

Members present: Kevin McCormick Christopher A. Rucho
Allen 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 September 29, 2010, seconded by Mr. Phillips, all in favor.

Motion Mr. Phillips to approve the regular session meeting minutes for October 4, 2010, seconded by Mr. Quist, all in favor.

Motion Mr. Phillips to approve the regular session meeting minutes for October 6, 2010, seconded by Mr. Quist, all in favor.

Michael Mael, Department Of Telecommunications & Cable

Frank Jansen, newly elected Chairman of the Cable TV Advisory Committee joined the Board with Mr. Mael. We are in the beginning of our renegotiation process for our cable television contract which expires at the end of 2012. Earlier this evening Mr. Mael met with the Cable TV Advisory Committee. The Committee will be looking for feedback from the Selectmen on things they would like to see included in the new contract, and they also plan to survey the community and hold a public hearing. Mr. Mael is available to provide technical assistance. Mr. Gaumond thanked the members of the Committee for their service on the renewal process.

Mr. Mael explained that he is a financial analyst with Department of Telecommunications and Cable. His primary function is to maintain a data base of all licenses and they provide technical assistance. Cities and towns may look at other town's licenses and they have a data base of other licenses. Licenses can be issued for up to ten years. The first step in the ascertainment process is a 626 letter being issued to begin the process. Certain areas cannot be addressed during this process such as programming and rates. The community is obligated to have one public hearing. The Department encourages one addition hearing at the beginning of the ascertainment process to give members of the public an opportunity to comment. They suggest meeting with groups such as senior citizens and sending out a survey so that you know which areas you have done well in. Understanding the renegotiating time frames is also essential. You have 120 days and any denial must meet certain criteria. In the history of the country there have only been two denials. The ascertainment must be completed no later than six months. Once it is done, the 120 day time frame kicks in.

The party should use the formal process and the license agreed to under the formal process to protect their appellate rights. An informal process the process should be marked draft. When you vote on the formal proposal it is yes or no. You have negotiated and the process ends. If you issue a denial you have to send it to the Department of Telecommunications and Cable and they would have a hearing to go over the problems and if they meet the criteria. Mr. Mael added that West Boylston has a non-exclusive license. You can ask for competition to come in. Mr. Phillips is anything stopping us from writing anything into the contract like we will not seek through the term of the contract any other competitors.

Mr. Mael noted that Charter is interesting. Most cable operators seek ten year terms and Charter looks at five years. He supposes we could, but he is not sure what it would benefit the town. Mr. Phillips noted that in order to broadcast live, it would cost the town \$10,000. He questioned whether this could be included in the negotiations and Mr. Maed advised that it could. Previously they

would extend communities with 30 houses and now they are at 15. Mr. Phillips noted that all but one street in West Boylston is wired and that street gets their cable through another town. He asked if Charter is still in bankruptcy. Mr. Mael advised that they have emerged.

Mr. Rucho questioned with regards to Fios, do we have to negotiate with them as we would with Charter. Mr. Maed replied yes, Fios will match obligation Charter pays to the town. They will negotiate interconnection agreement with Charter. They will not replicate each others' product. As long as you are not in an area where you can feed off another area. Mr. Rucho asked if we could just call Comcast. Mr. Maed has never seen two existing cable companies and Comcast does not have the infrastructure. He noted that Comcast is protecting their territory as well. You cannot negotiate rates but you can ask about senior citizens discounts, which only apply to the basic service. There is something called must carry for some programs. Broadcasters can invoke must carry status or say you can only put our channel on if you pay us. Mr. Rucho feels the biggest survey result will be the price. Mr. Jansen agrees. The Board thanked Mr. Mael for his presentation.

OLD BUSINESS

1. Raymond Huntington Drive

At the last meeting the Board requested Mr. Gaumond obtain an answer as to whether or not Raymond Huntington Highway is or is not a town road. Town Counsel issued a letter, which Mr. Gaumond just provided to the Board. The letter indicates that the road is a town way, and notes that although the Commonwealth laid out and constructed the Highway and took the necessary property rights by eminent domain, it is Town Counsel's opinion that the Highway is a town way and not a state highway because under G.L. c. 81, 7A, the Commonwealth has the authority to take, in connection with the laying out, alteration or reconstruction of a state highway, land and easements by eminent domain under Chapter 79, in behalf of the city or town in which the land lies, or in behalf of the commonwealth, at the option of the department. The Order of Taking expressly states that the layout and taking is done on behalf of said West Boylston.

As the Board just received the letter, Mr. Phillips suggested taking the matter under advisement in order to review the lengthy letter.

Motion Mr. Phillips to table the issue, seconded by Mr. O'Brien, all in favor.

NEW BUSINESS

1. Concurrence on the appointment of Virginia L. Pulitzer, 22 Newton Street to the Cultural Council, effective October 20, 2010 for a term to expire on April 30, 2013

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

2. Consider request for recognition of town resident

The Board received a letter from the daughter of a resident in town who read about the Goodale Park renovation and would like the town to consider naming something after her father. Mr. Gaumond recommends the Board forward the request to the Naming Committee so they can solicit input from the community, per the Policy on Naming Structures and Spaces.

Motion Mr. Phillips to refer the request to the Naming Committee for review after which they will report back to the Board of Selectmen, seconded by Mr. Quist. Mr. Rucho questioned the membership. Mr. Gaumond advised that we have a five-member committee with three members, which is sufficient for a quorum. Vote on the motion – all in favor.

3. Notification from DCR, re: update to the Wachusett Reservoir Watershed Public Access Plan

One of the things Mr. Gaumond has heard consistently since he became the Town Administrator is the community would like to see more use of the DCR lands in West Boylston. Use of DCR land was one of the questions in our recent survey and the community feels very strongly about this issue. On Thursday, October 28th, DCR will hold a public hearing on the update to the Wachusett Reservoir Watershed Public Access Plan, which was last updated in 2003. He encouraged the Selectmen and the citizens to attend the public hearing.

Mr. Phillips suggested having a Board meeting prior to the public hearing, and if that is not doable, he recommends discussing what we can do to open up use of the DCR property with John Scannell when he meets with the Board on November 3.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. The South Wachusett Regional Emergency Planning Committee has achieved Recertification

Mr. Phillips explained that every community has a local emergency planning committee and we in West Boylston, have a regional committee, which also works with the CERT Program. We also have a full membership and there are not a lot of them.

2. Friday, October 22, 1:00 p.m. - ribbon cutting ceremony for the Wachusett Regional Recycling Center at 131 Raymond Huntington Highway

Mr. McCormick will deliver the welcoming remarks at the ceremony.

Mr. McCormick distributed the evaluation packages for Mr. Gaumond's evaluation to the Board members. They are due back by November 3.

FUTURE AGENDA ITEMS

Mr. Phillips questioned whether we allow people to place signs on town property. He has observed signs on The Common and wants to know if they were approved by the Building Inspector and if not, they should be removed.

Mr. McCormick met with the Light Department to discuss decorating the town around the holiday season. They provided him with some information and he intends to form a committee away from the town to raise money for this effort. They will be meeting on November 8th at 8:00 p.m. at town hall and anyone with an interest in getting involved is invited to attend. The committee which he referred to is 'It's a Celebration Committee,' will report back to the Board of Selectmen.

Richard J. Pauley, Jr., Fire Chief – Report On Goal #10 – Community Preparedness

Chief Pauley has been working on our Community Preparedness Goal, which will allow the community to better communicate during a disaster. He worked on this project with the Towns of Boylston, Sterling and Holden, all of whom are members of the South Wachusett Regional Planning Committee. In looking back at the ice storm, they needed to find better ways to communicate with people and they determined that we need to be able to communicate in multiple ways. They put together a Disaster Preparedness Guide, which is a booklet they plan to print and send with grant funds, to every household in the community.

There are three colored cards in the booklet for families to put in their windows and include Family Members are Home and all okay, Family has Evacuated the home and Family Members are home and Need Assistance. The Guide contains a Table of Contents with emergency contact numbers you can tear out. The numbers include public safety numbers, hospitals and town utilities. It includes Emergency Alert Notifications with websites, radio stations, reverse 911 and shelter information. There is a Special Needs Registration form which he encourages people to fill on. In addition, there is also a sheet on Emergency Contact Information for hospitals and families in addition to the location of shut offs for utilities. There is information on human shelters, preventing or reducing

flood damage, and what supplies you need should you need to leave your home. There is also a recommended list of supplies you need if you stay at home.

The Chief reported that this has been a work in progress and an interesting document to work on. A form of this has been used in some North Central Towns and they have given us permission to use it so that we didn't need to recreate everything. The next step is working with the three other communities in trying to get it printed and mailed out. The information will be included on the town's website under the Town Administrator and the Fire Department's page. They will also be out for town meeting and the Chief would like to refresh this every few years.

Mr. Rucho questioned if somebody has Charter for telephone does it work the same. Mr. Phillips advised that it needs electricity because it runs off a modum. Mr. Rucho also noted that when you call from your cell phone they tell you to use the 508.835 exchange instead of 911, because it is quicker and you would have to tell them you are looking for West Boylston. The Chief explained that when you dial 911 the address and phone number will be identified and should you lose contact with the person, we can track them. They encourage the use of 911 for emergencies.

Mr. Phillips suggested allowed offering a printing company a small ad on the Guide in exchange for free printing. The Chief advised that this at this point they are outreaching to the trade schools. The Chief noted that Chief Minnich, Mr. Philips and Mike Kane from The Banner also worked on The Guide. It was about a twenty-member committee.

Mr. Quist feels one of the best things is to know you neighbor in an emergency. Chief Pauley added that one of the things they identified is to try to get neighbors to keep an eye on each other, however, we are all so busy.

With no further business to come before the Board, motion Mr. Phillips at 815 p.m. to adjourn, seconded by Mr. O'Brien, all in favor.

Respectfully submitted,

Nancy E. Lucier

Approved: November 3, 2010

Kevin M. McCormick, Chairman

Allen R. Phillips, Vice Chairman

Steven J. Quist, Clerk

Christopher A. Rucho, Selectman

John J. O'Brien, Selectman