

Members present: Christopher A. Rucho Patrick J. Crowley  
Barur R. Rajeshkumar John W. Hadley  
Members absent: Siobhan M. Bohnson

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

**Public Comment:**

Craig Shibley joined the Board to provide a follow up statement about the concerns he has. He stated that the Board may want to ask questions, but knows this is not the forum to do so. This is on the Board's approved response over two issues brought before the Board back on January 6, 2016. He wishes he could say that things were resolved and was somewhat satisfied, but that is not the case. For the record, the response he received was forwarded to him in January by Town Administrator Anita Scheipers. The first matter is CMLEC, the Central Mass Law Enforcement Council, a private, non-profit corporation comprised of police departments and other law enforcement entities in Central Mass. They filed papers of incorporation with the state in May of 2003, and 14 Chiefs of Police from Central Mass as well as then Worcester County Sheriff Department under then Sheriff John Flynn were among the original directors of the nonprofit. This community's police department joined CMLEC in May of 2008, but as this Board has confirmed, it did not do so legally. There was neither an authorizing vote nor were proper signatures ever filed. Rather Chief Minnich and former Town Administrator Leon Gaumond signed a Mutual Aid Agreement without the Board official or legal consent. According to the town's findings, the Board was unaware of who must sign, the Board's Chair person as the town's executive officer and the Chief of Police. According to the report that I received and I quote, 'the cover letter sent with the agreement did not specify and the signature page provided to the town did not contain the header that indicated titles'. The town referred to this as an 'unintended error'. Perhaps, but how could the Board forget to vote on such a matter. This report conveniently sidesteps this oversight without a vote the town's involvement is legally void. Unintended errors notwithstanding. As for the errors I find it difficult to accept here is why. Number one, two years ago the Chief provided me with a copy of the Mutual Aid Agreement and on page 5 it reads, 'executed as a sealed instrument by the parties duly authorized representatives, the date and signatures of each community by its Chief Executive Officer and Chief of Police' and he even charged me \$5 for the document. The following pages have the 'missing header' (he displayed the document) The Chief had the whole document two years ago that he provided to me that should have been the one signed in 2008. I guess digital forensics would have to figure that out.

The report also references MGL Chapter 40, Section 8G and that deals with Mutual Police Agreements which the town accepted in 1995. This agreement has nothing to do with private, non-profit police entities like CMLEC. Thus, the legal necessity for an updated additional agreement which is why the District Attorney's Office in Worcester County got involved and so did the Mass Chiefs of Police Association and its chief legal counsel at the time. Otherwise I am sure it would not have been necessary to have this other agreement because CMLEC is a private, non-profit corporation, not a public municipality of any sort. As such, my concerns about liability now still remain and perhaps I might take some of the blame for this and I may not have been clear about what I meant by liability.

There have been no legal challenges to date, I do not dispute that, but the obvious reason is this has never been reported by the media, the local Banner included, that this was never voted and no executive officer ever signed to make the document legally binding. So for instance, take the matter of Wilfredo Albedore v The Commonwealth. In 2015 he and his accomplice were arrested in West Boylston on various drug charges. CMLEC's SWAT team was called to assist as reported by West Boylston Police Officer David Pupecki and members helped execute the associated search warrants

presumably officer James Dugan, the SWAT leader or co-leader was also present. This case, to my knowledge, is still making its way through Superior Court. I believe, I cannot confirm that. I didn't have time to go down there I have other things to do. Last I was told it was working its way through the Superior Court.

What about Chief Minnich's lies to me about the Mutual Aid Agreement and the Board of Selectmen's signing off. It is all in the emails that I have and you should have. This Board has not addressed this ethical and perhaps legal matter dispute the fact I was given some degree of assurance that it would be looked into and that it would be considered a personnel matter. However, there have been no executive sessions taken to address this matter dispute evidence that I provided to you six months ago and you have not questioned him about it. However, the Town Administrator did extend to me an invitation to meet privately with her and the Chief present to discuss any outstanding concerns I may have but why would I meet in privately with someone who demonstrated such a disregard for the truth that would be quite silly.

Lastly I would like to clarify the misleading statement made by this Board regarding CMLEC's FEIN number, the unique number assigned by the IRS, Mr. Crowley has gone on record calling it 'a paperwork issue' claiming it received an FEIN from the IRS when it was created in 2003. If so, then why didn't the IRS have records of that very number, 04-2921544 as recently as 2012 or the related form 1023. Why? Because it likely never had one. This 9-digit number was assigned most likely by the Secretary of State's Corporation Division which uses coincidentally enough, a 9-digit number as well. Mr. Crowley should also know a business entity like CMLEC whether incorporated or not, would have a unique FEIN assigned by the IRS. At best, CMLEC was an unincorporated association at best yet it still filed state papers as if it was an incorporated 501c3 like it filed back in 2003, but as we all know by now, no paperwork exists to support that. That being said, a business would not need a new FEIN just because it is seeking a tax exempt status. It could legally exist as an unincorporated non-profit entity so long as certain requirements specific to revenue were adhered to. On close examination of the finances of CMLEC would strongly suggest they weren't. Mr. Crowley has also gone on record alleging CMLEC's money was being administered by the Town of Charlton through a separate fund from 2003 to 2012. When the new FEIN was assigned by the IRS and it was granted at that time tax exempt status. In fact, Chief Dennis Towld of the Webster Police Department signed an affidavit in 2015 making the following statement under pains of perjury 'prior FY2013 when CMLEC received its tax exempt status from the IRS any and all monies associated with the organization were collected and dispensed by the Town of Charlton acting as its fiduciary agent. Consequently CMLEC did not complete taxes or file tax documents for the year 2011 and 2012. There is a reason why that time frame is used but I will not go into that detail. I will go on to say that CMLEC likely never filed taxes up until 2013 and that would be a huge IRS red flag. But this story of a fiduciary agent does not pass the smell test for many reasons which Mr. Crowley should know without delving into too much of the details this agent is what is termed a fiscal sponsor in the non-profit sector. This sponsorship allows a non-tax exempt entity while waiting approval from the IRS to receive donations through its sponsor and to accept grants from private foundations through its sponsor. Neither applies to law enforcement councils like CMLEC which receives all their funds from state and federal money. Then there are various paper trails refuting this claim as well in 2010 the Executive Office of Public Safety awarded CMLEC a \$121,000 federal grant for Swat gear and the fiduciary agent charged with handling that was not the town of Charlton, but the Central Mass Regional Planning Commission, which this community should know. Then there is this oddity the Charlton Police Department under then Chief James Pervier who received state funded grant monies under the name Central Mass LEC Charlton. A municipality that is a law enforcement council. Nonetheless, it didn't stop the Executive Office of Public Safety from giving them \$218,000 over a three year period with the direct knowledge of its supposed fiduciary

agent Central Region Homeland Security Council which operates under the umbrella of CMRPC. This smacks of fraud. Public records do show that from 2009-2010 Charlton did pay for certain CMLEC expenses in the amount of \$44,000.

Now the matter of the police associations. The report, as it relates to the two fraternal organizations affiliated with the police department is disturbingly convoluted with inaccurate information and further muddies this matter. The Mass Police Coalition of Police Local 172 is the local union for West Boylston Police Department. The West Boylston Police Benevolent Association is a tax exempt 501c5 that was revived in 2009. Prior to that it was involuntarily dissolved by the Secretary of State's office for undetermined reasons according to this report provided to me. The Association's accountant who is not named claimed that local 172 filed its federal tax return and corporate annual reports under the name of the West Boylston Police Association. This gets confusing. The West Boylston Police Association is what the accountant called the local union and each year the police association filed a federal tax return as well as an annual corporate report with the state, according to the report provided to me by the Town Administrator. The accountant of record is Eugene Pratillo. Federal tax records confirm how this 501c5 was using the d/b/a West Boylston Police Association but never identifying the name on tax records as a d/b/a, a minor detail, but nonetheless it is not on record by him in his paperwork. He uses Mass Coalition of Local Police 172. The Secretary of State Corporations Division has no record of a Local 172 d/b/a West Boylston Police Association. That should not surprise any of you because it is not a corporation and as such does not have to file an annual corporate report rather it is a tax exempt association as identified on its tax returns prepared by Mr. Pratillo. If you go onto the Secretary of State's website it says West Boylston Police Benevolent Association. How could Mr. Pratillo make this obvious gaff and then the Board pass along this misinformation in its report which took over one year to compile. For reasons not specified in the report the police association in 2009 decided to revive the West Boylston Police Benevolent Association. The union d/b/a the Police Association hired an unnamed attorney, the name was not on the report, and decided to revive the West Boylston Police Benevolent Association which had long been inactive. According to several documents filed by Sgt. Anthony Papandrea on July 6, 2009 despite having its charter revoked by the state in 1984 which means it really shouldn't be doing business, I quote according to Sgt. Papandrea 'they have regular meetings, provide charitable donations and do mail solicitations'. Remember mailer solicitations. On the revival certificate Sgt. Papandrea is the President of the Corporation at the time used the wrong FEIN number that of the Police Association to revive the West Boylston Police Benevolent Association.

It should be known on record that the Police Department from 1998 to 2009 in its annual reports under the West Boylston Police Benevolent Association used d/b/a West Boylston Police Association in addition to Local 172's FEIN number. These are law enforcement people trained in detail. Mr. Pratillo has over 30 years as a CPA. Presumably he is the one filing these because he is collecting money for filing these. The report concludes by saying how Pratillo had contacted a William Cumbley at the corporations division and he informed Pratillo that since the West Boylston Police Association is an unincorporated entity that annual reports were not required and no further annual reports should be filed. How could Pratillo a CPA for 30 years not know this. Why would Cumbley make such an inane comment. The West Boylston Police Association never filed a single annual report and that is what this man from the corporations division allegedly told Mr. Pratillo.

According to Sgt. Papandrea the West Boylston Police Benevolent Association does not have a postal service form 3624. I do not believe the West Boylston Police Association has a form 3624. It is a form required by the post office for non-profit organizations to take advantage of a cheaper mailing rates. I received a mass mailing solicitation from the West Boylston Police Department, stamped non-profit organization, US. Postage, Paid Permit #38. Municipalities are permitted from using the non-

profit rate and inside there was a letter from the West Boylston Police Association. Mr. Papandrea told me in an email there was no such thing as the West Boylston Police Association. This mailing is not that old. The letter starts off by saying we, the members of the West Boylston Police Association want to thank you for your past support. Your past donations helped the West Boylston Police Association. Those who wrote the letter used West Boylston Police Association at least three times and according to Sgt. Papandrea it does not exist. The letter was signed by James Dugan, President and Tim Benson, Vice President. Benson is not listed on the filing in 2014. According to the West Boylston Postal Service Permit #38, a non-profit permit has been for quite some time assigned to the West Boylston Elder Services, Inc. This is the very entity the Secretary of State dissolved in 2012, it has continued to operate and file tax returns, and corporate reports. Records show the address of 140 Worcester Street, this building. It is also home of the West Boylston Council on Aging. It also is known to exist at 127 Hartwell Street. The town's website states that the Friends of the Council on Aging Inc. is the fund raising arm of the organization that can also supplement the department budget and offers other support. That is exactly what supposedly what the West Boylston Elder Services does and there are no IRS records of this tax exempt organization but it is on the website. Permit #38, how did it come to pass, did they grab the stamp, or forge it. It is fraud.

Mr. Shibley requests the Board reach out to the Worcester District Attorney's office who crafted the Mutual Aid Agreement related to CMLEC along with the Mass Chiefs of Police Association and explain your oversight and ask them for a formal opinion as to whether or not certain arrests related to CMLEC that were enacted by the West Boylston Police Department since 2009 may have been compromised as a result. The second thing he requests is an audit of both fraternal organizations including financial crime enforcement network report of each officer involved dating back to 2002 examining any suspicious activity. Maybe such suspicious things as taking out \$1 million in loans. He would also like to be provided with the names of Friends of the West Boylston Council on Aging. He wants the Board to know that the Treasury works closely with the IRS and US Postal Service. He will contact the office of investigations from the United States Postal Service. Maybe they will determine it was just a clerical error but the right thing to do is to report the facts and have the proper investigation.

Mr. Shibley closed by stating I feel as though I have been lied to and I expect a formal response by the next meeting.

### **Bryan Adams, NFP – FY18 Health and Dental Insurance**

Mr. Adams of NFP joined the Board to discuss the town's health and dental insurance coverage. We received a premium rate increase from Harvard Pilgrim, our current carrier, in the amount of 17.34% due to a trend of large claims and emerging loss ratio. Through November of 2016 our loss ratio has increased to 89% and through October of 2016 we were at 86%. We were expected a 12-14% increase. The Insurance Advisory Committee (IAC) met and decided to solicit quotes from Blue Cross/Blue Shield, MIIA, Tufts and Fallon. Harvard Pilgrim didn't reduce their increase, Blue Cross came in at 18%, Tufts 12%, MIIA at 7.5% and Fallon at 7.4%. The IAC voted to go forward with Fallon with an as is plan design. Going forward with Fallon the POS plan will be eliminated and we will offer Fallon Select, Fallon Direct and Fallon PPO. This will result in a 7.6% increase for the town and a 6.7% increase for employees. It has the exact same Medicare Part D plan and there is no change in prescription drug costs. The GIC was also discussed and ruled out at this particular juncture. There is a \$243,000 increase in the health insurance budget which has capacity should other employees choose to take advantage of health insurance. The Insurance Advisory Committee worked diligently and they are committed to continue to monitor things and plan design change will have to be looked at.

Ms. Scheipers added that the IAC is also talking about the concept of developing an insurance opt out program. We could offer employees who opt out a share of the savings, an option other communities have offered and resulted in significant savings.

Mr. Adams noted that NFP constantly monitors what is going on with the GIC and he thinks we are going to see some additional significant changes. Ms. Scheipers advised that there is union representation on the IAC and they voted to go with the Fallon and Altus plans.

Motion Mr. Crowley to switch to the Fallon as is plan, seconded by Mr. Hadley, all in favor.

**Richard Simmarano – website video status**

PEG Coordinator, Rich Simmarano and Access Coordinator Tim Scanlon joined the Board. they are working on a developing a new Video Tour of West Boylston to replace the current out dated video on our website and welcome feedback from the Board on what they have thus far. Mr. Simmarano provided a voice over on the video, which also has background music, and welcomes anyone who would be willing to do a voiceover on the video. The video is divided up into categories including Welcome, Quality of Life, Education and Economic Development.

As the video played, the Board provided comments. Mr. Crowley thinks the music is distracting. Mr. Hadley feels the video goes too fast. Mr. Scanlon feels that by putting in some live shots it will break that up. Mr. Rucho suggesting fading for the pictures instead of jumping from photo to photo. He would like us to use the Town's Welcome sign and not the state sign on Route 12. Mr. Crowley would like to add photos of Goodale Park under the where to recreate section. Mr. Rajeshkumar suggested a short video rather than a slide show. Mr. Hadley feels there are too many photos of the reservoir. Mr. Scanlon thinks the transitions are distracting. Under education, we are grades K-12. Mr. Rajeshkumar suggested some photos inside both schools showing the classrooms. He would also like some footage on the sports teams. Under Economic Development, Mr. Hadley pointed out that we can say tax incentives are available and suggested footage of the industrial area, Century Drive, Walmart and Oakdale. Mr. Rucho suggested video of coming up the street. The video will be edited to reflect Route 110, not 10.

Mr. Rucho suggested including something about the electric rates. The video will be sent to the Economic Development Task Force and the School Department for input. The Board likes the idea of scripts and agree that the video is a good start and thanked them both for their work on it. Ms. Scheipers received an email from Jay Givan today and he was not aware that we were going to talk about the video tonight. He suggested developing a promotional video to send out to the movie industry to encourage them to use the town for future filming opportunities. Mr. Simmarano has spoken with Mr. Givan about this and he feels it is a larger discussion to make sure we are all in agreement about how we would handle certain things. Mr. Rucho suggested reaching out to Mr. Givan and perhaps he could help out on the project. Ms. Scheipers added that the angle of the movie industry might be appropriate for the Economic Development Task Force.

**Read and acceptance of Minutes from Previous Meeting:**

Motion Mr. Hadley to approve the regular session meeting minutes of March 15, 2017, seconded by Mr. Rajeshkumar, all in favor.

**Review and Vote to Approve Warrants for the Period Covering March 16, 2017 through April 5, 2017: Payroll Warrant FY2017 #19 & Payable Warrants for the Town FY2017 #38, #39 & #50, Sewer Enterprise Warrant FY2017 SE-17 & SE-18, Municipal Light Plant Warrant #20 and School Warrant #14.**

Motion Mr. Crowley to approve the warrants as noted, seconded by Mr. Rajeshkumar, all in

favor.

**Elizabeth Schaper, Superintendent of Schools – request to establish a Reserve Fund for Special Education out of district tuition and/or transportation**

Ms. Schaper and school business manager Roger Pontbriand joined the Board. Ms. Schaper explained that in August of 2016 Governor Baker signed into effect the Municipal Modernization Bill and one of the components allows town, if they wish, to establish a Special Education Reserve Fund. The fund would allow the school to pay for unanticipated or unbudgeted special education costs for our of district tuition or transportation. She noted that special education funding can be a moving target for the schools and we may have needs that come up during the school year and this fund, if established, would allow them to set aside 2% of net school spending. In order to withdraw funds it requires a joint vote of the School Committee and the Board of Selectmen. The school would like to have the availability of the fund. If they have unexpended funds at the end of the year they could move the money into the fund. The school is not asking for additional funds, just the ability to establish the fund. Mr. Rajeshkumar asked what the school does now with their remaining funds. Ms. Schaper advised that they try to spend them or turn them back to this town. This fund will prevent them from having to ask the town for another expenditure. The Town of Grafton took this up and they are actually funding the fund. The school would like the ability to build the fund.

Mr. Crowley asked if the Finance Committee had been asked to opine on this as he would like their input. Ms. Shaper further advised that the cap on the fund is about \$194,000 equal to 2% of the net school spending. Anything over that would go back to the town. The Board agreed to get input from the Finance Committee and schedule this on their next meeting.

**NEW BUSINESS:**

1. Consider request from Jennifer Breen for a Transient Vendor License to sell plants on The Common on May 13<sup>th</sup> from 8-2 with the proceeds benefiting WestBest

Motion Mr. Hadley to approve, seconded by Mr. Crowley, all in favor.

2. Review of Open Meeting Law Violation Complaint

Ms. Scheipers reports that we received a written complaint from Mr. Dunn expressing concern about action taken by the Board of Selectmen at the March 1 meeting and Patrick Inderwish as Chairman of the Parks Facilities Committee. Mr. Dunne alleges that there were violation of the Open Meeting Law on several key factors. This was forwarded to Brian Riley of Kopelman and Paige who review it and provided a draft response letter to be submitted to the state. He would like the Board to review the draft and approve it being forwarded to the state.

Mr. Dunne joined the Board and explained the reason the complaint was filed is that the Board of Selectmen on March 1 made some pretty major changes to the way the parks facilities are planned and funded. For the last ten years the Parks Facilities Committee has existed and he has been on the Parks commission and the Parks Facilities Committee for four and a half years, during which time the undertook the Goodale Park Master Plan. He is on the Parks Facilities Committee as the Parks Commission representative along with Gary Flynn. Two years ago he asked a question when it seemed like the final decision was being made on the Goodale Park Master Plan. In December town counsel was asked for clarification on the Parks Commission and the Parks Facilities Committee. It was very clear that the sole entity was the Parks Commission and anything done in the parks was approved by the Parks Commission. Five days after changing the mission statement was the first time the Parks Commission knew about it. At the end of the meeting it was provided by Chairman James Pedone that this is a done deal and any questions or concerned you should talk with Town

Administrator Anita Scheipers or the Board. At that point Steve Blake, Gary Flynn and myself had a problem. Because of the time limit to file an Open Meeting Law complaint is 30 days, that was the reason they didn't have time to deliberate over it. That is why Mr. Dunne filed the complaint as an individual. Had the timing been different I may have been a complaint by the entire Parks Commission. According to the Open Meeting Law, the Chairman must distribute the complaint to the public body, after review the public body must respond in writing. At the same time the public body may deliberate. The full packet is in the Board's agenda and the basis of the complaint is at the meeting on March 1 Patrick Inderwish, resident, Parks Facilities Committee chairman and non-member of the Parks Commission attended the Board of Selectmen's meeting to give input on proposed changes to the revised Mission Statement. The statement transfers control to the Parks Facilities Committee. The Mission Statement was presented to the West Boylston Parks Commission at their regular meeting five days after approved by the Board of Selectmen. The original Mission Statement of the Parks Facilities Committee was review of public parks and has been completed at this point and so the complaint. The disregard of the recent opinion of town counsel as to the roles and responsibilities of the two public bodies reveals their intend to circumvent the existing public process. The decision to remove ultimate control from the Parks Commission the parks planning and construction process is an attempt to countermand the authority of the Parks Commission. The complaint alleges that both the deliberation on parks matters buy the Board and the decision of the Board to create new parks powers and duties for the Board and the Parks Facilities Committee is a willful violation of MGL c45.

Mr. Dunne states that he gave the information he had and that is what he wrote. Ms. Scheipers read into the record town counsel's draft response which will be sent to the state. It was an email response with a draft letter. The letter was addressed to Jonathan Sclarsic re: West Boylston Board of Selectmen – Response to Open Meeting Law Complaint of Robert Dunne. Dear Mr. Sclarsic, This office serves as Town Counsel to the Town of West Boylston and this letter is on behalf of the Board of Selectmen concerning an Open Meeting Law ("Law") complaint filed on March 30, 2017 by Mr. Robert Dunne, a member of the Town's Parks Commission. A complete copy of Mr. Dunne's complaint and all attachments are enclosed herewith. The Board of Selectmen reviewed the complaint and authorized this response at its meeting on April 5, 2017. The complaint concerns certain discussions held during the Board of Selectmen's March 1, 2017 meeting between Board members and other officials, including Mr. Patrick Inderwish of the Town's Parks Facilities Committee ("PFC"). The discussion was pursuant to an item on the Board's posted meeting notice, "Consider Amendment to the Mission of the Parks Facilities Committee." A true copy of the March 1, 2017 meeting notice is also enclosed. In Mr. Dunne's description of the alleged violations on page two of the complaint form, he lists three actions by the Board of Selectmen and/or Mr. Inderwish that he contends violated the Law. Notwithstanding Mr. Dunne's complaints regarding the subject matter of the Board's March 1 discussion, his complaint does not in fact state any action that can be said to violate the Law. His first allegation is that Mr. Inderwish discussed changes to the PFC's mission without having discussed the issue with the PFC or the Parks Commission. Even if true, Mr. Inderwish's actions clearly did not violate any requirement of the Law, as he was entitled to request that the Board hear his opinion at the Board's meeting. The second allegation is that the Board deliberated over "a matter (powers and duties in public parks) outside their jurisdiction." Whether or not the Board of Selectmen has any legal jurisdiction over the Town's public parks, there is obviously no section of the Law that prohibits or restricts a board from merely talking about an issue or particular matter. The PFC "mission statement," Attachment G to the complaint, was discussed by the Board in an open session that was duly and timely noticed, and it is legally irrelevant what that topic was and whether the Board has authority to enforce any action it discussed. There is simply no violation of the Law even alleged.

The third allegation claims that the Board and Mr. Inderwish violated the Law “by attempting to misuse an ad hoc advisory committee (PFC) to perform functions assigned to the [Parks Commission], the sole decision-making public body for public parks under MGL 45.” As with the first two allegations, however, this claim fails to allege a single provision of the Law that has been violated. Again, whether or not the Board’s discussions in open session were “within the jurisdiction” of the Board is irrelevant – the Board can obviously discuss any subject it chooses to, and it is an entirely different issue, and one beyond the scope of the Open Meeting Law, whether the Board can act on an issue that it discusses.

In summary, while Mr. Dunne filed an Open Meeting Law complaint, the complaint fails to allege a single action by the Board of Selectmen (or Mr. Inderwish or the PFC) that violated the Open Meeting Law. The complaint concerns a policy discussion that is not within the Attorney General’s jurisdiction to address. As such, there is no further action that the Board needs to take response to this complaint. Very truly yours, Brian W. Riley with copies going to the Board of Selectmen, Parks Facility Committee and Mr. Robert Dunne

Mr. Crowley states that it seems to be that there was no open meeting law violation and Mr. Hadley added that we didn’t do anything secretly. Mr. Dunne replied we understand what he is saying and appreciates this being addressed.

Motion Mr. Crowley to approve the draft and authorize KP Law to file the letter on behalf of the Board of Selectmen, seconded by Mr. Hadley,, all in favor.

3. Consider voting to sign Proposal to work with CMRPC and use local technical assistance on a Village Center Zoning project

Mr. Scheipers advised that this is a request from the Planning Board. They came to the Board last fall to let them know they would like to work on this bylaw and now they are asking the Board to approve the use of technical assistance funds to work on the project. This is at no cost to the town.

Motion Mr. Crowley to sign the proposal, seconded by Mr. Hadley, all in favor.

4. Recognize the acceptance of the following donations for the Bandstand Committee and to approve expenditure of these funds for general purposes: \$250 from Gordon Cleary Family, \$250 from Committee to Elect Harriette Chandler, \$250 from Michael S. Casey, DMD, \$250 from Honey Farms, \$250 from Susan Meola Properties, \$250 from North End Enterprises, Inc., \$250 from O’Connor Restaurant, and \$250 from Neil P. Casey OD

Motion Mr. Hadley to accept and approve expenditure of the funds, seconded by Mr. Crowley, all in favor. Mr. Rucho thanked all the groups who donated funds.

## **TOWN ADMINISTRATOR’S REPORT:**

### **1. Regional Dispatch Start-up**

Ms. Scheipers reports that April 4 was the starting date for emergency dispatch services being handled by the Town of Holden. Response to 911 calls are being routed to the town of Holden and it is a seamless operation. When an individual in the past called 911 it went to a West Boylston dispatcher and now it goes to Holden. She credited the Police Chief, Fire Chief, and Officer James Bartlett who worked out all the details of the transition. She also thanked Karen Paré who worked with everybody on the project dealing with computer infrastructure and the telephone system. Mr. Rajeshkumar asked what happens to non-emergency calls. Ms. Scheipers explained that all calls go to Holden and then they are routed. Once we are in the new building all calls will go to the office. If you know a direct dial line it will go to their West Boylston phone. Mr. Rucho wants people to know that the fastest way is dial 911 to get to dispatch. Currently the E911 system will identify your location, however with a cell phone they have to ask your location. As we go forward, Mr. Rucho would like the Police Chief to provide a list of issues.



**2. Worcester DPW regarding I&I metering mandate**

Ms. Scheipers and DPW Director Vernon Jackson met with officials from the Worcester DPW to get some suggestions from them on how to proceed with this. We were given good advice on things we should be checking on our own and we should meet with the DEP to see if we should be doing the full system wide review. They also gave us good advice about what we should be asking DEP to do and when we meet with them we will bring a representative from Weston & Sampson our O&M consultant and report back with some recommendations on what we should do.

**3. Comprehensive Economic Development Strategies Program**

On March 16<sup>th</sup> Ms. Scheipers and Mr. Hadley met with Tim Murray and other representatives of the Worcester Chamber. The Chamber was awarded the contract for the Comprehensive Economic Development Strategies Program and will be reaching out to 28 towns asking for what we have for issues in terms of our economic goals and to identify ways to seek assistance from the state. Mr. Hadley is working with the Economic Development Task Force on a survey which is due back to Chamber by mid-April. Since the session they have reached out to us to see if we have any available locations for businesses to relocate to in town. Mr. Hadley will be discussing that with the Task Force.

**4. Town Wide Planning Process Status**

The committee is now working with major boards and continues to develop updates with revisions that will be of a much leaner format rather than the current extensive chapters. The feedback is good from boards and committees and it will be much easier for them to use. Deadlines have been set to get chapters back.

**5. Complete Streets Eligibility for Flashing Stop and Crossing Signs**

Ms. Scheipers met with CMRPC and they did say that the signs are covered under the Complete Streets program as long as it would improve pedestrian and bicycle safety.

**FISP UPDATE:****1. Waive Fire Protection permit fee**

The cost of the permit is just under \$2,000 and was not an anticipated expense. The building inspector is waiving the building permit fee and the inspector said the only way this fee could be waived is through vote of the Board. If we do not waive the fee the town will be responsible for payment. The inspection is done by the existing staff.

Motion Mr. Crowley to waive the fee, seconded by Mr. Hadley, all in favor.

**2. Approval of payment for three VHB invoices**

At the last FISP meeting two VHB bills were approved, one for \$1,359.53 and another for \$3,003.58. The Planning Board is asking that an additional \$500 be deposited into the account to cover poste site inspections by VHB if needed.

Motion Mr. Crowley to approve the invoices and the additional \$500, seconded by Mr. Hadley, all in favor.

**3. General Update**

Mr. Hadley reports that most of the roof is completed, the siding will begin next week and we are still on schedule and budget. Occupancy is anticipated by September. The Senior Center meeting will be next Monday.

**APPOINTMENTS AND RESIGNATIONS:****1. Concurrence on the following Town Administrator April reappointments:**

Board of Assessors: Bradford C. Dunn (3 yrs), Board of Health :Beverly Salate (3 yrs)  
Conservation Cmsn.: John Hadley, Mark Meola, William Chase (3yrs); Council on Aging:

Thomas Mullins, Edward Clary (3 yrs); Cultural Council: Patricia Barrie, Kim Hopewell (3 yrs); Fence Viewer: Michael Mard (1 yr); Hazardous Waste Co-Ordinator: Thomas Welsh (1 yr); Asst. Haz Waste Co-Ordinator: Allen R. Phillips (1 yr); Gov Rep. to C.M.E.M.S.C.: Bill Nicholson (1 yr); Ambulance Rep to CMEMSC: Colby Fiske (1 yr); First Responder Rep. to CMEMSC: Richard Ellbeg (1 yr); Emergency Mgmt. Director: Thomas Welsh (1 yr) Assist Emergency Mgmt. Director: Allen R. Phillips (1 yr); Cert Coordinator: Jesse Boucher (1 yr); Right-To-Know Coordinator: Thomas Welsh (1 yr); Forest Warden: Thomas Welsh (1 yr); Historical Cmsn.: Sandra Carlson, Barbara M. Deschenes, Robert O'Connell (3 yr); Parks Cmsn: Gary Flynn (3 yr); Parks Facilities Cmte: Jeffrey M. Legendre (resident 3 yrs); Gary Flynn (Parks Cmsn. designee 3 yrs); James O'Day (resident 3 yrs) Constable: Dennis Minnich, Thomas M. Balvin, Matthew Saunders, Francis Glynn, Anthony Papandrea, Michael Pavone (1 yr); Matron: Mary E. Almstrom, Abbi E. Parkinson (1 yr) Town Counsel: KP Law (1 yr); Town Common & Bandstand Use Adv Cmte.: M. Patricia Barrie, John F. McCormick (1 yr); Asst. Building Insp: Richard Breagy, Louis Pepi, Christopher Lund (1 yr); Wiring Inspector: Michael J. Capone (1 yr), Assist Wiring Insp: Dennis Dean (1 yr); Plumbing/Gas Insp: George W. Mioglionico (1 yr); Assist. Plumbing/Gas Insp: Eric Johnson (1 yr); Parks Facilities Cmte.: James O'Day (resident), Gary Flynn (Park Rep.) (3 yrs); Insurance Adv. Cmte.: Eric Mensing (DPW Union, James Bartlett (Police Union), Roger Pontbriand (School Administrative), Marcia Cairns (Retirees) (1 yr); Insurance Adv. Cmte. Alt: Judy Van Hoven (School Teachers), John McCormick (Retirees) (1 yr); FISP: Patrick Crowley, Siobhan Bohnson, Barur Rajeshkumar, Christopher Rucho, John Hadley, James Dugan (Police Rep.), Phil Mallet (resident), Robert Chisholm (COA Rep.), Raymond Bricault (Fin Com)

Motion Mr. Hadley to concur with the appointments, seconded by Mr. Crowley, all in favor.

2. Consider voting to reappoint the following Board of Selectmen April appointments: Zoning Bd of Appeals: Barur R. Rajeshkumar (5 yrs) and By-Laws Committee: David Mercurio (1 yr)

Motion Mr. Hadley to approve the two reappointments, seconded by Mr. Crowley, all in favor.

3. Concurrence on the appointment of David Castagnetti to the Parks Commission effective April 6, 2017 for a term to expire on April 30, 2020

Motion Mr. Hadley to concur with the appointment, seconded by Mr. Crowley, all in favor.

### **OTHER/OLD BUSINESS:**

1. Consider voting to sign Greater Worcester Land Trust Conservation Restriction

Mr. Hadley reports that the Conservation Commission voted to accept the document, which was reviewed by town counsel, at their meeting. There are two documents, one being the actual Restriction and the other is the Acceptance of Deed.

Motion Mr. Hadley to sign off on the documents, seconded by Mr. Crowley, all in favor.

### **MEETINGS, INVITATIONS & ANNOUNCEMENTS:**

1. John Hadley, Chairman of Economic Development Task Force will announce which business was drawn to appear on the town's Gateway Sign

Mr. Hadley announced that they had five applicants and The Manor was drawn. They will be allowed to have their name on the Gateway Sign for three months. He will contact them tomorrow.

2. April 7 & 8 – Wizard of Oz, WBMHS, 7 p.m., tickets \$5

3. April 8<sup>th</sup> – 18<sup>th</sup> Annual Boy Scout Troop 151 Pancake Breakfast Masonic Lodge, 8-12, tickets \$5.00

4. April 26 – special Board meeting to close, approve and sign warrant for May 15, 2017 Town Meeting
5. April 29<sup>th</sup> – 9:00 Selectmen's Meeting Room – annual coffee for all individuals appointed to town boards/committees
6. Mr. Rucho announced that on Friday, April 21<sup>st</sup> at 10:00 a.m. the Council on Aging will host a coffee hour with Congressman James McGovern. If you plan on attending, please register at 508.835.6916 and on April 7<sup>th</sup> at 1:30 p.m. they will be having an upbeat musical program by Roger Tincknell and refreshment will be served.

**FUTURE AGENDA ITEMS/SELECTMENS REPORTS:**

Mr. Hadley would like to get an update on the new marijuana laws and where West Boylston stands. Ms. Scheipers noted that one of the things being considering is to allow medicinal facilities to also sell recreational marijuana. David Femia reports that he attended a seminar at Holy Cross on the topic. Two committees will be appointed and they have to come up with a policy by April of 2018 and the final policy by July 1 of 2018. If they do not have anything concrete that is when the medicinal dispensaries will be able to sell for recreational use. Westborough has voted not to allow recreational sales and any community could take that vote. This will be included on the May 3<sup>rd</sup> agenda.

Mr. Crowley would like an update from the grant writer.

Mr. Rucho noted that the Board received a copy of a letter from a resident regarding shoveling of sidewalks. He would like it included in the agenda packet when the topic is discussed. He would also like to develop a policy on how our website is updated and managed. He noticed that some items have been moved and he thinks it would be best to have a policy. He reports that a student is working on building a display for the World Trade Center piece and will bring his design before the Board. The thought is to position the piece as you enter town hall to the right of the doorway for the Treasurer/Collector's office. At one time we discussed placing it outside, however he feels inside would be safer and it will not be impacted by the weather. Mr. Crowley would like to see what the student comes up with.

Mr. Scheipers informed the Board that we just received notice that Senator Chandler was successful in getting DCR to attend a meeting on May 1 at 2:00 p.m. to discuss the potential of acquiring land from DCR for the cemetery. It was agreed to post a meeting of the Board.

With no further business to come before the Board, motion Mr. Hadley at 9:15 p.m. to adjourn, seconded by Mr. Hadley, all in favor.

Respectfully submitted,

Approved: April 19, 2017

---

Nancy E. Lucier, Municipal Assistant

---

Christopher A. Rucho, Chairman

---

Barur R. Rajeshkumar, Clerk

---

Patrick J. Crowley, Selectman

---

John W. Hadley, Selectman