

Members present: John W. Hadley Christopher A. Rucho
 Kevin M. McCormick Patrick J. Crowley
Members absent: Siobhan Bohanson

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

Read and acceptance of Minutes from Previous Meeting:

Motion Mr. McCormick to approve the regular session meeting minutes of January 6, 2016, seconded by Mr. Rucho, all in favor.

Motion Mr. McCormick to approve the executive session meeting minutes of January 6, 2016, seconded by Mr. Rucho, all in favor

David Eckhardt – Presentation EAB

Mr. Eckhardt joined the Board with interim DPW Director Michael Kittredge. He reports that the Conservation Commission asked him to attend a workshop in early January on the Emerald Ash Borer (EAB). It is an insect species native to China and does more damage than the Asian Longhorn Beetle. It arrived in the Detroit area in 1992 and was first detected in 2002. It is in 22 states and in the Massachusetts towns of Dalton, North Andover, Boston and Worcester on Plantation Street. It travels about five miles a year and is expected to be in West Boylston later in 2016. Every community should develop a formal risk management plan. The ash trees are about 5% of our canopy. The EAB infects most ash trees and once infested, the trees die in 3-5 years. It is enough of a hazard that Davey Tree Company does not allow their personnel to climb infested trees who have lost 20% of its foliage. It is likely to take down power lines and what we need to do is come up with a management program and develop a tree inventory for urban areas, within 25-feet of buildings and roads. For rural areas we would develop inventory estimates. Education is important and part of the problem is community education. Federal and state funding is sparse. We are actively exploring grant opportunities and opportunities for cooperation. He has contacted DCR and met with the Municipal Light Board. The recommendation at the moment is to form a task team on a community approach. Mr. Eckhardt noted that this is a heads up that the problem is here and we should define a strategy to manage the risk.

Mr. McCormick asked if the task force would have the job to go out and find where the hazards might be. The ash trees on the Water Department property located on Lee Street were mentioned. Mr. McCormick noted that all of those trees are in the woods and would we really care if the trees fell down in the woods. Mr. Eckhardt feels the task force should be making a recommendation on what to do. With regard to the Lee Street property, we do not care if the trees fall in the woods. Mr. McCormick would like to look at the trees on town property. Mr. Kittredge contacted Davey Tree and they are putting together a bid for road side trees and park trees so we can do a study. He will have the information for the next meeting. Mr. McCormick asked how many varieties of ash trees there are. Mr. Eckhardt advised that it is 5% of the trees in town are a variety of ash. Mr. McCormick asked if he could drive around the streets and look for ash trees. Mr. Eckhardt replied yes, we could get volunteers to do a road survey. We want to manage the risk and define the problem and find the most cost effective way to address this. Mr. Kittredge advised that some communities have found that if they use the proper pesticide they can correct the problem and save the tree. He added that dead ash trees break like glass, they shatter. Mr. Eckhardt advised that part of the program will be the education of the public and town employees on the hazards to people and property. The current thought is you might want to take the tree down before it falls down. The problem is coming up with the most cost effective strategy. Mr. Rucho asked about the area they were spotted in Worcester and did they just

pick one tree. Mr. Eckhart explained that the ALB were stay at home bugs and the EAB likes to travel or hitchhike on moving vehicles. Mr. Crowley asked how long they had been in communities in Massachusetts. Mr. Eckhardt advised since 2012. Mr. Crowley pointed out that it takes five years for them to kill the trees. Mr. Eckhardt has asked what those Massachusetts communities are doing.

Ms. Lucier advised that she has spoken with MIIA, our insurance carrier, and put then on notice about the arrival of the Emerald Ash Borer. Annually in July they offer loss control grants in the amount of \$10,000 and one of the categories is for a tree survey. We will be applying for that grant.

Susan Spellane, 38 Valley Forge Circle – Sewer Abatement Request

Ms. Spellane joined the Board. During the winter of 2013 her pool had a leak and lost its water. She called the town to turn off the water meter and then discovered that the liner needed to be replaced and the meter was immediately turned back on. This was when the street was in the process of a water line replacement and temporary lines were laid. Her pool person moved her up on the list so they could be ahead of the temporary lines and when she called the town they were unable to have someone from the department turn off the water meter. She filed for an abatement when she received her bill. Then the next bill came and she contacted Mr. Sylvia and when she spoke with him he said it is under review and in the works. This was in 2013. She would make phone calls every quarter and every time it was we are working on it. This past summer she spoke with Michael Kittredge who had taken over as Interim Director. He said he has a pile of abatement requests on his desk, was working on it and gave her a copy of all her bills.

In December Ms. Spellane contacted Mr. Kittredge when she got her tax bill and it was on her taxes. She states that she owes money, is willing to pay her bill, but the abatement was never addressed. She thinks the fair amount of money would be \$150. The water meter was turned off because the temporary lines were in. Mr. Crowley asked her why she hasn't paid the bill since 2013. Ms. Spellane states that she would talk to Mr. Sylvia and he said it is being taken care of. She contacted him every quarter and relied on him to take care of it. Mr. McCormick states you had a bill of \$211.08, and you said you think we should abate all but \$60. Why didn't you pay the \$60? You didn't even pay that then the next bill came and you didn't pay that. You could have paid everything but what you were disputing. You should have paid what you owed and then disputed the remainder. You have paid nothing since 2013. All Mr. Sylvia would have done is come before us to deal with the abatement amount, he was not going to take care of the bills. Ms. Spellane states that she relied on the information she received. Mr. Hadley noted that the Sewer Abatement Policy requires that you pay the bill first and then file for an abatement. Mr. Rucho pointed out that the policy says failure to secure a second water meter from the West Boylston Water District shall not be a reason for granting an abatement of a sewer use bill. It also says everything must be paid in full. Mr. Kittredge states that he was hoping we could make a payment plan.

Treasurer/Collector Bonnie Yasick advised that you have unpaid sewer usage that needs to be settled with the sewer department and there is also the separate issue with the tax bill. Nothing is due yet. Once the sewer department sends the tax lien out by a certain date all that information needs to be entered by me and split into two quarters. Once that happens it is too late. The real estate taxes and outstanding sewer usage is not outstanding; one half is due on February 1 and the second is due on May 2. That will now be on the tax bill because when the letters went out people put together payment plans.

Mr. Crowley noted that Ms. Spellane received something in writing that says this was going to happen, she couldn't have possibly believed this was right. Ms. Spellane states that she believed in the man. Mr. Crowley states you have a \$1,000 bill because you are disputing \$150.00. Ms. Yasick added

that in order to apply for an abatement, you cannot apply unless your taxes are paid in full. Mr. Hadley asked if the Board if they would issue an abatement or a payment plan. Mr. Crowley pointed out that we cannot offer an abatement because the bill is not paid. Mr. Rucho stated that all the interest and penalties are not our fault. If she paid for everything but the \$151 he might think differently. Mr. Crowley would not have an issue abating the bill if the bills were paid. Mr. Rucho noted that the town's policy is clear, he has a pool and followed the policy. Ms. Spellane feels she did a service to her neighbors, she could have waited as she had free water sitting in front of her house.

Motion Mr. McCormick to deny the request for abatement, seconded by Mr. Rucho, all in favor.

NEW BUSINESS

1. Concurrence on the hiring of Abbi Parkinson as a fractional time dispatcher effective February 18, 2016

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

2. Concurrence on the appointment of Cody J. Thomasian as a Special Officer to work details during the period of December 30, 2105 through June 30, 2016 at a rate of \$43.00 per hour

Motion Mr. McCormick to concur with the appointment, seconded by Mr. Rucho, all in favor.

3. Consider signing 3-year lease for space at 127 Hartwell Street

Motion Mr. McCormick to sign the lease, seconded by Mr. Rucho, all in favor. The lease is for a 3-year period, with no increase until year three, which will be 5%. There is also a six-month notice for an opt out after 18 months.

4. Consider signing extension to Fire Department contract

Motion Mr. McCormick to sign the contract, seconded by Mr. Rucho, all in favor. The extension goes to March 29, 2019 or when a permanent contract has been ratified.

5. Consider signing 3-year contract for disposal of solid waste with Casella of Auburn

Motion Mr. Crowley to sign the contract, seconded by Mr. McCormick.

Julianne deRivera and Kathy Fahy of the Solid Waste Advisory Committee voiced their concern that trash is going into the recycling bins and recycling items are going into the trash. Their other issue is taking the trash to a landfill and no incentive to sort out as much as they can. Ms. Fahy reports that plastic bags are the big issue, they are not recyclable and people are putting things in recycling that cannot fit in the bags. We need to put stickers on items and leave them rather than picking them up. There is also a concern that items not in town green trash bags are being picked up. Ms. Lucier has scheduled a meeting with SWAT and Casella and if needed she will also schedule a meeting with Allied Waste to discuss the issues SWAT has. She suggested an education program, and perhaps something on our cable access channel.

Vote on the motion – all in favor.

6. Consider sending amendments to the Planning Board for the Sign Bylaw

Motion Mr. McCormick to repeal the language in the sign bylaw pertaining to how often an electronic sign could change and send it to the Planning Board for a public hearing so it can be on the warrant for the May town meeting, seconded by Mr. Rucho, all in favor.

7. DPW Study (CR)

Mr. Rucho thinks we should use the study that we paid for and look at the bill when it comes in. We should also check what they said they were going to do. What we were going to get was two sentences in their report. Since the report has a lot of information in it he thinks we should use it for the DPW Director position Mr. Crowley likes the job description from the MMA, it is the one part of the report he liked.

8. Review Draft Advertisement for DPW Director position

Mr. McCormick is happy with the draft ad, however, he would like to include salary commensurate with experience.

Motion Mr. McCormick to send out the ad with the edited language and use the MMA job description, seconded by Mr. Rucho, all in favor.

9. Discussion of Open Meeting Law complaint of Jay Givan and proposed response

Mr. Hadley reports that Mr. Givan alleges that it violated the Open Meeting Law to consider the name of an applicant that was not listed on the meeting notice; Town Counsel has advised that as long as the topic of discussing the Town Administrator Search Committee appointments was on the notice, the Open Meeting Law was complied with and the Board will vote to approve Town Counsel's response to go to the Attorney General.

Motion Mr. McCormick to approve Town Counsel's response to go to the Attorney General, seconded by Mr. Crowley, all in favor.

10. Announce squares available to adopt

It was announced that there are no squares available for adoption, all have homes.

11. Review re-submitted Application for Change of Manager for Harold N. Keith Post Am Leg Post #204, Inc. and vote to forward typed application to the ABCC

The paperwork was previously approved by the Board and submitted to the ABCC, who returned it as they are now requiring that all paperwork be typed and this packet was handwritten.

Motion Mr. McCormick to approve the Change of Managed Application and submit it to the ABCC, seconded by Mr. Rucho, all in favor.

12. Consider declaring three wall mounts and an audio mixer formerly used by WBPA-TV surplus

Ms. Lucier reports that WBPA-TV has some equipment, which they no longer use. The Town of Hubbardston has expressed a desire to purchase the items. As the town has a policy for the disposal of surplus items, the Board needs to declare the items surplus before we can go forward with the transaction

Motion Mr. McCormick to declare the items surplus, seconded by Mr. Rucho, all in favor.

13. Acknowledge email from Police Chief advising that he met with Craig Shibley for two hours at his house on Monday

Mr. Hadley reports that the Chief met with Mr. Shibley and is getting him the information he requested. Mr. Crowley noted that Mr. Shibley had a concern as there were two different employee identification numbers for CMLEC. What happened was the task force was under a town purview. They had their own fund set up in the town and it was administered as part of the town's budget as a separate fund similar to a revolving fund by our town. The members of the task force filed paperwork

to incorporate as a non-profit only with the state of Massachusetts and they were filing their annual reports. So in the eyes of the state of Massachusetts they were a non-profit organization. It appears that was done in error. They got their own employee identification number from the IRS at that time. When it was split off from the from the Town of Charlton and became its own official nonprofit 501(c)3, not associated with the town, they were issued a new employee identification number. That is why there was a disparity because it was not an official nonprofit, they were granted charity status if you were to make donations to them. It was simply a paperwork issue. He spoke with the accountant who prepares the tax returns and Mr. Crowley's take on it is based on those facts it does not appear that anything illegal went on. That is how there were two separate identification numbers.

14. Consider approving the installation of the Civil War Fallen Heroes Plaque in town hall (5x5.5 feet)

Ms. Lucier reports that she has been approached by a member of the Historical Commission who would like to install the Civil War Fallen Heroes Plaque here at town hall. It formerly was housed at the Mixer site.

Motion Mr. McCormick to approve the installation of the plaque inside town hall, seconded by Mr. Crowley, all in favor.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. January 27, 2016, 7:00 p.m. FISP Meeting

SELECTMEN REPORTS

Mr. Crowley noted that the Board just recently recognized high school sports teams and on the back page of The Banner they listed the students who made the honor roll. He would like to do something similar for the honor roll students as well. He would like to send letters to all West Boylston residents who are in high school and made the honor roll. Discussion ensued. Mr. McCormick noted that in the past the only time the Board sent out recognition letters to teams was if they won the championship and this year the letters were sent out to teams who didn't win the championship but did good. Mr. Crowley feels that high school students getting a letter from the people who are running the town would appreciate it. Mr. Rucho feels it will take a lot of time to do this as it will involve figuring out where everyone goes to school, such as Saint John's, S. Peter Marion and Assabet. It was agreed to include this on the net agenda to define the approach. Concern was voiced over someone inadvertently being missed and not sent a letter, and sending letters out three times a year. Suggestions included sending out a press release or a letter to the Editor in The Banner.

FUTURE AGENDA ITEMS

Mr. Hadley would like to discuss changing the age to purchase tobacco products in West Boylston from 18 to 21. The Board of Health will be consulted.

Mr. Hadley would like to move forward and display the piece of the World Trade Center, currently sitting on a table in the Selectmen's Meeting Room, to another location in town hall. We will get some pricing and ideas and Mr. Rucho will check with Assabet.

With no further business to come before the Board, motion Mr. McCormick at 8:15 p.m. to adjourn, seconded by Mr. Crowley, all in favor.

Respectfully submitted,

Approved: February 3, 2016

Nancy E. Lucier, Municipal Assistant

John W. Hadley, Chairman

Kevin M. McCormick, Vice Chairman

Christopher A. Rucho, Selectman

Patrick J. Crowley, Selectman