

Members present: Kevin McCormick Christopher A. Rucho
Allen R. Phillips John O'Brien
Steven Quist

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

Read and Acceptance of Minutes from Previous Meeting

Motion Mr. O'Brien to approve the regular session meeting minutes for the June 16, 2010 regular session, seconded by Mr. Rucho, all in favor.

Motion Mr. Phillips to approve the regular session meeting minutes for the June 24, 2010 regular session, seconded by Mr. Quist, all in favor.

OLD BUSINESS

1. Review request from Franklin Street Housing Project to set an office trailer on site for the duration of the project

Motion Mr. Rucho to approve the request of the Franklin Street Housing Project to set an office trailer on site for the duration of the project, seconded by Mr. Quist. Mr. Phillips questioned how long Franklin Street would be closed and he was advised by Mr. McCormick that it reopened just today. Vote on the motion – all in favor

NEW BUSINESS

1. Concurrence on the appointment of Patrick Brown, 128 North Main Street to the Sustainability Committee effective July 7, 2010 for a term to expire on April 30, 2011

Motion Mr. Phillips to concur with the appointment, seconded by Mr. Rucho. Mr. Phillips questioned how many people applied for the vacancy. Mr. Gaumond advised that we have more than one vacancy on the committee and Mr. Brown was the only applicant. He added that Mr. Brown is a very nice gentleman and he is passionate about this subject. Vote on the motion – all in favor.

2. Concurrence on the August election appointments as recommended by the Town Clerk

Motion Mr. Phillips to concur with the appointment of Registrars Elaine Novia, Barbara Deschenes and David B. Brown, Election Warden Neil Norum, Deputy Warden Beverly Scott, Election Clerk Margaret Farwell, and Deputy Clerk John Richie, seconded by Mr. Quist, all in favor.

3. Vote to accept Bandstand Fund Donations in the amount of \$350, \$100 from Kitsta Corp. and \$250 from Audette's Auto Body and \$103 from free will donations on behalf of the Bandstand Committee

Motion Mr. Phillips to accept Bandstand Fund Donations in the amount of \$350, \$100 from Kitsta Corp. and \$250 from Audette's Auto Body and \$103 from free will donations on behalf of the Bandstand Committee, seconded by Mr. Quist, all in favor.

4. Vote to approve Janice Ash as a secondary signature to sign payrolls and payables in the event that the department head is unavailable for the Council on Aging

Motion Phillips to approve the request and designate Janice Ash as a secondary signature to sign payrolls and payables in the event that the department head is unavailable for the Council on Aging, seconded by Mr. Quist, all in favor.

5. Vote to accept resignation of David Dzikczek from the Personnel Board and sign letter thanking him

for his service

Motion Mr. Phillips to accept resignation of David Dziczek from the Personnel Board and sign letter thanking him for his service, seconded by Mr. Quist, all in favor. Mr. Gaumond noted that the Personnel Board has several vacancies and it is one of our most critical boards.

6. Consider appointing a member of the Board of Selectmen to the Source Water Protection Committee

Mass Rural Water Association and the West Boylston Water District are working together to create a Source Water Protection Plan. They plan to create a Source Water Protection Committee and are extending an invitation to the Board to designate a member to serve on this new committee. Mr. O'Brien indicated an interest in serving.

Motion Mr. Rucho to designate Mr. O'Brien to serve as the Board's designee on the Water Protection Committee, seconded by Mr. Phillips.

Public Hearing, In Accordance With MGL Ch. 148, Section 13, Application Of Commonwealth of Massachusetts, Jail and House Of Correction, 5 Paul X. Tivnan Drive To Amend Their License to Store

Mr. McCormick opened the public hearing at 7:05 p.m. and read the following notice. In accordance with MGL Chapter 148, Section 13, the Board of Selectmen of the Town of West Boylston will hold a public hearing on the application of the Commonwealth of Massachusetts, Jail and House of Correction, 5 Paul X. Tivnan Drive, to amend their license to store flammables, combustibles or explosives to allow the storage of 13,500 gallons of flammable liquids (diesel/gasoline). The hearing will be held on Wednesday, July 7, 2010 at 7:05 p.m. in Conference Room #1 of the Municipal Office Building, 127 Hartwell Street, Suite 100, West Boylston. All interested persons, groups, and agencies are invited to attend. Kevin M. McCormick, Chairman, advertised on June 30, 2010.

Motion Mr. Phillips to continue the public hearing until 7:30 as the applicant has not yet arrived, seconded by Mr. Quist, all in favor.

NEW BUSINESS (cont.)

7. Review Update on Regional Dispatch Initiative

The City of Worcester is seeking to play a role in the Regional Dispatch services initiative, which the town is involved with. They are planning on consolidating their services with the Town of Leicester and they are proposing a new facility, which is large enough to accommodate all of the communities involved in our regional dispatch initiative. The facility will be built on airport hill. If the Selectmen would be willing to welcome the City of Worcester, it may mean our grant application is given a little more weight. If the Board has no objection, they could at least participate in the study. The town of Leicester was one of the 16 communities participating in our regional effort. The Police Chief has indicated that he is open to discussion and he is still insistent that we will need to update our communications in order to participate. Mr. Phillips asked if the Fire Chief provided any comments. Mr. Gaumond thinks he concurred with the Police Chief. Mr. Phillips does not see any reason not to include Worcester.

Motion Mr. Phillips to allow the City of Worcester to participate in the regional dispatch services initiative study, seconded by Mr. Quist, all in favor.

8. Review list of surplus items, and vote to approve schedule for disposal of surplus items

Every department was notified on June 2 that they needed to identify any surplus and send a list of their items with an approximate value to the Town Administrator. The only surplus identified was from the DPW and one computer monitor from the Board of Health.

Motion Mr. Phillips to approve the surplus items listed and the disposal schedule, seconded by Mr. Quist, all in favor.

Mr. Phillips would like to schedule a discussion on a strategy to demolish or lease the Mixer Building. Mr. Gaumond recommends that item be sent to the Municipal Buildings Advisory Committee, which Mr. Quist Chairs, as they are working on a town building plan. Mr. Phillips would like to hear from them sooner than later if they plan on using that parcel of property

Public Hearing, (Cont.)Re: Application For A Class II License From Chris Goodnow Auto Sales, LLC, 174 West Boylston Street

Mr. McCormick recused himself and turned the meeting over to Mr. Phillips. Chris Goodnow joined the Board with his attorney Ed Attella. Mr. Phillips explained that two weeks ago the Board met with Mr. Goodnow. During that meeting he was instructed to meet with the Planning Board and the Conservation Commission. Mr. Phillips asked about the status of those items.

Mr. Goodnow reported that he did meet with Vinny Vignaly. Mr. Phillips asked if he had a letter. Mr. Attella stated that he represents Mr. Goodnow and they do not have any letter tonight. At the meeting the Board requested three things, a letter from the Building Inspector regarding the decision on site plan, a letter from the Conservation Commission on their position and a third letter from DCR. Mr. Phillips noted that the Board asked for site plan review, DCR, Conservation Commission letter and the Building Inspector. We did receive a July 2 letter from the Building Inspector confirming that a site plan review is required through the Planning Board. Mr. Goodnow stated that the ZBA granted a Special Permit and they do not think it requires a site plan review.

Mr. Attella explained that the Conservation Commission is meeting this evening and he spoke with Bill Chase who indicated that because of the secondary aquifer they do have jurisdiction. It is his understanding that an Order of Conditions will be issued and it is going to say no hazardous waste or servicing of cars on the property. He spoke with John Scannell from DCR and they say we are all set and we do not have a problem. The letter will come from the Department of Environmental Protection as a secondary aquifer is located on the site. With regard to the site plan, under the town's bylaws, they have a couple of avenues. The reason they bring up the ZBA issue, our appellate rule would be go back to the ZBA the other option would be go before the Planning Board and seek a modified site plan review. We do not know what it is going to cost us and we do not have unlimited resources. Mr. Goodnow stated that he has already spent a lot of money on legal representation and engineering and he still does not know whether or not the Selectmen will give him a license. He asked if we do jump through the hoops, will the Selectmen give us a license? He asked the Board to issue him a conditional license.

Mr. Phillips explained that typically when the Board approves a license 'pending', it is because somebody already has one and it is a renewal and one item might be remaining. He used as an example everything is met with the exception of the Board of Health inspection. In this case we have still outstanding the Planning Board, an environmental issue with the Conservation Commission and a DEP letter and the Building Inspector maintaining his position. The biggest problem with this is the ZBA has not been out there, and they based their statements on what they were given. The Conservation Commission has to go do a site visit and the ZBA cannot overrule the Conservation Commission.

Mr. Attella advised that the ZBA made a decision based on a Conservation Commission letter from five years ago which said they did not have any jurisdiction. He spoke with Bill Chase and told him whether you have concerns or not if you do not have any jurisdiction who cares. He asked Mr. Chase if the 2003 letter was incorrect in saying that the Conservation Commission had no jurisdiction and Mr. Chase advised that it was incorrect. Mr. Phillips thinks a letter existed and we have to honor that. He opened the meeting up to comments from the Board.

Mr. Attella noted that Mr. Goodnow has been out of business since June 23 because we took a stand with the landlord. It is not true he knew when the lease was going to run out. He was not told by the landlord and he found himself in an emergency situation. The bylaw says this is how you do this and we are looking for a special permit. They want to get it over with. Mr. Phillips explained that before the Selectmen issue from their end we require what we asked for last week. Mr. Attella feels the Board is asking Mr. Goodnow to go out and spend more money. Mr. Phillips feels Mr. Attella is asking the Board of Selectmen to give an opinion without looking at the documentation from the other boards. Mr. Attella asked if you got the right documents, would you issue the license?

Mr. Goodnow stated that he is looking for a subject to license similar to what the Board did with Kona Ice. Mr. Phillips noted that this is multiple issues.

Mr. O'Brien disagrees with Mr. Attella. He stated you asked for a straight answer and you got a straight answer. We said you need to do these things and we are asking for nothing other than the normal course of business. It is in the best interest of the town to follow through and get these answers. He would feel more comfortable knowing these things.

Mr. Goodnow noted that Mr. Rucho was at the ZBA hearing and asked for a copy of his site plan for the Economic Development Task Force. He added that four years ago he received a license and there were no issues, he worked out of a trailer and had a dealers license. Mr. Phillips noted that it is different because we did not have the letters from the Building Inspector. Mr. Goodnow would like to know if the Selectmen are going to grant the license. Mr. Phillips replied my opinion, if you are asking me to vote right now, I am going to say no. Mr. Goodnow would rather the Board say no right now. He also noted that when his father was on the Board of Selectmen he was pro business.

Mr. Phillips told Mr. Goodnow that he is making an assumption that the Selectmen do not want him in town and that is incorrect and if he wanted him to vote right now he would vote no. After he gets all the proper documentation he may vote a different way. Mr. Goodnow asked if he was headed in the right direction if he gets all the information and the other DCR letter and meets with Mr. Vignaly. Mr. Phillip indicated that the process would be the right direction. Mr. Rucho wants Mr. Goodnow to meet with the Planning Board and not one member. Mr. Attella does not understand why he needs all this stuff and there is no consistent answer. The consistent answer you have given him is just keep going there. He thinks it is grossly unfair. Mr. Phillips stated that the Board has been consistent in these items and this is what we asked for the last time. Once we have these items Mr. Goodnow can come back. Mr. Attella asked the Board to tell the public hearing an advisory opinion.

Mr. O'Brien it is not that we do not want any business in town because we do. I strongly disagree with that. I am looking at letters from the Building Inspector and this board has not asked for anything outside of these two letters. We have been extremely consistent. I am going to continue to be consistent. These boards are in place for a reason and it is valuable information I need to make a decision. He pointed out the May 4th letter from the Building Inspector outlining the process which needs to be followed. Mr. Attella stated that the answer is not consistent all the way though the government process.

Mr. Rucho noted the May 4 letter from the Building Inspector informed Mr. Goodnow of the things he would need to do and you did complete item two, however, you did not complete items one and three. You need to complete all three and come back before the Board and we will consider granting a license. Mr. Rucho was also at the ZBA hearing when they granted the license.

Mr. Phillips stressed to Mr. Goodnow that what he, Mr. Rucho and Mr. O'Brien are saying is complete items one and three and come back before the Board. Mr. Quist also agrees. All members want the same items completed.

Mr. Goodnow asked about the Master Plan and would it come up and the town beautification. Mr. Quist has nothing now, and is sure Mr. Mr. Goodnow will do a good job. Mr. Rucho noted that

Mr. Goodnow's initial meeting with the ZBA was postponed due to the fact that he was not prepared. Mr. Phillips asked Mr. Goodnow if he argued with the ZBA because he was not prepared. Mr. Goodnow explained that four and a half years ago all he needed to get a license was a little piece of paper outlining the lot. He needs to know that the Board will give him a license should he complete the two outstanding items. Mr. Phillips stated that he cannot give him an answer until he has an opportunity to review the rest of the documents. The Board agreed to hold a special meeting on July 28 for this item and should Mr. Goodnow still not be ready, the hearing will be delayed until August 4.

Motion Mr. Quist to continue to public hearing until July 28, seconded by Mr. O'Brien, all in favor.

Public Hearing, In Accordance With MGL Ch. 148, Section 13, Application Of Commonwealth of Massachusetts, Jail and House Of Correction, 5 Paul X. Tivnan Drive To Amend Their License to Store

Mr. McCormick rejoined the meeting and reopened the public hearing. Peter Whitley, Deputy for Facilities at the Jail and House of Corrections, joined the Board. The application is to amend their current license to store. He reported that they currently have three tanks; one, 1,000 gallons, installed in 1973 and runs the generator, the second is 2,500 gallons for diesel, installed in 1989 and runs the generators for the second half of the facility and the third is split 2,000 gallons diesel and 8,000 gasoline, installed in 1999 and replaced a 1973 tank. He added that they have been regularly inspected by the state and they received a phone call from the state that they were missing a certain application. They are trying to correct the wrongs of the past. In the past they had two underground tanks, which were dug up and removed. The Fire Chief has signed off approving the application.

A resident present at the hearing, who did not identify himself, voiced concern that the public hearing notice mentioned explosives and his concern was if there were going to be a big explosive storage facility, which he is learning is not the case. The license is going from 22,000 gallons to 13,000 gallons. There is no one else present to speak on this issue.

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

Motion Mr. Rucho to grant the amendment and issue a new license, seconded by Mr. Phillips, all in favor.

John Westerling, Director Of Public Works

1. Approval of final Agreement for the Curbside Collection of Municipal Solid Waste and Single Stream Recycling by and between the Town of West Boylston and Allied Waste Services of Auburn, LLC

As Allied Waste is not yet prepared to provide a written contract, this item will be tabled. They will continue to collect until the contract is ready. Mr. Westerling reports that single-stream is going well and he will prepare information for the website. Mr. Phillips suggested a public access interview on the new procedures to ensure the residents understand the new process. Mr. Gaumond noted that the new system will also be included in the soon to be mailed out trash calendars.

2. Discussion on filling two vacant positions in the DPW

Mr. Westerling informed the Board of his urgent need for personnel. He understands the town has a hiring freeze. The DPW had seven full-time employees on January 21, 2009, and he lost one-full time person the next day, the position was never filled, and the funding was never eliminated. He lost a second person on February 8, 2010 which brought his workforce down to five full time employees. He has lost 28% of his workforce in the past 17 months and the work which his department needs to

accomplish is not getting completed. They are behind on cleaning catch basins, roads projects are not be done and there are everyday tasks and emergencies that require our attention. He has the necessary permitted personnel and funding to fill the position of equipment operator/skilled labor to accomplish the catch basin cleaning. He is unable to assign him to that role until someone takes over his current role of driver/skilled laborer. Mr. Westerling would like to hire a temporary, full-time driver/skilled laborer and pay the permitted employee out of grade to act as the equipment operator/skilled laborer. He has a qualified employee on staff who is currently serving as our temporary, part-time seasonal employee.

Mr. Rucho asked Mr. Westerling if he is asking to fill one temporary position that left in February. Mr. Westerling would like to fill the temporary position which was budget in the FY11 budget and no additional funding is needed. Mr. Westerling explained that in accordance with our NPSDS we need to clean the catch basins, and this would be temporary until the other issues are settled. Once the other personal issue is settled he will come to say if this is the person who should be permanent.

Motion Mr. Philips to allow the DPW Director to hire a temporary, full-time driver/skilled laborer, seconded by Mr. Quist, all in favor.

3. FY2011 Bid Awards

On an annual basis Mr. Westerling goes out to bid on certain materials. Mr. Westerling noted that this year he had fewer bidders than in the past. He only had one bid on gasoline from Radio Oil. For Division three, which is screened and process gravel, Baldarelli was the lowest bidder. He received one bid in the amount of \$10,000 for street sweeping. As no one bid for electrician series he will go back to the person who performed the work last year. Mr. Rucho asked for a cost comparison on the town doing the work versus contracting it out. Mr. Westerling agreed to provide that cost comparison, however, he noted that it is a union issue and we would have to bargain it. He explained that he had a discussion with the union and they said it is union work and if you wish you can hire a temporary person to conduct that work. Mr. Rucho recommends bargaining with them and noted that they have plenty of work. Mr. Westerling noted that the town is blessed with mechanics who keep the 1985 sweeper running. When it breaks down we will have to have those discussions.

Motion Mr. Rucho to accept the FY2011 bid awards as recommended, seconded by Mr. Phillips, all in favor

NEW BUSINESS (cont.)

9. Authorization to fill Building Department and Town Hall custodian positions

Mr. Gaumond informed the Board of two vacancies. The first is the town hall the custodian and the other is the secretary to the Building Department, which leaves the Building Inspector very short handed. When the inspector is here he is meeting with clients or out doing inspections. The duties of the secretarial position are setting up appointments, collecting fees and answering the phones. The inspector would not be able to maintain the department without this position in house.

With regard to the custodian, Mr. Rucho recommends merging with another department such as school or library. Mr. Gaumond noted that we plan to reduce the position from 18 hours per week to 15 and if we combine with another department it would make it a benefit-eligible position. Mr. Rucho suggested having one of the school custodians come to town hall one day a week to clean. Mr. Gaumond informed Mr. Rucho that the school has reduced their janitorial staff.

Mr. Rucho questioned the hours of the building inspector secretary. Mr. Gaumond advised that it was at 25 and will be reduced to 22.5. Mr. Phillips asked if the building inspector had someone in

Sterling who could help out. Mr. Gaumond noted that we are looking into that Mr. Gaumond asked the Board for permission to fill the two vacancies.

Motion Mr. O'Brien to allow the replacement of the building inspector secretary at 22.5 hours per week, seconded by Mr. Phillips. Vote on the motion – Messrs. McCormick, Phillips, Quist and O'Brien yet; Mr. Rucho no.

Motion Mr. O'Brien to allow the hiring of a replacement custodian for town hall at 15 hours per week, seconded by Mr. Phillips. This is not a benefit-eligible position and we will also explore privatization. Mr. Phillips asked about including the police and fire building or finding out who cleans next door. Vote on the motion - Messrs. McCormick, Phillips, Quist and O'Brien yet; Mr. Rucho no.

Goodale Park Tennis and Basketball Court Project

Mr. Gaumond provided the Board with the contract for the Goodale Park Tennis and Basketball Court Project. They are in the process of bidding out the project and the Parks Facilities Committee has been working with Town Counsel on this document, which is 343 pages. No Board action is needed at this time and members were encouraged to send their comments to Mr. Gaumond. Should the contract be ready, the Board may include it on their agenda for their special meeting on July 28.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. July 16 – 9:00 – Town Administrator's Discrimination Training for all municipal employees
2. August 4 - 6:00 p.m. Open Meeting Law Presentation – Council on Aging Room

FUTURE AGENDA ITEMS

Mr. Phillips would like to bring the School Department and Parks Commission in to speak with the board prior to school opening to discuss the school parking lot.

Mr. Quist would like an update on the sidewalk project. He reminded everyone that the girl scouts brought forth a plan.

Mr. Phillips noted that there are a lot of committees in town such as the Municipal Buildings Committee and the Economic Development Task Force. He would like updates from them every two or three months.

Town Administrator's Update On Goals For 2010

Mr. Gaumond displayed a power point presentation on his second quarter goal update.

Goal #1 – Develop a Marketing Program for West Boylston. He has researched marketing plans from other communities and he met with the Economic Development Task Force on a marketing plan.

Goal #2 – Gateway Improvement/Beautification. Mr. Westerling completed an inventory of the gateways into our community and Mr. Gaumond researched programs and possible sponsorships in our communities. Mr. Gaumond met with the Selectmen, identified and prioritized targeted gateways. That project will be presented to the Selectmen in the next few months.

Goal #3 – Workplace Discrimination Training. As the town gets MIIA Rewards for this training program, we will conduct this next Friday and the Selectmen are invited to attend. Mr. Gaumond has completed the MCAD training. Mr. Phillips suggested an evening training session. Mr. Gaumond explained that this training is for paid employees and offered to record the presentation and send it to every board to listen to.

Goal #4 – Organize Housing Processes in Town. Mr. Gaumond has met with CMRPC on a regional Grant to complete the study. The project is on schedule to be completed this fall.

Goal #5 – Improve Parks and Recreation Programs. We are about to begin a survey on recreational programs and we continue to work with the Boylston Recreational Director on developing recreation programs in the town. Mr. Gaumond intends to offer at least five recreation programs to town residents. Mr. Rucho would like to see more recreation in town because right now everything has been moved to Boylston. Mr. Gaumond noted that the goal is to have this in West Boylston.

Goal #6 – Update the Master Plan. The update will be completed by the end of August and will be ready for October town meeting. Mr. Gaumond believes we are on track on with this goal.

Goal #7 – Develop a Housing Production Plan. Mr. Gaumond and the Housing Partnership secured CPA funds to contract with CMRPC to develop the Plan. Within the next couple of months, they will be ready to have a discussion with the Selectmen regarding the Plan.

Goal #8 – Renegotiate the Trash Contract – As soon as the contract is signed, this goal will be met.

Goal #9 – Explore alternatives for the Town's Sewer System – We have entered into a contract with Weston & Sampson for continuation of services. Mr. Phillips would like to see this on a future agenda as a sewer meeting with Mr. Westerling. He expressed frustration in our approach to merging as we always hearing we cannot and he wants to hear 'tell me how we can do it.' It was agreed to schedule this as a September meeting. Mr. Phillips suggested holding an initial discussion with Mr. Westerling followed by a discussion with the Water Department. Mr. Gaumond will prepare a response on a way to accomplish this.

Goal #10 – Work to Improve Community Preparedness at the Personal Level. The Task Force, made up of the Fire Chief, Police Chief, Council on Aging Director and Deputy Emergency Management Director have met and prepared a draft plan. Mr. Gaumond intends to present the draft plan to the Selectmen at the next meeting of what we are sending out the residents of the town to meet this goal. The Task Force has been working with the Regional Emergency Preparedness Council and Mr. Gaumond is very pleased with the draft booklet. The goal is to send it out to the residents with our town meeting mailer.

Goal #11 – Explore Options of Privatizing more Municipal Services. Thus far, Mr. Gaumond has had eight responses to his survey. This goal will be reviewed at the next department head meeting scheduled for next week. Mr. Gaumond extended an invitation to the Board to attend. He will report back on his findings by the end of the fall.

Goal #12 – Continue to Explore Regionalism in all areas of Municipal Government. Mr. Gaumond met with the Shared Services Committee. This will be discussed with department heads after privatization has been completed.

If the Board is happy, he welcomes suggestions and comments. If they wish him to continue he will provide another update in three months.

Motion Mr. Rucho to have the Town Administrator continue his work on the goals and the Board agrees with the strategy and time lines, seconded by Mr. Phillips, all in favor.

Motion Mr. Phillips at 8:55 p.m. for the Board to enter executive session under the provisions of MGL Chapter 30A, Section 21, to discuss strategy with respect to contract negotiations with the Fire Chief and DPW Director, and the Board may be going back into open session, seconded by Mr. Rucho. Roll call vote: Mr. Quist yes, Mr. Phillips yes, Mr. McCormick yes, Mr. O'Brien yes, Mr. Rucho yes.

Motion Mr. O'Brien at 9:45 p.m. to come out of executive session and reconvene in open session, seconded by Mr. McCormick. Roll call vote: Mr. Quist yes, Mr. Phillips yes, Mr. McCormick yes, Mr. O'Brien yes, Mr. Rucho yes.

Employment Contract with DPW Director

Motion Mr. O'Brien to accept the employment contract with the DPW Director as submitted,

seconded by Mr. McCormick.

Mr. Phillips feels the Board instructed the Town Administrator to go out and negotiate a contract and come back to the Board to discuss the proposal. This contract would give Mr. Westerling more than we have given everybody else in town no matter what their performance was. He intends to vote no on the motion to sign the contract. He does not think he was any better than anybody else in town and it is unfair to everybody else. Mr. Phillips feels we are still in the negotiation phase.

Vote on the motion – Messrs. McCormick and O’Brien yes; Messrs. Phillips, Quist and Rucho no.

Motion Mr. Phillips at 9:50 p.m. for the Board to enter executive session under the provisions of MGL Chapter 30A, Section 21, to discuss strategy with respect to contract negotiations with the Fire Chief and DPW Director, and the Board may be going back into open session, seconded by Mr. Rucho. Roll call vote: Mr. Quist yes, Mr. Phillips yes, Mr. McCormick yes, Mr. O’Brien yes, Mr. Rucho yes.

Motion Mr. Quist at 10:20 p.m. for the Board to come of executive session, seconded by Mr. Rucho. Roll call vote: Mr. Quist yes, Mr. McCormick yes, Mr. O’Brien yes, Mr. Rucho yes. Mr. Phillips recused himself during executive session.

With no further business to come before the Board, motion Mr. Quist at 10:20 p.m. to adjourn, seconded by Mr. Rucho, all in favor.

Respectfully submitted,

Approved: August 4, 2010

Nancy E. Lucier

Kevin M. McCormick, Chairman

Allen R. Phillips, Vice Chairman

Steven J. Quist, Clerk

Christopher A. Rucho, Selectman

John J. O’Brien, Selectman