

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

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

Motion Mr. Rucho at 7:00 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 property, the solar project and the Three Rivers Building, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body, seconded by Mr. Hadley. The Chairman declared that an open meeting 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. Rucho yes.

Motion Mr. Rucho at 7:25 p.m. to come out of executive session, seconded by Mr. Hadley. Roll call vote: Mr. Kittredge, yes, Mr. Hadley yes, Mr. McCormick yes, Mr. Rucho yes.

The Board recovered in open session at 7:27 p.m. Mr. McCormick explained that the Board began their meeting in executive session to discuss the Three Rivers Building at 140 Worcester Street, soon to be known as the Town of West Boylston Municipal Building.

Read and Acceptance of Minutes from Previous Meeting

Motion Mr. Kittredge to approve the regular session meeting minutes from November 6, 2013, seconded by Mr. Rucho, all in favor.

Motion Mr. Kittredge to approve the executives session meeting minutes from November 6, 2013, seconded by Mr. Hadley, all in favor.

Motion Mr. Hadley to approve the regular session meeting minutes from November 13, 2013, seconded by Mr. Kittredge, all in favor

Sign off on Bans for Three Rivers Building

Bonnie Yasick, Treasurer/Collector for the town, joined the Board. She explained that we are borrowing \$2 million and it is a short-term note. At this point we will bond within six months and watch the interest rates. By signing the bans it will give her the authorization through First Southwest to borrow the \$2 million, and we are paying .419% for the short-term bans. The money will be wired to the attorney for the closing. Mr. Gaumond and the Board thanked Ms. Yasick for all her hard work on this project.

Motion Mr. Hadley to sign the bans for the Three Rivers Building, seconded by Mr. Kittredge, all in favor.

Mr. Rucho asked if we had any idea of the interest rate when we bond. Ms. Yasick advised that we do not, however, First Southwest is keeping an eye on it to see whether we should go a little sooner. Some of it will probably be paid down, so we will see. Eastern Bank got the bid and there were six bidders in all.

Karyn E. Clark, MA Chief of Community Health, Division of Public Health, City of Worcester, Tobacco Presentation

This agenda item will be tabled for this evening.

NEW BUSINESS**1. Request for Common Victuallar License from Gourmet Donuts, 231 West Boylston Street**

Eslam Ellaban, owner of Gourmet Donuts, joined the Board. He explained that he is starting a new business in town and they have other locations in Winchendon, Townsend, two in Leominster and one in Fitchburg. They will be open from 5:00 a.m. to 8:00 p.m. every day except Sunday and that is 6:00 a.m. to 7:00 p.m.

Mr. McCormick explained that the Board would need to invoke the Rule of Necessity in order to vote on the license as both he and Mr. Kittredge hold Common Victuallar licenses and there would not be a quorum of the Board to vote on this request. All departments report that they have no issue with the request. Mr. Hadley commented that the set up of the building is great and there is no back up onto the street.

Motion Mr. Rucho to grant the Common Victuallar License to Gourmet Donuts, seconded by Mr. Hadley, all in favor.

OLD BUSINESS**1. Follow up discussion by Board on Goal #5 Paper Streets**

Mr. Gaumond reports that at the last meeting Town Counsel made a presentation to the Board on the laws regarding private ways and paper streets. This item is on the agenda for the Board to deliberate on what steps should be taken. One suggestion is if you have abutting property owners who own property to the middle of the streets, they can adjudicate this in land court. He thinks at the next meeting of the Board on December 4th when we have the tax classification hearing, we should have a discussion with the Board of Assessors on how and when the land becomes part of taxable land of the town once it is adjudicated on.

Mr. McCormick suggests we should write a letter to people who abut paper streets to get this done as until then it has nothing to do with the town and they should go start this process. Mr. Hadley stated that it should also be in their best interest to do that. Mr. Rucho pointed out that they also do not have to maintain it. Mr. Gaumond noted that if there are other individuals who have claims to use that land they would be the ones to make claim to that property. None of those have anything to do with the Town of West Boylston. Mr. McCormick would like to notify everybody of our best advice on what to do. Mr. Hadley asked if we would still let them use the land for parking. Mr. Gaumond explained that we have no rights to it unless we are one of the abutters. Mr. Rucho asked if we know all the paper streets. Mr. Gaumond does not think so. Mr. Rucho doesn't think people will do anything if they get a letter. Mr. Gaumond feels it depends on who it is as West Boylston Fish Market and Girardo's both have a real desire to use the land. If the town has no standing unless it is an abutter, Mr. McCormick suggested perhaps the town shouldn't do anything. Mr. Gaumond suggested uploading the presentation to the town's website under the Department of Public Works for people to refer to. The Board agreed with that suggestion and it will end Goal #5. Mr. Gaumond still believes it would be a good idea to have a conversation with the Board of Assessors because eventually they will go through land court and what do we do when this process occurs in land court.

NEW BUSINESS (cont.)**2. Request for Common Victuallar License from Brown Rice Thai Cuisine, 26 West Boylston Street**

Mr. Hadley recused himself. Pattamaporn Rakkun, application for a Common Victuallar License joined the Board. She explained that she plans to do a small dine in restaurant and a take out as

well. Down the road she will apply for a beer and wine license. Mr. Rucho asked if she had any other stores. She advised that she also owns Thai Time Restaurant on Highland Street in Worcester and hopes to open mid-December. After tonight she will be speaking with the Building Inspector about minor changes as 90% of what she needs already exists and it will just be to add cooking equipment. Departments report that they have no issue with this request. Ms. Rakkun will also be working with the Building Inspector about her sign.

Motion Mr. Rucho to grant the license, seconded by Mr. Kittredge. Mr. McCormick explained that the Board will need to invoke the Rule of Necessity for this agenda item as both he and Mr. Kittredge have Common Victuallar Licenses and Mr. Hadley owns the property. Vote on the motion – all in favor.

Mr. Hadley returned to the meeting.

OLD BUSINESS

2. Follow up Discussion by Board on Goal #7, Housing Authority

One of the Board's goals was to have a conversation with the Housing Authority to discuss their needs. The Board held that meeting on November 13th and a copy of those minutes are included in the agenda package. Mr. Gaumond asked if there was anything they wanted worked on as a result of that meeting. Mr. McCormick advised that the Board offered to coordinate a meeting with the Sheriff to see if we could get some help with racking leaves and cleaning and painting projects. Mr. Gaumond has no problem working with Director Anita Sullivan to schedule that. Mr. McCormick asked if the Housing Authority provided the list of items they would like assistance with. Thus far, no list has been received.

Mr. Rucho feels the meeting went great and the Housing Authority would like to have future meetings. He provided Ms. Sullivan with a contact name for the community correctional program and they are scheduled to go out next week. He added that when the meeting first began with the Housing Authority they were a little concerned about what the Board was doing but they understand that our goal is just to help them out. Mr. Gaumond offered to speak with Ms. Sullivan, get the list, and arrange for meetings with the Selectmen, the jail, the legislators, and the Affordable Housing Task Force.

Mr. McCormick added that if they have a problem with snow plowing and their person is out sick, perhaps the town could assist them with plowing or to help them with move snow with the loader to open up the parking areas. Mr. Rucho noted that in the big picture they also feel we could use more senior housing. Mr. Gaumond suggested Mr. Hadley take that information back to the Affordable Housing Task Force. Mr. McCormick believes it was a very successful meeting.

NEW BUSINESS

3. Concurrence on the hiring of Robert Barrell, 13 Bowen Street as a Van Driver for the Council on Aging, effective November 22nd at a rate of \$12.49 per hour, for less than 20 hours a week

Motion Mr. Rucho to concur with the hiring, seconded by Mr. Kittredge, all in favor.

4. Vote to sign agreement with DI Jacobs for wage and classification study for non-union personnel

The agreement was reviewed and amended by town counsel. Mr. Gaumond recommends the Board vote to accept.

Motion Mr. Hadley to sign the agreement with DI Jacobs for a wage and classification study for non-union personnel, seconded by Mr. Rucho, all in favor.

5. Vote to sign Acceptance of Deed for 140 Worcester Street

This was prepared by town counsel and says on this 20th day of November, 2013, the Town of West Boylston, acting by through its Board of Selectmen pursuant to the votes taken under Article 1 of the September 9, 2013 Town Meeting, a certified copy of which is attached hereto, hereby accepts the foregoing deed to property at 140 Worcester Street, West Boylston, from MMB LLC.

Motion Mr. Hadley to sign the Acceptance of Deed for 140 Worcester Street, seconded by Mr. Kittredge, all in favor.

6. Vote to accept donation of used Pride TSS300 Power Scooter to the Council on Aging from Thomas O'Connell on behalf of the town

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

7. Consider signing Proclamation proclaiming West Boylston as a Purple Heart Town

The Board signed the policy.

8. Report on SWOT Exercise for Beautification of Route 12

Mr. Gaumond reports that on November 4th we held a SWOT exercise, strengths, weaknesses opportunities and threats, to help meet the goal of the Board which was to begin to look at the design and appearance of Route 12 our major commercial gateway of the town. As part of meeting that goal and to build conversation he held a SWOT exercise at Salter College from 6:30 to 8:30. He thanked Salter College for their hospitality. A SWOT analysis guides the community through a process to identify the positives and negatives inside the town. The exercise was open to all the citizens and invitations were sent to businesses and residents along Route 12 and town boards and committees. We had 20 participants in the exercise.

The group was asked to brainstorm and all their comments are included in the report. Some of the points were about the design and need to create a sense of place by taking advantage of some of those things that unifies us as the Town of West Boylston. Strengths include pride of appearance of some of the businesses, character of the town center, Route 12 and 140, good access to highway, nice levels of traffic to support the business of Route 12. Weaknesses included lack of sidewalks, landlords who do not keep their business up, road maintenance, heavy traffic and speed and empty stores. Opportunities included trying to secure grants or other funds, working with DCR or DOT. Threats included DCRs restrictions, low population of children, insufficient tax base and declining school system. Based on the findings Mr. Gaumond has begun working with Central Mass Regional Planning Commission on a grant that would create a preliminary design to create a special sense of place as they enter the gateway of the town. He is ready to help the policy makers of the town deal with those challenges. He also asked Rep. O'Day and Senator Chandler for letters of support. The grant comes the Department of Housing and Community Development who provide resources to communities who are looking for funding with planning opportunities. This information was shared with the Transportation Committee, Economic Development Task Force, the Townwide Planning Committee and Planning Board. Mr. McCormick remarked that he thought the forum was a good exercise.

9. Consider designating a member of the Board to work on going forward with ABM Business Solutions proposal

At the last meeting the Board met with the people from ABM and at that time Mr. Gaumond thought it would be good for the Board to talk amongst themselves as to whether they felt it was appropriate to have ABM continue to come in or put together a working group to work with ABM and report back to the whole Board. Mr. Hadley thinks we should have them continue to come in to meet with the Board because people can see what is going on and understand the process. Mr. Rucho asked where we stood with ABM. Mr. Gaumond explained that there is education that needs to be done. Mr. Rucho questioned why we would have them come back in if we decided not to go with the project. For Mr. McCormick he needs a lot of education if he were going to go to the townspeople and say we are going to borrow more money. We have to go to town meeting to have them accept working with this company and the town will be reimbursed through the savings they guarantee. Mr. Hadley would like to see the proposal. Mr. Gaumond feels a work session with the Board would be helpful. Mr. Kittredge added that they also hope the town will hire them to do the maintenance.

10. Free Cash Presentation

At a previous Board meeting, Mr. Gaumond was asked for an explanation of the Free Cash we received. Right before town meeting Free Cash was certified at \$693,000 by the Department of Revenue. Free Cash is unrestricted funds from operations of the previous fiscal year based on the balance sheet as of June 30. It includes actual receipts in excess of revenue estimates, unspent amounts in departmental budget line items for the year just ending and unexpended free cash from the previous year. We average about \$640,000 in Free Cash a year. This year was slightly better than average. Per our Revenue Policy, we use \$220,000 of our Free Cash for next year's operating budget. This year we had an excess of \$241,337 in local receipts as we budgeted \$2,200. This was as a result of an increase in motor vehicle excise and licenses and permits. Next year we can look at budgeting those numbers a little higher. The next area is expenditures under budget, which accounted for \$260,000. This was turn backs including \$10,000 from the Reserve Fund, \$10,000 from IT, \$10,000 from Town Counsel, \$19,000 from the Fire Department, which ran with an acting Fire Chief and one man down. We had \$17,000 from the building department, \$25,000 from education, \$20,000 from trash and \$60,000 from health insurance. Mr. Gaumond does strive to return as much as possible and this amounts to a return of 1.15% on a \$21.6 million operating budget.

The Cherry Sheet revenue is state aid. When we do our budget we never know what the number will be. This year we received \$84,000 over what was budgeted. We received more in school building assistance and intergovernmental aid. We got a little less in charter tuition. Cherry Sheet assessments were \$1,800 less than budgeted, tax title receipts were \$62,000. We do not budget for that because we could get zero. Whatever we do get from tax title flows to Free Cash. Transfers from the school circuit breaker fund which were unspent, changes in calculation by the DOR and operating transfers out amounted to \$45,000.

The backup documents in the packet will tie back to the numbers. Mr. Gaumond is proud to detail what goes into this report. He has never had to go back to town meeting and reduce budgets due to over-estimating our revenues. In FY12 our Free Cash was 3.64% of our budget, the state average was 3.79%. In FY11 it was 3.15% and the state average was 3.49%. For those who believe the town has an excessive amount of Free Cash they should know that the Town Administrator's position is the town should strive for more free Cash, at least what the state average for all communities is. He will share this report with the Finance Committee and School Committee. There are no Board questions.

TOWN ADMINISTRATOR'S UPDATE ON GOALS

Goal #1 – Pursue the demolition of the Mixer Building and Town Pool. We went out to bid and town meeting approved the funding. He will be meeting with the contractor on Monday.

Goal #2 – Find a new Town Hall. We did find a location and the closing is December 4th. He continues to work on the layout of the building and the vault.

Goal #3 – Explore Sewer Management Options. Mr. Gaumond obtained a proposal from the Collins Center, which he gave to the Board and they decided to terminate discussion until after the first of the year. He will bring it up again upon request from the board.

Goal #4 – Finalize Regional Dispatch. This summer the Board directed the Town Administrator to change direction and proceed with the Town of Holden. We will be getting a report in December.

Goal #5 – Develop a strategy to address Paper Street. Town Counsel did a presentation on November 6th and he will post the information on our town's website.

Goal #6 – Conduct a Wage Study for all Non-Union Employees. The RFP was prepared for the study, funds were approved at town meeting, and this evening the Board signed the contract with the vendor for the work to be done this winter.

Goal #7 – Work with the Housing Authority on Affordable Housing Improvements. The Board did meet with the Housing Authority and gave Mr. Gaumond direction on what to coordinate moving forward.

Goal #8 – Beautification of Route 12. Mr. Gaumond provided the Board with the results of the forum he held at Salter College and submitted a grant application.

Goal #9 – Establish Selectmen's Position on the Sign Bylaw Revisions. This goal was previously voted on as complete. The Board attended the Planning Board's public hearing on the proposed sign bylaw, prepared an amendment to that bylaw and it was approved with their amendment at town meeting.

Goal #10 – Develop a Sidewalk Maintenance Policy. Mr. Gaumond reports that he and the DPW Director did research other bylaws, a policy was brought before the Board who voted on the bylaw, however, the Board voted not to bring it to the October town meeting.

There are no questions from the Board of Selectmen. Mr. McCormick reminded everyone to submit their performance review packages for the Town Administrator.

FUTURE AGENDA ITEMS

Mr. Hadley asked for an update on the electronic sign. Mr. Gaumond explained that the Town Accountant did transfer the funds to the Town Administrator's line item. One of the issues he would like to speak with the Board about is preparing a combination bid to get a quote for the electronic sign and the sign for the new town hall and perhaps that would save the town money.

Mr. Kittredge would like an update on the Worcester Street repairs. Mr. Gaumond advised that at the next meeting he will announce that the Transportation Bond Bill was written by the Commonwealth and Rep. O'Day advises us that funds have been included in that Bond Bill for that project. He thanked Rep. O'Day for working on our behalf.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. The Town Administrator is accepting nominations for his Commitment to Excellence Award until December 20th

2. Reminder – December meeting schedule is December 4th & 11th

3. Mr. McCormick reminded everyone that on December 1st the Historical Society will hold an open house followed by a tree lighting ceremony on The Common.

With no further business to come before the Board, motion Mr. Kittredge at 8:57 p.m. to adjourn, seconded by Mr. Hadley, all in favor.

Respectfully submitted,

Approved: December 4, 2013

Nancy E. Lucier, Municipal Assistant

Kevin M. McCormick, Chairman

Christopher A. Rucho, Vice Chairman

John W. Hadley, Clerk

Michael J. Kittredge, Jr., Selectman