

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

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

Read and acceptance of Minutes from Previous Meeting:

Motion Mr. Rucho to approve the regular session meeting minutes of December 16, 2015, seconded by Mr. Crowley, all in favor.

NEW BUSINESS

1. Concurrence on the appointment of Robert Chisholm, 91 Hillside Village Drive to the Council on Aging effective January 8, 2016 for a term to expire on April 30, 2019

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

2. Concurrence on the appointment of Louis Pepi, 181 Fairbanks Street to the position of Assistant Building Inspector effective January 18, 2016 for a term to expire on April 30, 2017 to be compensated at \$25 per inspection

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

3. Concurrence on the appointment of Christopher Lund, Shrewsbury, MA to the position of Assistant Building Inspector effective January 25, 2016 for a term to expire on April 30, 2017 to be compensated at \$25 per inspection

Motion Mr. Rucho to concur with the appointment, seconded by Mr. Crowley. Discussion ensued about office coverage and Mr. Crowley questioned who would do zoning enforcement. Ms. Lucier advised that with the addition of Mr. Pepi and Mr. Lund, we now have four assistants who would be available. Mr. Lund has offered to answer any emails and come in on Saturdays if needed. Ms. Bohnsen asked if the Board of Selectmen could appoint the position and was told that it is a Town Administrator appointment. Vote on the motion – all in favor.

Craig Shibley - Town's involvement with Central Mass Law Enforcement Council (CMLEC) and financial matter concerning the Police Department

Craig Shibley, 2 Lost Oak Road joined the Board. He asked the Board if they understood what this law enforcement entity is. Mr. Hadley understands, it involves about 50 or 60 police departments and they have a drug task force. Mr. Rucho states it is not our place. We hire the Chief of Police to look at that kind of stuff and he doesn't know why this is on the agenda. He knows what it is about and thinks Mr. Shibley should speak with the Chief of Police. Mr. Shibley states that the reason he didn't go before the Chief is because he believes it is a town issue as town money funds the organization. It is a non-profit law enforcement entity formed in 2002. Mr. McCormick asked Mr. Shibley if he had a law enforcement background. He replied that he does not. He has been looking into some of these entities on a project he is working on. There are 9 such entities in Massachusetts. What is disconcerting to him is it was formed in 2002, had an FEIN number which turns out is not legitimate and only recently was the organization properly constructed. His concern is tax payer money goes into this. To his knowledge he does not believe it is a line item. He is not sure how it is allocated because there is an annual membership fee. That money feeds into the organization. They have a SWAT unit. What he is having

difficult time understanding is it has an array of different units according to its bylaws. In its Articles of Organization it says that each department must have their own protocol for calling out these units. He has tried to get this protocol and he has not gotten it. He understands that one member of the West Boylston Police Department is a member of the SWAT, according to the Chief. There is also a liability issue. Every member must take out a \$1 million insurance policy upon entering into an agreement to be a member. He is asking the Board of Selectmen, given the fact that the entity for over one decade has existed in limbo and as a result they only existed in the eyes of the Secretary of States, Office. There are no financial records and they receive money in federal grants.

Mr. Crowley states that as far as the EIN that is irrelevant. They are either a 501(c)3, or not, they have to have filed a Form 1023 with the IRS to get granted that status. If they are getting funds from the federal government they are required to be audited. What you are saying doesn't pass the smell test. The Federal government does not just write grants you have to provide your audited financial. He does not think this is a Selectmen issue, it is a police issue, and the things he is saying, based on his background, does not make sense. On its face it is nearly impossible for that to be the case. It could be under another chapter. Mr. Shibley suggested looking back to 2000 and 2004 there are a number of lec's operating illegally. He thinks it is important issue to this town as the town was a charter member formed in 2002. He understands what he is saying, but the reality and the facts are a different story.

Mr. Crowley states it would not take much time for legal counsel to look into it. Mr. Hadley asked is this just to inform us? Mr. Shibley is very surprised that Mr. Rucho is the only one who has some degree of familiarity with this law enforcement council. He urged the Board to become more informed and get a firmer understanding and until it is reached, we should suspend involvement with the council. Any type of call out could be augmented by the state police or the Worcester County Drug Task Force. He thinks the Board should suspend involvement until they understand this and there would not be any harm to the community. Mr. Shibley did speak with the Chief of Police and he has been less than forthcoming. In 1970 or 1980 the West Boylston Police formed the association, which was created in 2008 its operations were revoked by the Secretary of State's Office and they signed a certificate of revival in 2009. His concern is prior to 2009 it had an FEIN number of 27- and 9 other digits and then assumed another number of 04- something and what is interesting is the West Boylston Police Association Benevolent number and the police union have the same number so you have a 501c3 and a 501c10 sharing the same FEIN number. You cannot have that.

The Board thanked Mr. Shibley for coming in and noted that if we have something we need to follow up with him then will let him know. Mr. McCormick asked what his background was, or is he just here as a good citizen trying to protect the town of West Boylston. Mr. Shibley advised that he has lived here for two years. Mr. McCormick wants to understand why he is here and why he didn't talk with the Town Administrator. Mr. Shibley advised that he attempted to contact the Town Administrator and was not successful until he sent him an email and the Town Administrator wanted to have the police chief to join them in their meeting. Mr. Shibley told him that he didn't want to meet with the police chief. Mr. Rucho feels it was a waste of time for him to come before the Board.

Ms. Bohnson asked why or how he decided to look into this information. She asked if his background is being an auditor. Mr. Shibley states the issue of the 501c3 with respect to the police department, that information was provided to him, he was not looking for it.

Public Hearing: Consider Amendments to Policy K-1, Sexual Harassment Policy and Policy K-4, Non-Discrimination Policy

Mr. Hadley opened the public hearing and read the following notice. Public notice is hereby given, in conformity with the requirements of the General Bylaws of the Town of West Boylston, Article XXIII - Public Hearing and Notice, that the Board of Selectmen will meet on Wednesday, January 6, 2016 at 7:15 p.m. for the purpose of considering amendments to Policy K-1, Sexual Harassment Policy and Policy K-4, Non-Discrimination Policy. The meeting will be held in the Selectmen's Meeting Room of Town Hall, 140 Worcester Street, West Boylston. For additional information, or to review the proposed information, please contact the Office of the Board of Selectmen/Town Administrator at 774.261.4012. All interested persons, groups, and agencies are invited to attend. John W. Hadley, Chairman, advertised December 23 and 30, 2015.

Ms. Lucier advised that on December 11th we held an MCAD training session for our department heads, which was presented by Bob Marinelli, our loss control representative. At that time we were made aware of the need to update the two policies before the Board. They have expanded the protected classes and by doing this and sending in the updated policies, the town will be eligible for a 2% credit to our public officials' liability line item. There is no one present who wishes to speak on this item. Motion Mr. Rucho to close the public hearing, seconded by Mr. McCormick, all in favor.

Motion Ms. Bohnson to approve the policies as presented, seconded by Mr. Crowley, all in favor.

Greenquest Partners, LLC Request for License to be a Collector of Second Hand Items and One Donation Bin Permit for 21 West Boylston Street

John Danner joined the Board. He has a box at the BP gas station in town, was notified that the town has implemented permits and they would like to comply. Ms. Bohnson asked how often they empty the bin. Mr. Danner advised every two weeks unless there is a problem and then the owner would call them and they respond within 48 hours. Ms. Bohnson asked if they have had any issues in West Boylston. Mr. Danner advised none in West Boylston.

Motion Mr. Crowley to grant the request for the license and the donation bin permit, seconded by Mr. Crowley, all in favor.

NEW BUSINESS

4. Consider accepting \$1,193.59 in donations from the public for lost or damaged books and other materials, donations for the use of printers and copier and donations given to support the general needs of the library on behalf of the town

Motion Mr. Rucho to accept the donations, seconded by Mr. Crowley, all in favor.

5. Review proposed Wetlands Bylaw and vote to send to the Bylaw Committee

Mr. Hadley, who also serves on the Conservation Commission, has been involved with this and advised that the changes are mostly around enforcement and the state will be mandating some bylaws. Should the Board approve, the draft will be sent to the Bylaw Committee and included on the May town meeting warrant.

Motion Ms. Bohnson to accept the bylaw as presented and send it to the Bylaw Committee, seconded by Mr. Crowley, all in favor.

6. Timeline for filling the permanent position of DPW Director (KM)

Mr. McCormick would like to know about our time line for filling the permanent position of DPW Director. He would like to get it going. Ms. Bohnson would like to review the job description. Ms. Lucier will pull the ad we used the last time. She will put together a brief packet of info. Mr. Hadley complimented Mr. Kittredge for the job he is doing as interim noting that has made a big improvement to the department and he should be considered. Mr. McCormick doesn't think we should

be discussing anybody in particular. Mr. Rucho feels we should go forward, we were waiting for the DPW study and it didn't provide any help.

MEETINGS, INVITATIONS & ANNOUNCEMENTS

1. Thursday, January 7th, 6:30 p.m. – Selectmen's Meeting Room - Informational Meeting Sidewalk Improvement Project

SELECTMEN REPORTS

Mr. McCormick is continuing to attend Fire Department union negotiation meetings and he will be updating the Board later in an executive session.

Ms. Bohnsen is continuing to work on the School Teachers union contract.

Mr. Crowley advised that there are several basketball leagues in town who practice at Major Edwards and there are no more court times available for the teams. He would like to enlist the help of our legislators to see if the DCR will allow the town to use the courts at their building in own, which is currently not open to the public. Mr. Rucho thinks the room is used for storage. A letter will be drafted.

Mr. Hadley advised that in Mr. Purcell's absence, we need to appoint Ms. Lucier as the Interim Town Administrator so she is able to sign documents. Mr. Rucho also thinks we need to reach out to Mr. Purcell to see where he stands.

Motion Mr. McCormick to appoint Ms. Lucier as Interim Town Administrator and we will put together a compensation package, seconded by Mr. Rucho, all in favor.

Ms. Bohnsen thinks it is important we get an idea from Mr. Purcell if he intends to return. She doesn't think it is fair to put it all on Ms. Lucier.

Motion Mr. McCormick at 7:45 p.m. for the Board to enter into executive session under the provisions of MGL Chapter 30a, Section 21(A), Part 3 to discuss strategy with respect to collective bargaining with the Fire Department if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares. The Chair so declared and the Board will not return to open session. Roll call vote: Mr. McCormick yes, Ms. Bohnsen yes, Mr. Hadley yes, Mr. Crowley yes, Mr. Rucho yes.

Motion Mr. Rucho at 8:10 p.m. for the Board to come out of executive session, seconded by Ms. Bohnsen. Roll call vote: Ms. Bohnsen yes, Mr. Crowley yes, Mr. Rucho yes, Mr. Hadley yes, Mr. McCormick yes.

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

Respectfully submitted,

Approved: January 20,, 2016

Nancy E. Lucier, Municipal Assistant

John W. Hadley, Chairman

Christopher A. Rucho, Selectman

Kevin M. McCormick, Vice Chairman

Patrick J. Crowley, Selectman

Siobhan M. Bohnsen, Clerk