Town of West Brookfield-Board of Selectmen
Minutes of Meeting - Regular Session – September 29, 2009

LOCATION: Town Hall - Lower Level Conference Room TIME: 6:15PM
PRESENT: Tom Long, Barry Nadon, Jr., David Eisenthal, Johanna Barry - Executive Secretary, Jason Benoit – Highway Superintendent, Gregg Waterman & Marc Astrella – Highway Employees.

Call To Order: 6:30PM - The meeting was called to order by Tom at 6:30pm.

Charlie Reim, President Association – Lake View Paving Project:
Charlie Reim spoke with the Board about money and indemnification agreements collected in conjunction with the paving of Lake View. Highway Superintendent Benoit estimated the reclamation and base coat at approximately $26,000; with the top coat an additional $14,000. After some discussion, Barry motioned to authorize the Superintendent to proceed with reclaiming and installing a base coat on Lake View; using the collected monies and funds from the Private Road Account. Second David. The Board voted unanimously. The Board noted that the residents will need to pay a greater portion of the top coat costs in an effort to bring the cost split closer to 50/50.

Repairs to Private Ways Policy:
The Board agreed to try to stick to a 50/50 split with private road repair costs. The Board also agreed that with a compelling reason, the Board could provide relief to the 50/50 policy – but agreed at no time to pay more than 2/3rds of the total cost. Costs will continue to be determined on a case by case scenario at this time. The Board agreed to meet further on this to establish a written cost sharing policy.

Tree Removal/Replacement & Source of Funding:
After a brief discussion, the Board agreed to request additional funding in the Tree Wardens budget; specifically to be used for tree replacement.

Compensatory Time/Pre-Approval Form – Policy:
Noting concerns with his use of compensatory time, the Board agreed to require the Superintendent to provide a written account of accrued and used compensatory time each pay period.

Lunches/Tardiness:
The Board questioned the legality of the highway department taking a 20 minute paid on site meal break. The Superintendent stated that the Highway is exempt under the DOT and can take on site meal breaks. The Board agreed to look into the matter further. The Board noted that it appeared that the employee tardiness issues had improved; however they asked the Superintendent to continue to monitor the issue.

Madden Road:
The Board heard complaints about the condition of Madden Road from Debra & James Bishop and Bonnie Kerval; residents of Madden Road. After some discussion, Superintendent Benoit informed the Board that Bond Construction was willing to donate material at a low cost, maybe no cost, to the Town for remedial repairs to Madden Road but the Town would be responsible for spreading the asphalt. The Board agreed and asked the Superintendent to follow up with Bond Construction.

Ms. Kerval asked the Board to consider requiring Brice Leslie to install a stop sign for those trucks exiting his property onto Madden Road. The Board took her request under advisement.

The Board agreed to notify the Earth Removal Board to inspect Maskell's property for sharp/steep slopes; as described by the residents present.

Wigwam Road – Bob & Karen Richard’s Letter:
The Board reviewed a letter of complaint from Bob & Karen Richard. Richard Lee stated that he supports the Highways efforts on Wigwam Road and felt that MA Electric needs to “step up” and take care of the trimming needed around their wires located on the road. Superintendent Benoit stated that the roadwork was complicated as it involves drainage work, easement issues and tree work. He further stated that paving would not occur this season; but perhaps a binder would be installed by June 30, 2010.

Brian Cook stated that the Highway gave wood to him from the Richards property. The Superintendent stated that Bob Richard gave him permission to remove wood from his property; but that he did not speak to Mr. Cook. The Superintendent stated that he spoke with Mr. Richard and was confused about their most recent letter of complaint. The Board asked the Superintendent to follow up with the Richards.
The Board asked the Superintendent why a Public Hearing was not held prior to the cutting of several trees on Wigwam Road. The Superintendent stated that he did not hold a Hearing as he believed that no significant trees were being cut. He further stated that one large tree was cut; however stated that it was a safety concern. The Board cautioned the Superintendent that Wigwam Road is a Scenic Road and notification of the Planning Board and Public Hearings are of the utmost concern. The Superintendent stated that a Public Hearing for additional tree removal would be forthcoming.

**GPS’s for Trucks:**
Barry asked the Board to consider installing GPS devices in the Superintendents vehicle and also the one ton trucks in an effort to monitor the activity of the plow trucks. The Superintendent stated that he “welcomed the idea” and asked who would be paying for the service. Barry stated that the Selectmen would certainly consider covering the costs involved. David thanked Barry for the innovative idea and the Board agreed to take the suggestion under advisement for now.

**Project at Talvey’s Farm:**
Barry inquired why the Highway was working so far into the farms property during the recent drainage project in the area. The Superintendent stated that he had to go in as far as he did in an effort to get the water to drain properly.

**John Gilbert Road:**
The Board asked about the entry way by Ron Gresty's house. The Superintendent felt that it was a cosmetic issue. He further stated that he would require a small paver to fix the apron. The Superintendent stated that he would get quotes to repair the entry way. He further stated that he would offer to haul mix in an effort to lower the cost.

**Executive Session:**
David motioned to go into Executive Session under reason #3 to discuss potential litigation and to adjourn directly thereafter. Second Barry. The Board voted Barry – yes, David – yes and Tom – yes. (*Executive Session Minutes are kept separately.)

The Board adjourned at approximately 8:36pm.

Respectfully submitted,

Chairman    Vice Chairman    Clerk