

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

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 June 4, 2014, seconded by Ms. Bohnson, all in favor.

In Accordance with Policy L-16, Town of West Boylston Procedure for Exercising First Refusal Option on Chapter 61, 61a, 61b Land, Consider Request from Scott Goddard and his Nominee Malden Brook Realty LLC

Mr. McCormick explained that because this land is held in a Chapter, before it can be sold it needs to come to the Board of Selectmen to see if we would like to exercise our first refusal option. In the past the Board has received other requests and they have just released the property, however, those were for basically a house lot. This request is a different scenario and has bigger implications. He would like to ask the Town Administrator to schedule a public hearing to allow an opportunity to discuss the town's right to purchase the property. He noted that the Board does not have a lot of answers at this time and he will take limited comments from the public.

Bruce Peterson asked about the 120 days the Board has to comply and he asked if that already began. Mr. McCormick explained that the Board has 120 days to decide whether we want to pursue purchasing the property. Mr. Hadley added that we have 120 to schedule a public hearing and 90 days to purchase the property. Mr. Kittredge pointed out that with that time frame we would have sufficient time to do something at town meeting in October. We are not pressed for time. Mr. McCormick asked people to provide their email addresses for future contact.

Scott Baylis, Westland Circle. He voiced his concern that it is a third generation community with a lot of children and animals. The thought of this makes him ill as it will destroy the infrastructure. Mr. McCormick noted that in the past the Board released chapter land without a public hearing, however, for this request, it will be a bigger impact on the town and the whole neighborhood so he would recommend having a public hearing. Mr. Baylis believes money is at stake here and it sounds like the project is moving forward. The price, from what he understands, he would buy it now, but the infrastructure costs would be huge. Bruce Peterson is concerned with people trying to tell people what they can do with their own land. If you want control of this land, then buy it. You could have purchased it for the same price.

Christine Quirk of 15 Davidson Road asked if the Board had been up to see the property and if not, asked them to see it before the public hearing. Judy Devay lives where the right of way would be and she would like the Board to visit that location as well. Another person asked where the bankruptcy comes into this deal and did Dr. Tashjian go bankrupt. Mr. McCormick stated that he does not know what is going on.

Motion Mr. Hadley for the town to exercise its right of first refusal and schedule a public hearing, seconded by Ms. Bohnson. Walter Fred from the audience asked if Dr. Tashjian still owned the property. Mr. McCormick stated that he does not know. We will have a public hearing and everyone will be invited back. Vote on the motion – all in favor.

A woman asked if you are not an abutter to the property, how would you get the whole story. Mr. McCormick stated that you would have to come to the public hearing. Mr. Kittredge added that if

they come to the town offices they are entitled to all the information the Board of Selectmen have as it is public information. Mr. Fred asked what the purchase price was on the land. Mr. McCormick stated that he did not know and the only reason why we are here this evening is for the Board to decide if we would release the Chapter land or exercise our right of first refusal. Mr. Rucho noted that all the letters from the various Boards are included in the Board's agenda package. A gentleman asked how the Board feels about this. Mr. McCormick commented that he does not know what they plan to do and we have to have a public hearing. Ms. Bohnson added that she personally needs more information. The more information we have before the public hearing the better we can answer that questions.

NEW BUSINESS

1. Acknowledge list of articles for July 14, 2014 Special Town Meeting

Mr. McCormick noted that the only article is for the ESCO Project, the energy conservation project. He added that Mr. Gaumond did mention that maybe we should include some funds to manage the project as Mr. Eckhardt is doing that now and we do not know if he will be able to do that all summer.

2. Announcement of judgment on Reservoir Motor Lodge

Mr. McCormick announced that the State Judicial Court has denied Reservoir Motor Lodge's Application for Further Appellate Review leaving them with no further options. Town Counsel has been working on the closure and Mr. Gaumond will continue to keep the Board updated. Mr. McCormick added that now it is a matter of moving the people out. Mr. Rucho thinks we need to speak with the Town Administrator as he is being told that they are still renting rooms. He thinks we should speak with the Police Chief to make sure that they have posted the signs they are required to post.

3. Concurrence on appointment of Town Counsel effective July 1, 2014 for a term to expire on May 1, 2015 (tentative)

All Board members received an email on this. Mr. Rucho stated that he attended the interviews and he would like to speak with Mr. Gaumond about why he made the choice he made. He is recommending hiring one firm for labor and keeping Kopelman and Paige for everything else. He would like to discuss this with him. He attended two of the interviews and left before the Kopelman and Paige session. Mr. Hadley would also like to put this off because he could not open his email. Ms. Bohnson asked Mr. Rucho what his concerns were. Mr. Rucho stated that he has a concern with Kopelman and Paige and agrees with his choice for labor counsel. He feels we have had some issues with Kopelman and Paige. Mr. McCormick pointed out that Town Counsel's appointment expires on July 1 and we have to make a decision. Mr. Kittredge suggested putting this off until the next Board meeting. Both Mr. McCormick and Ms. Bohnson indicated that they do not have a problem making a decision tonight. Mr. McCormick is concerned that right now we have a lot of issues we are working with town counsel on and he is concerned about the time it would take to break in a new person.

Motion Ms. Bohnson to go forward with what the Town Administrator has proposed, seconded by Mr. McCormick. Mr. Rucho advised that all those questions were brought up during the interviewed and the new firms said there would be no charge to be brought up to speed on any on-going cases. Ms. Bohnson questions if they have the case they may not charge us but another time they are looking into something maybe it would be extra hours. If Mr. Gaumond feels comfortable then we should support this. Mr. Rucho stated that the concern he has is Mr. Gaumond was talking about a change and he was voted in by the Board to look over the proposals, attended two of the interviews and

he has questions. He would like time to talk with the Town Administrator before we make a change or stay with Kopelman and Paige. Ms. Bohnson's understanding is that he asked for a change because he is also using another company to handle issues with the union. Mr. Rucho is not satisfied with Kopelman and Paige. We have had issues and the two other firms represent many towns in the area. Mr. McCormick called for a vote on the motion. Ms. Bohnson stated that she needs to abstain as she has a connection with Mirick O'Connell. Mr. Rucho commented then you should not have discussed this. Mr. McCormick added that there are many things discussed at meetings by people who should not have discussed them.

Vote on the motion – Mr. McCormick yes; Messrs. Rucho and Hadley no; Ms. Bohnson abstains, Mr. Kittredge does not vote.

4. Discussion regarding articles for special town meeting.

Mr. McCormick noted that the deadline to submit articles is today and he suggested adding an article to fund someone to manage the energy project. Mr. Hadley read an email which mentioned 100 hours and the Board decided to go with that. Currently Mr. Eckhardt volunteers his time and it would be unlikely that he would be able to manage the project through the construction phase. Mr. Kittredge questioned why we would need someone through the construction phase.

Motion Mr. Hadley to add an article for \$2,500 to pay for someone to manage the ESCO project, seconded by Mr. Kittredge. Vote on the motion – Messrs. McCormick, Hadley, Kittredge and Bohnson yes; Mr. Rucho no.

Mr. McCormick questioned whether the Board should include funds for an architect to work with the Facilities Implementation and Strategic Planning Committee. The Board agreed to put that off until October. They will meet on June 25th to review the warrant and vote on the two articles.

5. Review and consider signing the Intermunicipal Agreement on regional health services.

Mr. McCormick advised that both Mr. Gaumond and the Board of Health are in favor of continuing our relationship with the City of Worcester and we developed our budget for this arrangement. Mr. Rucho understands that there was one issue with the contract and asked if that has been resolved. Robert Barrell, Chairman of the Board of Health, agreed that there was an issue with indemnification, and he was not able to talk with Mr. Gaumond. However, he believes that it would not be before the Board tonight unless that was resolved.

Motion Mr. Rucho to sign the Intermunicipal Agreement with the City of Worcester provided the indemnification issue has been resolved, seconded by Mr. Hadley. Vote on the motion – Messrs. Rucho, Hadley, Kittredge and Bohnson yes; Mr. McCormick no.

Anthony Sylvia, Director Department of Public Works

1. Discussion regarding Capital Purchases & condition of previous vehicle for Director

Mr. McCormick informed the Board that Mr. Gaumond requested the discussion on capital purchases be carried over until he is present. The Board is amenable to that request.

Mr. Sylvia reports that one of the four capital requested approved at town meeting was a replacement vehicle for the Director. He has not had a town issued vehicle since November of 2013. The other F350 truck failed and it was parked because it was not worth making the repairs. It was the former parks vehicle and he donated his vehicle for use by the Parks Department. He has been using his personal vehicles for inspecting the roads during the winter. He also inspects construction sites and conditions throughout town on the roads and parks. He has received reimbursement for mileage. He

does not want to do any more with his personal vehicle than he is doing. Some things are falling short and not having a vehicle he has not been able to advance his Pavement Management Program. The vehicle is prepared and waiting for approval from the Board of Selectmen.

Mr. Hadley asked about the condition of the vehicle and what does he plan to purchase. Mr. Sylvia advised that it is a Ford 2006, the transmission is gone, it is a diesel, it is rusted, has 120,000 hard miles and a new transmission would cost \$5,000. He intends to purchase a modest F150 truck to get him around town and maybe do a little work at the DPW. Initially he requested a Ford Explorer, however, the Finance Committee and the Capital Investment Board asked him to refine his search. It is a four-wheel drive and will cost \$22,000. Ms. Bohnson asked if it is new. Mr. Sylvia advised that it is. Ms. Bohnson asked if we spent \$5,000 opposed to \$22,000 would we get a few more years out of the truck. Mr. Sylvia cannot answer that completely. Perhaps another three years. We are also looking at hiring three more people and having another vehicle could come in hand and have benefit. Mr. Hadley pointed out that the former parks vehicle was an F350 diesel and this new vehicle could not be used to plow. Mr. McCormick added that the F350 truck has no bed on it and was converted into a flat bed because it rotted off. He also agreed that it has hard miles on it and we have a schedule to replace vehicles and equipment.

Ms. Bohnson noted that Mr. Sylvia stated that having changed trucks prevented him from getting out so it prevented you from getting out to certain areas in town. Mr. Sylvia advised that he has a personal car, not a truck. Mr. Hadley asked what will happen with the F350. Mr. Sylvia intends to include it on the surplus list for auction, however, if the Board wants him to repair the old one he will. Mr. Hadley questioned why he wouldn't purchase a truck which could be used for plowing as he is hiring two new people and he wants to make sure we have enough trucks. Mr. Sylvia explained that we have enough working trucks and we also hire people to drive our trucks and others drive their own trucks. Mr. Hadley questioned if you had extra trucks, why didn't you drive a different truck instead of your personal vehicle. Mr. Sylvia replied that driving a medium sized truck to visit a resident is not appropriate. Ms. Bohnson commented that the truck you are looking to buy, would be for you, not to use as plow equipment. Mr. Sylvia stated that if it is needed by other employees, it is a town asset and will be available. It is being purchased for commuter purposes and the mechanic may use it to pick up parts. Mr. Hadley pointed out that with a 6 cylinder you cannot put a plow on it. Mr. Kittredge noted that across the street from his house are two vehicles that used to plow. Mr. Sylvia explained that it is the red truck, the former parks vehicle and a yellow truck and he is not sure when that was discontinued. Mr. Rucho asked about the truck in the back of the building without the body. Mr. Sylvia clarified that it was the red truck which was moved from the back of the building to the front.

Motion Mr. Hadley to purchase the 4-wheel drive truck for \$22,000, seconded by Mr. Rucho, all in favor. Mr. Rucho asked if it would have town decals. Mr. Sylvia noted that it would have two.

Ms. Bohnson asked Mr. Sylvia if he could estimate how much he thought his surplus list of equipment would bring in. Mr. Sylvia stated that he does not know at this time. She feels that will be interesting to see. Mr. Rucho advised that the list is typically provided to the Board and we vote on approving it for auction. Mr. Hadley suggested keeping the plow. Mr. Sylvia did not plan to, however, he will double check and they did salvage the two-way radios.

2. Report on Welcome to West Boylston Sign

Mr. Sylvia explained that we had a Welcome to West Boylston sign located near Steve's Pizza and there was a request last year to move the sign so it could be upgraded in some manner. The DPW proceeded to remove the sign and found out that it needed to be removed in a more careful manner so it could be repainted and repaired and could be reutilized. Unfortunately, this sign cannot be reused so

Mr. Sylvia is working on a design and quotes for two new signs. He has received approval from DOT to install two Welcome to West Boylston signs, one at the southern border, the Worcester line, and the other at the northern border on Route 140, the Sterling line. He has a quote from Connor Sign and provided the Board with copies of the proposed sign. The concept is to have the primary sign of Welcome to West Boylston with the possibility of a secondary sign below for advertising local businesses and he would welcome a recommendation from the Economic Development Task Force for business development.

Mr. Rucho questioned the price of the sign. It is \$1,200, \$285 for the secondary sign and \$235 for installation. Ms. Bohnson feels the new sign looks better than the former sign. Mr. Rucho noted that the original sign was less than one year old, cost \$600 and it should never have been ripped out and destroyed. It should have been cut at the base and removed. He does not understand the notice Mr. Sylvia received as the sign was going to be moved. Mr. Sylvia stated that it was part of the instruction that it was going to be moved closer to the Worcester line. Mr. Rucho added that the Economic Development Task Force did a lot of work on this and they were trying to get a sign which was less expensive. Mr. Sylvia stated that the miscommunication was unfortunate, volunteers did work on the previous sign which goes to the lower cost, which was a good opportunity for the town, unfortunately, we couldn't get to this. Mr. Rucho stated that if the sign had been cut at the base it could have been brought to be repainted, and this is a complete waste of money for the town. The sign being proposed looks much nicer than what we had, but it is also three times the cost. The Economic Development Task Force also looked at signs like this, but had to go with a less expensive sign and they also intended to sell advertising on it. Mr. Sylvia feels that the new sign will be a much better quality than the other. It will not corrode or collapse as it is made of a high density plastic and the letters are machine carved into the sign.

Ms. Bohnson asked Mr. Sylvia if his department was under the impression that the sign was going to be relocated to another area and used again. Mr. Sylvia stated that the miscommunication was that we were looking for a new location closer to the Worcester line and that we were going to get a new sign. He was not here when the sign was put in and he didn't know the desire to keep it or preserve it or the age of it. Mr. Hadley disagrees with that statement as he spoke with Mr. Sylvia directly and told him we were going to take the sign out, have it repainted and then relocate it. Mr. Sylvia replied, then I misunderstood. Mr. Hadley noted that it also needs the town logo on it, Small Town, Big Heart.

Mr. Rucho stated that if money is not an issue and we are talking about purchasing new signs, he thinks it should go back to the Economic Development Task Force and have then decide on the sign as the project originally began with them. He does not know we are getting the \$4,000 to purchase two signs. The Economic Development Task Force never had an unlimited budget. Mr. Sylvia had suggested to Mr. Gaumond that perhaps the companies who want to advertise on the sign might be willing to pay for that opportunity. Both Mr. Rucho and Mr. Hadley started that this was the whole idea behind the original sign. Mr. McCormick shared that he felt \$600 for two months of advertising on a sign was too expensive as you also had to plant under the sign and the next business after you would not have the expense of the planting. It was agreed that discussion on the sign will go back to the Economic Development Task Force. Mr. Rucho will talk with the Town Administrator about where the money is coming from.

3. Concurrence on hirings: Parks Seasonal Laborer: Eric R. Mensing, 135 Laurel St & Equip Operator/Skilled Laborer: William G. Bennett, 371 Lancaster St

Mr. Sylvia reports that he has interviewed and met with the two candidates and the Town Administrator has met with them as well. He is recommending Eric Mensing for the Parks Seasonal Labor for six months. He lives in town, has experience working in the town, but not for the town. His management skills are commendable and he thinks the DPW will benefit from his mechanical skills as well. He is recommending William Bennett for the equipment operator/skilled laborer position. He has worked as a seasonal plow driver for the past five years. He is also a resident and will be a good fit for the department.

Mr. Hadley asked if the seasonal laborer would begin on July 1. Mr. Sylvia advised that both candidates requested a two week notice. He will have him work from July 1 to Halloween or Veterans Day. Mr. Hadley asked if he indicates that he would return next spring and did he ask him that question. Mr. Sylvia stated that there is no way of knowing that and he didn't ask him that question. Mr. Rucho asked if the plan in the future is to start the person in March or April. Mr. Sylvia would start the person in April as the position is budgeted for April through November. Mr. Kittredge asked if he told him he would have six months to get his two-way hoisting license. Mr. Sylvia explained that as both employees gain credentialing they will have opportunities to work for the department. Ms. Bohnson asked if we have a later start to winter would you have sufficient funds in your budget to keep him longer. Mr. Sylvia explained that Mr. Bennett was a seasonal plow driver so he will need to find another person to fill that slot. His goal is to keep him working as long as the parks work goes. This brings them to their former full capacity and he needs to fill one more slot. Ms. Bohnson asked if he will select a person from the applications he received. Mr. Sylvia added that he would to the best of his ability. Ms. Bohnson does not want to be here in two month and hear that projects are not being done because we are short on staff. She asked if there were any other qualified candidates. Mr. Sylvia stated that we have more work than employees and we may choose to hire Mr. Mensing for that position. He is not in a hurry to fill the position and would like to give him an opportunity to show us what he can do.

Motion Mr. Kittredge to concur with the hirings, seconded by Mr. Rucho. Mr. Rucho asked about the applications received. Mr. Sylvia reports that he received 30 applications, disqualified about half and had about 12 worth looking at. Mr. Rucho commented that Mr. Sylvia is choosing to take a chance and go with Mr. Mensing and take a chance to see how he will work out. Mr. Sylvia stated that if a department is able to get its work done, he is not in a hurry to spend money on another guy. He would appreciate the opportunity to do so, but he is being prudent. These were the two best candidates and that is why he is asking for them to be hired. Vote on the motion – all in favor.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. June 25, 2014, 6:00 p.m. special meeting to review and sign warrant for July 14, 2014 town meeting

The Board will also address appointment of town counsel at this meeting and include the additional article for the town meeting warrant.

2. June 25, 2014, 7:00 p.m. FISP meeting

FUTURE AGENDA ITEMS

Mr. Kittredge asked if they planted the grass seed at Mixter. Mr. Sylvia advised that he has a meeting with the contractor on Monday.

Mr. Hadley would like to see a maintenance schedule for the parks including the tennis and basketball courts.

Ms. Bohnson would like an update on the town electronic sign. Mr. Kittredge advised that it

was put out to bid. Mr. McCormick measured the current sign, which is 4X10 inside the casing where the letters are. He added that there is nothing wrong with the cabinet sits on and it looks like the bids we received are coming in at \$30,000 and we have \$16,000. We will need to sit down and firm up what we have and get a plan of attack. Ms. Bohnson suggested measuring the sign in Holden. Mr. Rucho has photos of Holden and Northborough. Holden's sign is also double sided. Mr. McCormick suggested going to a larger sign company to get a price.

Mr. Rucho would like an update on the hotel. He added that with regards to the tennis courts the Parks Facilities Committee and the Parks Commission are talking about issues with the wall.

Mr. McCormick would like to add hiring an additional full-time employee to the parks. Ms. Bohnson would like to know how many acres we maintain. Mr. McCormick noted that the job is more than just mowing it is trimming, empty waste baskets and other things. He also noted that if anyone has an issue with a department head you should speak with Mr. Gaumond and he will arrange a meeting with himself and the department head.

SELECTMEN REPORTS

Mr. Hadley reports that he and Mr. McCormick had another meeting at the new town hall and we will be ready to move on July 15th. We had a couple of issues with the painting and sprinklers, but we have come up with a less expensive remedy. Mr. Rucho asked about change orders. Mr. McCormick explained that there have been change orders and some credits. This will all be discussed at the next Facilities Implementation and Strategic Planning Committee meeting.

With no further business to come before the Board, motion Mr. Kittredge at 8:40 p.m. to adjourn, seconded by Mr. Rucho, all in favor.

Respectfully submitted,

Approved: July 23, 2014

Nancy E. Lucier, Municipal Assistant

Kevin M. McCormick, Chairman

John W. Hadley, Vice Chairman

Christopher A. Rucho, Clerk

Michael J. Kittredge, Jr., Selectman

Siobhan M. Bohnson, Selectman