

MEETING BOARD OF SELECTMEN/SEWER COMMISSION FEBRUARY 1, 2012

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

Mr. O'Brien convened the meeting at 6:30 p.m.

Motion Mr. McCormick at 6:30 p.m. to enter into executive session under the provisions of Massachusetts General Laws Chapter 30a, Section 21(a), Part 3 to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the negotiating position of the public body and the chair so declares. Mr. McCormick made that declaration and stated that the Board will reconvene in open session. Motion seconded by Mr. Quist. Roll call vote: Mr. Quist yes, Mr. McCormick yes, Mr. Rucho yes, Mr. O'Brien yes.

Motion Mr. Quist at 7:12 p.m. to come out of executive session, seconded by Mr. Rucho. Roll call vote: Mr. Quist yes, Mr. McCormick yes, Mr. Rucho yes, Mr. O'Brien yes.

Reconvene in open session & Read and Acceptance of Minutes from Previous Meeting

Mr. O'Brien reconvened the meeting at 7:16 p.m.

Motion Mr. McCormick to approve the regular session meeting minutes from January 18, 2012, seconded by Mr. Quist, all in favor

Motion Mr. McCormick to approve the executive session meeting minutes from January 18, 2012, seconded by Mr. Quist, all in favor.

Motion Mr. McCormick to approve the regular session meeting minutes from January 23, 2012, seconded by Mr. Quist, all in favor

Motion Mr. McCormick to approve the executive session meeting minutes from January 23, 2012, seconded by Mr. Quist, all in favor.

Presentation of MIIA Annual Loss Control Award 2011

Mr. Gaumond stated that he is pleased beyond belief to present to the Town of West Boylston the award we received over the previous weekend at the MMA conference. Our insurance company recognized nine communities for excellence in loss control. He read the excerpt from the award program which stated that West Boylston was awarded the award because they continue to excel in the area of loss control. Commitment to risk management remains a very high priority in town. The Town has an active safety committee and works diligently towards achieving safety goals with great success. Town participates in most webinars, and consistently attends MIIA's leadership conferences. The town maintains an extremely diligent sanitary sewer overflow prevention plan and aggressively addresses infrastructure issues.

Mr. Gaumond noted that we try to excel in training and when he saw the training list we were in the top third in the State of Massachusetts. He presented the Board with the award. He added that in a lot of ways he was embarrassed to accept this award and it was with great that that he accepted the award. It was specifically mentioned the backbone of why we were getting this award was because of Nancy Lucier. They noted that Nancy Lucier is a huge MIIA supporter and goes beyond any other member that they have every dealt with. Due to her work we have set our goals extremely. Mr. Gaumond stated that he was sorry Bob Marinelli, our Loss Control Representative from MIIA was unable to be here this evening. He was proud to offer an award that should have been received by Nancy Lucier.

Presentation of the Commitment to Excellence Award

Mr. Gaumond explained that on an annual basis he presents this award to recognize the achievements of a municipal employee who has excelled in his or her position. The Town Administrator will consider nominees who have increased productivity, performed appropriately beyond job responsibilities, provided cooperative and positive working relationships, demonstrated a pattern of high quality work, has offered a creative or innovative idea to improve town operations, efficiency, or saved costs to the town and provided courteous service to the public and other departments. Nancy Lucier has done all of these things and there is no one in the town of West Boylston who enjoys working for the people of the community more. The word no is not in her vocabulary. The deciding factor was her diligent work in the administration of the MIIA Rewards Program. When other professionals outside the town recognize employees who achieve greatness for the community he thinks it needs to be recognized by the Town Administration. Since FY2008 we have almost \$50,000 in savings from our insurance carrier, \$48,462 in MIIA Rewards, a program she has administered. We are proud of the work we have done through MIIA, however, I am proud that she works for the Town of West Boylston and fellow coworkers feel that way as well.

Mr. Gaumond added that when he went to get the award he didn't know the person who served him and she asked him what kind of award it was. He told her it was for the Town Administrator's Commitment to Excellence Award and it was going to Nancy Lucier. She said she used to live in West Boylston and nobody would deserve it more than Nancy. She is somebody who does not live in West Boylston any more. For that reason Mr. Gaumond stated that he is proud to present the Municipal Assistant Nancy Lucier, the West Boylston 2011 Commitment to Excellence Award.

SILVIO BARUZZI, DPW DIRECTOR**1. Request for sewer abatement from Thomas Dolan, 5 Townsend Drive**

The resident had a leak in his underground irrigation system and because the water did not go into the sewer system, Mr. Baruzzi recommends his abatement request be granted in the amount of \$254.63. He didn't have a second meter and he had a couple of leaks in the past. Mr. Rucho noted that the Board has approved such requests in the past. Mr. McCormick thinks it would be a fair abatement.

Motion Mr. McCormick to approve the sewer abatement request from Thomas Dolan, 5 Townsend Drive in the amount of \$254.63, seconded by Mr. Rucho, all in favor. Mr. McCormick suggested developing a policy to deal with such requests as the Board did away with their Second Meter Policy.

2. Request for sewer abatement from Christopher Franger, 55 Horseshoe Drive

This resident had a leak in his pool liner, lost the water and then refilled the pool and provided before and after water meter readings. Mr. McCormick would like to have a policy on something to address this.

Motion Mr. McCormick to approve a sewer abatement from Christopher Franger, 55 Horseshoe Drive in the amount of \$92.75, seconded by Mr. Rucho.

Mr. Gaumond suggested having the DPW Director do research and bring forward a policy to clarify responsibility in instances where they are filling a pool. Mr. Rucho suggested checking with the Water District and he also thinks at one time they used fire hydrants. Fire Chief Pauley indicated that he has seen instances where the Water District will put a meter on the hydrant and run a 1-1/2 inch line to the back yard to recoup their costs.

Vote on the motion, all in favor.

3. Update on Discharge Permit Mediation with Upper Blackstone Water Pollution Abatement District

Mr. Baruzzi reports that the discharge permit has a real possibility of adversely affecting our rates. There was an appearance before an administrative judge and the case was directed towards mediation. It depends on how it goes from there and immediately after the decision not to go forward with the law suit the Attorney General of the State of Rhode Island wrote a nasty letter saying the DPW is not doing its job and the EPA should enforce the standards. Mr. Moylan from Worcester wrote a rebuttal letter. It is going to mediation and hopefully with the next few months we will figure out how to best protect the river. It is a system improvement they are looking for. Mr. Baruzzi is in the process of setting up a tour of the Upper Blackstone Water Pollution Abatement facility.

Mr. O'Brien asked about the Prospect Street tree and an update on the tree removal project. Mr. Baruzzi reports that the company took the big tree down on Prospect Street and they will come back next Monday and continue working until the last list of trees are completed. Mr. Quist asked if anyone figured the age of the tree which was taken down on Prospect Street. Mr. Gaumond noted that it would be a great science project for somebody to do.

NEW BUSINESS

1. Concurrence on the appointment of Christine Mazeika as Matron for the West Boylston Police Department effective February 1, 2012 for a term to expire on April 30, 2013

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

2. Concurrence on the establishment of the Facility Implementation & Strategic Planning Committee

At the last meeting the members of the former Municipal Buildings Advisory Committee met with the Board. During that meeting the Selectmen advised Mr. Gaumond that they would like to establish a new committee to look at our municipal buildings. Mr. Gaumond recommends the Board establish a Facility Implementation & Strategic Planning Committee comprised of eleven individuals, five residents, and one shall be a member of the Finance Committee or Capital Investment Board appointed to two-year terms. The remaining five members will be the sitting members of the Board of Selectmen and the Town Administrator, Finance Director, and Inspector of Buildings shall be non-voting/advisory members. Their mission is to establish a strategic plan for the municipal buildings of West Boylston. Once formulated, the Committee will begin to take the steps necessary to implement that strategic plan. They will work with the Capital Planning Committee and the Town's Financial Team to formulate an acceptable way of dealing with the financing of such a plan. They could be given general supervision over the design and construction of all public buildings, including the authority to employ professional assistance upon approval of the Board of Selectmen and, subject to specific authorization by the Town, to enter into contracts on behalf of the Town for the preparation of construction plans and specifications and for the construction of buildings and other structures. Because the five members of the Selectmen are on the committee it does not give the committee the ability to enter into contracts. If and when we get that the point of awarding contracts the Selectmen have the statutory responsibility to do that job. The committee will make a recommendation back to the Board.

The Committee will meet the last Wednesday of each month. Meeting postings and approved meeting minutes must be electronically filed with the Town Clerk. Mr. Gaumond believes this will solve the two-pronged problem we have, which is deciding what our plan is as we need to have a plan of attack and be on the same page and creating a plan and then working together as a team to complete the plan.

Mr. McCormick agreed with the proposed structure and mission.

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Motion Mr. McCormick to concur with the new Facility Implementation & Strategic Planning Committee, seconded by Mr. Rucho, all in favor.

Mr. Gaumond has outreached to the previous members of the Municipal Building Advisory Committee with the exception of Mr. DiPietro. They have all indicated a willingness to continue on with the new committee and he plans to speak with Mr. DiPietro and will keep that spot open for him if he has an interested in serving.

Motion Mr. McCormick to concur with the appointment of the five members of the Board of Selectmen, Ray Bricault as the Finance Committee representative, John Hadley, Bruce Peterson, Chris LaBreck and Marcia Cairns, seconded by Mr. Rucho.

Discussion ensued with Mr. Rucho pointing out that some of these people have been on the committee for many years and some may say you should change things. He added that these people have been open to anything and always brought thing forward so that is a positive. Mr. Gaumond noted that we have a well trained and educated committee so the learning curve will not be great. The first meeting will be an organizational meeting at which we will review the previous plans and meeting minutes.

Vote on the motion – all in favor.

3. Consider Reserve Fund Transfer in the amount of \$8,000 for the Police Department salaries and wages line item

Mr. Gaumond explained that the Police Chief is dealing with sick time issues within his department and has to cover vacant shifts with overtime. In the seven years Mr. Gaumond has been with the town this is the first time the Chief has brought forward a Reserve Fund Transfer request. Mr. Gaumond modified the request from \$14,000 to \$8,000 and he will amend the budget in May instead of taking everything from the Reserve Fund.

Motion Mr. McCormick to approve the request for a Reserve Fund transfer in the amount of \$8,000 from the Police Chief, seconded by Mr. Rucho. In discussion, Mr. Quist asked if this is proper use of these funds. Mr. Gaumond explained that the Reserve Fund is to deal with unforeseen and unexpected situations. It is a fund controlled by the Finance Committee and approval by the Board this evening is the first step as the request will then be forwarded to the Finance Committee. He recalls only receiving a handful of these requests in the years he has been here.

Vote on the motion – all in favor.

4. Presentation of the Municipal Land Survey Report

Mr. Gaumond explained that in 2011 the Board adopted a goal to develop a strategic plan for municipal lands. In order to meet this goal Mr. Gaumond met with the Board to plan the scope of the project, helped coordinate three listening tour meetings to get public feedback, developed and conducted a town survey to get citizen feedback and bring the findings to the Board sometime this winter. We held three listening tours on June 4, September 13 and October 24, all at different times and locations. From those tours we took the big topic issues and developed a survey. Some of the key parcels discussed were the old landfill on Temple Street, town-owned property on Tivnan Drive, Mixter School, the pool and the Pine Grove. Notes were taken at each of the listening tours and we developed a series of questions, which were brought to the Selectmen and approved during the month of December. We offered both an online and a paper survey.

Mr. Gaumond believes there are many ways to read the survey statistics and he encouraged the Board to look at them with a critical eye. Of those who responded, 80% were over 50 years of age. It seems like the people who have been here longer seem to have the most opinions on what we should

do with our municipal lands. We had articles in the local newspapers which talked about the survey and we had frequently discussed it at our Selectmen's meetings, our website and on the blogs. Mr. Gaumond is disappointed in the demographics of those who participated. Of those who responded only 17% attended one of the listening tours and when asked why they did not attend they were either too busy or did not know about it. Of those who responded 82% feel we should spend funds to tear down the Mixer Building. Mr. Gaumond noted that the Selectmen have also agreed with this position and we are preparing to bring forth a request for the May town meeting. As far as the future of the Mixer Building, 48% think it should be the site of a town hall senior center. Other suggestions included athletic fields, residential housing, leaving as open space. With regard to the pool, 79% felt he it should be torn down and the Selectmen have also agreed with this position and we are preparing to bring forth a request for the May town meeting. On the future use of the pool property, the most frequent answer is it should be left as open space or build another pool. On the question of supporting a temporary tax increase to build a new pool, only 34% indicated they would support a debt exclusion for a new town pool.

The suggestions for the Temple Street landfill included 62% supporting an alternative energy program or some type of solar or wind project. Other suggestions included seek a business opportunities, construct a municipal office building such as a DPW. With regard to the Tivnan Drive property 51% suggested an alternative energy program such as solar or wind project and 50% suggested seeking a business opportunity for the site. On the rail trail question, 56% were opposed to swapping this property for the DCR on Prospect Street. We had 58% of the respondents recommending we leave the Pine Grove as vacant space. Some people felt we should use the DCR or Worcester Tree Initiative to replant the grove and 54% are opposed to using town funds to replant trees on this site. The question on what we should do with other town own lands was opened ended, received may suggestions and all are included in the final report.

The results were 59%-41% in favor of an override to build/renovate or purchase a new town hall/senior center, 55%-45% opposition to an override to build/renovate or purchase a new police and fire building and 61%-39% opposed to an override to build/renovate or purchase a new DPW.

Some people provided names and emails. Mr. Gaumond intends to email them a copy of the report. The report will be sent via the Town Administrator's blog. The report contains the notes of the three listening tours, a copy of the survey tool and all the responses. Mr. Gaumond will provide a copy to the new Facilities Implementation and Strategic Planning Committee. He will also share it with all the board in town.

Mr. Rucho stated that he likes the survey, however, we only received 159 responses and they don't even have to be residents. Mr. Gaumond feels it is another tool in the tool box and the policy makers can gauge what the citizens are looking for. The online survey could only be used one time per email address.

Motion Mr. McCormick to accept the report and authorize the Town Administrator to begin to distribute it, seconded by Mr. Rucho.

Because we did not get much of a response from generation X and Y, Mr. Quist suggested approaching this through the school or even a vehicle for a college to do. Mr. Gaumond believes this comes back as a challenge to the Town Administrator to find new ways of engaging our citizens as there are other tools we may need to start looking at. When he attended the ICMA conference he went to a lot of the citizen engagement panels to get feedback from the community. We are missing an important segment of our society. The challenge is for government to find new and interesting ways to keep citizens engaged. Mr. Quist asked if this is the standard age bracket to what other communities who have done surveys get for results. Mr. Gaumond believes there are many different ways to do

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surveys. We did ours on the website because it was the least expensive way. Years ago the Town-wide Planning Committee did a survey of the entire town including the schools and there was a cost to that. Mr. Rucho noted that having 80% of the responses from ages 50 and over is probably no different than participation in elections and town meeting.

Vote on the motion – all in favor.

5. Replacement of Fire Department Car 1

In the Board's agenda package is a memo from the Fire Chief relative to his request for a replacement of Fire Department Car 1. Mr. Gaumond read the following memo into the record.' The purpose of this memorandum is to request the replacement of Fire Department Car 1. As you are aware, this vehicle was involved in a motor vehicle accident on January 4, 2012, and has been subsequently declared to be a total loss by the Town's insurance company. I have spoken with Andria Cirignano the Claims Representative at MIAA and she has confirmed to me that the total loss figure of the vehicle is \$37,570. The Town has a \$1,000 deductible which will bring the reimbursement to the Town from MIAA to \$36,570. I have obtained pricing for a new vehicle and the cost of associated emergency warning equipment and transfer of radios. The cost of a new vehicle is \$34,233. And the cost for new emergency warning equipment and radio transfer is \$4,950. For a total vehicle and equipment cost of \$39,183. The difference between the total cost and equipment installation of the new vehicle and the town's insurance reimbursement is \$2,613. The \$2,613 can be covered by surplus in the Fire Department's salary account. Please advise as to who to proceed to replace this vehicle. As always should you have any questions, or need additional information, don't hesitate to contact me.'

Mr. Gaumond advised that since the Fire Chief wrote this he spoke with the Finance Director and looked at MGL, which has a requirement that will prohibit us from using the insurance funds to that level. The law says you can only apply \$20,000 without having to go to town meeting. Mr. Gaumond and the Finance Director worked out a way to solve the problem. They recommend requesting a Finance Committee Reserve Fund transfer in the amount of \$19,184 to the Fire Capital Outlay Account.

Mr. Gaumond explained that when we get the insurance money, \$16,000 of it will flow to the General Fund and we could replenish the Finance Committee Reserve Fund at town meeting. To him it does not make sense that MGL does not allow this and he intends to have the MMA look at this policy and suggested some changes to the legislative delegation. Once we get to town meeting we may decide that the balance not be returned to the Reserve Fund.

Motion Mr. McCormick to approve a Finance Committee Reserve Fund Transfer in the amount of \$19,184, seconded by Mr. Rucho, all in favor.

6. Town Administrator presentation on the Lancaster Street accident

Mr. Phillips, who was not able to be present this evening, requested this agenda item be carried over.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. Announce that as of February 1st the Board of Selectmen has kicked off their Adopt-a-Square/Island Program. For the entire month of February, applications will be posted on line or by visiting the Office of the Board of Selectmen. At the first regularly scheduled meeting of the Board of Selectmen in March, the Board will hold their drawing

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Mr. Gaumond reported that the current island adopters have until February 10th to decide whether they will continue on with their island. Thus far we have heard that Huntington Highway families and Fynders and Keepers intend to keep their island. On the next agenda we will announce which islands are available.

2. February 13, 7:00 p.m. Sign Bylaw Meeting at Town Hall

Mr. Gaumond intends to co-chair this meeting with John Hadley, Chairman of the Economic Development Task Force. Mr. Rucho noted that the meeting is being held for the business community.

3. February 24, 8:00 a.m., Thayer Memorial Library, Lancaster, MMA Legislative Breakfast Meeting

Mr. Gaumond intends to attend this session, which will be budget related.

FUTURE AGENDA ITEMS

Mr. Rucho would like to ask the Town Administrator to give us a full report on the accident the Fire Chief had with his town vehicle and possible look at policies with regard to accidents with town vehicles. Possible look at their black boxes. Mr. Gaumond is happy to report on the Fire Chief's accident. He would like specifics on a policy and suggested doing a presentation at the next meeting of the Board if all the Board members feel there should be a formal policy discussion we could accommodate that. Mr. Rucho requested a report on the last four years of town vehicular accidents. Mr. Gaumond will try to have this for the next meeting, and if not, he will be ready the meeting after. Chief Pauley stated that his department has a very strict policy on reporting accidents and he is quite sure the Police Department does as well. He suggested the Board review the Fire Department policies as well when looking at accidents and have the total package.

With no further business to come before the Board, motion Mr. McCormick at 8:50 p.m. to adjourn, seconded by Mr. Quist, all in favor.

Respectfully submitted,

Approved: February 15, 2012

Nancy E. Lucier, Municipal Assistant

John J. O'Brien, Vice Chairman

Christopher A. Rucho, Clerk

Kevin M. McCormick, Selectman

Steven J. Quist, Selectman