

**MEETING                      BOARD OF SELECTMEN/SEWER COMMISSION                      MARCH 20, 2013**

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

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 March 6, 2013, seconded by Mr. Rucho, all in favor.

Motion Mr. O'Brien to approve the executive session meeting minutes from March 6, 2013, seconded by Mr. Rucho, all in favor.

**Nolan Gauthier, Eagle Scout Project**

Nolan Gauthier joined the Board. He explained that a year ago he came before the Board with another Eagle Scout Project to re-do the baseball dugouts. After that he had another idea, which he has been working on since January, and he needs to get moving on. He is briefing the Board, at the suggestion of Jack McCormick, to see if they had any ideas on the project. The Board indicated their approval of the project, which is a plaque inscribed with the words, This Memorial is to Commemorate the Veterans who Served in Operation Desert Shield Iraq and Afghanistan, dedication date, May 26, 2014.

Mr. Gauthier explained that the plaque would be 10x15x12 in the front and 24" in the back. It will be a bronze plaque on granite and placed in the area around the flag pole in front of the First Congregational Church. There is a memorial cross at that location and Jack McCormick suggested installing the plaque at the location and placing the cross in front of the plaque. Mr. McCormick noted that Jack McCormick has been planning this project for some time but didn't have a funding source. Mr. Kittredge asked Mr. Gauthier if he needs any equipment for the project and if so, he is willing to help out with equipment. Mr. Gauthier does not have any equipment, however, the Cemetery has indicated they would be willing to help out. Mr. McCormick asked if he had done any fundraising. Mr. Gauthier explained that he has to put the proposal through council first and they will approve him to do fundraising. Mr. Kittredge noted that granite is very expensive and he suggested using a big stone. He added that Baldarelli has a lot of big stones and all you would need to do is choose the location.

Motion Mr. Kittredge to grant Mr. Gauthier the approval to place the memorial monument in the circle below the flag on the common, seconded by Mr. Rucho. In addition, once the project is ready the Board will accept it as a gift and allow it to be placed on the town common. If the location were to change, he would need to come back before the Board. Mr. Rucho suggested having him work with the DPW Director. Mr. Gauthier advised that he has contacted him, however he has not returned his call. Once he gets approval for fundraising, we will put this on an agenda. Mr. Rucho suggested that he also speak with The Banner. Vote on the motion – all in favor.

**Town Administrator's Fy2014 Budget Recommendation**

This item will be tabled until next Wednesday night. The FISP meeting will be moved.

**NEW BUSINESS**

1.Request from The Manor, 42 West Boylston Street, for a pool table license and 2 automatic amusement device licenses

Mr. McCormick recused himself. Savvas Fotiadis joined the Board. He explained that they are going through some changes and moving the pub into the dining room area. The area where the pub is will be turned into a fun room for people who are interested and they will put in a pool table, dart board, video games and a jukebox. The company which provides the automatic amusement devices brings in the machines and they take a 50% cut. For the time being, he does not intend to purchase the machine. All departments have reported that there is no issue with the request for the golf video machine, rock start internet jukebox, and megatouch live. Should Mr. Fotiadis make any changes on the automatic amusement devices, he will come back before the board for approval.

Motion Mr. Rucho to approve the request for 1 pool table, golf video machine, rock start internet jukebox and megatouch live, seconded by Mr. Kittredge, all in favor

Mr. Rucho asked if he had any idea of the time frame on the changes. Mr. Fotiadis explained that he will also need to meet with the Board on an application for alterations to his premises. He hopes to open mid to late spring. Mr. McCormick returned to the table.

2. Vote to authorize the Superintendent of Schools to submit a Statement of Interest, dated February 28, 2013 to the Massachusetts School Building Authority for a repair of the Middle/High School Media Center that will remedy leakage in that structure.

Motion Mr. O'Brien to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated March 13, 2013 for the Middle/High School located at 125 Crescent Street, West Boylston, MA which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: Priority 1; including replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists; for renovation of the West Boylston Middle High School Media Center; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority, seconded by Mr. Rucho, all in favor.

3. Review offer from Central Mass Regional Planning Commission to request three additional traffic counts for this year

Annually the Central Mass Regional Planning Commission performs traffic counts in the town. This year they plan to do counts on Crescent Street north of Prospect Street, Maple Street south of Route 140, Prospect Street north of Franklin Street, Route 12 south of Walmart, Route 12/140 north of Central Street Route 140 south of Route 12, Shrewsbury Street behind Hartwell Street & Maple Street and Thomas Street south of Route 140. If the town has any other suggestions, they would be willing to accept them. Mr. Gaumond outreached to the Planning Board, Transportation Committee, DPW, and the Police Chief to see if they had any requests. He received a request from Vinny Vignaly to include Goodale Street at the Holden town line, Goodale Street, east of Central Street and Goodale Street west of Central Street. Pat Halpin thought it would be helpful to have the 5-way intersection of Routes 12 and 140 included. Mr. Gaumond thinks those may be on the CMRPC list. She also suggested Woodland and Prospect Street.

Mr. O'Brien's concern is does this cost the town anything and do we do anything with the data. Mr. Gaumond explained that the data is sent to the police chief, the Transportation Committee and the Town-wide Planning Committee. We utilize it when we are looking to do something out of the ordinary. When the Board was considering making Franklin Street a one-way street, we looked at the vehicle count data. There is no cost involved as it is done through our membership. He thinks we could get three more added on without any issue. Mr. McCormick pointed out that every year they do quite a few locations and we could go back and look at different counts. They are planning on doing eight and would consider others the town is looking for.

Mr. McCormick noted that the Transportation Committee is working on the Woodland near Pinecroft area of town and discussed doing something different up there to lessen the traffic. If this were to come to the Board, they would need the traffic study information, although the Police Chief has a lot of data on that already. It was agreed to add on Goodale at West Boylston/Holden town line, Woodland at Prospect and perhaps Route 12 at 140.

4. Consider entering into an agreement with CGI Communications to develop a community video for the town's website

Mr. Gaumond explained that the reason why this is on the agenda is because of a conversation he had with Mr. Hadley, who has requested this item be carried over until the next meeting. Mr. O'Brien asked if we could find out what percentage of the money that they raise goes towards the advertising. He noted that they have had ten valid complaints with the Better Business Bureau since May of 2012 due to problems with returning money. They say it is free to the town and that is because they solicit money from businesses in the town. He would like to know what the profit level is out of making the videos.

5. Consider signing lease with D&S Realty LLP for town hall space at 127 Hartwell Street

Our lease is due to expire in mid-April. This will continue our lease for one year with a 1% increase and an option for an additional year.

Motion Mr. O'Brien to sign the lease, seconded by Mr. Kittredge, all in favor.

6. Review Sections of F & G of the Board of Selectmen's Policy Book

Section F of the Board's Policy Book contains the following policies. F-1, Finance Committee Reserve Fund Transfers. This policy identifies the criteria the Finance Committee will use to rule on requests for transfer from the Reserve Fund.

Policy F-2, Intra-departmental Transfer identifies the criteria the Finance Committee will use to rule on requests for an intra-departmental transfer, which are transfers in between accounts within a budget.

Policy F-3, Spending in Excess of Appropriation, is only allowed for snow and ice. Chapter 44, Section 31 of Mass General Laws states that no department financed by municipal revenue shall incur a liability in excess of the appropriation made for the use of each department.

Policy F-4 Investment Policy. This formalizes policies to ensure the security, safety, liquidity and yields of invested town funds and to reduce risk in managing the town's short and long term investment needs. It applies to most town funds such as general funds including the town's stabilization and capital investment fund, special revenue funds including the CPA funds, enterprise funds, bond proceeds and capital project funds.

Policy F-5 New Growth Taxation Revenue Policy. This policy establishes a means to project and develop reasonable operational and capital outlay plans during both normal and unusual periods of

real estate development and taxation growth. This was adopted on the heels of the National Grid Project which gave us a large new growth number for a short period. It requires that each fiscal year the town will budget and utilize not more than 1.44% of the prior fiscal year's legal levy limit for operational budget purposes.

Policy F-6, Policy on Fraud Prevention & Detection. This policy was established to facilitate the development of controls, which will aid in the prevention and detection of fraud against the town. It is the intent of the town to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations. The purpose of this document is to confirm that the town supports and fosters a culture of zero tolerance towards fraud in all of its forms. It also lays out definitions of fraud and what steps need to be taken. Employees should report suspected instances of fraud to their immediate supervisory or their next appropriate management. However, in certain circumstances it may be appropriate for employees to report suspected instances directly to the Finance Director if the alleged fraud has been committed by the employee's supervisor.

Policy F-7, Reserve Policy. This policy states under #2 - that a General Fund Stabilization Reserve will be maintained at not less than 5% of the annual general fund operating expenditures. This reserve will be maintained for unforeseen emergencies or catastrophic impacts to the town. #3 - Additional Specific Stabilization Funds and a Capital Reserve Fund may be established and funded by the Town as allowed under the General Laws of the Commonwealth, the Town's by-laws and administrative codes. The Certified Free Cash portion of the Undesignated Fund Balance shall be utilized by the Town according to the following hierarchy: to fund the General Fund Stabilization Reserve up to the current fiscal year's required limit as provided under # 2 above, to fund any other Reserve Fund Reserve requirements established by the Town as allowed under #3 above, to fund not more than 1 percent of the General Fund operational budget and to fund non-recurring expenditures within the general fund.

Policy F-8 Cash Receipts, Cash Disbursements, Petty Cash, Tailings and Reconciliation of Cash Policies and Procedures. Under Cash Receipts this policy states that it is the town's policy that the town accountant's office is solely responsible for the entry of cash receipts to the FUNDWARE system. The treasurer/collector's office enters receipts daily in Quicken. It is each department's responsibility to establish procedures to safeguard the collection and remittance of receipts until turned over to the treasurer. As part of this policy, the department head should review the turnover for accuracy and sign off on the turnover. The department head may designate other appropriate personnel to perform this task. Under Cash Disbursements, The town policy is that weekly accounts payable and bi-weekly payroll payments shall be made only from warrants duly signed and approved by the board of selectmen and by the town accountant. The treasurer or the treasurer's designee shall be responsible for the disbursement and mailing of all accounts payable checks and to assure that all town checks are delivered only to the designated vendor. Under Emergency Disbursements (manual checks), the town policy is that only in extenuating circumstances will the town accountant and treasurer/collector allow the issuance of a manual check outside of the normal warrant process. Under Petty Cash Administration, the policy of the Town is that *Petty Cash* accounts may be established for departments that need a small amount of cash to meet payments required at the time of service. Petty cash can only be replenished by submittal of all documentation and receipts through the warrant process for review of the town accountant. Petty cash transactions will never be used to finance payroll. Under Tailings (uncashed checks), checks which are not cashed after 120 days will be reported to the town accountant as uncashed so the General Ledger can be adjusted to increase cash and to record a corresponding liability. A listing of all uncashed checks shall be published once a year consistent with

Massachusetts General Law. Checks not claimed must be reported by the treasurer to the town accountant so that revenue can be increased and the liability can be eliminated. Under Reconciliation of Cash, the policy of the Town that the treasurer/collector and the town accountant shall reconcile cash as recorded in the *Treasurer's Cashbook* and as recorded on the General Ledger within 25 days of the close of the prior month.

Section G is Public Works. G-1 Use of Town Common and Bandstand, was recently amended. The Office of the Town Administrator, or their designee, will coordinate scheduling of the use of the Town Commons and Bandstand with the Parks Commission and the Town Common and Bandstand Use Advisory Committee. The Town Administrator has designed the Parks Commission as the designee. All requests for use of the Town Commons and Bandstand shall be submitted on a form acceptable to the Parks Commission, the Town Common and Bandstand Use Advisory Committee and the Town Administrator's Office. The use of the Town Common and the Bandstand shall be free; these are community facilities and should be used by groups and members of the community. Donations will be accepted by users of the commons or bandstand, and will be deposited in a gift account under the auspices of the Selectmen as allowed under provisions of G.L. c 44§ 53A to be used to offset the expense of maintaining and operating the facilities in conformity with action taken by the Board of Selectmen. For-profit uses of the facilities that require admission charges will not be allowed. Non-profit and community groups may use the facilities for fund raising activities. Sale of food and beverages by vendors and fundraisers must be approved in advance by the Parks Commission, or by the Town Common and Bandstand Use Advisory Committee for concert events

Policy G-2. Driveway and Curb Cuts. The Director of Public Works shall issue a permit for any work within public Rights of Way including driveway construction, driveway regrading, installation of plantings, stonewalls, fencing, or sidewalks. Application of an additional bituminous surface to an existing residential driveway where no regrading or enlargement is proposed is not subject to these regulations. Emergency repairs must be authorized by the Director of Public Works. 1 Each application for a Permit shall state the reason(s) for the driveway and shall be accompanied by a sketch at a scale of 1 inch equals 20 feet. The sketch shall show the location of the proposed driveway and any existing driveways, as well as the relationship of the proposed driveway to any intersection within 300 feet, the layout of the entire lot and the location of all existing and proposed structures, wetlands and watercourses. If the contractor damages an existing utility, the contractor shall notify the Director of Public Works and the owner of the damaged utility. The contractor is responsible for the utility repairs as approved by the Director of Public Works and the owner of the utility. If repairs are not made, the escrow bond will be used to make said repairs to the utility and/or the roadway.

Policy G-3 Emergency Plan for Ice Control and Snow Removal. The Board of Selectmen and Town Administrator agree to establish an Emergency Plan for ice control and snow removal within the Town of West Boylston. It includes response notification first to the Director #1 and second to the Foreman #2 . When icing conditions are predicted the Director of the Dept. of Public Works will see that all sand/salt spreaders are operational and sanding crews are alerted to the possible call out. When icing conditions develop during non-working hours, the Public Safety dispatch will notify respondent #1 of the presence of icing conditions and location. In the event inability to contact respondent #1, respondent #2 shall be contacted. The person notified shall contact the personnel needed to respond to that condition. Operations to push back intersections and or snow removal shall begin within 36 hours of the storms completion. It shall be the responsibility of the West Boylston Water District to provide marking flags where necessary on fire hydrants by November 15 of each year. The District shall also be responsible for snow removal at all hydrants.

Policy G-4 Drug-Free Workplace Policy for Regulated Employees Only. This policy was

recently amended during the renegotiation process with the union employees. It is the policy of the Town of West Boylston to maintain a workplace free from the use and abuse of drugs and alcohol. Therefore, the use of unlawful and/or illegal drugs or alcohol, reporting to work or working while impaired, under the influence of illegal drugs and/or alcohol, or unmanifested possession of alcohol is expressly prohibited. Violation of the prohibitions or other elements of this policy and module will be considered to be serious misconduct and may result in termination. The drug rule prohibits any drug use that could affect performance of a safety-sensitive function. The alcohol rule prohibits any alcohol misuse that could affect performance of a safety-sensitive function. The Town of West Boylston reserves the right, within the limits of federal and state laws to test any employee for the presence of drugs and/or alcohol. Upon receipt of a DOT positive drug and/or alcohol test result, the employee must immediately be removed from his or her safety-sensitive position.

Mr. Rucho would like to have a discussion about the Town Common and Bandstand Use Policy and consider charging a fee for nonresidents. He noted that residents currently pay \$50 to \$100 to use the parks. Mr. McCormick suggested having the Board involved in the discussion, which he would like to scheduled after town meeting. Mr. Gaumond has outreached to the Parks Commission and he will be meeting with them as the Chairman has indicated his interest in having a conversation about this.

7. Consider sending letters to the legislators requesting their support for \$300 million a year for Chapter 90

The agenda package contains notification from the MMA of a proposal before the legislators to raise the amount of Chapter 90 funds from \$200 million to \$300 million through a Transportation Bond Bill. Presently we receive \$300,000 and if passed, we would get an additional 50%, which have a substantial positive impact on the town. If the Board is in agreement, there are letters to both the legislators in the signature file.

Motion Mr. Rucho to send letters to the legislators requesting their support for \$300 million a year for Chapter 90, seconded by Mr. O'Brien, all in favor. The letter will be held for Mr. Hadley's signature.

8. Presentation of Certificate for the Town of West Boylston being a Silver Bio-Ready Community

Mr. Gaumond explained that a couple of years ago he undertook an effort to get the town certified as a community that would be biotec ready within our borders. Our properties will be advertised on their website and we are one of a handful of communities who have this designation. Mr. Gaumond presented the Board with a Certificate denoting us as a Silver Bio-Ready Community, which will be added to our wall of fame.

## **MEETINGS, INVITATIONS & ANNOUNCEMENTS**

1. Announce that the Town received \$642,130 for their FY13 Payment-in-lieu-of-Taxes from the Department of Conservation & Recreation

Mr. Gaumond noted that this is a 4% increase from last year and the good news is the number does not go down and can only go up.

2. April 3, 5:45-8:00 p.m., Massachusetts Selectmen's Association Regional Meeting at the Northborough Library

If any members are interested in attending this meeting, the application form is in the agenda.

3. March 27, 7:00 p.m. – special Board of Selectmen's meeting to discuss the budget.

## **FUTURE AGENDA ITEMS**

**MEETING      BOARD OF SELECTMEN/SEWER COMMISSION      MARCH 20, 2013**

There are no future agenda items this evening.

In closing, Mr. McCormick extended the sympathy of the Board to Mr. Hadley on the passing of his brother-in-law.

With no further business to come before the Board, motion Mr. O'Brien at 8:02 p.m. to adjourn, seconded by Mr. Rucho, all in favor.

Respectfully submitted,

Approved: April 3, 2013

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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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Michael Jr. Kittredge, Jr., Selectman