

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

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 of September 1, 2010, seconded by Mr. Rucho. Vote on the motion – Messrs. McCormick, Quist, Rucho and O'Brien yes; Mr. Phillips abstains as he was not in attendance at the meeting.

**Superintendent of Schools Thomas Kane**

Mr. Kane joined the Board and informed them that he was recently notified by the Massachusetts School Building Authority that they have a green repair project program, which has a very short window. He is developing a Statement of Interest and the first step is a vote from the Board of Selectmen and the School Committee which supports the Superintendent's submission of the Statement of Interest. The Massachusetts School Building Authority wants to know that the town's fathers feel this is a project we should move forward on. The first project is replacing the single-pane windows in nine classrooms at Major Edwards. The second project is at the Middle/High School and will address the window systems that are part of the roof. The windows have chronically leaked and need to be repaired or replaced.

The two Statements of Interest will pay for a percentage of the project and allow the School Department to move forward and prepare specifications. The time line would be by May town meeting they will have a proposal for town meeting to vote on and the project will be completed in the summer of 2011.

Mr. Phillips shared that in the Spring he was in the gymnasium and cold air was coming in. He also had a conversation with somebody and there are cracks with air coming in. He questioned what percentage would come back to the town. Mr. Kane is not sure at this time. In the past it was anywhere from 30 to 80-90%. It is based on Chapter 70 and it may be between 35-50%. He would expect West Boylston to qualify. Mr. Phillips questioned whether the Board would be bound to the project if they supported the Statement of Interest. Mr. Kane explained that all the commitment says is that the Board feels it is a project you would support and we are not bound. He estimates the cost to be \$130,000 to \$150,000 to replace the windows, and when they re-did the windows in the gymnasium they reduced the window space with regular insulated wall.

Mr. Rucho noted that at the Middle/High School gymnasium during the winter they open the windows because it is about 110°. Mr. Kane reported that there are some issues about balancing off the heating system. The HVAC system brings in fresh air and the Media Center area with air conditioning. He added that the heat and air conditioning systems have been an issue and the heating system was redone during the renovations in 1996.

Mr. Phillips has no issue supporting the Statements of Interest, provided the town is not obligated, to see what funding we would qualify for. Mr. Kane reported that the School Committee voted 4-0 to support submitting the Statements of Interest.

Motion Mr. Rucho, resolved, having convened an open meeting on Wednesday, September 15, 2010, the Board of Selectmen of West Boylston, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated on September 17, 2010 for the Major Edwards School at 70

Crescent St. West Boylston, MA which describes and explains the following deficiencies and the priority category for which West Boylston may be invited to apply to the Massachusetts School Building Authority in the future, specifically priority number five, the replacement of single paned window systems with energy efficient windows; and hereby further specifically acknowledges that by submitting the Statement of Interest, the Massachusetts Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of West Boylston to filing an application for funding with the Massachusetts School Building Authority, seconded by Mr. Phillips, all in favor.

Motion Mr. Phillips, resolved, having convened an open meeting on Wednesday, September 15, 2010, the Board of Selectmen of West Boylston, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated on September 17, 2010 for the West Boylston Middle/High School at 125 Crescent St. West Boylston, MA which describes and explains the following deficiencies and the priority category for which West Boylston may be invited to apply to the Massachusetts School Building Authority in the future, specifically priority number five, the replacement of leaking roof window systems; and hereby further specifically acknowledges that by submitting the Statement of Interest, the Massachusetts Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of West Boylston to filing an application for funding with the Massachusetts School Building Authority, seconded by Mr. Quist, all in favor.

Mr. Kane noted that the next step is to submit the Statements of Interest and the Massachusetts School Building Authority will get back to us and say they will work with us on this or not.

### **Update on Town Goals**

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

Goal #1 – Develop a Marketing Program for West Boylston. He has been working with the Economic Development Task Force on the marketing plan, which will be presented to the Board later on the agenda. He acknowledged John Hadley, Chairman of the EDTF, who is in the audience this evening.

Goal #2 – Gateway Improvement/Beautification. Mr. Westerling completed an inventory of the gateways, Mr. Gaumond researched programs and possible sponsorships in our communities. Mr. Gaumond met with the Economic Development Task Force and prepared a draft Gateway Project. They are reviewing the plan, which should be presented to the Board in the next few months. The Committee is currently involved in a slogan campaign, which will be incorporated into the gateway design.

Goal #3 – Workplace Discrimination Training. Mr. Gaumond conducted the training on July 15<sup>th</sup> at town hall and this goal is now considered completed. Mr. Phillips questioned whether the 75% included the schools. Mr. Gaumond advised that the training at town hall was for town employees and the School Superintendent does his own training at the beginning of the school year. Mr. Phillips suggested adding the school numbers to the town's portion. Mr. Gaumond advised that they will be counted, however, it will fall under another section of the MIIA report. Mr. Rucho inquired as to the plan to train the other 25%. Mr. Gaumond intends to schedule another day of training. This goal is considered completed as it meets the MIIA threshold.

Goal #4 – Organize Housing Processes in Town. Mr. Gaumond has met with CMRPC on a regional

Mr. Gaumond met with Central Mass Regional Planning Commission and received a grant to complete the study for the towns of Boylston, Sterling and West Boylston. West Boylston was the highest respondent to the stakeholders survey and they will be meeting on September 28<sup>th</sup>.

Goal #5 – Improve Parks and Recreation Programs. The town is working with the Boylston Recreation Director on developing recreation plans in the town. Mr. Gaumond met with the Parks Commission Monday night and they will be meeting to discuss programs for the remainder of the year and moving forward.

Goal #6 – Update the Master Plan. The Town-wide Planning committee voted to delay bringing the Master Plan update to town meeting until May. They are 70% completed with the Plan.

Goal #7 – Develop a Housing Production Plan. Central Mass Regional Planning Commission has been working with the Housing Partnership and the Planning Board. They have a draft copy which is being reviewed. They plan to present the final plan to the Board of Selectmen, Zoning Board of Appeals and the Planning Board by this fall or winter.

Goal #8 – Renegotiate the Trash Contract. As the Selectmen voted and signed a successor agreement with Allied Waste, this goal is met.

Goal #9 – Explore alternatives for the Town's Sewer System. This year the Selectmen voted to extend the Operations and Maintenance contract with Weston & Sampson Services for a reduced term in order to explore alternatives. This fall the Board wishes to have a discussion with the Water Commissioners about consolidation. The DPW liaisons will be meeting with Mr. Westerling next week to finalize that plan.

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 has completed its draft plan, and is working on an emergency preparedness booklet which will be completed shortly. He hopes to have it completed and printed for the October town meeting.

Goal #11 – Explore Options of Privatizing more Municipal Services. Mr. Gaumond has completed his community survey and Privatization Report for the Board. Unless the Board has any additional questions about the report, this goal is completed.

Goal #12 – Continue to Explore Regionalism in all areas of Municipal Government. Mr. Gaumond met with Shared Services to gain their input, and he met with the All-Department Task Force. The final report is being compiled and will be completed by October.

Mr. Phillips requested an update on where we stand with the regional dispatch initiative. Mr. Gaumond reported that we have multiple options. The first is a small Pilot Program and the second is a fifteen-community program. We have applied for funding for a Feasibility Study and we are still in the process of meeting to iron out the structure. We also plan to look at the Worcester option. At this stage none of the options have been finalized.

If the Board is happy with the 2010 Goal Update, he welcomes suggestions and comments.

Mr. Phillips stated that he appreciates the update.

## **OLD BUSINESS**

### **1.Goal #1: Acceptance of Town's Economic Development/Marketing Plan**

The Plan creates an Economic Development Commission or Task Force. The Committee has been meeting for the last four years. The Plan will be for the Task Force to play to the strengths of non-residential development and promote the commercial and industrial areas in town. They will also encourage small business development, improve communication among municipal boards and departments and act in concert with regional economic strengths, become active in regional and state

economic development planning, become a member of an Economic Target Area, develop a Marketing Program, improve the Route 12 Corridor, develop tourism as a economic engine, hold community fairs and special events, education/school to work, provide lending sources and technical assistance to small businesses and to create non-profit economic development alliance.

The Marketing Plan for West Boylston calls for the establishment of a strong base, establish a point of contract within the community, assessing community opportunities, providing information to local employers and business and recognition and visibility. The Plan also has a draft implementation guide to improve the marketing of the community for business. Mr. Gaumond noted that this will be a living document. He thanked the members of the Economic Development Task Force and welcomed questions from the Board.

Mr. Phillips suggested working with businesses to re-create the West Boylston Business Association. Mr. Gaumond advised that it was a suggestion of a joint business meeting.

Motion Mr. Phillips to accept the Town's Economic Development/Marketing Plan, seconded by Mr. O'Brien, all in favor.

## 2. Sub-Committee Report on Update of Mission & Vision Statements

The Subcommittee for Mission and Vision Statement Update is comprised of Messrs O'Brien and Quist. Mr. O'Brien reported that they have been reviewing the input received from town residents. Which Mr. Gaumond solicited via the town's website. They agree that the Vision Statement is fine as is.

They also believe the majority of the Mission Statement, which reads as follows, "It is the mission of government of West Boylston to provide all of its citizens with the greatest possible spectrum of basic services, directed at publicly expressed community needs, at the least possible cost. This includes providing a wide range of high quality constituent service to the citizens of the community, continually support a strong economic base for the community and continuing to work in the best long-term interests of the community while working as a team," is fine. However, they are considering substituting 'greatest possible spectrum' of basic services with the 'best possible'. They also discussed including language on 'maintaining our small town rural flavor'. Mr. O'Brien is comfortable with the original version or the updated versions.

When Mr. Quist reads the Mission Statement he would like it come across as a good place to go to and live in. He asked the Board for feedback. Mr. Gaumond explained that one of the reasons we brought this forward was we are updating the Master Plan. If the Board is not ready to vote on the final update, it could be delayed as the Town-wide Planning Committee does not intend to bring the Master Plan forward until next May.

Mr. Phillips recommends taking the time this evening to complete the update. He has an issue with the term civic-minded citizens. He thinks it should read 'all the citizens'. Mr. O'Brien feels the bottom line is do you want to maintain small town rural flavor and do we want greatest possible or highest quality. In these economic times we may not be able to provide the great possible, but we should provide the highest quality of basic services.

Mr. McCormick agrees with inserting 'our' and 'highest quality'. He does not consider West Boylston to be a small, rural town anymore. To him, that describes Oakham with lots of open land and no big city next to it. He feels we are a suburb as we are close to Worcester. Mr. Phillips suggests crossing out rural and keeping in small town. Mr. Quist also added the following as the last sentence, 'keeping in mind that we are to leave this community better than we found it.' Mr. Phillips recommends including the following, 'our goal is to leave this community better than we found it.' Mr. Rucho commented that we wanted to keep the statement small.

Mr. O'Brien suggested the following, "It is the mission of our government in West Boylston to

provide all of the citizens with the highest quality of basic services, directed at publicly expressed community needs, at the least possible cost. This includes providing high quality constituent services to the citizens of the community, continually support a strong economic based for the community, maintaining small town flavor, and continuing to work in the best long term interests of the community while working as a team. Our goal is to leave this community better than we found it.”

Motion Mr. Phillips to accept the updated as stated by Mr. O’Brien, seconded by Mr. Rucho, all in favor.

## 2. Municipal Relief Package- mutual aid language (AP)

Mr. Phillips requested this agenda item. He reported that the town has a number of mutual aid agreements for the police and fire departments, however, they all center around public safety. We have agreements with the towns of Sterling, Boylston, Worcester and Holden all of which are supposed to be updated from time to time. The Commonwealth of Massachusetts has been putting together a comprehensive mutual aid agreement, which is a state-wide agreement. It would allow for the sharing of resources between communities, it is in addition to what we have now, and it would allow for a reimbursement component. It allows for the sharing of resources anywhere in the state and the liability stays with the sending community. There is an opt in and an opt out agreement. Mr. Gaumond forwarded the information to the DPW Director, Fire Chief and Police Chief.

Mr. Phillips sees no negative aspect to the program. All the town has to do is send a letter stating that they want to be a part of the agreement and there is no obligation to send resources. It also covers an event and support personnel. He requested the Board’s support and once the letter is sent it will take effective thirty days after. If you wish to opt out, you send another letter and that would take effect ten days after.

If a town wishes to join the agreement, they need to send a letter to notify the Director of MEMA. A separate letter would need to be sent to cover public works. Mr. Phillips noted that the town has the option of adopting one portion and not the other. Mr. Westerling commented that it is a wonderful document and plan for the town to become part of. Having experienced an event such as the ice storm, this would have been a tremendous resource.

Motion Mr. Quist to opt in to the mutual aid language, seconded by Mr. O’Brien, all in favor. Mr. Rucho questioned whether Town Counsel has reviewed the language. Mr. Gaumond noted that there is no actual agreement per se, we would agree to the statute as presented. Should we discover that it is not going to work for us, we can opt out. Mr. Phillips pointed out that there has to be an event to create this.

## 3. Consider request from the City of Lowell to file a home rule petition to enable the town to act on behalf of its taxpayers in instituting plan design changes or join the GIC plan

The City of Lowell has filed legislation through the City Council to allow the town to make health insurance plan design changes. The letter from Lowell is to let all municipalities know what they are planning to do and suggested the other municipalities might want to do the same thing. Mr. Gaumond is not recommending or asking the Board to take any action for or against at this time. He added that there is talk of a 2012 ballot question to force this issue. Mr. McCormick thinks it would be great, however, we have always tried to deal fairly with our people and he feels it would be sending the wrong message to our employees. Mr. Rucho thinks in the past we have sent letters to our Senator and Representative asking them to pass something like this with health care. They did some changes by offering us the ability to join the GIC. Mr. O’Brien agrees with Mr. McCormick and out of courtesy we should invite the union representatives in to discuss this rather than jamming it down their throats. Mr. McCormick feels that all the bargaining agreements worked hard and in good faith with the

Selectmen to solve the problem. Mr. Rucho stated that for clarification, the Board of Selectmen has asked for this change to be made. Mr. Gaumond noted that we were a lead sponsor in allowing municipalities to join the GIC with former representative James Leary filing the legislation on our behalf.

Motion Mr. Phillips to pass over this agenda item, seconded by Mr. Quist, all in favor.

### **John Westerling Director of Public Works**

#### **1. NEPDS permit**

Mr. Westerling updated the Board on the NEPDS permit issued to the Upper Blackstone Water Pollution Abatement District, which we are a co-permittee. Upper Blackstone Water Pollution Abatement District is in the final stages of a \$2 million upgrade. The NEPDS permit restricts the amount of nitrogen and phosphorous. The limits they set would require another \$200 million worth of upgrades at the plant. For the last year they have been appealing that decision as these improvements will not improve the water quality in the river. In the beginning of August, our attorney at Upper Blackstone asked that the town send an appeal of the permit letter, which was drafted by Upper Blackstone's attorney, reviewed by our town counsel, and signed by Mr. Gaumond to appeal their decision as far as it related to the Town of West Boylston. We are now part of that fight and he does not see it costing the town anything.

#### **2. Decorating town squares (KM)**

Mr. McCormick informed the Board that the City of Leominster always has beautifully decorated squares. Mrs. Lucier obtained a copy of their Adopt an Island Program, which he would like to put into a policy format for the Selectmen to adopt and initiate next year. He would eliminate the language on sign companies, identify the squares and it will be first come first serve. He recommends putting all the applicants into a drawing. Mr. Phillips asked if islands would be included, and noted that our previous attempt to decorate town squares resulted in our getting stuck on the size of the sign. Mr. McCormick suggested including the islands and he mentioned one on Kings Mountain and the island at the end of Church and Worcester Streets. Mr. Westerling feels his DPW could certainly use that help. He also recommends nothing over 24-inches in height and no pots. Mr. McCormick recommends a term of one year and a drawing. Mr. Phillips recommends right of first refusal after one year. Mr. Rucho noted that the Economic Development Task Force is looking at this for our entranceways. We will outreach to Leominster to find out more information about the selection process.

Motion Mr. Phillips for Mr. Gaumond to create a policy for the beautification of islands and squares based on Leominster's model adding a term of use that reflects first right of refusal, seconded by Mr. Quist.

Mr. Gaumond pointed out that the Leominster model asks for your preferred island location. The Selectmen would like a lottery style. Mr. Westerling feels you need to consider that all the islands are different sizes. He will identify the islands with their dimensions. Mr. Phillips would change the wording to 'preferred island location' and put in subject to random lottery. Under signs he would like to add it should be reviewed by the public safety department to make sure it does not block traffic.

Vote on the motion – all in favor.

### **Update on Chapter 90/LEI Projects**

Mr. Quist requested an update on the Chapter 90 projects. Mr. Westerling reported that LEI had a challenge with the surveyor working on the Route 140 project, which has slowed us down and set us back a couple of months. The Laurel Street construction is completed and all that remains is loam and seeding. Scott of LEI brought in the preliminary plans for Route 140 from Worcester Street to the

railroad tracks. It is the portion of the street which was never overlaid when sewers were installed. The pavement is in grave disrepair and they will establish new sidewalks with a unified width of roadway and improved drainage. Mr. Phillips voiced concern over the drainage at the intersection of Franklin and route 140. He feels the drainage is already a problem and with the addition of the new housing project it will only compound the drainage issue. Mr. Westerling advised that his comment on the project was that the developer should be required to improve the drainage structures as part of the project. The developer's engineer had a plan showing a discharge pipe to the corner and they were looking for a combined effort between the developer and the town. If we pursue it with the developer Mr. Westerling feels it would be a low cost fix. Mr. Phillips would be in favor of that. Mr. Westerling will look at the options.

Mr. Westerling reports that Fairbanks Street is out to bid, and he has a drainage design and estimate for the Newton Street drainage issue. The Crescent Street sidewalk will have to wait until spring. Campground Road survey is complete and preliminary design will be submitted by September 21. On the Prospect Street wall, he had some issues with Chapter 90 approval, those have been resolved and he will have a bid in hand with work beginning in two weeks. Mr. Westerling plans to review all the project at the liaison meeting.

Mr. O'Brien noticed the large stones bordering the driveway at the rail way. Mr. Westerling informed Mr. O'Brien that the property is owned by DCR. Mr. O'Brien voiced his concern over where people are supposed to park and if they park on the streets it is dangerous. He feels we should be encouraging people to use the rail trail. Mr. Westerling suggested a request from the Town of West Boylston to DCR to increase the size of the lot because of the increased numbers using the rail trail. Mr. Rucho suggested asking DCR why they made the change. Mr. Westerling noted that on the 25<sup>th</sup> they will hold their Family Fun Day and parking will be an issue.

**Public Hearing, Re: Consider Adopting Recycle Product Procurement Policy, L-17 In Selectmen's Policy Book (cont.)**

Mr. McCormick reconvened the public hearing, which is being continued from the September 1 Board meeting. He opened the public hearing and read the following notice. 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, September 1, 2010 at 8:00 p.m. for the purpose of considering adopting a Recycle Product Procurement Policy. The meeting will be held in the Municipal Office Building, 127 Hartwell Street, West Boylston. For additional information, or to review the proposed information, please contact the Office of the Board of Selectmen/Town Administrator at 508.835.3490. All interested persons, groups, and agencies are invited to attend. Kevin McCormick, Chairman, advertised on August 18, 25, 2010.

Mr. Gaumond explained that when we started looking at grants, especially those through DEP, they had requirements to have a Recycle Product Procurement Policy. It is one of the ways that DEP is looking to close the loop and buying recycled products instead of virgin products. The policy was created by reviewing those of other communities and has a very low threshold of recycled materials. We are trying to do is establish a floor and we included the language 'to the maximum extent practicable'. When you have two products and they are the same price you should go with the one that is made up recyclable materials.

Mr. Phillips would like to include when you have a product that is the same cost that the purchaser goes to the recycle product. When the cost is the same or less or you would get more use out of it. Under (c), office equipment, when we have the opportunity to spend the same amount of money for a product we would go with the EPA. Every year he goes to the Environmentally Preferred

Products trade show. Under F, we have adopted a paper reduction policy to try to encourage people to print on both sides of the paper and use the duplexing feature on the copy machine.

Mr. O'Brien thinks the spirit is fine, however, there has to be a line drawn with how many policies we have. Item i) 'Any deviation from the standards under part "a)" above must be approved by the Town Administrator,' is a concern of his as the Town Administrator could spend time on this rather than other things. Mr. Gaumond explained that the town operates this way already and we only need the policy to be able to look at grant opportunities through the DEP. Mr. Phillips agrees that Item i) should not be included in the policy. There is no one present who wishes to speak to the policy.

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

Motion Mr. O'Brien to accept the Recycle Product Procurement Policy, L-17 with the deletion of Item i), seconded by Mr. Quist, all in favor.

## **NEW BUSINESS**

### **1. Update from Municipal Buildings Advisory Committee**

Mr. Quist, Chairman of the Municipal Buildings Advisory Committee reported that the Committee has been meeting and have come up with a couple of recommendations. They are taking a pro active approach on a few things. They recommend the demolition of the Mixter Building as they do not want any accident at that location, they recommend building a DPW/Council on Aging on Tivnan Drive and they are in discussion with the owners of Bethlehem Baptist Church for a possible town hall. Mr. Rucho, who is also on the Committee, noted that the Bethlehem Baptist Church site could be a Council on Aging/Town Hall. They had a site visit last Saturday and invited the Selectmen. Should anyone wish to tour the building, the owners are very willing to schedule a visit. Mr. Phillips questioned whether this would be a purchase or rental. Mr. Rucho advised that it could be either and the details are still being worked out. He encouraged the other members of the Board to visit the site, which provides much more space than the current town hall. Mr. Gaumond noted that it is worth looking at.

### **2. Concurrence on the reappointment of David Westerman as a full-time Patrolman, effective October 3, 2010 for a term to expire on June 30, 2013**

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

### **3. Review notification from Massachusetts State Lottery Commission re: application for a Keno License from Aglios Restaurant, 185 West Boylston Street**

Mr. McCormick recused himself. Mr. Phillips asked the Board if they had any issue with the application, and nothing was mentioned. Mr. McCormick returned.

### **4. Accept free will donations in the amount of \$151.00 on behalf of the Bandstand Committee**

Motion Mr. Phillips to accept free will donations in the amount of \$151.00 on behalf of the Bandstand Committee, seconded by Mr. Quist, all in favor.

### **5. Flag policy**

The Board requested a review of their Policy on the Lowering of United States Flag Flying to Half Staff Over Municipal Property. The policy reads as follows:

**Purpose:** The purpose of this policy is to establish uniform guidelines for the lowering of the United States Flag to half staff flown over municipal property. The Policy is as follows,

1. The United States Flag on the common will be flown at half staff according to federal and state mandate.



2. The United States Flag on the common will be flown at half staff upon the death of past and present elected town officials.
3. The United States Flag will not be lowered to half staff for any other purpose not listed in this policy, other than for individuals, who in the opinion of the Board of Selectmen have contributed significantly to the betterment and welfare of the town.
4. The United States Flag flown at the seat of town government, will be designated the Municipal Flag.
5. The United States Flag at all locations shall be lowered at half staff should a Town of West Boylston public safety employee, fire or police department, die in the line of duty.
6. Designation of department flags: Town Hall Employees, Water District Employees and Other Municipal Employees who do not have an American Flag at their location: 39 Worcester Street, Bruce L. Shepard Public Safety Headquarters; Police, Fire & Communications Employees: 39 Worcester Street, Bruce L. Shepard Public Safety Headquarters; School Employees: 70 Crescent Street, Major Edwards Elementary School or 125 Crescent Street, Middle/High School; Municipal Light Plant Employees: 4 Crescent Street, Municipal Light Plant; Cemetery Employees: Church Street, Cemetery Flag; Streets & Parks Department: 39 Worcester Street, Bruce L. Shepard Public Safety Headquarters;
7. The Bruce L. Shepard Public Safety Building United States Flag could be used for departments who do not have flags at their buildings, until such time as they get their own flag.
8. The United States Flag at the Bruce L. Shepard Public Safety Building will be lowered to half staff upon the death of any current or former member of a standing committee of the Town of West Boylston.
9. Upon the death of a current or retired employee, the United States Flag flown at their department shall be lowered to half staff.
10. The United States Flag at the Mount Vernon Cemetery is to be lowered on the day of interment of any Veteran being buried in Mount Vernon Cemetery.
11. United States Flags will be lowered at time of notification of the death until the completion of the interment, or 48 hours later, whichever comes first.
12. All municipal department heads shall notify the person who monitors this policy upon the death of an employee.
13. The Director of Public Works, or his designee, shall monitor the compliance of this policy.

Louise Howland noted that the Library has a flag at 8 Newton Street, and Mr. Rucho noted that there is also a flag at Goodale Park.

Mr. McCormick shared that the number one question he gets is why is the flag at half mast. Sometimes it gets lowered at the right time and there seems to be an issue over who is allowed to raise and lower the flag. Although Mr. Westerling is in charge of the policy, however, it does not say that his department needs to raise or lower. He suggested designating somebody to be the Flag Marshall.

Mr. Phillips pointed out the fact that the pump stations also fly the United States Flag. Mr. Gaumond also provided the Board with a handout on the Display and Care of the Flag.

Mr. McCormick voiced concern over the language, 'The Director of Public Works, or his designee, shall monitor the compliance of this policy.' He suggesting have a volunteer perform that function. Mr. Phillips thinks it should be a member of the town and not a citizen. The Board agreed to work on that. Mr. Gaumond spoke with Mr. Westerling and they will designate a Flag Marshall for the town.

## 6. Littering Bylaw

Mr. Gaumond explained that one of the recommendations that came from DEP when we adopted Pay-as-you-Throw was a Littering Bylaw. Mr. Gaumond worked with Mr. Westerling to crease a bylaw we could bring forward to town meeting. It would make it illegal for citizens to use

town trash barrels for their household trash, for businesses or employees of businesses to use town trash barrels for their trash, to use town or commercial trash dumpsters without the owner's permission and to leave waste on public property, including littering. This is one suggestion as a step to beautiful the community. It would be enforced under the non-criminal disposition bylaw. If the Board wishes to move forward, Mr. Gaumond will include it as a warrant article for October.

Mr. Rucho questioned whether it is already illegal to do these things already. Mr. Gaumond feels this would be a formal way to handle this through a fine process and the Police Chief helped work on this. Mr. Phillips questioned where you draw the line. Mr. Gaumond's reply was if you are emptying household trash it would be yes. Mr. Phillips thinks the bylaw needs to include language on what constitutes household trash. He also thinks it should state you have to remove the trash. He feels it needs discerning information such as how many Dunkin Donuts bags would constitute that level. Mr. Gaumond feels we could develop the guidelines as a policy for the department. Household refuse may also include the removal of the trash. Mr. Gaumond will update the bylaw and bring it back before the Board for their meeting on the 22<sup>nd</sup>.

#### 7. Town Meeting Articles

The Board's agenda package contains a list of all the requested warrant articles minus the funds to connect the concession stands to the October town meeting. The Board will be meeting next week to formally review the articles and close the warrant. All the backup information will be available on the 22<sup>nd</sup>.

### **MEETINGS, INVITATIONS & ANNOUNCEMENTS**

1. September 22, 7:00 p.m. - special meeting to review the warrant
2. September 29, 7:00 p.m., Media Center, Middle/High School joint meeting with School Committee to fill vacancy on School Committee

If members have any interview questions they need to forward them to School Superintendent Tom Kane. At this point there are two candidates for the one seat.

3. October 4, 7:00 p.m., board retreat

### **FUTURE AGENDA ITEMS**

Mr. Rucho recommends holding back the rent for our town hall space until the air conditioning unit is fully functional.

Mr. McCormick would like to have a conversation relative to the future of the Mixter Building and discuss all options available.

Motion Mr. Phillips at 9:20 p.m. for the Board to enter into executive session under the provisions of Massachusetts General Laws Chapter 30a, Section 21, part 2, to discuss strategy with respect to contract negotiations with the Fire Chief and police union negotiations and the Board may be coming out into open session. Roll call vote: Mr. Quist yes, Mr. Phillips yes, Mr. McCormick yes, Mr. O'Brien yes, Mr. Rucho yes.

Motion Mr. Quist at 9:50 to come out of executive session, seconded by Mr. O'Brien. Roll call vote: Mr. Quist yes, Mr. McCormick yes, Mr. O'Brien yes, Mr. Rucho yes.

The Board reconvened in open session

### **Employment Contract with Fire Chief**

Motion Mr. O'Brien to accept the Employment Contract with Richard J. Pauley, Jr., as Fire

Chief, seconded by Mr. Quist, all in favor.

With no further business to come before the Board, motion Mr. Quist at 10:00 p.m. to adjourn, seconded by Mr. O'Brien, all in favor.

Respectfully submitted,

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Nancy E. Lucier

Approved: October 6, 2010

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Kevin M. McCormick, Chairman

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Allen R. Phillips, Vice Chairman

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Steven J. Quist, Clerk

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Christopher A. Rucho, Selectman

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John J. O'Brien, Selectman