

Members present: Kevin M. McCormick Christopher A. Rucho
John W. Hadley Siobhan M. Bohnson

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 February 18, 2015, seconded by Ms. Bohnson, all in favor.

Motion Ms. Bohnson to approve the executive session meeting minutes from February 18, 2015, seconded by Mr. Hadley, all in favor.

Antony Massop, USDA and Ken Gooch, DCR - Update Asian Longhorned Beetle

Mr. Massop and Mr. Gooch joined the Board to provide an overview of the project as to where we are and what the next steps will be. They displayed a map of the infected tree area, which includes a pocket on Kings Mountain Drive, a couple of areas off Maple Street and one near Hartwell/Shrewsbury Streets. They are doing a full host removal in several areas and they are in their second sweep. They will remain here for the next three years.

Mr. Gooch advised that the removal plan in West Boylston is a full host removal cut which has been done on several properties. The property owners gave them permission to take all of the host trees off of their property. They did a full host removal off of Temple Street in the substation area. Just today they may be looking at 10-20 acres more of cutting on DCR property. They will wrap up the full host cuts and getting back to their second round of inspections. They will find more areas with the ALB. Within the next month they will be getting out to remove those trees marked with red rings on them. They will not do any replanting on the full host removal areas. Mr. Massop noted that last week they found six host trees at 263 Pierce Street.

Rep. O'Day asked about the percentage of the host trees in the 10-acre spot and what will remain. Mr. Gooch advised that it will look like a thinning and they do not have the number right now. With a full host cut they do not total the trees. The DCR property had a high percentage of red maple. Senator Chandler asked if the USDA or DCR had money to replant. Mr. Gooch reports that they have money in their current budget up until June 30, 2016. They are using that money to plant and it is for all the communities within the regulated area. He is not sure how many dollars West Boylston will get, however, people are not requesting trees like they were in the beginning. Senator Chandler reports that they have gone through this in the City of Worcester. She asked if they are doing any preventive spraying for potential host trees. Mr. Gooch advised that they have not done treatments since 2011. For them it is costs and timing. Senator Chandler asked if West Boylston will do something privately themselves in terms of replanting. Mr. Gooch explained that when dealing with private property they will ask the residents if they would like the trees replanted, however, they do not replant full host clearing. The large area off Maple Street will not be replanted as it was a full host cut.

Rep. O'Day noted that the town of West Boylston had success in getting a grant from DCR for a tree planting grant. Mr. Gaumond advised that the trees covered under that grant were street shade trees, which we hope to be putting in next year. Senator Chandler believes the City of Worcester received money from Scott Paper and suggested looking into that as a potential source. Mr. Rucho stated that right now if somebody wants a tree you can get them, however, you can only plant in the spring and fall. Senator Chandler suggested a fall replanting program.

Mr. Gooch explained that in the spring the private property trees will be removed. They will all be out before June. They hope to replant some this spring and they plant up until the third week in June. Mr. Rucho asked Rep. O'Day if the Worcester tree group still has trees. Rep. O'Day stated the group will be looking to be helpful out here. Mr. Massop added that their aim is to try to remove all infested trees before emergence which is late June, early July.

Mr. Gaumond stated that we have been dealing with this for a number of years and he complimented USDA and DCR for doing a good job keeping us informed as to what is going on. He offered to include a copy of the map on the town's website.

Senator Harriette Chandler & Rep. James O'Day

Mr. McCormick thanked Senator Chandler and Rep. O'Day for coming in and congratulated them on their new positions in the legislature. Rep. O'Day is now the Chairman of the House Municipalities & Regional Government Committee and Senator Chandler is now the Majority Leader of the Senate. Senator Chandler explained that the Regional Government Committee deals with any bill that pertain to a municipality. It must go through this committee. The Majority Leader is the number two person in the Senate. She added that the new leadership is much more open and transparent. They are going across the state listening to find out what are the important issues. Thus far they have gone to five forums. Every Senator took them into their district and about 200-250 people attend the session. People are excited about this as they have never seen so many Senators come into their community and listen. They are trying to find out about the important issues. They have developed legislation so that everything they see we will see. They have never done anything like that before, it is very bipartisan, and they are excited about it. The Majority Leader keeps everything on track and Senator Chandler looks forward to hearing from the Board on what they would like to see happen. She is also on a Housing/Zoning Commission. They are very concerned about why we do not have enough working family housing and why we are having so many foreclosures. They will be looking at income inequality and feel we are leaving money on the table, federal money. She also feels that since the state approved the use of medicinal marijuana it is only a matter of time before recreational use of marijuana will be approved, as it has been in three states, and we need to learn more about it.

Rep. O'Day stated that the current district will thrive with Senator Chandler in her position. Any Home Rule petitions have to come through that committee. They will be looking at regionalization issues as well.

Mr. Hadley advised that the Board is working on three projects, a police station, Council on Aging/Community Center and affordable housing for seniors and veterans. Senator Chandler stated that they have never given money for a senior center, however, the other two projects are possible. The problem is we have a staggering deficit. Initially it was thought to be \$750 million and now it is up to \$1.8 billion. She doesn't see too much happening. She would like to see us work together on the funds in the Bond Bill for the Goodale Park Improvement Project \$5 million and the \$40,000 for technology improvements at the library. She is not sure how quickly we will be able to move the Governor to get them out. Rep. O'Day reports that he did file two pieces of legislation for funding for the school system and a public safety facility. There has not been a willingness to come up with a lump sum of money for any town for a senior center.

With regard to the budget, Senator Chandler reports that the House named their committee for the session last Thursday. They have been organized for about one month and committee hearings will be taking place. Her budget meeting is scheduled for next week and Rep. O'Day's interview was today. She explained that they go in and explain every item they are asking for, they are prioritized,

and have back up for every item. Ways and Means hears what they need and the House and Senate have separate committees that come together and hear every agency of the executive branch. The Governor released his budget today. The House and Senate will now take a look at that budget. The governor is looking to make cuts in Medicaid. The two chambers may or may not agree with that cut of \$786,000. There was a 3% increase to local aid in West Boylston. The Senator noted that they are required to have a balanced budget. House 1 is the Governor's budget. The House does their budget the last week in April and in May the Senate does their budget. We have had two sets of 9C cuts, which are executive privilege cuts. Mr. Gaumond pointed out that a 9C cut is a mid-year cut for municipalities who have already built their budgets on those uncut figures. The Senator shared that she is very worried about what is going to happen with the Medicaid costs. The House and the Senate rejected the Governor's request to have the power over Medicaid given to him.

Mr. Hadley asked if the \$1.8 billion deficit was due to over-estimating revenues or over-spending. Rep. O'Day advised that the majority was the result of the health care connector and getting the computer system to work. They had to get people insured and they put them on the health connector even if they shouldn't have been on it and should have been on another plan. They also put money into the rainy day fund and paid down their pension liability.

Senator Chandler co-chaired a meeting of the WRTA yesterday and noted that the weather has been a killer. Worcester, however, is running a good show. She feels we need to find solutions and next week will be her fourth trip to listen to people. Roads, bridges and commuter rail are issues she has no idea how we will pay for. Going back to the deficit, Ms. Bohnson asked if they are comfortable that the dollar figure is where we will be. Senator Chandler stated that the House will listen to the same things the Senate will listen to. They do not know what will be in the Cherry Sheets because it is too early to send them out. Rep. O'Day appreciates the fact that towns would like their numbers early, but it is not wise to establish a budget on an iffy number. Senator Chandler feels that one of the issues will be the snow and ice number. Mr. Gaumond noted that West Boylston will probably triple what was budgeted in that line item. One of the things he heard from the Governor was he filed a bill to allow municipalities to solve the deficit over a two-year period instead of one. Senator Chandler added that all the snow and ice has done quite a job on the roads leaving snow heaves and pot holes. Mr. McCormick thanked them for their assistance in getting the additional Chapter 90 funds released. Senator Chandler feels we need to deal with the road and transportation problems as there has not been much coming from the Federal Government. Mr. McCormick feels the solution for West Boylston is going back to oiling and sanding our roads. We did so many years ago and they were fine. We did so before sewers were installed and then they said we couldn't do it any longer because it wasn't good for the environment, but it worked to preserve the roads for years. Mr. Rucho added that streets which had sewers installed were only given an overlay and now they are all cracked.

Senator Chandler asked the Board to send her West Boylston's needs before the 9th of March. Rep. O'Day requested funds for the library in his budget.

With regard to the Bond Bill, Mr. Rucho noted that our residents are writing letters of support. He asked to be kept up to date if there are any new people in those positions we need to write letters of support to. Senator Chandler suggested the Board get in touch with the new Commissioner of the DCR. The Board invited the Senator and Representative to attend the March 20th legislative breakfast being held at town hall and thanked them for coming in to meet with them.

NEW BUSINESS

1. Consider sending letter of support for the release of the Environmental Bond Bills funds for the

Release of the Environmental Bond Bill funds for the Goodale Park Project

Motion Mr. Rucho to send the letter of support, seconded by Mr. Hadley, all in favor. Mr. Gaumond will scan the letter and post it to the website to encourage people to send the same letter. Mr. Rucho suggested attaching a copy of the plan to the letter.

2. Concurrence on the appointment of Brenda Bowman, 18 Crescent Street to the Community Preservation Committee as the designee of the Housing Authority effective March 5, 2015 for a term to expire on June 30, 2017

Motion Mr. Hadley to concur with the appointment, seconded by Ms. Bohnson. Vote on the motion Messrs. Hadley and Rucho yes, Ms. Bohnson yes, Mr. McCormick no.

3. Consider accepting the following donations for the Bandstand Fund on behalf of the town: AA Beardsley - \$250.00, Premier Optical - \$250.00, Bills Taxi Service- \$250.00 and Committee to elect Harriette Chandler - \$250.00

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

4. Consider offer of donation of POW Flag

The agenda package contains an email from Mark Brodeur, member of the Planning Board offering to purchase a POW flag for the town hall flag pole. He and his wife would like to donate it to the town.

Motion Mr. Hadley to accept the donation, seconded by Ms. Bohnson, all in favor.

5. Update on Reservoir Motor Lodge

At the last meeting the Board had some questions relative to the Reservoir Motor Lodge. The agenda package includes emails on the matter. The email from town counsel in essence makes reference to the town's Motel/Hotel Operation Permit. He feels that since the property owner is allowing individuals to stay in rooms at the premises, other than those who are allowed to do so by court order, the town may assert that the property owner is operating a motel without a permit, and enforce the violation in accordance with the provisions of Section 6. Section 6 allows the Town to assess fines in accordance with the schedule, which may be assessed civilly under G.L. c.40, §21D or criminally: 1st violation: \$100.00, 2nd violation: \$200.00, 3rd and subsequent violations: \$300.00.

The Town may also enforce a violation of the bylaw by filing an action for injunctive relief in Superior Court to prohibit the operation of the motel unless and until a permit has been issued. In counsel's opinion, there is no right to arrest the property owner for a violation of the bylaw. It is also our understanding that the property owner entered into a tax repayment agreement, and they are not following up on their payment plan and has breached the agreement by failing to make payments as required. Counsel's opinion is the town has the ability to deny, revoke or suspend a license or permit based on the failure to comply with the payment agreement under Article XXIV of the Town's General Bylaws. This would include a motel operation permit as well as any building permits.

Mr. Gaumond advised that the town's inspection team went out to look at the property and in a lot of ways they are pleased with the progress being made. They are still working on the inspection report. Mr. Hadley asked if he did anything to the building as he had a sign out that supplies were provided by Lowe's. Mr. Gaumond stated we do not think so. Right now he has not received the formal report and it didn't appear to be work that required a permit. Mr. Hadley asked if we sent out a demand letter for the taxes. The Treasurer/Collector has told them she will not enter into another payment plan and it will follow the regular course. If we have to, it may be a taking.

Ms. Bohnson asked when we will expect get the full report. Mr. Gaumond believes shortly. Mr. Rucho asked if he had any building permits. Mr. Gaumond sated none were requested. Mr. Rucho asked when we can start enforcing the fines. Mr. Gaumond explained that the Board could vote to authorize the Town Administrator to begin the fining process for occupancy of rooms without holding a valid licensed.

Motion Mr. Rucho to begin the fine process, seconded by Mr. Hadley, all in favor. Ms. Bohnson asked about getting the people out who shouldn't be there. Mr. Gaumond advised that there are two sets, one who had a court order which gave him until the end of February and the others are in some form associated with the manager or doing work on the premises. We can also file an action in superior court. Mr. McCormick suggested waiting two or three weeks and if we do not see any action, we will seek injunctive relief, but that is a process we started about four years now. Mr. Rucho would like to find out about any other outstanding payments. Mr. Gaumond explained that what happens is that anything older got rolled into the payment plan so it is probably in that.

6. Per Policy on Beautification of Town Squares & Islands Policy Conduct Drawing for Island/Square Adoption

There are two squares available Laurel/Hosmer and Malden/Goodale and two people have come forward to adopt squares. The drawing was held with the following results: Laurel/Hosmer Street Boy Scout Troop 151 and Malden/Goodale Street Joe's Towing

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. 2015 Spring Legislative Breakfast Meetings 8-10:00 a.m. March 20th, West Boylston, Lexington, Canton

2. March 15th at noon the World's Shortest St. Patrick's Day Parade held in the Town of West Boylston. It goes 27-feet from Fynders to Keepers and includes dancers, a fire truck, legislators, Selectmen, Grand Marshall, Leprechauns, Quiet Man, Tip of the Hat and the ad book is phenomenal.

SELECTMEN REPORTS - There are none this evening.

FUTURE AGENDA ITEMS

Mr. Bohnson would like an update on the Reservoir Motor Lodge for the next meeting.

With no further business to come before the Board, motion Mr. Rucho at 9:40 p.m. to adjourn, seconded by Mr. Rucho, all in favor.

Respectfully submitted,

Approved: March 18, 2015

Nancy E. Lucier, Municipal Assistant

Kevin M. McCormick, Chairman

John W. Hadley, Vice Chairman

Siobhan M. Bohnson, Selectman

Christopher A. Rucho, Clerk

