Board could accept Town Counsel's changes or take the article off and put it on in October.

Motion Mr. Phillips to take off Article 43 and put it on for October, seconded by Mr. Rucho, all in favor.

With regard to Article 44, Town Counsel has also raised an issue and Mr. Gaumond recommends taking this off and putting it on for October.

Motion Mr. Rucho to take Article 44 off and put it on for October, seconded by Mr. Phillips, all in favor.

Article 46 has been amended to include the following language, "to acquire, by purchase, gift or eminent domain, for general municipal purposes, including, without limitation, for town hall purposes".

Motion Mr. Phillips to accept Article 46 as amended, seconded by Mr. Pruneau, all in favor. Mr. Gaumond noted that we will have a dollar amount for town meeting. Mr. Pruneau indicated that he is working on that number with his committee.

Motion Mr. Phillips to approve the warrant as written and sign the signature pages, seconded by Mr. Pruneau, all in favor.

6. Review and approve contract with the Town of West Boylston and WasteZero, Inc. for pay-as-you-throw trash bags for the town

We have a recommendation from Mr. Westerling on a bag vendor and if we plan to implement pay-as-you-throw as of July 1 we need to order bags tomorrow. The vendor is Waste Zero, and they do store door delivery, accounting and billing. There is an increase of \$4,000 for the accounting services.

Motion Mr. Pruneau to authorize the Town Administrator to enter into a contract with WasteZero, Inc. for pay-as-you-throw trash bags for the town, seconded by Mr. Phillips, all in favor. Mr. Gaumond informed the Board that town counsel has reviewed the contract.

NEW BUSINESS

1.Suggested Bylaw Improvements (AP)

For October, Mr. Phillips would like to work on a bylaw to hold the annual election the first Tuesday after town meeting. He spoke with the Town Clerk on this and she indicated that we are the only community who holds town meeting before the town election which is really unfair to newly elected board members who have not had the opportunity to go through the entire town meeting and budget process.

Motion Mr. Phillips for October to work on a bylaw to hold the annual election the first Tuesday after town meeting, seconded by Mr. Pruneau, all in favor. Mr. Gaumond will work on developing the appropriate language.

SELECTMEN'S REQUESTS

In light of the current possibility of a swine flu pandemic, Mr. Phillips recommends Mr. Gaumond distribute a copy of the COOP and COG Plan to each member of the Board.

Mr. Rucho recommends a meeting to discuss how things went with the ice storm and our emergency management plan. Mr. Gaumond noted that he still has that on his list of things to do.

Motion Mr. Phillips at 8:26 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 be going back into open session, seconded by Mr. Rucho. Roll call vote: Mr. Quist yes, Mr. Pruneau yes, Mr. McCormick yes, Mr. Phillips yes and Mr. Rucho yes.

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

Mr. McCormick announced that while in executive session the Board voted to commence litigation over the Wachusett Earthday Project.

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

Respectfully submitted,

Approved: May 6, 2009

Nancy E. Lucier

Kevin M. McCormick Chairman

Valmore Pruneau, Vice Chairman

Allen R. Phillips, Clerk

Christopher A. Rucho, Selectman

Steven Quist, Selectman