

Members present: Kevin M. McCormick John W. Hadley  
John J. O'Brien Michael J. Kittredge, Jr.  
Christopher A. Rucho

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 from September 5, 2012, seconded by Mr. Kittredge, all in favor.

Motion Mr. Hadley to approve executive session #1 meeting minutes from September 5, 2012, seconded by Mr. Rucho, all in favor.

Motion Mr. Hadley to approve executive session #2 meeting minutes from September 5, 2012, seconded by Mr. Rucho. Vote on the motion – Messrs. McCormick, O'Brien, Hadley and Rucho, yes; Mr. Kittredge abstains as he was not present at the meeting.

**Vote to Sign Off on Bond for Light Plant Substation & Refunding of Town Bond**

Treasurer/Collector, Bonnie Yasick joined the Board. She explained that the paperwork the Board is signing off on a \$4.31 million general obligation municipal purposes loan. She has reviewed all the paperwork in addition to Bond Counsel. Mr. McCormick questioned the amount as he was under the impression that the Light Plant project was only \$2 million. Ms. Yasick explained that part of this is a \$2.3 million refinancing of old school debt, which will save the town \$60,000 because our interest rate came in under 1.7%. The Municipal Light Plant portion was \$2 million and the Town of Boylston will be doing their own borrowing. The Assistant Town Clerk is present to witness the Board's signing of the document.

Motion Mr. Kittredge That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund the Town's (i) \$8,250,000 General Obligation Bonds dated February 1, 1997 maturing February 1 in the years 2014 through 2017 (inclusive), and (ii) \$2,425,000 General Obligation Bonds dated July 1, 2002 maturing on July 1 in the years 2013 through 2017 (inclusive) (together, the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds. That the sale of the \$4,310,000 General Obligation Municipal Purpose Loan of 2012 Bonds of the Town dated September 26, 2012 (the "Bonds"), to PNC Capital Markets at the price of \$4,375,532.95 is hereby approved and confirmed. The Bonds shall be payable on July 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2013	\$760,000	0.35%	2019	\$135,000	2.00%
2014	735,000	1.00	2020	135,000	2.00
2015	720,000	2.00	2021	135,000	2.00
2016	480,000	2.00	2022	135,000	2.00
2017	290,000	2.00	2023	130,000	2.00
2018	135,000	2.00	2027	520,000	2.25

That the Bonds maturing on July 1, 2027 (a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond due July 1, 2027	
<u>Year</u>	<u>Amount</u>
2024	\$130,000
2025	130,000
2026	130,000
2027* (final maturity)	130,000

That in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated September 5, 2012, and a final Official Statement dated September 11, 2012 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted. That the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement. That we authorize the execution and delivery of a Refunding Escrow Agreement to be dated September 26, 2012, between the Town and U.S. Bank National Association as Refunding Escrow Agent. That the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time. That we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds. That each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes, seconded by Mr. Hadley, all in favor.

### **Council on Aging Presentation**

Council on Aging Director Marcia Cairns joined the Board with Council on Aging Chairman Janice Ash. She explained that her presentation this evening goes back to last year when the Council on Aging did a survey about the Council on Aging and they are here this evening to discuss the present situation at the Senior Center, its future and what people are saying. She introduced Council members Ed Philbin, Carol McGuiggan and Audrey Clary. The mission the Council on Aging is through an emphasis on community participation, they will identify, design and implement social, nutritional, health recreation and educational programs and services to address the needs of the elder population of West Boylston. From 2000-2010, there was an increase of 47.51% in seniors in West Boylston and 1,091 West Boylston residents are between the ages of 55-64. They provide congregate meals and meals on wheels delivery, exercise classes, pitch, Wii bowling, trips to Foxwoods, special lectures on topics such as nutrition and healthy aging, reverse mortgages, matter of balance, SHINE Counseling. Ask an Attorney.

The survey results indicated that 98% of the seniors were familiar with the services the center offers, 63% currently participate at the center, 44% of who do not attend said they would if it was

relocated to a larger facility and 66% would support a modest temporary tax increase to building or purchase a new center. Their current location only allows for one or two programs at a time because of space limitations and because there is no insulation in the walls, noise is also a factor. A lot of seniors have asked about a computer class or having a couple of computers available so they could come in to use them. They started a new tai chi class, with 16 in the class and 5 are men.

They have one full-time staff member paid by the town, a 12 hour a week dining room manager paid for by a Formula Grant, a 12-hour a week dispatch paid for with WRTA funds, 3 part-time van drivers paid for with WRTA funds and 67 volunteers who logged in 4,343 hours in FY12. Ms. Cairns stressed the need to do more community outreach and a marketing plan. They are looking into a marketing intern to assist with that project. Funds to the center have been cut 33% since FY04. They do receive a formula grant based on \$7 per senior. This year they received \$13,265, which went towards office supplies, the maintenance contract for the copy machine and paying the dining room manager. The Board attempted to work on regionalizing with the Town of Boylston, however, Boylston has not shown an interest. They have birthday celebrations for significant celebrations. She displayed photos of the Northborough Senior Center and the resources they have and noted the volunteers who support the program. Ms. Cairns feels the solutions including increasing space for the center will bring in more participants, review current staffing levels with regards to service delivery, increase marketing efforts and concluded by saying that a quality senior center will add overall value to the town from the impression it provides to potential new residents as well as real estate values.

Mr. Kittredge noted that the Library has quite a few computers which the seniors could use. Ms. Cairns indicated that she is aware of that. Mr. O'Brien pointed out that the issue is paying for a senior center and he questioned whether regionalization had been explored with any other towns. Mr. Gaumond advised that we have done outreach and the Town of Sterling he believes also has a need. There is also a new round of Community Innovation Grants which has just become available. We could outreach to our neighbors and look critically at our senior programs to see if there is a possibility to make that happen.

Mr. Rucho asked what Boylston does. Ms. Cairns explained that they do not have a senior center and they do not have any programs. They do offer a lunch two days a week and we did some joint programs, however, nothing came of that. They have an outreach person and a lot of the seniors from Boylston come to West Boylston for our programs. Mr. Rucho asked if there was a charge for the programs. Ms. Cairns advised that exercise is \$2 per class and tai chi is \$3 per class. Mr. Rucho asked if there would be an advantage to using the town hall copy machine instead of having their own. Ms. Cairns explained that when she prints her newsletter it ties up the machine and the maintenance on her copy machine is not that costly. Mr. Rucho asked how many people typically attend the lectures. Ms. Cairns indicated between 10-30 and they are starting a caregivers series in the evening put on by the Alzheimer's Association. The Board thanked Ms. Cairns for coming in to meet with them.

## **NEW BUSINESS**

### **1. Status of vent system & door replacement (MK)**

Mr. Gaumond has been in communication with the DPW Director and he has gone through the procurement officer training for the town. When we went to town meeting for the funds the Finance Committee asked us to hold off as they were looking at the progress of the municipal building plan for the DPW building. We told them we would wait until fall, we have specifications in hand, and expect to move forward within the next few weeks with this project. He thanked Mr. Kittredge for adding this to the agenda so he could provide an update.

**2. Update on files & equipment at Mixer (MK)**

Mr. Kittredge shared that he toured the inside of the building with the DPW Director. He reports that the building is a mess, with records scattered all over the place, and if department heads do not want them we should get rid of them. He also found out through the Board of Health that no one can go in there without a mask and nothing can come out of there because of the mold. Mr. Gaumond explained that he has procured a storage trailer and although there are a lot of records in there, which can be destroyed, we are required to keep a lot of the records forever. He has been in the process of documenting the items we need to keep and moving them into the storage facility for proper safe keeping. He is one third of the way completed and it is a difficult process because you have to match up the documents to the retention schedule. Anything we can get rid of will stay in the building along with anything of no value. There are some environmental challenges in the building and some areas have gotten considerably worse. There is an organ and a pool table in the former Council on Aging area which we plan on keeping and are stilling looking to find a storage location for those items. All the items we want to keep will be moved into the storage unit. Mr. McCormick questioned whether we should try to get money to move the articles out of the building. Mr. Kittredge suggested using the DPW workers. Mr. Gaumond pointed out that the challenge is the records retention schedule. We have been at our current location four or five years and some of the old finance records have been audited and can now be disposed of. He has a good handle on the records retention schedule and would welcome help in moving boxes.

**Public Hearing: Consider Adopting a Health Insurance Portability & Accountability Act Policy**

Mr. McCormick 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 19, 2012 at 7:30 p.m. for the purpose of considering adopting a Health Insurance Portability & Accountability Act Policy. The meeting will be held in Meeting Room #1 of 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 M. McCormick, Chairman, September 5, 12, 2012.

Mr. Gaumond explained that this is a new policy, which will be under the category of personnel Issues in the Board's Policy Book. One of our goals last year was to do an audit of our personnel policies and it identified that we did not have a HIPPA Policy. This is a draft recommended policy, which outlines that the town will comply with HIPPA. In 1996 laws were created to protect the personal health information of individuals such as doctor's notes, doctor's appointment, sick time, and information about health care subscribers. There are strict regulations about how we should keep this paperwork in locked cabinets and there is a system in place by which protected health information is kept private. He has been working with EBS Foran on developing HIIPA procedures and policies for the town, which outline the steps we need to do as an employer. We also need to establish policies and procedures on dealing with complaints. The policies deal with those issues and the next step is developing a privacy manual for the town. Complaints that come in will be lodged with the privacy coordinator. Two weeks ago we had a recent training for all our departments and we will follow that up with regular trainings. There are no Board questions at this time. There are no questions from the audience.

Motion Mr. Rucho to close the public hearing, second by Mr. Kittredge, all in favor.

Motion Mr. Kittredge to approve the policy as submitted, seconded by Mr. O'Brien, all in favor.

**NEW BUSINESS (cont.)**

3. Consider voting to authorize the Chairman to sign a letter to the Massachusetts Board of Library Commissioners requesting a Municipal Appropriation Requirement Waiver

Mr. Gaumond explained that again this year we need to request a waiver to allow us to fund the library at less than what the state requires us to fund our library. The letter is in the Board's Signature File and we will provide the financial back up as required.

Motion Mr. Rucho to authorize the Chairman to sign the letter, seconded by Mr. Kittredge, all in favor.

**Public Hearing: Consider Updates to the Town Common and Bandstand Use Policy**

Mr. McCormick 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 19, 2012 at 7:45 p.m. for the purpose of considering updates to the Town Common and Bandstand Use Policy. The meeting will be held in Meeting Room #1 of 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 M. McCormick, Chairman, September 5, 12, 2012.

Mr. Gaumond explained that this policy is G-1 in the Board's Policy book and was adopted in 1996. It has not been amended since that time. He brought forward some amendments after a conversation with the Town Common and Bandstand Use Advisory Committee and the Parks Commission. He thanked both committees for their input. Mr. Gaumond is recommending that the language in the policy be changed to include that the Town Administrator, or his designee, shall coordinate schedule of events. Prior to his arrival, the Parks Commission did schedule these activities. If this change is approved, he intends to designate the task to the Parks Commission or another Board. All requests should be submitted on a form acceptable to the Parks Commission, the Town Common and Bandstand Use Advisory Committee and the Town Administrator's Office. One of the points we discussed in the past was charging a fee. Since town commons are considered to be parks and recreation areas, the town is protected by Mass General Law, Chapter 21C, Section 17 from liability for injury or damages. As a compromise, Mr. Gaumond suggested establishing a security deposition to make sure the town is protected. Mr. McCormick feels that some people will come and request the use and other will just come and use the facility as there is no one who supervises the area. Mr. Gaumond noted that the only reason why someone would need to fill out the form would be for a specific use of the area. Mr. Rucho feels this would be just like the Parks Commission fee and you pay to use the area. A town resident might be not able to use the area because a non-resident is using it. Mr. Gaumond does not believe a fee has ever been charged. Mr. Rucho checked online and found that the Parks Commission does list a fee for use of the Gazebo, which is \$110 up to 3 hours and \$160 over three hours. Mr. Gaumond noted that Mass General Law says you can establish a fee, however, it opens the town to liability. Mr. Rucho questioned how the process is different than the Parks Commission fees with the parks. Mr. Gaumond explained that the parks use requires certificates of insurance and liability waivers.

Mr. Gaumond recommends not including a fee. Mr. Rucho feels that residents should not be required to pay a fee because it is paid for by tax dollars, however, non-residents should be charged. When he was on the Parks Commission people came in and filled out the form, which is somewhat like a reservation fee. Both Messrs. McCormick and Kittredge feel The Commons are different than the parks. If the Board chooses to establish a fee structure, Mr. Gaumond offered to work with the Board to do that.

Other changes to the policy include a request from the Bandstand Committee to change the expenditure level from the gift account from \$1,000 to \$2,000 and to insert the Bandstand Committee in place of Director of Public Works as the authority to expend the funds. The last change would be to eliminate the last paragraph in its entirety because it is a practice but should not be a mandatory policy.

Mr. Rucho would like use of the Gazebo free for residents and non-residents charged a fee. Mr. Kittredge asked if someone did not put in a request to use the Gazebo and used it, would the police oversee that. Mr. Rucho feels the form is to reserve the Gazebo. There is no one present to speak on this.

Motion Mr. O'Brien to close the public hearing, seconded by Mr. Hadley, all in favor.

Motion Mr. Rucho to charge a fee to non-residents for use of the Gazebo/Common because it is paid for by the taxpayers.

Mr. O'Brien remarked that he understands what Mr. Rucho is trying to accomplish, however, it would open a can of worms regarding liability and for the amount of money we are discussing he does not think it would be worth it. Mr. Rucho pointed out that there has been a fee paid for many use to use the Gazebo and Common. There is no second on the motion, so the motion dies.

Motion Mr. Kittredge not to charge a fee for use of the Gazebo, seconded by Mr. O'Brien, all in favor.

Motion Mr. Rucho to accept the policy as recommended by the Town Administrator, seconded by Mr. O'Brien, all in favor.

### **Public Hearing: Consider Adopting an ADA Policy and Grievance Procedure**

Mr. McCormick opened the public hearing and Mr. Gaumond 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 19, 2012 at 8:00 p.m. for the purpose of considering an ADA Policy and Grievance Procedure. The meeting will be held in Meeting Room #1 of 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 M. McCormick, Chairman, September 5, 12, 2012.

Mr. Gaumond explained that this is a brand new policy. We had a procedure in place to deal with grievances, however, a policy was never established. This will meet the needs of the Americans with Disabilities Act and will allow people in the community to file a complaint when their rights have been violated. The policy contains time lines for dealing with complaints and all complaints will be kept by the town for at least three years in the Town Clerk's office. No one wishes to comment on this policy.

Motion Mr. Rucho to close the public hearing, seconded by Mr. O'Brien, all in favor.

Motion Mr. Kittredge to adopt the policy as presented, seconded by Mr. Rucho, all in favor. Mr. Rucho asked to have the Parks Commission change their fee schedule on the town's website to reflect that no fee should be charged for using the Gazebo/Commons.

**NEW BUSINESS (cont.)**

4. Consider proclaiming October 24<sup>th</sup> as United Nations Day and signing United Nations Day Proclamation

This is something the Board receives on an annual basis from the United Nations Association of Greater Boston. It asks that the Town designate October 24<sup>th</sup> as United Nations Day

Motion Mr. Rucho to designate October 24<sup>th</sup> as United Nations Day and sign the proclamation, seconded by Mr. O'Brien, all in favor.

**Wachusett Wine & Spirits Update**

Mr. McCormick recused himself. Charles Faucher joined the Board with Paul Sushchuk. At the last Board meeting Mr. Hadley requested an update on the license which was granted earlier this year for Wachusett Wine & Spirits.

Mr. Sushchuk, counsel for Mr. Faucher, provided a letter, which is included in the Board's agenda package. He explained that the letter explains why they have not moved forward with the license. They developed a set of building plans and pulled a building permit in West Boylston. In latter May their financing was turned down on the basis that the lease they entered into was too costly. They went to three other banks and all rendered a denial because of the same issue. The landlord would not reduce the rental amount down to what they could obtain financing on. They have entered into another option to purchase for property at 21 Franklin Street. They will start the process to file an Application for Change of Location of the License as they do not have any other alternative but to do that.

Mr. Hadley asked if this would be a new building. Mr. Sushchuk explained that they plan on constructing a new building at 21 Franklin Street, 6,000 square feet. We are going to put up what we planned to build at 184 West Boylston Street. They already spent \$5,000 on a building permit from the Town of West Boylston. Mr. Hadley asked about the time table. According to Mr. Sushchuk they intend to move forward with all due speed. They had hoped to have the building up by August as after the holidays there is typically a two or three month lull in sales. He stated that they will have to go through Site Plan Review, a process he has never been through with the Planning Board in West Boylston. He believes it will take three to four months. He does not think they will break ground until after the new year. The site has had a significant amount of engineering done on it and they have a meeting with the engineer tomorrow morning at the site.

Mr. O'Brien asked how long the license is good for. Mr. Gaumond explained that it is good until the end of the year and at that time the Board will consider the renewal of all licenses. Mr. Sushchuk hopes to come forward with the request for Change of Location very soon as they just executed an option to purchase last week and they have 30 days to execute a Purchase and Sales Agreement which is conditional upon financing and Change of License Premises. They do not believe the financing will be an issue as the bank had no dispute with his client's ability to operate a liquor store. The issue was with the lease payment. He hopes to make application within 30-45 days.

Mr. Rucho is not sure that if in 30 days the meeting room will be filled with people wanting to know what the building will look like and how it will impact traffic. Mr. Gaumond noted that when they bring forth the application they should have some basic information as to what things will look like. Ms. Sushchuk will communicate their progress as they get into it as they cannot delay any further with the project. Mr. Faucher noted that without meeting with the engineer they do not know how the building will sit on the site. They are looking at the same type of construction and design. Mr. Sushchuk added that they hope to do a real high end project. The location is at the corner of Franklin and West Boylston Streets opposite Franklin Manor. They intend to take down the house and tree

on the site. Mr. Faucher apologized for the delay.

**NEW BUSINESS****5. Update on online sewer payments**

Mr. McCormick returned as Chairman. Mr. Gaumond noted that Mr. Rucho requested this update at the last meeting. We have been working with Unibank on the online sewer billing and we have an appointment on Monday to tie up the loose ends. He will have a better report after that meeting.

**6. Review and Sign Agreement for the Purchase of Ambulance 1**

Mr. Gaumond asked to carry this item over to the next meeting.

**7. Review Draft Supervisor Training Program**

One of the goals Mr. Gaumond established for himself this year was due to the results of our HR Study. We determined that we could do a little more with supervisory and employee training. He tried to look at what other towns do and most towns do not do much. So he tried to find avenues of free training the town could have access to. Each year town counsel and our EAP Program provide training. He put together a three-year schedule with three major themes to be touched upon each year. They are Legal and Technical Requirements, Supervisory and Leadership Skills and Personal Development and Personal Interest. There will be four presentations a year, which is a doable, timely and important for them to know. Some of the training is for employees and he plans to outreach to the Water District, Municipal Light Plant and School Department to see if they have an interest in attending. He added that there seems to be some excitement about this. One of the things that might be a logical next step will be a credentialing or a certificate. He thanked Rocky Blunt who sat with him to help him and provide feedback. He has also offered to give the town one training per year at no cost.

Mr. Kittredge asked if this will be done during working hours. Mr. Gaumond remarked that it would be his expectation. Mr. O'Brien asked if this would be required for all supervisors. Mr. Gaumond intends to require this for all his department heads, those directly appointed by the Town Administrator. At the end of the training he will have an evaluation sheet for each training and again at the end of the three-year series. Some of the suggested trainings were offered by the department heads.

**8. Consider including Draft MBTA Legislation on the October town meeting warrant**

The Board received correspondence from the MBTA. They are asking all Advisory Board members to consider the attached resolution, which is in the Board's agenda package, that came from the MBTA. They are asking that Advisory Board members present this to their fall town meeting. If the Board wishes to adopt this as a resolution, they could, or add it to the town meeting warrant, or do nothing.

Motion Mr. Kittredge to authorize the Board of Selectmen to sign a Resolution on behalf of the MBTA and forward it to the MBTA, seconded by Mr. Rucho, all in favor.

**9. Acknowledge receipt of Town Meeting Warrant articles**

Mr. Gaumond noted that 16 articles have been submitted. Mr. Rucho would like the DPW at the meeting next week to discuss the three items the parks Commission is requesting.

**10. Update of the Master Plan**



Mr. Gaumond reports that one of the things that should have been on this town meeting is the approved Master Plan. We have been working on this for quite some time with the Town-wide Planning Committee. The Committee divided up the chapters to various members and it was our hope that the final draft would be available prior to town meeting. The Committee will not be bringing forward an update in October as planned. They do have some of chapters in draft form which Mr. Gaumond will publish on the website as draft chapters. The Board has no questions on this agenda item.

#### 11. Review Zoning Board of Appeals information

Mr. Gaumond explained that the agenda package contains a second Open Meeting Law complaint filed against the ZBA. He believes they dealt with it at their last meeting. We also have a letter of resignation dated September 6, 2012 from Matt Colangelo, member of the Committee, effective immediately. He suggested that the Board send Mr. Colangelo a letter thanking him for his service.

Motion Mr. Rucho to send Mr. Colangelo a letter thanking him for his service, seconded by Mr. Hadley. Mr. O'Brien suggested that before the Board sends the letter and accepts his resignation, which he thinks would be a big loss to the town, perhaps we should have exit interview or something to see if he would withdraw his resignation. Mr. Gaumond explained that when you file this with the Town Clerk you are giving up the position, and the Board could appoint him to the vacancy. He would leave it to the Board of Selectmen as it is their appointment. He also concurs that it is a loss to the ZBA to have Mr. Colangelo resign. Vote on the motion – all in favor.

Mr. McCormick believes this should be a future agenda item and he would like to have a time slot where the Board of Selectmen can discuss the ZBA and its ability to function as a Board as the Selectmen appoint this Board. He attended their meeting the other night with Mr. Rucho and Mr. Hadley, all sitting in different areas in the meeting room, and it is somewhat disappointing to see what goes on at the ZBA meeting. He is not looking for input from the ZBA but rather input from the Board of Selectmen. Mr. Hadley agrees something needs to be done as quickly as possible. It was agreed to schedule this for October 3<sup>rd</sup>.

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

1. September 26, 7:00 p.m., Special Meeting to close, review and sign warrant for October 15 town meeting
2. September 27, 7:00 p.m., Cable TV Advisory Cmte. public hearing in meeting room #1 of town hall – Mr. Gaumond noted that the Committee is still looking for feedback as to whether there is anything else they should be considering during their deliberation other than what is included in the letter they sent to the Board, which is in their agenda package.
3. October 4, 8:30 a.m., Disability Retirement in Massachusetts: The Process, the Price, and Prevention: Four Points by Sheraton in Leominster
4. October 15, 7:00 p.m., Semi-annual Town Meeting
5. October 20, 8-11:00 a.m., Document Shredding Day at Earthday Recycling Center
6. Provide Notification to the Town Administrator by November 7 if you do not wish to reappoint him to a successor contract
7. November 16, 2012, 8-10:30 a.m., CMRPC Fall Legislative Affairs Breakfast, CMRPC, Worcester, Mass – the topic for this session is local mandates and the Board is invited to attend.

### **FUTURE AGENDA ITEMS**

Mr. Hadley asked if when the Board has the meeting for the ZBA could we ask the members of the Cable TV Committee to attend so we can discuss camera coverage for the ZBA meetings.

Motion Mr. Hadley at 9:00 p.m. to go into executive session under the provisions of Massachusetts General Laws Chapter 30A, Section 21(a), Parts 3 to discuss strategy with respect to collective bargaining with the police and the Teamsters, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body and the chair so declares, seconded by Mr. Rucho. Mr. McCormick declared that having this discussion in open session may have a detrimental effect on the negotiating position of the public body. Roll call vote: Mr. Kittredge yes, Mr. Hadley yes, Mr. McCormick yes, Mr. O'Brien yes, Mr. Rucho yes.

Motion Mr. Rucho to come out of executive session at 9:45 p.m., seconded by Mr. Hadley. Roll call vote: Mr. Hadley yes, Mr. McCormick yes, Mr. O'Brien yes, Mr. Rucho yes.

With no further business to come before the Board, motion Mr. O'Brien at 9:45 p.m. to adjourn, seconded by Mr. Rucho, all in favor.

Respectfully submitted,

Approved: October 3, 2012

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Nancy E. Lucier, Municipal Assistant

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Kevin M. McCormick, Chairman

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John J. O'Brien, Vice Chairman

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Christopher A. Rucho, Clerk

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John W. Hadley, Selectman

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Michael J. Kittredge, Jr., Selectman