

Members present: Kevin M. McCormick Christopher A. 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 April 30, 2009 regular session seconded by Mr. Rucho. Vote on the motion – Messrs. McCormick, Pruneau, Rucho and Quist yes; Mr. Phillips abstains.

Motion Mr. Phillips to approve the meeting minutes for the May 4, 2009 regular session seconded by Mr. Pruneau, all in favor.

Motion Mr. Phillips to approve the meeting minutes for the May 6, 2009 regular session seconded by Mr. Pruneau, all in favor.

Motion Mr. Phillips to approve the executive session meeting minutes for the May 6, 2009 regular session seconded by Mr. Rucho, all in favor.

**NEW BUSINESS**

1. Concurrence on the appointment of Peter Rotando, 76 Sterling Street to the Celebrations Committee effective May 22, 2009 for a term to expire on April 30, 2012

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

2. Concurrence on the appointment of Michael J. Mulryan, 100 Hillside Village Drive to the Celebrations Committee effective May 22, 2009 for a term to expire on April 30, 2012

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

3. Concurrence on the appointment of John F. McCormick, 175 Maple Street to the Celebrations Committee effective May 22, 2009 for a term to expire on April 30, 2012

Motion Mr. Phillips to concur with the appointment, seconded by Mr. Pruneau. Vote on the motion – Messrs. Pruneau, Phillips, Rucho and Quist yes; Mr. McCormick abstains.

**Judith Doherty, 5 Evans Road – Candidate For Finance Committee**

Ms. Doherty is unable to attend the meeting this evening. Board members indicated that they are familiar with Ms. Doherty and have no problem appointing her without an interview.

Motion Mr. Rucho to appoint Judith Doherty to the Finance Committee, seconded by Mr. Phillips, all in favor.

**NEW BUSINESS (cont.)**

5. RFP for Assessing Services

Mr. Gaumond has prepared a contract for assessing services with Regional Resource Group to continue to outsource this service. This document has been reviewed by town counsel, approved as to form and level funds the services.

Motion Mr. Phillips for the Board to sign the contract with Regional Resource Group, seconded by Mr. Pruneau, all in favor.

**Public Hearing: Re: Identity Theft Prevention Program**

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, May 20, 2009 at 7:05 p.m. for the purpose of considering the

adoption of an Identify Theft Prevention Program. The meeting will be held in Conference Room #1 of Town Hall, 127 Hartwell Street, West Boylston. For additional information, or to review the proposed changes, please contact the Office of the Town Administrator/Board of Selectmen at 508.835.3490. All interested persons, groups, and agencies are invited to attend. Kevin M. McCormick, Chairman, May 6, 13, 2009.

Mr. Gaumond provided the Board with a fresh version of the Identity Theft Prevention Program policy, which was created to comply with the Federal Trade Commission as part of the implementation of the Fair and Accurate Credit Transaction Act of 2003. The Act requires that financial institutions and creditors implement written programs which provide for detection and response to specific red flag activities that could be relate to identity theft. Likewise, users of consumer reports who receive a notice of an address discrepancy from a credit reporting agency must have procedures in place in order to form a reasonable believe of the consumer's identity.

Mr. Gaumond noted that as a municipality we would not be required to have this in place, however, our Sewer Department is required to have this in place. He worked with Town Counsel and Finance Director Michael Daley in preparing this draft program. The Federal Trade Commission regulations require that the program must identify relevant red flags and incorporate them into the program, identify ways to detect red flags, include appropriate responses to red flags, address new and changing risks through period program updates, have a process for administration and oversight of the program with staff training, include effective oversight of service provider arrangements and effectively respond to notices of address discrepancy. This document will assist the Sewer Department to identify those people who may open a sewer account in someone else's name and because it is a utility our audit firm is requiring is to do this. This information was also shared with the Municipal Light Plant and Water District so that they would be aware of this requirement. Upon approval, this will also be included in the Selectmen's policies under the Sewer Division section. Mr. McCormick opened the hearing up to audience questions, and there were none.

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

Motion Mr. Phillips to accept the policy and modify the Selectmen's policies to include this as well, seconded by Mr. Pruneau, all in favor.

### **Fire Chief Pauley – Request To Fill A Position**

Mr. Phillips recused himself. Fire Chief Richard Pauley joined the Board. Mr. Gaumond informed the Board that long-time full-time firefighter/paramedic Richard McGinn has resigned from the Fire Department to take a position in another community. The Fire Chief is here to speak with the Board about the impact on his department and his recommendation in moving forward.

Chief Pauley reported that he provided the Town Administrator a memo on the resignation on May 12. We have seven full-time positions, two of which are partially funded. The two full-time paramedic positions are critical within the department and the entire Advanced Life Support license is based upon those three individuals. This will leave us with two full-time paramedics and two other active on-call EMT/paramedics. Chief Pauley is requesting permission from the Board to move forward and advertise to fill the position so as not to jeopardize losing our ALS License.

Mr. Pruneau questioned how long it will take to fill the position and asked whether in the interim do we risk losing the license. According to Chief Pauley, he does not feel we will lose the license and the process would be a minimum of 60 with a maximum of 66 days. Mr. McGinn departs on May 26, and he expects to be short staffed through the end of June. On Mondays and Fridays staffing drops down, and on Tuesday, Wednesday and Thursday staffing is at the maximum, however, that will change on July 1. Mr. Pruneau asked if that is something the Chief can fill. Chief Pauley explained that he can fill in as an EMT, not as a paramedic as it is a nurse level or greater in the field.

He is limited as to what he can do. Mr. Rucho asked if we have any officers currently going towards a paramedic level. Chief Pauley has one individual in the program, which takes two years with 2,000 hours of clinical. He believes that person is one two one and a half years out in attaining that level.

Mr. Rucho asked if the town is still under a hiring freeze. Mr. Gaumond noted that in January he instituted a hiring freeze, which he does not intend to lift. Although we did say that if was a public safety request it would go before the Board of Selectmen. Mr. Rucho voiced concern over further cuts from the state. Mr. Gaumond does not believe the state will be able to pass an income tax increase and not send some of the money out to the towns. He encouraged the Board to review the updated budget information he emailed to them. Mr. Quist asked the Chief if he supplemented his forces with volunteers. Chief Pauley indicated that he does with two firefighter paramedics who have full-time jobs. Although he was just notified that one of those individuals has a reoccurring foot injury.

Chief Pauley pointed out that with a senior man leaving, we will be hiring someone at a lower rate and he anticipates a \$10,000 salary savings. The individual who is leaving the department is doing so because of scheduling and will begin in the other community at the same rate he is now. Mr. Quist asked about a thorough exit interview. Chief Pauley indicated that he plans to do that and he will provide a copy to the Town Administrator so that he can share it with the Board. Mr. Pruneau asked the Chief if he sees any further vacancies. Chief Pauley's response was 'this was a surprise.' He thinks we are going to be okay as one of his employees was offered a civil service position in another department and he turned it down.

Motion Mr. Pruneau to allow the Fire Chief to fill the position and waive the hiring freeze, seconded by Mr. Quist. Vote on the motion – Messrs. McCormick, Pruneau, Quist yes; Mr. Rucho no. Mr. Phillips returned to the meeting.

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

### **5. Update on Brush Debris Collection**

Mr. Gaumond has received confirmation from DCR that they agreed to the changes Mr. Phillips requested in the document. If the Board agrees we could begin brush removal by the end of this week or the beginning of next week. Jeff Daley of DCR has requested the costs from FEMA, however, he does not have that information as of this time. Mr. Gaumond received correspondence from DCR this afternoon indicating they have nothing official in writing, however it is the number they were quoting all along and he intends to contact Mr. Gaumond as soon as he hears from FEMA. Mr. Gaumond feels the Board has the option of going for its own RFP, postponing signing the agreement until their next meeting or agree to sign the agreement pending getting the FEMA information in writing.

Mr. McCormick intends to schedule a Municipal Buildings Committee meeting for next Wednesday at 7:30 and recommends the Board meet on that night as well. Mr. Pruneau asked if Worcester and Holden had this in writing. According to Mr. Gaumond our MOU is the same as theirs and the only piece we are missing is the FEMA number they will reimburse us on as our 25% is based on the FEMA number. Mr. Daley believes it is going to be the same cost he gave us before. The whole discussion was FEMA talked about cubic yards and our agreement was in tons of chips. If that is the case, Mr. Rucho feels that should substantially cut our number. Today DCR indicated that FEMA has agreed to their cubic yard costs. Mr. Phillips questioned what would happen if DCR says they had a lot of trouble with the Asian Longhorned Beetle and West Boylston is responsible for \$5,000,000.

Mr. Gaumond suggested including the town meeting approved figure of \$275,000 as a not-to-exceed amount. Mr. Phillips preference is to wait until we have the number. According to Mr. Gaumond, Jeff Daley of DCR has heard a price, but he does not have anything in writing. Mr. Phillips asked Mr. Gaumond if he had applied for an extension so that the June 30<sup>th</sup> cut off is no longer an

issue. Mr. Gaumond indicated that he did. Mr. Phillips voiced his concern that if Mr. Daley is having that much trouble getting something from FEMA, where is the guaranty that it will happen. He wants to make sure the town will not be on the hook for the money and would be okay with the amendment, however, his preference is wait till next week.

Mr. Rucho voiced a little concern over the track record with DCR and now it is DCR and FEMA. According to Mr. Gaumond they wanted to start the brush collection at the end of the week and he suggested they wait until we sign the contract. Both Holden and Worcester have agreed to the contract and have already begun their clean up. Their contracts are less wordy than ours. DCR has agreed to the amendments Mr. Gaumond made to the contract. Mr. Phillips is concerned that DCR is having trouble getting documents from FEMA. Mr. Rucho voiced concern that we need to give residents time to get their brush out.

Motion Mr. Pruneau to agree to the contract provided Mr. Gaumond include a not to exceed \$275,000 figure and the contract will not be delivered to DCR until the Amendment A is delivered to the town, seconded by Mr. Quist. Vote on the motion – Messrs. McCormick, Pruneau and Quist yes; Messrs. Phillips and Rucho no.

Mr. Gaumond will modify the agreement and leave it for the Board's signature. Mr. Rucho asked if we should tell the residents that the trucks will be on their streets. Mr. Gaumond agreed to speak with DCR tomorrow and let them know the agreement has been agreed to and he will begin a conversation with the brush removal company, which plan to do two passes throughout the town. Mr. Phillips voiced concern as by the Board's vote tonight we are authorizing something without seeing a document. Mr. Gaumond intends to request the documents.

## **OLD BUSINESS**

### **1. Review draft 'general' RFP for Tivnan Drive**

Mr. Gaumond prepared a draft bid for the Board's review. The RFP does not specifically name a purpose for the property, however, it does include retaining a small portion for parks and recreation purposes. The next step will be to advertise this.

Motion Mr. Pruneau to move forward with the advertisement, seconded by Mr. Rucho, all in favor. Mr. Gaumond noted that previously we had two members of the Board serve on the Tivnan Drive Project subcommittee and he may revisit that. The Board will be invited to attend the pre-bid conference.

## **MEETINGS, INVITATIONS & ANNOUNCEMENTS**

1. May 25, 2009 Memorial Day parade assembly for St. Lukes is at 8:30, High Plains is at 9:15 and at Major Edwards School at 10:30 a.m. for the center of town.

## **FUTURE AGENDA ITEMS**

Mr. Quist questioned the zoning change discussion as he would like to reduce the square footage requirements for building in the sewer portions of town. Mr. McCormick thinks the Board needs to have some background on this change. It was agreed to research the records of when this was previously discussed and provide that information to the Board. Mr. Gaumond noted that if the Board intends to change the Zoning Bylaws they would need to refer any changes to the Planning Board for a public hearing. After reviewing what was previously done, the Board will decide what they intend to do. This will be scheduled for the June 17<sup>th</sup> agenda, and the Planning Board, Zoning Board of Appeals and Building Inspector will be invited to participate in a joint meeting format.

Mr. McCormick would like to schedule a Municipal Buildings Committee meeting for next Wednesday at 7:30 p.m. Mr. Phillips has a school negotiation meeting and suggested the committee meet without him.

For an upcoming agenda, Mr. McCormick would like to discuss decorating squares in town. When the girls' softball field was built there were several barrel planters with business names on them. He would like to know how many squares we have in town and he will come up with some ideas to start off with. Mr. Phillips would like to have some standards for decorating. Mr. Rucho thinks the Garden Club already does something and he noted that the Economic Development Committee discussed doing something with the entranceways to town. Mr. McCormick will let the office know when he is ready to move forward with putting this on the agenda.

Motion Mr. Phillips at 7:55 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 the Board will not 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, Mr. Rucho no.

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

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

Respectfully submitted,

---

Nancy E. Lucier

Approved: June 3, 2009

---

Kevin M. McCormick, Chairman

---

Valmore Pruneau, Vice Chairman

---

Allen R. Phillips, Clerk

---

Christopher A. Rucho, Selectman

---

Steven Quist, Selectman