

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

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

Reconsider Adopting Increase In Municipal Taxes

Mr. McCormick explained that he was of the opinion that both the hotel and meals taxes were a package, and as such, he was of the belief that he could not participate in discussions on either of these taxes. He has since found out that they are not a package and he is able to vote on the hotel tax portion.

Mr. Phillips has three points and means no disrespect to the Chairman; however, this is the third time this has been on the agenda. Then it failed twice and somebody realized that they can vote on it, it is coming back again. Currently we tax everything, fees have been increased, and we passed the CPA. This is one we do not have to stick people with and we have a choice. Perhaps down the road when we are going through a harder fiscal time we should consider this. However, his preference is to hold it as a possibility. The minute this passes everyone will be here looking for some of those funds. We made it through the budget crunch and he also realizes at town meeting it is up to the people, however, that depends on the mix of people who attend town meeting. He intends to offer the same points for the local option on the hotel taxes. They are we should not be bringing it back again, we are currently taxing everything and maybe we should be holding this in our back pocket. He also questioned who provided the figure of an additional \$200,000 in revenue.

Mr. Gaumond reported that the state provided a revenue estimate based upon what we took in the past year. Mr. Phillips voiced concern that the people living in the hotels in West Boylston are down on their luck and now we will charge them more. As we are currently at 3%, Mr. Rucho noted that we could go up 6% and take in \$36,000 for one year. He does not think it is a tax against the residents of West Boylston and if the issue is you are worried about where the funds will go, maybe we could put the funds towards a fee like the trash bag fee or a parks fee. He does not think \$18,000 will impact most residents and if they go to Worcester or Boston they are paying that. Mr. Phillips estimates half the people living at the Reservoir Motel are residents. Mr. Gaumond explained that the additional revenue would go to the General Fund, which town meeting could appropriate from.

Mr. Quist suggested earmarking the funds for building maintenance. Mr. Phillips cautioned that the funds could be shifted to other departments. Mr. McCormick recommends adopting a stringent policy on the use of these funds and pointed out the fact that in the past it was mostly the Board of Selectmen who did not follow a policy. Mr. Gaumond explained the reason why the state offered this was an acknowledgement there our local aid was going to be reduced and we have built our budgets based on the local aid estimates. He would not recommend that we spend any of these additional funds as it is very likely we will see some sort of mid-year local aid cuts and having a cushion would help us. Mr. Gaumond also recommends that it does not come with any spending recommendations as he expects cuts in January of 2010.

Mr. Phillips reported that the Governor made a statement that he was not looking at any mid-year cuts at this time. According to Mr. Gaumond, the Governor also said he was going to review the numbers for September and they did not come in very good.

Mr. Rucho feels our residents are already paying these taxes to other towns as numerous towns are putting this on their warrants. Mr. Phillips noted that more than half are not doing that. According to Mr. Gaumond, if passed, this will take effect on January 1, 2010.

Motion Mr. Rucho to include an article on the warrant to increase the hotel tax to the maximum of the additional 3%, seconded by Mr. Quist. Vote on the motion – Messrs. McCormick, Rucho and Quist yes; Mr. Phillips no.

Mr. McCormick recused himself for discussion on increasing the meals taxes. Mr. Gaumond explained that the Board previously voted not to include this on the warrant. This would add an additional .75% on the bills of restaurant meals and it is estimated to bring in revenues of \$87,000 over a six-month period. He noted that McDonald's more than likely attributed to a large portion of those revenues and with the closing of that restaurant he believes a fairer revenue estimate may be in the \$75,000 range. The numbers are provided to the town by the Department of Revenue. Mr. Rucho pointed out the fact that the additional tax takes effect tomorrow in the City of Worcester and he thinks our residents will be supporting Worcester with this tax. He recommends passage. Mr. Quist agrees with Mr. Rucho.

Mr. Phillips has the same argument with this tax. It is another \$150,000 in revenues, which he would like to hold off on until our backs are against the wall as it will be a place we can go to pull funds from. Mr. Rucho feels if we say not it will be a loss of \$150,000 in revenue and the funds could be used to lower a fee. Mr. Phillips believes that should this pass people will be wanting to hire back employees who were laid off due to reduced budgets. Mr. Quist believes it boils down to fiscal stewardship. Mr. Phillips noted that when we get to town meeting floor the town can vote to spend the funds rather than putting the money aside. Mr. Rucho expressed the need for the Board to stay strong and come forward with a warrant article to do something different with the money.

Motion Mr. Rucho to include an article to accept the provisions of G.L. c 641, §2(a) on the warrant, seconded by Mr. Quist. Vote on the motion – Messrs. Rucho and Quist yes; Mr. Phillips no. Mr. McCormick returned to the meeting.

Review of October 19, 2009 Semi-Annual Town Meeting Articles

Article 1 - Authorization To Hear The Reports Of Officers And Committees Of The Town

Motion Mr. Rucho to include Article 1 on the warrant, second by Mr. Phillips, all in favor. Mr. Rucho will read the motion for Article #1.

Article 2 – Authorization To Amend The General Bylaws To Change The Date Of The Annual Election

Motion Mr. Phillips to include Article 2 on the warrant, seconded by Mr. Rucho. In discussion, Mr. Rucho expressed his opinion that he would favor a set date rather than 35 days after the Semi-Annual Town Meeting. He also noted that the date may fall into the vacation season. The Board suggested the third Tuesday of every May. Mr. Phillips recommends including the article on the warrant, researching whether the third Tuesday of every May would work, and if it would, change the language on town meeting floor. He suggested the date be no later than the first week in June. Mr. Gaumond recommended the Board include this on their next agenda to discuss with the Bylaw Committee as to which version should go forward. Vote on the motion – all in favor. Mr. Phillips will read the motion for Article 2.

Article 3 – Authorization To Amend The General Bylaws by amending Article XII, PUBLIC WAYS AND PROPERTIES

Motion Mr. Phillips to include Article 3 on the warrant, seconded by Mr. Rucho, all in favor. Mr. McCormick will read the motion for Article 3.

Article 4 – Authorization To Amend General Bylaws Article XXIV DENIAL. SUSPENSION OR REVOCATION OF CERTAIN LOCAL LICENSES AND PERMITS FOR FAILURE TO PAY MUNICIPAL TAXES OR CHARGES, Section 1 Purpose, by adding after the words “betterments or other municipal charges” the following words “including amounts assessed under the provisions of Chapter 40, Section 21D of the Massachusetts General Laws.”

Motion Mr. Rucho to include Article 4 on the warrant, seconded by Mr. Phillips, all in favor. Mr. Pruneau will read the motion for Article 4.

Article 5 – Authorization To Amend The General Bylaws – ARTICLE XIII PUBLIC HEARING AND NOTICE, to allow for advertising on the website rather than a newspaper.

Motion Mr. Phillips to include Article 5 on the warrant, seconded by Mr. Rucho, all in favor. Mr. Quist will read the motion for Article 5.

Article 6 – Authorization To Amend The General Bylaws - No board, committee or commission may meet on a town, state, or federal election day

Motion Mr. Rucho to include Article 6 on the warrant, seconded by Mr. Phillips, all in favor. Mr. Phillips will read the motion for Article 6.

Article 7 – Authorization To Amend The General Bylaws to include Exit Interviews

Motion Mr. Phillips to include Article 7 on the warrant, seconded by Mr. Rucho, all in favor. Mr. Rucho will read the motion for Article 7.

Article 8 – Authorization To Modify Fiscal Year 2010 Appropriations And Other Necessary Adjustments To The Fiscal Year 2010 Budget

Motion Mr. Rucho to include Article 8 on the warrant, seconded by Mr. Phillips, all in favor. Mr. McCormick will read the motion for Article 8.

Article 9 – Authorization To Expend Funds From The Capital Investment Fund To Fund Capital Equipment

Motion Mr. Phillips to include Article 9 on the warrant, seconded by Mr. Rucho, all in favor. Mr. Pruneau will read the motion for Article 9. It was noted that there is \$41,000 in the Capital Investment Fund and the only request is from the school for a boiler in the amount of \$29,000.

Article 10 – Authorization To Petition Legislature To Establish A Municipal Building Fund And Municipal Building Committee

Motion Mr. Phillips to include Article 10 on the warrant, seconded by Mr. Rucho, all in favor. Mr. Quist will read the motion for Article 10.

Article 11 - Authorization To Transfer Money From The Sewer Enterprise – we will transfer the sum of Thirty-one Thousand One Hundred Thirty-four Dollars and Thirty-three cents (\$31,134.33) from the Sewer Enterprise Fund to repay the General Fund and/or Stabilization Fund for start-up betterment costs.

Motion Mr. Rucho to include Article 11 on the warrant, seconded by Mr. Phillips, all in favor. Mr. Rucho will read the motion for Article 11.

Article 12 - Authorization To Pay Bills From A Previous Fiscal Year

Motion Mr. Phillips to include Article 12 on the warrant, seconded by Mr. Rucho, all in favor. Mr. Phillips will read the motion for Article 12.

Article 13 –Authorization To Restate The Sewer Budget for Fiscal Year 2010

Motion Mr. Phillips to include Article 13 on the warrant, seconded by Mr. Rucho, all in favor. Mr. McCormick will read the motion for Article 13.

Article 14 - Authorization To Transfer Funds To The Stabilization Fund

Motion Mr. Phillips to include Article 14 on the warrant, seconded by Mr. Rucho, all in favor. Mr. Pruneau will read the motion for Article 14.

Article 15 - Authorization To Transfer Funds To The Capital Investment Fund

Motion Mr. Phillips to include Article 15 on the warrant, seconded by Mr. Rucho, all in favor. Mr. Quist will read the motion for Article 15.

Article 16 - Authorization To Change Appropriation Authorities For The Parks, Playground And Fields Revolving Fund For The Park Commission – from the DWP Director and the Parks Commission to the Parks Commission

Motion Mr. Phillips to include Article 16 on the warrant, seconded by Mr. Quist, all in favor. Mr. Rucho will read the motion for Article 16.

Article 17 - Authorization To Change Appropriation Authorities For The Recycling Revolving Fund – changing the authority empowered the expend monies from this fund from the DPW Director to the Town Administrator.

Motion Mr. Phillips to include Article 10 on the warrant, seconded by Mr. Quist, all in favor. Mr. Phillips will read the motion for Article 17.

Article 18 - Authorization To Appropriate Funds For Participating In The Wachusett Earthday Collection Collaborative

Motion Mr. Rucho to include Article 18 on the warrant, seconded by Mr. Quist, all in favor. Mr. McCormick will read the motion for Article 10.

Article 19 – Authorization To Accept Massachusetts General Law Chapter 641, §2(A) authorizing the imposition of a local excise in the statutory amount of .75% on the sale of restaurant meals originating within the town. Mr. Pruneau will read the motion for Article 19.

Article 20 – Authorization To Amend Massachusetts General Law Chapter 64g, §3a this will increase the rental of rooms in hotels, motels, lodging houses and bed and breakfast establishments within the town from 3% to an amount up to 6%. Mr. Quist will read the motion for Article 20.

Review and Approve Town Meeting Mailer

Motion Mr. Rucho to approve the town meeting mailer, seconded by Mr. Quist, all in favor.

Mr. Phillips would like to send a letter of thanks to whoever is responsible for the plantings at Huntington Square as he feels they are doing a very good job. This will be included on the Board's next agenda under Mr. Westerling. Mr. Gaumond will draft a letter of thanks from the Board.

With no further business to come before the Board, motion Mr. Rucho at 7:50 p.m. to adjourn, seconded by Mr. Phillips, all in favor.

Respectfully submitted,

Nancy E. Lucier

Approved: October 7, 2009

Kevin M. McCormick, Chairman

Allen R. Phillips, Clerk

Christopher A. Rucho, Selectman

Steven Quist, Selectman