

Members present: Kevin M. McCormick                      John W. Hadley  
                         Christopher A. Rucho                      Siobhan M. Bohnson  
Members absent: Michael J. Kittredge, Jr.

Mr. McCormick convened the meeting at 7:00 p.m.

**Read and Acceptance of Minutes from Previous Meeting**

Motion Mr. Hadley to approve the regular session meeting minutes from July 10, 2013, seconded by Ms. Bohnson. Vote on the motion – Messrs. McCormick, Hadley and Bohnson yes; Mr. Rucho abstains as he was not in attendance.

Motion Mr. Hadley to approve the regular session meeting minutes from July 17, 2013, seconded by Ms. Bohnson. Vote on the motion – Messrs. McCormick, Hadley and Bohnson yes; Mr. Rucho abstains as he was not in attendance.

Motion Mr. Hadley to approve the executive session meeting minutes from July 17, 2013, seconded by Ms. Bohnson. Vote on the motion – Messrs. McCormick, Hadley and Bohnson yes; Mr. Rucho abstains as he was not in attendance.

Motion Mr. Hadley to approve the regular session meeting minutes from July 31, 2013, seconded by Mrs. Bohnson, all in favor.

Motion Mr. Hadley to approve the regular session meeting minutes from August 1, 2013, seconded by Ms. Bohnson, all in favor.

**Board Reorganization – Board of Selectmen & Board of Sewer Commissioners**

Motion Mr. Hadley to designate Mr. McCormick to serve as Chairman until the next election, seconded by Ms. Bohnson, all in favor.

Motion Mr. Hadley to designate Mr. Rucho to serve as Vice Chairman until the next election, seconded by Ms. Bohnson, all in favor.

Motion Mr. Rucho to designate Mr. Hadley to serve as Clerk until the next election, seconded by Ms. Bohnson, all in favor.

**Assignment of Other Board Obligations**

Motion by Mr. Hadley and second by Mr. Rucho to concur with the following other Board obligations, Earth Removal Board – Mr. Hadley; TWPC – Mr. Hadley; Upper Blackstone Water Pollution Abatement District (alternate) – Mr. Kittredge; MBTA – Mr. McCormick; Parks Facilities Committee – Messrs. Rucho & Ms. Bohnson; MWRA – alternate Mr. McCormick; Affordable Housing Trust Board of Trustees Mr. Hadley; CMRPC alternate – Mr. McCormick; Bylaws Committee (Chair of BOS) – Mr. McCormick; Economic Development Committee – Mr. Rucho; Municipal Buildings Committee – Mr. McCormick; and Transportation Cmte. ex officio – Mr. McCormick. Mr. Rucho questioned whether Mr. Hadley should also be listed as a Selectmen designee to the Economic Development Task Force as he also serves on that committee. Mr. Gaumond explained that Mr. Hadley was on that committee as a resident prior to becoming a Selectman and Mr. Rucho's slot is the Selectmen's designee to the committee. Vote on the motion – all in favor.

**Concurrence on the Appointment of Thomas Welsh as Fire Chief Effective August 9, 2013**

Mr. Gaumond asked for the Board's concurrence on the appointment.

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

Tom Welsh joined the Board. He stated that he is looking forward to serving the town in the capacity

that he has been doing as Interim Chief. Ms. Bohnson expressed her delight with the appointment noting that he has a great way about him and she looks forward to having him stay in the community. He knows also knows so many people. Mr. Gaumond wished him the very best.

**NEW BUSINESS**

1. Consider request from Patrick Brennan to use the Mixer building as a location for a short film project

Patrick Brennan joined the Board with Austin Clark. Mr. Gaumond explained that Patrick made a formal request to come before the Board to use the Mixer Building to do a short zombie action movie for school. The agenda contains a copy of the request together with comments from Robert Marinelli, our Loss Control Representative from MIIA our insurance company.

Mr. Brennan explained that he and a couple of his school friends as well as teachers are doing a short film as a summer project. He needs to find a dilapidated old building to use in the film. He visited the building with Mr. Gaumond and thinks it would be the perfect location. He understands the safety concerns around asbestos and broken glass and he would sign a waiver to use the building.

Mr. Hadley expressed his concern over the mold inside the building. Mr. Brennan intends to have all the actors wear gas masks and air filters and he feels the people understand the risk so they would sign a waiver. Mr. Rucho thinks they have a great idea for the project; however, he doesn't think the Board should allow him to use the building because it is unsafe and signing a waiver does nothing if somebody goes in the building and gets hurt. Mr. Brennan intends to shoot three hours a day and spread the project out over three days. Ms. Bohnson asked if they had looked at other locations and if they lived in town. Mr. Brennan advised that he has looked at other locations and he does not live in town. The other locations he looked at were in other parts of Massachusetts, however, they were too close to the road. This location fits his script. He lives in Shrewsbury. Ms. Bohnson asked if adults were involved. Mr. Brennan noted that parents would be there to oversee the operation. Ms. Bohnson reinforced that the building is really not safe and we would not want anybody to be put at risk. Mr. Hadley concurred that he would not want to take the responsibility because it is too dangerous inside the building.

Motion Mr. Hadley to deny the request to use the building for a film, seconded by Mr. Rucho. Mr. McCormick agrees with the comments. He added that the town is ready to demolish the building and he also read the comments from our insurance company. Vote on the motion – all in favor.

2. Consider request from Community Club for a one-day special license to sell beer and wine on September 6<sup>th</sup>, 7:00 p.m. to 11:00 p.m. at Goodale Park adjacent to the basketball courts

Erin Beardsley joined the Board representing the Community Club. She explained that they recently received approval for a date in June, however, that fell through, and they are now planning on the September date. This request requires two votes from the Board of Selectmen. The first is to waive the Section 9 of Article 13 of the General Bylaws of the Town, 'No person shall keep, use, consume or have in his possession any alcoholic beverage as defined in Section 5 in any public park or playground in the Town of West Boylston,' and the second is a motion to grant the license.

Motion Ms. Bohnson to waive Section 9 of Article 13 of the General Bylaws of the Town for this event, seconded by Mr. Hadley. In discussion, Mr. Rucho thinks we should bring this bylaw to town meeting to let the townspeople remove it so the Board doesn't have to waive it. He suggested including this on a future agenda. Vote on the motion – all in favor.

Motion Mr. Hadley to grant the request for the one-day special license to sell beer and wine on September 6<sup>th</sup>, 7:00 p.m. to 11:00 p.m. at Goodale Park adjacent to the basketball courts, seconded by

Ms. Bohnson.

Mr. Gaumond advised that all departments have responded to the request with the exception of the Parks Commission, who do not meet until Monday. He thinks it is imperative that the Parks Commission have an opportunity to weigh in, and he also believes that the Parks Commission should vote first and then the Board of Selectmen. Mr. Rucho recommends following the process and take this up at the next meeting on the 21<sup>st</sup>. Ms. Beardsley expressed her concern about the timing as it would not give her sufficient time to advertise the event. Mr. McCormick noted that in the past we have granted conditional approval pending hearing back from a department. Ms. Beardsley reports that she was instructed by the Chair of the Parks Commission to get approval from the Board of Selectmen first and then go to the Commission. Mr. Gaumond advised that today we did speak with the Chair of the Parks Commission and there may be some confusion. He does not believe that is the process.

Vote on the motion- Messrs. McCormick, Hadley and Bohnson yes; Mr. Rucho no.

3. Concurrence on the appointment of Robert Ash to the Earth Removal Board as the designee of the Water District, effective August 8, 2013 for a term to expire on June 30, 2014

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

4. Concurrence on the appointment of Brenda Bowman to the Open Space Implementation Committee effective August 8, 2013 for a term to expire on June 30, 2014

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

5. Concurrence on an intradepartmental transfer for Unemployment Compensation

This request does not change the bottom line of the budget. A couple of years ago we brought on Unemployment Tax Corporation and we need to separate out the cost of those services into a Purchased Service line item. The amount of the request is \$2,500.

Motion Mr. Rucho to approve the intradepartmental transfer for Unemployment Compensation in the amount of \$2,500, seconded by Ms. Bohnson, all in favor.

6. Consider accepting the following donations for the Bandstand Committee on behalf of the town: \$250.00 – from Fynders, \$160.50 – free will donations from July 14<sup>th</sup> concert, \$173.40 – free will donations from July 21<sup>st</sup> concert and \$50.00 – donation from Vignaly Family

Motion Mr. Hadley to accept the donations on behalf of the town, seconded by Ms. Bohnson, all in favor.

7. Board's recommendations and advice on Goals and Objectives for the DPW Director

Mr. Gaumond welcomes recommendations on goals and objectives for the DPW Director. Mr. Rucho asked about previous goals. Mr. Gaumond explained that he takes the goals and objectives the Board issues for the town and he divides them amongst various department heads who will be responsible for them.

8. Announce Amendments to G.L. c. 30B

Mr. Gaumond intends to include this topic on a future department head meeting. The legislators and governor have signed into law an amendment to Chapter 30B, the Procurement Act. This law outlines how cities and towns can buy goods and services. Previously three quotes were required on items with an estimated cost of \$5,000 to \$25,000. The law was changed to three quotes for items with an estimated of \$10,000 to \$25,000. Municipalities must use sound business practices for any goods

and services under \$10,000.

9. Update Board contact information

Board members were asked to confirm their contact information which will be provided to the general public.

**Joint Meeting with Planning Board to Fill Vacancy on the Planning Board Until the Next Annual Election**

Mr. McCormick read the following public notice. Notice is hereby given that the Board of Selectmen shall be accepting applications and letters of interest from registered voters of the Town of West Boylston to serve on the Planning Board until the 2014 Annual Town Election. Applications or letters of interest will be accepted at or addressed to: Board of Selectmen, 127 Hartwell Street, Suite 100, West Boylston, Massachusetts 01583. Applications will be accepted until 6:30 p.m. on August 7, 2013, and the Board of Selectmen and the Planning Board will meet at 7:30 p.m. to interview candidates and jointly appoint a candidate to fill the vacancy until the next Annual Election. For additional information please contact the Office of the Board of Selectmen at (508) 835-3490. Kevin M. McCormick, Chairman, Board of Selectmen, posted on the website on July 17, 2013.

Planning Board members Marc Frieden, Vincent Vignaly, Patrick McKeon and Christopher Olson joined the Board. Only one applicant expressed interest in the vacancy. Jim Kaufman, 11 Marsh Hawk Way joined the group. He explained that he has lived in West Boylston over three years and has come to enjoy and love living here. He always likes to see his granddaughter use the library. He worked in the public sector in education, has developed 3-5 year budgets and currently works for an insurance company. He has an MBA from Babson College.

Ms. Bohnson asked Mr. Kaufman to speak about his main interest in the position. Mr. Kaufman explained that he would like to be part of the future in West Boylston. He would like to look at how we can find ways to better serve the community as well as look at future plans. He has only been here for three years. He would offer an opinion outside of what has been, a fresh point of view. He is very pro active and positive, not just a spectator. Mr. Frieden asked where he lived before moving to town. Mr. Kaufman lived in Northborough and was never involved with the Planning Board. Mr. Hadley asked if he had any issue with Wednesday night meetings. Mr. Kaufman indicated that he would have no problem. Mr. Vignaly asked if he had any experience with bylaws, either writing them or dealing with them. Mr. Kaufman indicated that he has not, however, he would be willing to catch up on it and he is looking forward having other members helping him get up to speed. Mr. McKeon asked if there was anything specific that didn't get passed in town that he thought should have been approved. Mr. Kaufman noted that he has an interest in road surfaces of the town. He did work with Rep. Jim O'Day to get answers on an issue in town, which was not just for himself, but for the entire town. Mr. Rucho questioned how long the term was for. It was explained that should Mr. Kaufman be elected, it would be for a one-year term and next year he would run for the seat in the town election, for an additional four years.

Mr. McCormick asked if anyone would like to step forward and be nominated for the vacancy. No one stepped forward.

Motion Mr. Vignaly to nominate Jim Kaufman to fill the vacancy on the Planning Board, seconded by Mr. Olson. Roll call vote: Mr. Vignaly yes, Mr. Frieden yes, Mr. Rucho yes, Ms. Bohnson yes, Mr. McCormick yes, Mr. Hadley yes, Mr. McKeon yes, Mr. Olson yes.

**John Scannell, Department of Conservation & Recreation - Update on Wachusett Earth Day**

**Facility**

Mr. Scannell reports that the good news is there is very little to report and there are no problems. The building under construction the last time he updated the Board is completed and being used. The trailer that served as the old office will be moved to the back of the site and used for storage. The collection statistics for West Boylston, overall there has been 13% increase in the number of collections. West Boylston continues to be 16-18% of the users. They had 1,135 different car trips compared to under 1,000 the previous year. From a site perspective, Wachusett Earthday is trying to get a grant to pave more of the parking lot. The next hazardous collection is scheduled for September 21<sup>st</sup> and the next paper shredding date is October 19<sup>th</sup>. All goes well, no problems to their knowledge. Mr. McCormick hears good things about the facility all of the time. Mr. Rucho noted an issue with paper blowing around. Mr. Scannell explained that there were a couple of windy days and somebody didn't put the cover on the cardboard. All was picked up quickly.

Mr. Gaumond informed Mr. Scannell that Eric Seaborn asked him for permission to use the Wachusett Earthday site as a staging area for tree planting efforts. He let him know that the property does not belong to the town and he will forward the request to Wachusett Earthday. Mr. Scannell indicated that they will work with them to accommodate their needs.

Mr. Rucho asked if there have been any town added to the program. Mr. Scannell explained that no one has been added and things are running well as it is. People asked about adding a town or outside paid membership. If it were to come about, it would be discussing outside paid individual usage as opposed to another community.

Mr. Gaumond noted that he and Mr. Scannell had the pleasure of attending the most recent annual update on the ALB Eradication Program.

Mr. Rucho asked Mr. Scannell if they had completed their project, which involved cutting back the hill in front of their facility on Beaman Street. Mr. Scannell advised that they had and it was a great project. He also informed the Board that all the trees which were removed across the street from the facility were due to the ALB.

Mr. Scannell reports that he spoke with DPW Director Sylvia about the Route 140/Old Stone Church area and getting off street parking in the area. They have done some surveying and may be asking the town to install 'no parking' signs on the opposite side of the street. Mr. Rucho is in favor of that proposal.

Mr. Hadley noted that the DCR just purchased the former Chapman property in Oakdale. Ms. Bohnson asked if they had any plans for the area. Mr. Scannell reports that they intend to take the buildings down and restore the area, which did not have any hazardous waste on the site.

Mr. McCormick suggested going forward to have annual reports from Mr. Scannell rather than every six months. Mr. Scannell would rather be communicating than not and encouraged the Board to contact him if they need to speak with him. Ms Bohnson suggested an email every six-months and one annual visit. Everyone agreed with that approach.

**NEW BUSINESS (cont.)****10. Goal #6 – Conduct a Wage Study for all Non-Union Employees**

Mr. Gaumond developed a draft RFP which was also sent to the members of the Personnel Board and HR subcommittee. Everyone seems satisfied with the document as written. Appendix C lists the positions we intend to review, which includes all wage earners, exempt employees in Grades 6 through 10, and the positions of Town Administrator, Police Chief, Fire Chief and DPW Director. As the firefighters fall into the non-union employees of the town, Mr. Gaumond want to make sure that

the Board is in agreement that they should be included in the study. The Board indicated their approval. The document also includes a market survey of comparative communities and comparative positions in the private sector. He also wants to make sure the Board agrees with that approach. Mr. Hadley does not believe the private sector should be included as it is not comparing apples to apples.

The RFP references the Personnel Bylaw and Section 6 speaks to the Scope of Services which includes conduct a comparative market analysis to other municipal employers within the general employment area for West Boylston, working with Town Administrator to develop a comparable community list equal by function to each department. Using the salary survey results, develop a comprehensive pay plan for all positions. Assign an appropriate grade level to all non-union positions. Assign an appropriate placement on grade for each employee. Evaluate the current pay increase system. Develop a mechanism to address market sensitive positions. Develop Position Evaluation Manual to reflect project methodology for managing classification and compensation schedules. Evaluate job descriptions for FLSA and ADA competency, accuracy and format and improve as necessary and write new job descriptions as needed to improve classification system

Mr. McCormick noted that we always identify our Benchmark Communities by using communities not at all close to our town. He would rather not do that for this study. Mr. Gaumond advised that he will be using communities in our area.

Mr. Gaumond has a deadline of September 18 for submittals on the project. That will give us sufficient time to open the bids and obtain prices in anticipation of town meeting. He will be looking for the Board to include a placeholder for an article on the town meeting warrant. He will also be looking for one or two members of the Board to work with him on reviewing the proposals and recommending a firm. Ms. Bohnson offered to serve on the review team.

Motion Mr. Rucho to designate Ms. Bohnson to serve on the RFP Review Team, seconded by Mr. Hadley, all in favor.

#### 11. Amendments to the Non-Discrimination and Equal Employment Opportunity Bylaw

Mr. Gaumond explained that he received notice from Town Counsel that several of our bylaws and policies need to be updated. One change is to Section C of our Personnel Bylaws entitled Non-Discrimination and Equal Opportunity Statement. He recommends Section C be removed and replaced with language recommended by town counsel. Mr. Gaumond asked the Board to concur on the recommendations and authorize the Town Administrator to include them on the town meeting warrant.

Motion Mr. Hadley to concur with Town Counsel's recommendations and include the bylaws changes on the town meeting warrant, seconded by Mr. Rucho, all in favor.

#### 12. Review of Town Election Complaint

Mr. Gaumond was asked by a member of the Board of Selectmen to include this item on the agenda. He asked Town Clerk Kim Hopewell to explain what happened with the elevator as a resident made the complaint at the last FISP meeting. The Town Clerk reports that the elevator was working properly and to please let the Board know that it is a non-issue. Mr. Hadley asked if there is an issue, could they post something to let people know it is not working. Mr. Rucho noted that he also heard there was an issue. Ms. Bohnson advised that there are a lot of kids looking to do volunteer work in town and perhaps they could be used to help people. She used the elevator in the past and found it a little tricky. She added that there are girl scouts, boy scouts and high school kids who are looking to do hours and perhaps setting up a schedule for them to cover on Election Day. Mr. Gaumond will forward all the comments to the Town Clerk.

13. Review and Approve Schedule for October 21, 2013 Semi-Annual Town Meeting  
Motion Mr. Rucho to concur with the schedule, seconded by Mr. Hadley, all in favor.

**FUTURE AGENDA ITEMS**

There are no future agenda items this evening.

**MEETINGS, INVITATIONS & ANNOUNCEMENTS**

1. Informational Meetings for the Purchase of 140 Worcester Street as Town Hall: August 8<sup>th</sup>, 6:30 town hall, August 13<sup>th</sup>, 6:30 library, August 17<sup>th</sup>, 10:00 a.m. - town hall, August 20<sup>th</sup>, 6:30 Our Lady of Good Counsel Church, August 22<sup>nd</sup>, 6:30 First Congregational Church and August 27<sup>th</sup>, 6:30 Christ Lutheran Church. Mr. Hadley noted that the FISP Committee has held quite a few meetings and hopefully we will bring the town hall project to fruition. He thanked Mike Kane from The Banner for the article which appeared in the Telegram and Gazette.

2. Announce that the Town Administrator's ICMA Credentialing has been renewed. Mr. Gaumond noted that there are 26 credentialed managers in the state. Ms. Bohnson asked if courses are required. Mr. Gaumond explained that you need to commit to a program of up to 40 hours of continued development or training programs. At the beginning of the year you have to create a plan for yourself on what you intend to spend the next year working on such as citizen engagement or ethics. You build a plan based on those items, which you need to submit to ICMA for approval. Then you spend the year working towards that plan. The ethical requirements are posted in his office and he also does a blog on the ethical requirements.

3. MMA Fall Legislative Breakfast Meeting Schedule: September 20<sup>th</sup> – Brimfield, Florida & Rochester, September 27<sup>th</sup> – Becket, Danvers & Petersham, October 4<sup>th</sup> – Needham, North Attleborough & Shirley. Mr. Gaumond intends to attend the Brimfield event.

Ms. Bohnson acknowledged two boy scouts who are in the audience this evening. They identified themselves as Matt Barakian and Thatcher Van Atten. They explained that they are here tonight to meet one of their requirements of their citizen badge. She asked them if they learned anything. Mr. Van Atten thought the meeting was actually pretty interesting. Ms. Bohnson asked if they lived in town. Both scouts indicated that they did. Ms. Bohnson stated that she thinks it is very nice that they came to listen and hear about things. She thinks it is superb for them to take interest in their town as they might pick up something for the future. She thanked them for coming and having an interest in their town and encouraged them to participate in any town government meeting. Mr. Gaumond pointed out that the citizenship badge is one of the badges required in order to become an Eagle Scout. Ms. Bohnson wished the scouts good luck with their project.

Motion Mr. Rucho at 8:15 p.m. to enter into executive session under the provisions of Massachusetts General Laws, Chapter 30A, Section 21(A), Part 2 to conduct strategy sessions in preparation for negotiations with non-union personnel, The Fire Chief, seconded by Mr. Hadley. Roll call vote: Mr. Hadley yes, Mr. McCormick yes, Ms. Bohnson yes, Mr. Rucho yes. The Board may reconvene in open session.

Motion Mr. Rucho at 9:02 p.m. to come out of executive session, seconded by Ms. Bohnson. Roll call vote: Mr. Hadley yes, Mr. McCormick yes, Ms. Bohnson yes, Mr. Rucho yes.

With no further business to come before the Board, motion Ms. Bohnson at 9:03 p.m. to adjourn, seconded by Mr. Hadley, all in favor.

Respectfully submitted,

Approved: August 21, 2013

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Nancy E. Lucier, Municipal Assistant

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Kevin M. McCormick, Chairman

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Christopher A. Rucho, Clerk

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John W. Hadley, Selectman

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Siobhan M. Bohnson, Selectman