

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

Mr. McCormick convened the meeting at 7:00 p.m. and welcomed Siobhan Bohnson to the Board noting that she is the first ever female Selectperson in West Boylston. Ms. Bohnson stated that she looks forward to working with the townspeople as well as the Board of Selectmen.

Read and Acceptance of Minutes from Previous Meeting

Motion Mr. Hadley to approve the regular session meeting minutes from June 19, 2013, seconded by Mr. Kittredge. Vote on the motion – Messrs. McCormick, Hadley and Kittredge yes; Mr. Bohnson abstains.

NEW BUSINESS

1. Acknowledge resignation of Eric Reddy from the Finance Committee and consider signing letter thanking him for his service

Motion Mr. Kittredge to accept the resignation and sign the letter, seconded by Mr. Hadley, all in favor.

2. Concurrence on the appointment of Siobhan Bohnson to the Facilities Implementation & Strategic Planning Committee, effective June 26, 2013 for a term to expire on June 30, 2015

Motion Mr. Hadley to concur with the appointment, seconded by Mr. Kittredge. Vote on the motion Messrs. McCormick, Hadley and Kittredge yes; Mr. Bohnson abstains.

3. Concurrence on the appointment of Robert Barrell to the Earth Removal Board as the designee of the Board of Health, effective July 18, 2013 for a term to expire on June 30, 2014

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

4. Concurrence on the appointment of Jesse Boucher as CERT Coordinator effective July 17, 2013 for a term to expire on April 30, 2014

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

5. Appointment of Barbara Handy to the position of Registrar effective July 18, 2013 for a tem to expire on August 15, 2015, as recommended by the Town Clerk

Motion Mr. Kittredge to approve the appointment, seconded by Mr. Hadley, all in favor.

6. Appointment of Barbara Deschenes to the position of Registrar effective August 16, 2013 for a term to expire on August 15, 2016, as recommended by the Town Clerk

Motion Mr. Kittredge to approve the appointment, seconded by Mr. Hadley, all in favor.

7. Vote to sign Federal Excess Personal Property Cooperative Agreement between the Massachusetts Department of Conservation & Recreation Bureau of Forest Fire Control & Forestry and the West Boylston Fire Department

Motion Mr. Kittredge to sign the Agreement, seconded by Mr. Hadley, all in favor.

8. Vote to sign DoD Firefighting Program Cooperative Agreement between Massachusetts Department of Conservation & Recreation Bureau of Forest Fire Control & Forestry and the West Boylston Fire Department

Motion Mr. Kittredge to sign the Agreement, seconded by Mr. Hadley, all in favor.

9. Consider accepting the following donations for the Bandstand Committee on behalf of the town: \$250 from Committee to elect James O'Day, \$117.25 free will donations from June 23rd concert and \$169.10 free will donations from June 30th concert

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

Public Hearing: Application for a Retail Alcoholic Beverage License for a Package Store to Sell Wine & Malt Beverages Only From Goat Ridge Farm, 27 Sterling Street

Mr. McCormick opened the public hearing and read the following notice. The Board of Selectmen of the Town of West Boylston will hold a public hearing on the Application for a Retail Alcoholic Beverage License for a package store to sell wine & malt beverages only from Goat Ridge Farm, 27 Sterling Street. The public hearing will be held on Wednesday, July 17, 2013 at 7:05 p.m. in Conference Room #1 of the Municipal Office Building, 127 Hartwell Street, Suite 100, West Boylston. All interested persons, groups, and agencies are invited to attend. Kevin M. McCormick, Chairman, advertised on July 6, 2013.

James Camp joined the Board. Mr. Gaumond inquired as to whether he had an opportunity to meet with the Board of Health as the Board of Health is requiring some work at their location. Mr. Camp advised that they had the excavation from the sewer line done and it should be completed by Friday. None of the other departments had an issue with the request. There is no one present to speak on this issue.

Motion Mr. Hadley to close the public hearing, seconded by Mr. Kittredge, all in favor.

Motion Mr. Kittredge to grant the request for a Retail Alcoholic Beverage License for a Package Store to sell Wine & Malt Beverages only from Goat Ridge Farm, 27 Sterling Street, seconded by Mr. Hadley, all in favor.

NEW BUSINESS

1. Vote on recommendation of the Transportation Committee on Chapter 90 expenditures

DPW Director Anthony Sylvia joined the Board to discuss the Chapter 90 projects. The Transportation Committee met last week, reviewed the list and is recommending the projects which are included in the agenda. Mr. Gaumond explained that Chapter 90 funds are the funds we get from the state, which can be used for repair of roads, bridges, sidewalks and drainage projects. The Governor approved an increase in those funds of 50% over last year and the town anticipates getting \$450,000 this year to spend on projects. However, the funds have not been released and we want to be prepared to move forward with the projects when the funds are released.

Mr. McCormick is the Board's representative on the Transportation Committee. He reports that the Committee discussed each project and some have been on the list for quite some time. The estimated cost is just that as we have not yet gone out to bid and some of the projects will not be done until next year. Mr. McCormick noted that a lot of work and consideration has been done by the Transportation Committee.

Ms. Bohnson noted that the Campground Road drainage project has an estimated completion

date of October 2013 and asked if that meant that once the money is released would that be the first project. Mr. Sylvia explained that he placed the projects in an order based on our ability to get the project done. He feels the DPW could do the first three projects, Campground Rd. Drainage, Prescott Street Drainage and Marsh Hawk Way Drainage, as they can mobilize a little faster than getting a contractor. Ms. Bohnson asked when does the town normally receive their Chapter 90 funds or does it vary. Mr. Gaumond explained that it has been varying, but it has always been important to get the money in the spring time so we can get things done during the construction season. The last couple of years have been a challenge. Mr. Sylvia added that Chapter 90 has been in place for almost ten years and the money used to be available each May and June, however, now awards are later in the year. Mr. Gaumond advised that annually at the May town meeting we have an article which allows the town to expend Chapter 90 funds in anticipation of reimbursement. As soon as we get the award letter, we will move forward. He noted that the listing contains a lot of reactive fixes to problems and pro active fixes such as a Town-wide Crack Sealing Program and some traffic studies. The list also includes a sidewalk project on Prescott Street from Sterling Street to Shady Lane. The next agenda for the Transportation Committee will be dedicated to sidewalks so that we can expand upon our Sidewalk Project Plan. Mr. Sylvia added that in his experience as a Public Works Director it is about asset management and developing a plan that can benefit the whole town so that if funding becomes available we have a plan. Mr. Hadley questioned who will do the engineering for the guardrail projects. Mr. Sylvia currently uses Leonard Engineering, however on the traffic study they may use VHB, the on-call engineers for the Planning Board. Other projects may need to be put out to bid or an advertised Request for Proposals or Request for Quotes.

2.Update on Marsh Hawk Way James Kaufman, 11 Marsh Hawk Way

Mr. Sylvia reports that he was introduced to this problem about one month ago. Since that time he met with the property owner and inspected the property. He evaluated a number of different issues, including irregular settling in the road and on private property owned by Mr. Kaufman. He also reviewed available records including the sewer construction project and the building permit file to get an understanding of what has happened over the years. At this point he does not have a recommended course of action. He would ask permission to continue his evaluation of what is going on. Possibilities may include ground water and issues with the type of soils on the property and under the roadway. He would like to keep the project on the list and have the Board of Selectmen approve the recommended funds which is based on a potential fix being an under drain system in the roadway. He is not certain that is the correct fix and prior to spending any funds for work in the public right of way he will keep the Board and the Town Administration informed.

Mr. Gaumond advised that in previous years the issue of public funding of repairs on private property has come up. We are not proposing that. The Board of Selectmen does not allow the use of public money to repair private property. He will continue to keep them in the loop.

Motion Mr. Hadley to accept the recommendation of the Transportation Committee and the DPW Director on the list of Chapter 90 projects, seconded by Mr. Kittredge. It was noted that project #19 the Crescent Street wall should be changed to R for road and the construction party may or may not be the DPW.

Motion Mr. Hadley to amend the list to include those two changes, seconded by Mr. Kittredge, all in favor of the amended motion.

James Kaufman, 11 Marsh Hawk Way joined the Board. He reports that he met with Mr. Sylvia this morning and has previously met with this Board a few times. The damage on his personal property is getting significantly worse. He is not looking for the town to fund anything if it is as a direct result

of his property. He needs the water spicket turned off as his driveway is buckling, he has 3 sink holes, his sidewalk and driveway are sinking and he has a crack in his garage floor. His neighbor on the back side of the cul de sac is now experiencing problems. His driveway is sinking as well. He did meet with the Transportation Committee last year and Vinny came out two or three times as he was concerned about what was happening on his property. He requested a berm at the edge of the road because of the street buckling in front of his property. He has 600 feet of frontage and water is coming in because of the buckling of the sewer trench on the property. Vin was very helpful. He has been trying to be patient, however, and one month ago his granddaughter was walking on the walkway and she fell. He hired a construction company that specializes in environmental construction and a civil engineer. They put in 7 dig holes, and three wells, two wells are showing water moving up and down. Another test well far away is not doing anything. He believes the water is coming in through the trench as you can see a trench is being made and the pavement is actually sinking. His biggest issue is the longer we wait the worse his problem gets. This has been going on since April of 2011. He likes Mr. Sylvia's idea of finding out the cause and then get a solution to what the problem is. He hopes we can get this done this year. He gave Mr. Sylvia the minutes from the Water District and the letter he received from Vinny. The engineer is still doing testing down in the back side of the property and he is still doing periodic testing. When he gets something from them he will provide the information to Mr. Sylvia. He has invested \$7,000 for the engineer and contractor. He added that he is responsible for the sink hold next to the old septic. He also invited Ms. Bohnson to come out to inspect his property.

NEW BUSINESS (cont.)

10. Announce list of vacancies on town boards and committees. The town has the following vacancies: Cultural Council have 5 can have up to 22, Town-wide Planning Committee (4), Cable TV Advisory Committee (4), Council on Aging (1), Naming Committee (2), Solid Waste Advisory Committee (2) Open Space Implementation Committee (3), Agricultural Commission (2), Facilities Implementation & Strategic Planning Cmte. (2), Personnel Board (3), Bylaw Committee (1), Parks Commission (1), Associate Member Conservation Commission (1), Finance Committee (2) and Municipal Buildings Committee (1). If you are interested in serving, please submit an application to the Office of the Board of Selectmen/Town Administrator, Town of West Boylston, 127 Hartwell Street, West Boylston, Massachusetts 01583. If you have any questions, please call 508-835-3490.

11. Concurrence on the appointment of Charles Greenough as PEG Program Coordinator effective July 18, 2013 for a term to expire on April 30, 2014

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

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. 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.

2. July 24, 9-11:30 a.m. – Breakfast Meeting in Grace Conference Room in the University Center at Clark University for update on HERO Summer ALB

3. July 24, 7:00 p.m. – Facilities Implementation & Strategic Planning Committee Meeting
4. September 9, 2013 - Announce Special Town Meeting
5. September 17, 2013 – Announce Special Election
6. Announce that Chapter 31 of the Acts of 2013, An Act Authorizing the Town of West Boylston to Assess Compensatory Sewer Privilege Fees was signed by the Governor on July 1, 2013
7. Announce that the town received \$7,460 in MIIA Rewards Credits

NEW BUSINESS (cont.)

12. Request for Common License from China Express, 184 West Boylston Street

Mr. McCormick recused himself and turned the meeting over to Mr. Hadley. The applicants joined the Board and explained that they plan to serve Asian food, a mix of Chinese, Tai and a lot of Japanese. Currently they are remodeling and cleaning the premises. Mr. Hadley asked about their experience. They both worked in restaurants, one as a chef for ten years and the other as a waitress for nine years. They hope to open on Saturday. All the appropriate departments reviewed the request and have no concerns. Ms. Bohnson asked about their hours of operation. They intend to be there at 10:45 to 9:30 Sunday through Thursday and 10:45 to 10:00 on Friday and Saturday.

Motion Mr. Kittredge to grant the request for a Common Victualler's License from China Express, 184 West Boylston Street, seconded by Ms. Bohnson, all in favor.

FUTURE AGENDA ITEMS

Mr. Hadley would like an update on the Borrego Solar project.

Motion Mr. Hadley at 7:45 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, seconded by Mr. Kittredge. The Chair 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 not be going back into open session. Roll call vote: Mr. Kittredge yes, Mr. Hadley yes, Mr. McCormick yes, Ms. Bohnson yes.

Motion Ms. Bohnson at 8:08 p.m. to come out of executive session, seconded by Mr. Hadley. Roll call vote: Mr. Kittredge yes, Mr. Hadley yes, Mr. McCormick yes, Ms. Bohnson yes.

With no further business to come before the Board, motion Mr. Kittredge at 8:08 p.m. to adjourn, seconded by Mr. Hadley, all in favor.

Respectfully submitted,

Approved: August 7, 2013

Nancy E. Lucier, Municipal Assistant

Kevin M. McCormick, Chairman

John W. Hadley, Selectman

Michael J. Kittredge, Jr.

Siobhan M. Bohnson, Selectman