

WEST BOYLSTON BOARD OF PARKS COMMISSIONERS

April 9, 2012 7:00 PM

Members Present: Steve Blake (Chairman), Gary Flynn, Pat Inderwish (**left early),
Allen Phillips, Rick Shaw

Members Absent: None

Guests: Greg Corbo (Town Counsel), Jen Breen, Silvio Baruzzi, Matt Nasuti

Goodale Basketball Courts

Town Counsel attended the meeting to provide input on the situation regarding use of the Goodale basketball courts, by non-residents. Allen stated that he has been checking the courts over the last several weeks and there have been groups of young adults (non-residents) dominating the courts. Greg Corbo explained the according to state law, everyone has the right to use a public park. Greg also explained that the board can discriminate or distinguish against non-residents, as long as there is a basis to do so (legitimate public interest). The case being that, use of the courts by residents is being curtailed because of use by non-residents. The most common way to regulate is thru use of town-only permit parking lots and signs that restrict access. Greg explained that playgrounds have different laws and asked if the land was deeded to the town as a park or playground. Pat explained that the board held a public hearing last year and had proposed resident permits at no charge and non-resident permits for a fee and asked Greg if that would be viewed as being discriminatory? Greg stated that it does not have the issue of being discriminatory but under the state's recreation use statute charging of fees does create different issues. Rick stated that the reality does not relate to a fee at all and the groups/individuals using the courts are not going to be concerned about whether they have a permit or not. Allen noted that having a large number on the courts being asked or told to get off of the courts is an issue when addressing by only one or two officers. Greg explained that posting signs does help, but a parking restriction or some sort of gate house would be more successful. Rick explained that the board was advised by the police department that resident only signs are needed on all of the gates. Rick asked Greg if the board could put the signs up. Greg noted that the board could put up the signs, which are not restricting access to the park, just to one portion and that a non-resident would have to bring to court to challenge. The risk would be if someone being arrested for trespassing and it will get overturned or someone could challenge it. Steve explained that the rules allow guest of residents. Greg explained that resident only signs should not be posted if guest are allowed and suggested posting rule# 2 on the doors. Gary stated that there should be signage noting the use by schools during school hours. Jen suggested that wording for permit holders being included on the signs. Gary noted that a teacher is not going to ask individuals to vacate a court.

- Motion Originator: Allen Phillips
- Motion Description: Post signs on 8 gates (red letters on white) – resident use only, limited to three invited guests per resident

- Motion Seconded: Pat Inderwish
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved

Rick noted that the key to the signage is to allow police to enforce it.

Pool Parking Lot Lease

Rick Shaw has had discussions with the Athletic Director regarding the number of students playing fall and spring sports for the past three years and there have been 200-220 per year.

The concern from the school is that they are being charged the same amount as other organizations. The school is proposing a payment to the Parks for \$3,800, \$500 for the lease of the parking lot and \$3,300 for sports. Rick noted that the loss due to non-payment has been averaging around 20% and that there are currently approximately 50% who owe for the spring sports. Pat noted that 220 @ \$20 each totals to \$4,400 and that a few years back the board had done an analysis and had projected 300 participants. Pat also noted that in the past the funds generated from parking permit fees; had to be used for the upkeep and repair of the parking lot. Rick stated that the Town Administrator has spoken of looking into funding the lease costs into the school budget. Rick noted that it is a waste of time to have the Athletic Director chasing the fees. Pat thinks that it is possible to have everyone sit down to discuss re-establishing funding from the town to maintain the facilities. Rick explained to that \$3,300 was calculated at a reduced fee of \$15.00 per student. Pat stated that the reduction would result in the board under funding their needs. Steve is not in favor of the current proposal and has asked Rick to continue with to work on the proposal and getting to figure up to the \$20 per student. Pat is concerned about lowering of the fee as being discriminating against other users. Pat questioned if the fee needs to be increased to \$25 to account for the fall off of participants.

Goodale Tennis Courts Lighting

Matt Nasuti attended the meeting to discuss the issue with the lighting from the Goodale tennis courts shining into his house. Matt noted that the lights have been erratic recently and have not been on at normal times and may have not gone on the last three nights. Matt stated that when they are on, that the problem still exists. Steve stated that if two poles were to be shut down that it would alleviate the problem greatly. Gary stated that the bottom line is that the problem needs to be solved. Rick stated that the last time the board discussed the matter; there was concern of liability if the lighting did not meet the standards. Silvio stated that the town's light department is in the process of purchasing a meter and will be able to measure the outcome of turning the lights off. The engineer involved in the court project has advised to leave the lights as is. Pat noted that the board needs to make sure not to void the manufacturer's warranty (20 year) if shields are installed.

- Motion Originator: Gary Flynn
- Motion Description: To shut-off the two lights which are causing the problem.
- Motion Seconded: Allen Phillips
- Motion Discussion: Pat advised that the board to take caution about increased liability by turning the lights off. Jen suggested that the tennis lights be turned off earlier than the basketball courts. Steve stated that there is one timer for all of the lights. Matt questioned if the lighting engineer holds any responsibility, with the abutters taken into consideration. Pat explained that the engineer did the job that he was hired to do and that he does not feel that the contractor did anything wrong. The light department may be able to reach the light fixtures with their new truck and this would allow for the installation of shields.
- Motion Approvers/Disapprovers: Approved / 4 yes, Pat abstained

Pat suggested that the board consider holding a public hearing to reduce the hours that the tennis courts are open (closing them earlier in the day).

Approval of Minutes

- Motion Originator: Rick Shaw
- Motion Description: Approve minutes for January 9, 2012 meeting
- Motion Seconded: Allen Phillips
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved (Allen abstained)

*** Pat had to leave early*

Treasure's Report/Bills to Approve/Outstanding Fees

Two deposits totaling \$2,165, (WB Girls' Softball & Amateur Softball) were made into the field account. One deposit for \$1,380 was made into the recreation account. The balance on the field account is \$ 24,266 and the recreation is \$8,420.

- Motion Originator: Allen Phillips
- Motion Description: Approved 2 payments of \$ 150 each to Sharon Dwelley
- Motion Seconded: Rick Shaw
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved

- Motion Originator: Allen Phillips
- Motion Description: Approve \$80.00 refund to Jennifer Croft
- Motion Seconded: Rick Shaw
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved

- Motion Originator: Allen Phillips
- Motion Description: Approved payment of \$300 salary to Jen Breen
- Motion Seconded: Rick Shaw
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved

- Motion Originator: Allen Phillips
- Motion Description: Approve payment of Carquest invoice / \$6.20
- Motion Seconded: Rick Shaw
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved

- Motion Originator: Allen Phillips
- Motion Description: Approve payment of Dupois Power invoice / \$27.64
- Motion Seconded: Gary Flynn
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved

- Motion Originator: Allen Phillips
- Motion Description: Approve payment of Rocky's Ace Hardware invoices / \$135.83
- Motion Seconded: Gary Flynn
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved

- Motion Originator: Rick Shaw
- Motion Description: Approve payment of WB Light invoices / \$232.27
- Motion Seconded: Allen Phillips
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved

- Motion Originator: Allen Phillips
- Motion Description: Approve payment of Franklin Paint invoice / \$92.50
- Motion Seconded: Rick Shaw
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved

Parks and Recreation Programs

Jen reported that there are approximately 35 children registered for the April tennis lessons which are being held at the high school gym and are currently 12 children registered for both of the days of the April vacation recreation program. There is a \$60.00 per day for use of the school for the recreation program. The egg hunt was again a huge success. Jen has someone interested in running a six-week boot camp (7:00AM weekdays) and someone else who is interested in holding outdoor yoga classes. Steve has asked Jen to obtain additional information on the boot camp. Jen is still looking for field use to hold girls' field hockey and lacrosse instruction on four Fridays, 4:30-6:00 (in June). Woodland is being used by t-ball and would not be available. The board discussed that possibility of using the right field of the Sr. Baseball field. Jen will have them look at the space to see if they can use it.

- Motion Originator: Rick Shaw
- Motion Description: If right field of Sr. Baseball Field is adequate, give Jen approval to run the field hockey/lacrosse instruction program.
- Motion Seconded: Gary Flynn
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved

Jen stated that if all goes well with the vacation recreation program, she would like to offer a one week program in July and one week in August. Jen also stated that she has spoken with some of the teachers and has asked them to put together different camps. Jen has been in contact with the Worcester Athletic Club and they would be willing to help out with doing a swim program.

Parks Facilities/Maintenance Items

The flagpole at Goodale Park is up, but its lighting has not been addressed. To have lights shining up from the ground; would require running wiring from concession stand down to the flagpole. To have the Light Department put a light on a pole and have it shine towards the flag; would be a flat monthly rate.

- Motion Originator: Rick Shaw
- Motion Description: To go the route of having the light put on pole and try that.
- Motion Seconded: Gary Flynn
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved

An insurance inspection is scheduled for April 25th, at Pride Park. The inspector may find that there is sufficient mulch and there may not be a need to purchase any this year. Steve stated that a bouncy piece of equipment had been taken down and that it should be put back up and the small picnic table needs to be repaired.

There is a loose pole at the Goodale tennis courts. Silvio will contact the contractor regarding the matter.

The Parks Facility Committee is looking at the All-Purpose/Track for their next project and the Parks Commission has cut back on the repairs to be done to the track. The sink-hole and large crack will be repaired and the smaller cracks will be filled (sprayed).

Gary stated that the water meters have not been put back in yet and not much can be done regarding the field maintenance until the water is turned on. Gary noted that the lawn mower that is being used for more than what is designed for and wants to know if there are any plans to purchase any additional equipment. Silvio stated that while the purchase of new equipment would have to wait until next year his department is working on getting the old mowers running.

The port-a-toilets have been delivered.

A crew from the jail is scheduled to do painting of the bleachers and bandstand during April vacation.

Facility Requests

The WB PTA has requested use of the All-Purpose Field and track on June 8th (3:00-10:00PM) for their end of year event.

- Motion Originator: Allen Phillips
- Motion Description: To approve PTA request as submitted
- Motion Seconded: Rick Shaw
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved

The Athletic Director submitted a permit request for the for the use of fields, playgrounds and outdoor facilities for physical education classes, 7:30AM-2:30PM (Aug 30, 2011 – June 20, 2012).

- Motion Originator: Allen Phillips
- Motion Description: To approve West Boylston Public School request as submitted.
- Motion Seconded: Rick Shaw
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved

The West Boylston Arts Foundation will be holding an event at the gazebo on June 21st.

Old/New Business

The funding for the repair of the summer-house roof (\$3,500) and \$8,000 for the work to be done to the well on Goodale Street will both be articles on the warrant of the annual town meeting.

The score board at the Girls' Softball Field has been repaired and now needs a cable made so that it can be utilized.

Steve will contact Nolan Gauthier regarding the status of his Eagle Scout project (dugouts at Sr. Baseball Field).

Steve will look into having repairs done to the scoreboard at the Sr. Baseball Field.

Steve has been informed that Assumption College is using the track for practice. Rick will speak with the Athletic Director regarding the matter.

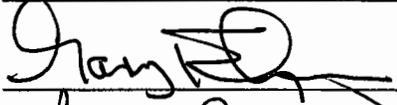
Pepsi-Cola would like to put vending machines at the fields, with all of the profits going to the Parks Commission. Allen asked how that would affect the concession stand. Steve stated that the prices would have to be higher in the machines. Steve asked the board members to consider the vending machines and discuss at the next meeting.

Steve has agreed to continue to serve as chairman of the board and will also continue with the responsibilities of treasurer.

Next Meeting: May 7, 2012

- Motion Originator: Allen Phillips
- Motion Description: To adjourn / 9:12 PM
- Motion Seconded: Rick Shaw
- Motion Discussion:
- Motion Approvers/Disapprovers: All Approved







DATE: 08-06-12