

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

Mr. McCormick convened the meeting at 7:00 p.m.

Read and acceptance of Minutes from Previous Meeting:

Motion Mr. Pruneau to approve the meeting minutes for the December 2, 2009 regular session, seconded by Mr. Phillips, all in favor.

Motion Mr. Pruneau to approve the meeting minutes for the December 2, 2009 executive session, seconded by Mr. Phillips, all in favor.

Paul Lenkarski, Heritage Lane

Mr. Gaumond explained the issue, which deals with a parcel of land located off of Heritage Lane. The town accepted the road at the November of 2000 town meeting and the description inadvertently omitted the drainage portion of the roadway. As a result, it has been an error on our books as that parcel should have been included in the taking, and one which the Town Clerk, Board of Assessors and Treasure/Tax Collector would like to get resolved. The reason this comes before the Board of Selectmen is it needs the Board's approval to place it on the May town meeting warrant. Mr. Lenkarski is present to answer any questions the Board may have on this.

Motion Mr. Phillips to include this as an article for the May town meeting warrant and to begin preparing the paperwork, seconded by Mr. Rucho, all in favor.

NEW BUSINESS

1. Presentation of Certificate of Appreciation from 101st Engineer Battalion for the town's support during Operation Big Ice December 2008

Mr. Gaumond noted that this past week was the one-year anniversary of the December 2008 Ice Storm. We received a framed recognition from the 101st Engineer Battalion for the town's support during Operation Big Ice December 2008, which he presented to the Board. Mr. Phillips would like to send the Battalion a thank you letter for the Certificate and their efforts during the ice storm.

Public Hearing: Re, Consider Adopting a Policy on Cash Receipts, Cash Disbursements, Petty Cash, Tailings and Reconciliation of Cash

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, December 16, 2009 at 7:05 p.m. for the purpose of considering adopting a Cash Policy. Once that public hearing has adjourned, they will open a public hearing at 7:15 p.m. to consider approval of Policy on BYOB. The meeting will be held in the Municipal Office Building, 127 Hartwell 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 McCormick, Chairman, advertised on December 2 and 9, 2009.

Mr. Gaumond noted that one of the things we wanted to do this year was to create strong fiscal policies. Our audit firm, Melanson and Heath recommends this policy. The version before the Board is a modified version of the first draft. The Town Accountant's Office is responsible for the entry of cash receipts to the Fundware System and the Treasurer/Tax Collector's Office is responsible for all

bank deposits with the reception of school lunch receipts and student activity receipts. The town and school departments must turnover receipts to the Treasurer's Office not less than once a week. As the auditing firm wants to ensure we do not leave cash hanging around we want to ensure that money is deposit as soon as possible to get interest and keep it safe. Mr. Gaumond noted that the town has never had any issues and our reconciliations tie off nicely. With the new policy revenue shall be turned over when the department has collected \$250 in cash or \$1,000 in checks. Each department head should review the turnover for accuracy and sign off. They may designate someone else to perform this task. On the second page we changed the language, which once allowed leaving the turnover sheet in the Town Accountant's mail slot to bringing the turnover sheet to the office rather than the mail slot.

Mr. Gaumond received a couple of concerns about this from the Cemetery that the amount of money might be a little too small to make a turn over. However, the policy is meant to be strict. The Board has no issue with the policy and no one is in attendance who wishes to comment on the item.

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

Motion Mr. Pruneau to accept the policy, seconded by Mr. Phillips, all in favor.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. Tuesday, December 29th, 9:00 a.m. Annual Coffee for Holders of Alcoholic Beverage Licenses

Annually we hold this coffee and it is an opportunity for the Police Chief, Fire Chief, Building Inspector and Board of Health to come out and meet with the liquor license establishments and discuss things that are new or of interest.

Mr. McCormick read a notice written to the Town Accountant from the Town Administrator that he would be waving his negotiated pay raise due to the budget constraints of the town. The Board thanked Mr. Gaumond for doing that.

NEW BUSINESS cont.)

2. Designate voting delegate for MIIA Annual Meeting scheduled for January 23, 2010

Motion Mr. Rucho to designate Mr. Gaumond as the voting delegate for the MIIA Annual Meeting, seconded by Mr. Pruneau, all in favor.

Motion Mr. Rucho to designate Mr. Gaumond as the voting delegate for the MMA Annual Meeting, seconded by Mr. Phillips, all in favor.

Public Hearing: Re: Consider Adopting a Policy on BYOB

Mr. McCormick recused himself.

Mr. Gaumond took the input from the Board and developed a draft Policy on Bring Your Own Beverage for their review. The Policy reads as follows: **Purpose:** The Board of Selectmen agrees to establish procedures for establishments with Common Victualler Licenses to regulate BYOB. **Policy:** 1) it is the Town's desire to require notification to the West Boylston Police Department of any establishment who holds a Common Victualler's License but does not hold a Liquor License in the Town that wishes to allow patrons from bringing in alcoholic beverages for personal consumption. 2) All holders of a Common Victualler's license but do not hold a Liquor License would be required to notify the West Boylston Police Department not less than fourteen (14) days before allowing patrons from bringing in alcoholic beverages for personal consumption. 3) For the purposes of this policy/regulation, alcoholic beverages refer to but are not limited to beer, wine, spirits, cordials, liquors, hard ciders/lemonades/teas, etc. 4) In all cases it is expected that the establishments shall follow Mass. General Laws regarding alcoholic beverages. 5) The Selectmen's Office shall be required to annually notify the holders of a Common Victualler's license but do not hold a Liquor License of

this regulation and cause to print a statement on the Common Victualler's License the following statement: Patrons of this establishment are not permitted to bring alcoholic beverages on the premises for their own consumption unless the establishment notifies the West Boylston Police Department no less than fourteen (14) days prior of their desire to allow patrons to bring alcoholic beverages on the premises for their own consumption. This policy shall go into effect on January 1, 2010.

Mr. Phillips voiced concern with Item #4 and questions how the Board will be able to enforce this as how does the establishment know the laws if they don't have a liquor license. Mr. Gaumond recommends the office forwarded a copy of the law to the establishment and should the Board find out that an establishment is not complying with the procedures for BYOB, they have the ability to hold a public hearing and revoke the Common Victualler's License issued to the establishment.

There is no one present to speak on this agenda item.

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

Motion Mr. Phillips to approve the policy with the addition that we hand out the rules and procedures establishments must follow when allowing BYOB, seconded by Mr. Rucho, all in favor.

Motion Mr. Phillips to amend Section D to include the new policy, seconded by Mr. Quist, all in favor. Mr. McCormick returned to the meeting.

1. On-Call Engineering Recommendation

Mr. Gaumond thanked Mr. Pruneau and Mr. Quist for serving on the interview committee for the selection of our on-call engineering firm. On November 30th the committee interviewed Leonard Engineering, Pennoni Associates, Vanasse, Hangen, Brustlin and Weston & Sampson Engineers and questioned them on their knowledge of West Boylston, NPDES permitting, road and sidewalk construction projects, availability to the town and experience on road construction design projects. All four firms were rated and based upon those ratings Leonard Engineering came in with 84, Pennoni Associates at 69, Vanasse, Hangen, Brustlin at 91 and Weston & Sampson Engineers 98.5.

Prior to selecting the firm, Mr. Pruneau would like Mr. Westerling to have a conversation with Leonard Engineering as we have used two of the firms in the past and he was leaning towards selecting a new engineering firm rather than using who we had previously used. Mr. Quist agrees and noted that he was impressed with Leonard during the interview and everyone who works for them is real local.

Mr. Gaumond reported that Mr. Westerling would be happy with any of the top four candidates who were all outstanding. It was agreed to table this item to allow the Board to do more work on their choice and report back.

FUTURE AGENDA ITEMS

Mr. Quist has noticed that the town is scarce in the way of Christmas spirit. He would like to schedule as a future agenda item finding a way of having more than a Wal-Mart mentality in the town. Mr. McCormick agrees with Mr. Quist's comments. Mr. Rucho pointed out the fact that residents have decorated their houses more than in the past. Mr. Phillips noted that the town used to put up wreaths and banners.

Mr. Pruneau has a list of items from the Library Director and he would like the Board's permission to review the list with the Director and report back to the Board on immediate and future Library needs. He extended an invitation to the members to attend, and if needed, a Selectmen's meeting will be posted.

Mr. Rucho would like to have a conversation with the Town Clerk regarding the location of the voting place as in the last year we have changed the location on two occasions. He suggested perhaps having two locations, one for each precinct. Mr. Gaumond will put in a request to the Town Clerk and schedule her in to meet with the Board.

Mr. Phillips recommends the Board adopt of policy which prohibits texting in a town vehicle while at work and follow it up with a bylaw prohibiting texting for people driving within the town of West Boylston. He noted that 19 states have adopted a state-wide plan and Massachusetts is now looking at at this as well due to the many serious accidents which have occurred as a result of this activity. Mr. Gaumond offered to get copies of what other communities have done.

Mr. McCormick wishes everyone a Merry Christmas and a happy holiday season.

With no further business to come before the Board, motion Mr. Phillips at 7:45 p.m. to adjourn, seconded by Mr. Pruneau, all in favor.

Respectfully submitted,

Approved: January 6, 2010

Nancy E. Lucier

Kevin M. McCormick, Chairman

Valmore H. Pruneau, Vice Chairman

Allen R. Phillips, Clerk

Christopher A. Rucho, Selectman

Steven Quist, Selectman