

MEETING BOARD OF SELECTMEN/SEWER COMMISSION NOVEMBER 2, 2011

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

Mr. O'Brien convened the meeting at 7:00 p.m.

Read and Acceptance of Minutes from Previous Meeting

Motion Mr. McCormick to approve the meeting minutes from October 17, 2011, seconded by Mr. Rucho, all in favor.

Motion Mr. McCormick to approve the meeting minutes from October 19, 2011, seconded by Mr. Rucho, all in favor.

Motion Mr. McCormick to approve the executive session meeting minutes from October 19, 2011, seconded by Mr. Quist, all in favor.

Municipal Buildings Advisory Committee

Mr. Gaumond explained that the Board requested an update from the Municipal Buildings Advisory Committee regarding their negotiations with the owners of the Bethlehem Baptist Church property.

Motion Mr. McCormick at 7:06 p.m. to enter into executive session under the provisions of Massachusetts General Laws Chapter 30a, Section 21, Part 6 to consider the purchase, exchange, lease or value of real estate if an open meeting may have a detrimental effect on the negotiating position of the public body and the chair so declares. Mr. O'Brien declared that having this discussion in open session may have a detrimental effect on the negotiating position of the public body and the Board will reconvene in open session. Motion seconded by Mr. Rucho. Roll call vote: Mr. Quist yes, Mr. McCormick yes, Mr. O'Brien yes, Mr. Rucho yes. Mr. Gaumond asked the members of the Municipal Buildings Committee who are in attendance and are not members of the Board of Selectmen, to excuse us for the meeting.

Motion Mr. Quist at 7:40 p.m. to come out of executive session and reconvene in open session, seconded by Mr. McCormick. Roll call vote: Mr. Quist yes, Mr. McCormick yes, Mr. O'Brien yes, Mr. Rucho yes.

Mr. Gaumond stated that in April of this year, the Municipal Buildings Advisory Committee received authorization from the Board of Selectmen to begin negotiations with Bethlehem Bible Church after an RFP process was conducted to find a suitable building in town for a new town hall and senior center. Since that time the Committee has been in discussions with the church, as agents for the Town of West Boylston, regarding purchasing or leasing of the property, and examination of operational costs and to bring closure on an agreement to bring forward to the town. As discussed in executive session the Board will be carrying this over to the next Selectmen's meeting when we will have a full Board to hear that discussion.

Public Hearing to Consider Amending Sewer Policies, Policy on Non-Reappointment and/or Removal of Appointed Officials and Policy on Naming Town Owned Property

Mr. O'Brien opened the public hearing at 7:42 p.m. and read the following notice.

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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/Sewer Commissioners will meet on Wednesday, November 2, 2011 at 7:30 p.m. for the purpose of considering amendments to the following policies: Policy on Non-Reappointment and/or Removal of Appointed Officials for the Board of Selectmen and the Town Administrator, Policy on Naming Town Owned Property, Policy on Reservation and Allocation of Sewer Capacity for The Town of West Boylston Sewer System, Policy on Sewer Use Bill Abatement, Policy on Sewer Use Charges for Properties With a Second Water Meter, Short-term Policy for adding Properties to the Sewer Service Area During Sewer Construction Project, Policy on Extensions of Public Sewers, and the Identity Theft Prevention Program. The Board will also consider adopting a Policy on Issuing Sewer Demands. The meeting will be held in Conference Room #1 of the Municipal office Building, 127 Hartwell Street, Ste. 100 West Boylston. For additional information, or to review the proposed changes, please contact the Office of the Town Administrator/Board of Selectmen at 508.835.3490. All interested persons, groups, and agencies are invited to attend. Allen R. Phillips, Chairman, October 19, 26, 2011.

The first policy for consideration of the Policy on Naming Town Owned Property. Mr. Gaumond recommends two changes. The first is where the Policy states, 'The Naming Committee shall provide at least two names for the Board of Selectmen's consideration along with documentation supporting their criteria, i.e. the story behind the proposed name for inclusion on their agenda at a future selectboard's meeting.' Mr. Gaumond recommends changing this to state "the Naming Committee shall provide a recommendation for the Board of Selectmen's consideration along with documentation supporting their criteria, i.e. the story behind the proposed name for inclusion on their agenda at a future selectboard's meeting." He explained that the current policy requires the Naming Committee to try to find somebody else. His second change is based on the comments made by the Selectmen. He recommends adding at the end of the policy "Where appropriate, the cost of any signage or memorial shall be borne by the petitioner or some other entity named by the petitioner and the appearance of said signage or memorial shall be approved, in writing, in advance by the Board of Selectmen upon the advice of appropriate boards, committees or departments, where appropriate." Mr. Gaumond believes the two changes he is proposing encapsulate the concerns voiced by the Board. The Board members have no questions and there is no one present to offer comments.

Motion Mr. McCormick to accept the changes, seconded by Mr. Quist.

Mr. Rucho questioned how something can be named. Mr. Gaumond noted that the Selectmen could start that process themselves, as the policy states, under Section 1 that the Selectmen or the Naming Committee shall solicit input. Mr. Rucho wants to make sure that just becomes someone comes forward it does not automatically mean they will get something named after them, the Committee will solicit input.

Vote on the motion – all in favor.

With regard to the Policy on Non-Reappointment and/or Removal of Appointed Officials for the Board of Selectmen and the Town Administrator, Mr. Gaumond noted that it is often difficult to make a quorum of a board if you have inactive members. He suggests the following language be included in the policy. "The business of the Town requires active participation of its appointed boards and committees. Oftentimes, excessive absenteeism by appointed officials prevents this business from being conducted. Where not inconsistent with Massachusetts General Laws, any appointed official who is a member of a multi-member board, committee or commission may be removed by the appointing authority after a public hearing for failure to attend more than three consecutive meetings (unexcused), or more than 50% of the meetings over a twelve (12) month period. Failure to attend, if

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not adequately explained to the satisfaction of the appointing authority, shall be considered cause for removal. An excused absence is defined as failure to notify the Chairman of the board or committee prior to the absence.”

Mr. Gaumond explained that we do not have a huge problem with this, however, there are times when people do not take the time to write letters of resignation. He has reviewed how other communities handle these situations. This would require a public hearing. There is no one present to speak on this issue.

Motion Mr. McCormick to approve the changes, seconded by Mr. Rucho, all in favor.

Silvio Baruzzi, DPW Director for the town, joined the Board of Sewer Commissioners for the discussion regarding our Sewer Policies. The first policy is a new policy, entitled Wastewater Enterprise Commitments and Accounts Receivable policies and procedures, and has been created at the request of the Board to deal with sending out sewer demand notices. The policy reiterates what our current practice is. Mr. Baruzzi added that this policy will make it easier for us as many of these come up at closings when properties are sold. We started out with almost 300 demand notices and we are now down to 200. Doing this on an annual basis should help a lot. The Board has no questions on the policy and there is no one present to speak on this policy.

Motion Mr. McCormick to accept the new policy, seconded by Mr. Rucho, all in favor.

Mr. O'Brien commended the DPW and the Municipal Lighting Plant for the great job they did around town following the recent snowstorm.

Mr. Baruzzi noted that they did a great job with a limited crew and he did hire some outside plow drivers. They did have a couple of insurance claims as one of our vehicles flipped over and a tree fell on a house. With the emergency declaration they talked about getting some addition help in. The brush dump will be open this weekend from 7 until noon. Hopefully, we can have the site open for some additional days. We have one chipper and a lot of people are calling to see if the town is going to chip brush on the side of the road. Mr. Baruzzi is open to any suggestions. Mr. Gaumond explained that when we had the ice storm in 2008 there was an actual Declaration of Emergency and we procured a brush removal company to work on the entire town. Although President Obama did declare an emergency for this event, Mr. Gaumond has yet to hear what that entails and whether it includes removal of brush. During the ice storm the federal government reimbursed 75% and the state helped out with some of the remaining 25%. He does not know what the reimbursement rate will be and if it is not 75% the cost of brush pick up could be hundreds of thousands of dollars. He encourages citizens to deal with the brush on their own, making use the brush dump, hiring someone to remove the branches, or burning the brush during the burning permit season.

Mr. Quist questioned whether we could acquire a chipper from another town as part of our mutual aid agreement. Mr. Gaumond noted that the issue would then be personnel. Mr. Rucho believes at a minimum we need to add days for the brush dump. Mr. Gaumond and Mr. Baruzzi will be meeting on Monday to discuss this and they both agree that additional brush dump days are needed and will be based on the weather.

Mr. McCormick stressed that it is important for people to understand not to put the brush at the edge the road and keep it ten-feet back so that it won't get in the way of the snow removal equipment. Mr. Rucho questioned whether there was any money available in the funds we appropriated for tree removal to use for tree trimming. Mr. Baruzzi advised that there was nothing in that appropriation for tree trimming. Mr. Gaumond noted that we have a good working relationship with the Municipal Light Plant and they have helped out with tree trimming.

Mr. Gaumond explained that the Sewer Commission asked to have the remainder of the sewer policies put on this public hearing. As of this moment no one has provided him any recommendations

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on this. Mr. Baruzzi and Mr. Gaumond are here to have a dialogue with the Board of Sewer Commission on this. Mr. Baruzzi suggested rescinding the Short-term Policy for adding Properties to the Sewer Service Area during Sewer Construction Project

Mr. O'Brien feels that unless the Board has a specific recommendation, we should pass on this. Mr. Gaumond noted that we pointed out the possibility of rescinding the Policy for adding Properties to the Sewer Service Area during Sewer Construction Project and the Policy on Sewer Use Charges for Properties with a Second Water Meter.

Motion Mr. McCormick to delete the Short-term Policy for adding Properties to the Sewer Service Area during Sewer Construction Project, seconded by Mr. Quist.

There is no one present who wishes to speak on this. Vote on the motion – all in favor. This will be kept in the policy book with the word rescind and the date.

Mr. Gaumond noted that since we recently adopted the Identify Theft Prevention Program Policy he recommends no changes on this. Mr. Baruzzi advised that since we do not do credit checks for accounts, to him the language looks a little misleading. Mr. Gaumond advised that this policy was a recommendation by the Finance Director. It is required as a public utility. He suggested a follow up conversation between himself and Mr. Baruzzi.

Mr. Gaumond asked how the Board would like to have this brought back before them. Mr. O'Brien suggested waiting until there are any recommended changes before having another hearing. Mr. Gaumond recommends leaving the hearing open. He would like feedback from the Board of Sewer Commissioners on what they would like amended. Mr. Gaumond suggested having the Sewer Commission review the policies and forward him any recommended changes. He recommends the Board review those amendments at their next meeting and they will be given to DPW Director Baruzzi to research. Mr. Rucho would like to look at the policy dealing with the Second Water Meter.

Motion Mr. McCormick to continue the hearing until December 7, seconded by Mr. Rucho, all in favor.

NEW BUSINESS

1. Request for Transient Vendor License from Christ Lutheran Church to sell Christmas Trees beginning the day after Thanksgiving until all the trees are sold

Motion Mr. McCormick to approve the request, seconded by Mr. Rucho, all in favor.

2. Consider request from Town Clerk to appoint Margaret Farwell as Deputy Warden effective November 3, 2011 for a term to expire on August 15, 2015

Motion Mr. McCormick to appoint Margaret Farwell as Deputy Warden, seconded by Mr. Rucho, all in favor.

3. Consider request from Town Clerk to appoint Beverly Scott as Elections Clerk effective November 3, 2011 for a term to expire on August 15, 2015

Motion Mr. McCormick to appoint Beverly Scott as Elections Clerk, seconded by Mr. Quist, all in favor.

4. Vote designee for November 14th, 7:00, Project Roundtable from David Oriol, Meeting Room #1

Motion Mr. McCormick to designate Mr. Rucho as the board's designee, seconded by Mr. Quist, all in favor.

Mr. O'Brien inquired as to whether other members of the Board could attend if interested. Mr. McCormick suggested they sit in the audience and not participate. Mr. Rucho questioned whether these are public meetings. Mr. Gaumond explained that they have not been in the past.

5. Presentation of HR Report

Mr. Gaumond explained that one of the goals this year was to improve the HR functions of the town. At the beginning of 2011, the Selectmen adopted a goal of reviewing and improving human resources in the Town this year. As the Town Administrator he has repeatedly said that small towns like West Boylston have real problems dealing with human resources. He believes it is not only an area of weakness but one with significant potential liability to the Town if it is not handled correctly. To meet that goal, he planned to establish the scope/parameters of the problem, establish a task force to review the task and bring recommendations to the Board of Selectmen prior to the end of the calendar year. The members of the Town Administrator's HR Task Force were: Karen Paré, Nancy Lucier, Anna Mary Kramer, Jean Cronin, Robert Chisholm and Christine Mazeika.

The Task Force met two times in an attempt to review the duties predetermined to encompass human resources in the Town of West Boylston. During the meetings with the Town Administrator, members were presented topics individually and there was feedback on the subject. Copies of the notes from those meetings are attached as Appendix A and Appendix B. The human resource concepts discussed were compliance with local, state and federal law, employee record keeping, recruitment & selection, performance evaluations/improvement plans, training & human development, employee benefit management, compensation management, retention & morale boosting, organizational design & change, and policy development. Mr. Gaumond would like the Board to consider these things as we look at goals and objectives for next year.

Issue 1 - Compliance with local, state and federal laws. The description of our current situation is depending upon the specific local, state or federal law, the responsible party depends. In some cases it is the responsibility of the Town Accountant's office, Town Administrator's office or in some cases it is the responsibility of the individual department head. Major changes have taken place with Family Medical Leave Act, Americans with Disabilities Act, (Criminal Offenders Record Information, Health Insurance Portability & Accountability Act, as well as many others. This year we received a grant to perform an HR audit and it will be accomplished at no cost to the town. Mr. Gaumond hopes to issue an RFP in the next week or two. With regard to possible recommended improvements, in 2010 the laws that govern what constitutes personnel documentation was changed through Chapter 240 of the Acts of 2010. With regard to possible recommended improvements.

Issue 2 – Employee record keeping. Policies should be established governing and standardizing the storage of employment records in West Boylston. Once finalized, training for all department managers should be conducted periodically to ensure compliance. On the document retention side, department managers should receive periodic training on the retention schedule for their department to ensure we are compliant with the public records law. It is thought that these trainings should occur every few years.

Issue 3 – Recruitment and selection. The town has recently adopted new policies and procedures to streamline the New Hire Process. It was developed by the Town Administrator's Office and approved by the Board of Selectmen on October 5th. A copy of the last Succession Plan is appended to this report.

Issue 4 – Performance evaluations/improvement plan. The responsibility for ensuring that

all employees of the Town are evaluated lies with the Town Administrator and the Department Manager. Since the current Town Administrator arrived, the evaluation process has been taken very seriously by the Town. Every year the Town Administrator receives a list of all employees and works with the various departments/boards to ensure that the evaluations are conducted. The evaluation forms should be reviewed to ensure that they work for all departments and the Town Administrator believes that the form for the rank and file employees needs to be revised. It is suggested that a 'self-assessment' component be included in all evaluations and this should be explored further to determine the best way to incorporate this self-assessment.

Issue 5 – training and human development. We do not have a training budget for this year. Improving and formalizing training should be a primary focus. We suspended on continued education policy and the Task Force and Mr. Gaumond recommend the re-instatement of this policy. It is also recommended that this policy be reviewed to see what other communities of our size provide for. In addition, a formal training program should be developed for a 3 year basis for employees and department managers. The training program should include programs necessary for successful completion of their positions, to address safety concerns where necessary, and to promote employee improvement based upon findings in the evaluation and succession planning processes. We have a resident in town, Rocky Blunt, who runs a consulting business and he will work with us on a formal training program for the town.

Issue 6 – employee benefit management. A lot of these services are being provided by the Assistant Town Accountant and this is a roughly 25% of her duties. One of the things Mr. Gaumond recommended to the Board was to take out that benefit management component and outsource it to a third party firm. This will save the town money and provide us with the most up to date information on benefits and improve the services provided to employees.

Issue 7 – compensation management. When Mr. Gaumond first arrived here there were concerns and in 2008 the town appropriated funds to conduct a study and establish new job descriptions. The study was completed, the economy collapsed and the study was put on the shelf. As a result, few job descriptions were updated and no scales have been adjusted. Mr. Gaumond does not believe we have an employee retention problem as the people who work here enjoy working here. On the external comparison of wages, the Town should begin to compare our data to our target communities to see where we stand to our targeted communities as our study is four years old. We can use the MMPA Salary Survey Tool to begin that analysis and begin internal comparison. Mr. Gaumond also believes a larger discussion should be held on the future of the Personnel Board. He is disappointed that we had another town meeting with no recommendations from the Personnel Board. He thinks the entire Board needs to be look at. If it not working we need to have a conversation about what we will put in its place.

Issue 8 – retention & moral boosting. Maintaining staff morale is as imperative as maintaining community relations and can save the Town more than it costs, especially when employers use a little ingenuity. This issue was raised a few years ago at which time the Town Administrator developed an employee recognition program for the Town. A possible recommendation may be to conduct an Employee Satisfaction Survey to measure the feelings of the Town Employees. Recently the Town Administrator adopted an Exit Interview Policy which has been helpful in getting opinions from departing employees about their service with the Town.

Issue 9 – organizational design & change. According to the Special Act of 1995, SECTION 11. "Subject only to the express prohibition in a General Law or this act, the town meeting may, by by-law, reorganize, consolidate or abolish, create, merge or divide or alter the term of office, the manner of selection, or if a multiple member body, the number of members of any town body, in

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whole or in part, or establish new agencies and may prescribe the functions, powers, duties and responsibilities of any such agency". This requirement sometimes makes organizational change difficult and time sensitive. When the Human Resource Study is conducted, a portion of that study should be to review the organizational responsibilities and to make recommendations on improving the system.

Issue 10 – policy development. According to the Special Act of 1995, SECTION 8: the Town Administrator is responsible for implementing the personnel policy, working with the personnel board to develop systematic personnel policies and practices for implementation. This requirement sometimes makes policy changes, either new or modifications, difficult. Again, most personnel changes require input from an inactive and sometimes non-responsive Personnel Board

When the Human Resource Study is conducted, a portion of that study should be to review the policy procedures and to make recommendations on improving the system, which may include abolishing the personnel bylaw and establishing personnel policies handbook in its place as some Towns have done.

The last page of the report contains Recommendations and who is responsible. Mr. Gaumond stated that he was happy to work with the Task Force members and if there are no questions he asked the Board to accept the document and to be reviewed by the Board in their annual goal setting moving forward.

Mr. Rucho asked in regards to training do we talk to other towns in regards to secretarial staff. Mr. Gaumond has made that available to other town as well. He invited the Town Administrators and their staff to hear a presentation at a department head meeting on What the Next Citizen will Look Like. We recently sponsored a MIIA chain saw training and we try to do regional training efforts as well.

Motion Mr. McCormick to accept the report, seconded by Mr. Quist, all in favor.

SELECTMEN REPORTS

Mr. Rucho reports that we held our final Listening Tour on municipal properties at the Media Center of the Middle/High School. He would like to continue holding Listening Tours on other topics. Mr. Gaumond will compile all the ideas that came forward with regard to municipal properties and create a master survey for citizen input. Once he receives that input he will prepare an Executive Report.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. Dates in December for tour of the Worcester County House of Corrections

The Board offered the date of December 2 at 11:00 a.m. and if the Sheriff is not available on that date, we will go with December 9th at noon.

2. November 15th, 9-11, Ethics Training for town employees in Meeting Room #1 at town hall

3. November 16th, 10-noon, Farewell Gathering for Assistant Town Accountant Shirley Keddy, Meeting Room #1

4. November 18th, 2:00, Business Tour of Watermark Antiques

5. November 28th, 7:00, Special Meeting of the Board with Town Counsel and Ken Lombardi of EBS Foran – This date works for all the Board members.

FUTURE AGENDA ITEMS

Mr. Rucho voiced concern over tight turn onto Maple Street which was part of the new roadway improvements on Route 140. As it is the entrance to the Industrial Area it is very tight and

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people are starting to drive over the new extended paved area. While he agrees that the improvements are slowing traffic down, the turn is very tight. Mr. Gaumond suggested inviting DPW Director Silvio Baruzzi in with our town engineering to discuss the project. Mr. Rucho asked about the status of the installation of the Welcome to West Boylston sign. Mr. Gaumond is working with Mr. Baruzzi on the Mass Highway sign application. It is a formal process they have to follow and the application should be in their hands shortly.

Mr. O'Brien would like an update in a few weeks from the DPW Director on storm funding.

With no further business to come before the Board, motion Mr. McCormick at 9:05 p.m. to adjourn, seconded by Mr. Quist, all in favor.

Respectfully submitted,

Approved: November 16, 2011

Nancy E. Lucier, Municipal Assistant

John J. O'Brien, Vice Chairman

Christopher A. Rucho, Clerk

Kevin M. McCormick, Selectman

Steven J. Quist, Selectman