

Members present: Allen R. Phillips Christopher A. Rucho
 Valmore H. Pruneau Kevin M. McCormick
 John B. DiPietro, Sr.

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

Read and acceptance of Minutes from Previous Meeting:

Motion Mr. McCormick to approve the open session meeting minutes of March 4, 2009, seconded by Mr. Pruneau, all in favor.

Motion Mr. McCormick to approve the open session meeting minutes of March 5, 2009, seconded by Mr. Rucho, all in favor.

Motion Mr. Rucho to approve the executive session meeting minutes of March 4, 2009, seconded by Mr. McCormick, all in favor.

PARKS COMMISSION

Commission Chairman Patrick Inderwish and members Peter Desy and Robert Monk joined the Board. The first item for discussion is a contract proposal for removal of debris associated with the December ice storm at the Pine Grove. DPW Director John Westerling received three quotes for the work, which will eliminate a public safety hazard, ranging from \$70,000 to \$1,000. The scope of work was the recommendation of the DPW Director and the Tree Warden, and all bidders did a walkthrough of the parks.

The contractor will cut down all trees that were either snapped or damaged by the ice storm within the 5.5 acres of the Pine Grove. In accordance with the FEMA guidelines, a daily log will be kept by the contractor of all trees cut or removed, and all healthy trees, which were not damaged will be sensitively treated by the contractor. All work will be within the limits of the Pine Grove, coordinated through the DPW and completed to the satisfaction of the Parks Commission. Payment in the amount of \$1,000 will be paid upon the completion of the work to the satisfaction of the Parks Commission.

Mr. Phillips feels that the town is getting a good deal and noted that after the FEMA reimbursement our share will be \$250.00. Mr. Inderwish's understanding of the \$70,000 bid was for the same scope of work. Mr. DiPietro credited Mr. Pruneau's involvement in canvassing the contractor to get such a great deal for the town and feels we owe him our gratitude. Mr. Inderwish echoed Mr. DiPietro's comments as it is a tremendous deal for the town.

Motion Mr. McCormick to accept the contract with Clayton Phelps d/b/a Clayton Phelps Logging in the amount of \$1,000, seconded by Mr. Pruneau. In discussion, Mr. Rucho questioned whether we had a prevailing wage determination. Mr. Gaumond has requested those numbers and he also noted that FEMA also requires three quotes on projects or they will not provide reimbursement. Vote on the motion – Messrs. Phillips, Pruneau, McCormick and Rucho yes; Mr. DiPietro abstains.

Mr. Inderwish expressed his appreciation for being given an opportunity to come before the Selectmen to discuss the parks budget situation. At their February 24th meeting the Commission met with DPW Director John Westerling to discuss the budget for the parks. In order to comply with the 10% budget reduction request, Mr. Westerling eliminated the services his department provides to the parks with the exception of the labor provided by the Parks Lead Person. He also informed the Commission of a resignation within his department and that the only services he could provide would be limited mowing and trash removal.

Should 100% of the services and funds be cut Mr. Inderwish feels it would be impossible for the parks to function and the Commission would also have to pay for all the expenses to clean up the

parks before getting reimbursed by FEMA. The current FY09 DPW budget includes \$17,000 for numerous parks items such as parks equipment, equipment repair, contractor services, concrete, asphalt, mulch, irrigation parts, signs, caution tape, normal everyday items, athletic field lining tape, electric and water. The Parks Commission is hoping that the \$14,849 balance remaining from the DPW employee who left could be transferred by a warrant article at the May town meeting to the Parks Commission. This would be a \$2,100 cut from their normal budget of \$17,000 for the parks through the DPW, or a 12.6% reduction. Since it is a previous year appropriation it would not have an impact on the budget for next year and the town would still have the employee benefit savings from the employee who resigned.

In the future Mr. Inderwish expects to look at increasing fees, eliminating the Summer Recreation Program, sending out an RFP for advertising within the parks, and fundraising using a banner campaign such as the one that was used with the Bicentennial pole banners. Mr. Westerling has also indicated that there will be no watering, lining of fields, electricity, seeding or maintenance other than cutting fields and trash. With that \$14,846 it will allow the Commission to operate this year. Mr. Inderwish requested the Board's support for the warrant article.

Mr. Gaumond noted that the \$14,846 is still within the DPW budget and can only be expended for salaries and wages. We did see a reduction in the DPW work force, but the position has not been eliminated at this time. With regard to the storm damage costs, he thinks we can deficit spend in anticipation of reimbursement. Mr. Gaumond will be working with the Finance Director on a warrant article for the May town meeting to appropriate Stabilization Funds in anticipation of reimbursement. Mr. Phillips also pointed out that we are still not sure if the state will pay a portion of the 25% not being reimbursed by FEMA. Mr. Inderwish stated that his comments were based upon discussions with the DPW Director. There are items that need immediate attention, they need to hire an electrician, and they are doing their best to get the parks open as soon as possible. Mr. Gaumond plans to work with Mr. Westerling and the Parks Commission to make sure things are taken care of as soon as possible.

Mr. Inderwish explained that the transfer of funds would not impact this year's budget and it would allow the Commission to continue the basic operations of the parks. They have a balance of \$860 and with the \$14,849 they will be able to manage those funds to maximize what needs to be accomplished within the parks. He also noted that this will only buy them one year. Mr. Phillips asked if the Board were able to shift the funds would this be the last money from town funds they would need. Mr. Inderwish replied probably not, if we are to maintain our assets we need the general maintenance portion. The DPW spent \$17,000 last year on parks-related materials and they come back to the Commission to request revolving funds for larger items.

Mr. Phillips asked if the person who left typically did parks maintenance. According to Mr. Gaumond it was their primary function, however, it was not done year round. Mr. McCormick questioned whether that position was going to be eliminated next year. According to Mr. Gaumond it was. Mr. McCormick understands the Parks Commission's plight, and feels it is too soon to commit to the request. He noted that last week the Selectmen took a vote to review the budget for any available funds which could be used towards funding the Library and this would be in contradiction to that vote. Mr. Rucho questioned the balance in the revolving account. According to Mr. Inderwish they have \$18,000 from fees. Mr. Gaumond explained that the proposed budget for the DPW eliminates one employee and continues to fund one employee who is the Parks Lead Person. We would be eliminating the \$17,000 from the DPW budget which historically went to parks.

Mr. Phillips recommends reviewing the numbers a little more, as the Board did vote to find additional funding for the library. In his mind he would like to shift some of the money to the parks and encourage the Commission to make every effort to be more self-financing. Mr. Inderwish completely understands Mr. McCormick comments and noted that the taxpayers have paid good

money to have the parks in the condition they are, and he is representing those who use the parks including the schools. They intend to explore their fees and in the out years the plan to do their best, however, they need help with the water and electrical bills. Mr. Inderwish requested the same consideration as the library because of the hundreds of families who use the parks and those who pay to use the parks. Mr. McCormick who served as a former Commissioner and worked in the parks for years added that the Board has not yet discussed trash or pay-as-you-throw. Mr. Inderwish stated that he wanted to be pro-active and cutting the funding to zero would have a huge impact. Mr. Rucho does not think the four or five groups who pay to use the parks can fund it for everyone to use it.

Mr. Rucho asked if it possible to dig a well to water the fields as that has been discussed for years. Mr. Inderwish explained that the last time this came up for discussion there was a question as to who had the rights to the property and the water as at one time the railroad had ownership and then it was a private property. He hoped the DPW Director could look into it as it would be a good opportunity to reduce costs. Mr. DiPietro reported that he has looked into the well, which at one time was owned by Boston and Maine Railroad and no one is laying claim. He checked with a well company that might donate a well to the town for a tax write off. Mr. Inderwish asked Mr. DiPietro to keep him informed. Mr. Pruneau also looked into this and there are some businesses in town that said they would lend a hand. Mr. DiPietro also has some other options for fertilizers. Mr. Rucho indicated that the leagues want to help and would like direction from the Parks.

Mr. Phillips encouraged the use of volunteers as is done with the Library and School Department. Mr. Inderwish indicated that he is working with the Town Administrator on what constitutes a volunteer and the liability associated with using them. He also plans to recycle the banners used by the Bicentennial for a 'We Support West Boylston's Parks' to advertise businesses who would pay to have their banners on the light pole. As the Friends of the Bicentennial own the brackets, Mr. Gaumond recommends the Bicentennial Committee vote to gift them to the town for that use. It would also require a waiving of the sign bylaw.

OLD BUSINESS

1. Discussion re: Pay-as-You-Throw

Irene Congdon, Central Mass Municipal Assistance Coordinator for the Department of Environmental Protection, SWAT Chairperson Judith Doherty and WPI college students Conor Rochford, Joe Thomas and Sidath Wijesooriya joined the Board and display five charts on pay-as-you-throw trends. Connor Waterford led the group by pointing out that Brockton's pay-as-you-throw reduced waste from 37,000 to about 28,000 tons and recycling numbers doubled. Shrewsbury recently began their program in August. Their usage indicates seasonal trends and periodic peaks. With the pay-as-you-throw system people change their habits and do more charitable things to reduce trash. Mr. DiPietro stated that no one is disputing that pay-as-you-throw doesn't work. However, if we are recycling more and the trash hauler is picking up less our contractor has the right to increase what he charges the town per Item 26 of his contract. He also asked about trash collection for condominiums and apartment complexes with more than three units as some may purchase bags and some may not. Ms. Congdon feels those are decisions the town would need to make with the hauler, and noted that our current hauler, Allied Waste, works with a lot of pay-as-you-throw communities. Mr. DiPietro noted that they also work with Recycle Bank.

Ms. Congdon informed the group that DEP has a state contract with three vendors who supply bags. In reviewing the chart of towns' recycling rates in Massachusetts versus per capita income

Sidath noted that there are no trends between per capital income and recycling. The last chart is state recycling rate versus percentage of pay-as-you-throw communities in every state, and this chart shows that pay-as-you-throw increases recycling rates. WPI students noted that pay-as-you-throw is a program that has worked in other communities. Mr. Phillips asked the students if they had any research to show where it didn't work in any community. According to Sidath, some towns experienced some illegal dumping at the beginning of the program; however, it will be a declining trend in a significantly short time and not be sustained. Connor noted that Ms. Congdon has mentioned that West Boylston is having difficulty funding the Library. He reported that in Worcester last year they made \$1.43 million selling bags and that could be a source of revenue. Sidath stated that if we implement the right model it would maintain a self-sustained program with extra revenue for the town. He offered to assist in the implementation processes and do an analysis on what could be the best fit for the community.

Mr. Phillips asked Mr. Gaumond for an interpretation of Item 26 of our trash contract. If we decide to go with a pay-as-you-throw system, Mr. Gaumond feels the town could work with Allied Waste and if they identify extra costs we would re-open negotiations to make sure they would not be penalized.

Mr. Daley sees a revenue stream which diminishes the net to the budget, and in FY10 it will siphon back revenue although not an extreme amount. The Department of Revenue is presuming him to hone down revenue estimates for FY10. He has a comfort level at a balance of trash revenue with the bag revenue provides it is still \$60 a year for trash services taking into account 50¢ for small bags and \$1.00 for large bags. It takes tax revenues on the override and pay-as-you-throw revenue and it is \$5 a month increase for the same service you had. Using a revolving fund we could start billing for bags prior to June 30th and if by October we have a robust return on our investment then we can re-state budgets. He has a comfort level with the models he re-tooled to begin the process and get revenue back into the budget and not overly burdensome, to the taxpayers. Mr. Daley noted that step one is implement at town meeting, set up a revolving fund and the Selectmen make a policy decision on the cost of the bags. He recommends a conservative stepping forward and has a comfort level with the models.

Mr. Daley noted that if you hold to a 25-pound bag and bag sales generate \$80,000 we cover tipping fees through the bags and the collection. Mr. Rucho explained that in FY10 we have \$253,000 for collection and \$172,000 for tipping, with \$312,000 as the override number with the 2-½% and bags at 50¢ and \$1.00 the net revenue gain is \$118,000. In October we could remove more funding from the trash line item and transfer it to other line items. In FY11 we should see additional opportunity as well.

Motion Mr. McCormick to go with a pay-as-you-throw trash plan and work out the finer details, including bag fees, at a later time, with an implementation by July 1, seconded by Mr. Rucho. Mr. DiPietro agrees with the motion, however, he would feel better if a maximum bag cost was included. As Ms. Congdon previously mentioned that a public hearing would be helpful, Mr. Gaumond feels the motion would allow for a discussion about the bag fees to be discussed at the public hearing. Vote on the motion – all in favor.

Mr. Phillips encouraged everyone to attend the public hearing and ask questions. It was agreed to check to see if the school would be available on April 9th for the hearing and an article will be placed on the warrant to establish a revolving fund. Ms. Congdon suggested having a bag vendor available at the public hearing to display the bags. Mr. Phillips does not want to discuss bag fees at the public hearing. Ms. Doherty offered her assistance and that of her SWAT members.

NEW BUSINESS

1. Concurrence on the appointment of Charlene Hopkins, 5 Osgood Ave., to the Conservation Commission effective March 9, 2009 for a term to expire on April 30, 2012

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

2. Concurrence on the appointment of Sighle Philbin, 264 Lancaster Street to the Agricultural Commission effective March 20, 2009 for a term to expire on April 30, 2012

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

3. Tentative concurrence on the appointment of Margaret Rotti, 70 Lancaster Street to the Agricultural Commission effective March 20, 2009 for a term to expire on April 30, 2012

Mr. Gaumond explained that he initially used the word 'tentative' as he was unsure if he would be able to interview Ms. Rotti prior to the meeting. He met with her yesterday and recommends the Board vote to concur on her appointment.

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

4. Review letter of resignation from Amy Pasquale from the Personnel Board

As the Personnel Board is a Selectmen's appointment, Ms. Pasquale addressed her letter of resignation to the Selectmen. She enjoyed her time on the Board and is resigning due to personal reasons.

Motion Mr. McCormick to accept the resignation and send Ms. Pasquale a letter of thanks for her service, seconded by Mr. Pruneau, all in favor.

5. Vote to accept gifts on behalf of the Beaman Memorial Public Library in the amount of \$346.00

Mr. Pruneau recused himself.

Motion Mr. McCormick to accept gifts on behalf of the Beaman Memorial Public Library in the amount of \$346.00, seconded by Mr. Rucho, all in favor. Mr. Pruneau returned.

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

After conferring with town counsel, Mr. Gaumond has a couple of questions. This item will be tabled until the Board's next meeting. Mr. Phillips reviewed the document and questioned the language on the buildings as it appeared that it would be automatic after one year and that is not what was discussed. The Board's preference was after one year the group would appear before the Board to see how things had gone prior to proceeding with any structures and they also have to follow the town bylaws and that is not properly written into the agreement. Town Counsel will be issuing a formal recommendation on the agreement, which will be on the next agenda. Mr. Scannell and other interested parties will be notified.

7. Review and consider voting to approve proposed Memorandum of Agreement with DCR for debris removal

Mr. Gaumond explained that the public in West Boylston is very interested in this issue because of the Asian Longhorned Beetle. He estimated that half the calls into the office are inquiries about this issue. We are working with DCR on trying to find a way to manage this on a regional basis with one contract and one contract administrator. The positive side to the town is the state is looking to go out to bid with one contract for all four of the impacted towns. To save the town money on the

chipping it will be covered 100% by the Commonwealth. Mr. Gaumond does not want the Board to sign the agreement this evening.

In accordance with the agreement, DCR will provide all labor, materials, equipment, supervision and other services and permits required to complete the cutting, removal, transport and chipping of the storm debris. Prior to performing any work within the designated areas, DCR shall develop an implementation plan that identifies labor, equipment and materials necessary to perform and complete all work. They will develop a work schedule for all crews and commence work within five days of receiving a Notice to Proceed. Work will take place from 7:30 a.m. until 6:00 p.m. Monday through Friday in a safe and orderly manner. DCR shall not enter any private property and the premises will be left in an orderly manner. The town will pay DCR 25% and if the state provides any funding that will be included in the town's 25%. The state will absorb all of the chipping costs as well. All the communities are interested in entering into the agreement.

The estimated cost for West Boylston is about \$30,000 to \$40,000 and Mr. Gaumond encouraged the Board to provide any comments they have to him. FEMA will only reimburse for costs of brush removal in the public way. The contract will not remove brush in back yards, only adjacent to the roads. Mr. Pruneau noted that people should not be confused about the permission slips they signed as those were under the USDA's Asian Longhorned Beetle Program. When this contract commences, Mr. Gaumond recommends DCR being the one central point of communication. Hangers and leaners will be under another contract and the DPW is already preparing a list of those trees. The start date has not yet been determined and for those residents who do not wish to wait, burning permits are available. Mr. Rucho would like to have the permission slips signed the residents returned to the town. He also suggested contacting Congressman McGovern's Office about the promises made by the USDA and whether or not 75% reimbursement is all that is available for the towns.

8. Review response to RFP for the purchase of land and buildings

Mr. Gaumond was requested by the Municipal Buildings Committee to go out to bid for property for municipal purposes. He received one response from EPT, Inc., and since receiving the bid he and Mrs. Lucier went to look at the building. The agenda contains information on the property including utility costs. It also includes the impact of a \$3.5 million dollar debt exclusion for a twenty year period on the average tax bill for a \$250,000 home. Mr. McCormick feels the Municipal Buildings Committee should meet to review the information and suggested a date of April 8th.

9. General discussion about Beaman Street cutback (AP)

Mr. Phillips requested this agenda item. Last fall the Board had a discussion with DCR about cutting back the trees along Beaman Street. At that time the Board voted not to support the request and they were also told that it would only be a fifty-foot cut back. Mr. Phillips expressed his disapproval of how DCR left the area and would like to ask them to come back and clean the balance of the area and the mess they left.

Motion Mr. McCormick for the Board to send a letter to DCR asking them to clean up the area and in addition asking them why they cut back 200 feet and not the 50 foot cut back they initially said they would be doing, seconded by Mr. Pruneau, all in favor

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. March 25, 2009, 7:00 p.m. –Budget Preparation Workshop

As Mr. Gaumond provided the Board with a draft budget, which they rejected, he would like their input on what they would like to see done with the budget. Mr. McCormick's preference for the meeting on the 25th is to go through each line item in the budget and look at areas to move money. He

suggested eliminating stipends for those boards that get them and noted that this evening we heard of additional money we could get from a pay-as-you-throw trash system.

2. April 14, 9-11:30 a.m. – Suburban Coalition Annual Legislative Breakfast in The Great Hall of the State House

3. Announce that the Town of West Boylston received a PILOT payment in the amount of \$602,756.18 from DCR

FUTURE AGENDA ITEMS

Mr. Rucho reviewed the loss control recommendations from MIIA for 2009 and questioned what the town needs to do in the future. According to Mr. Gaumond, our requirement under MIIA is to explain what we are going to do as some recommendations have easy solutions, some will be impossible, and some may be resolved through a MIIA loss control grant. He also reviews the information with his Safety Committee/Department Heads.

With regard to the payment-in-lieu-of-taxes proposal for the Water District, Mr. McCormick recommends the Board take the recommendation of Mr. Gaumond.

Mr. Phillips extended congratulations to resident Heather Cotter who won a gold medal in skating and recommends the Board send Ms. Cotter a letter of congratulations. Mr. Gaumond noted that Heather's mother previously served on the Open Space Committee.

With no further business to come before the Board, motion Mr. McCormick at 9:25 p.m. to adjourn, seconded by Mr. Pruneau, all in favor.

Respectfully submitted,

Nancy E. Lucier

Approved: April 1, 2009

Allen R. Phillips, Chairman

Valmore H. Pruneau, Vice Chairman

John B. DiPietro, Sr., Selectman

Kevin M. McCormick, Selectman

Christopher A. Rucho, Selectman