

**Town of Royalston
Board of Selectmen's Meeting
Tuesday, July 11, 2006
7:00 p.m.**

Present: Andrew West, Chairman; Linda Alger and Thomas Kellner, Members.

1. Chairman West called the meeting to order at 7:01 p.m.
2. The minutes of the 6/20/06 meeting were read. One spelling correction was made and noted. Mr. Kellner made a motion to accept the minutes with one correction. Ms. Alger seconded the motion. The vote was unanimous in favor.
3. Acknowledgements/Announcements/Correspondence:
 - a) Mr. Kellner has been unable to reach the state contact person who deals with relocation of bears. He will continue to pursue this communication.
 - b) Ms. Alger has followed up on the necessity of having a representative from town on the Montachusett Regional Transit Authority (MART). It is important that the town be represented as it impacts grant applications. Mr. Kellner made a motion to nominate Ms. Alger as the representative. Mr. West seconded the motion. The vote was unanimous in favor.
 - c) The Firefighters Association has requested a Beer & Wine Permit for the Music Festival to be held on 7/16/06. Mr. Kellner made a motion to grant the permit and to waive the fee. Ms. Alger seconded the motion, with the Board voting unanimously in favor.
 - d) The Cultural Council has requested use of the Town Hall on 7/16/06 in case of inclement weather. Mr. Kellner made a motion to grant the request and to waive the fee. Ms. Alger seconded the motion. The vote was unanimous in favor.
 - e) Several invoices were approved for payment.
 - f) A press release from the tax collector regarding the option of paying taxes online will be issued.
 - g) The Board received a letter from Janice Trask stating that she is resigning from the Zoning Board of Appeals due to a schedule change at work.
4. Fire Department:
 - a) Wayne Newton presented a list of members of the Fire Department who are to be appointed.
 - b) Mr. Newton requested that every firefighter be made a Special Municipal Employee as noted in the Conflict of Interest Law. Mr. Kellner stated that he feels it is not appropriate for Mr. Newton to appoint his wife to the position of Chief's Aide. Mr. Newton stated that she is not getting paid for it. Mr. Kellner stated that if this position is established, it calls to question Mr. Newton's capacity to do his job. He should not have to be chauffeured around. Mr. Newton stated that his wife drives because it is her vehicle. Mr. West said that there does not have to be aide for this. Mr. Newton felt that this should be discussed in Executive Session and that the Board should not be involved in Fire Department business. Mr. West said that the Board appoints the Fire Chief and that any dissension must be dealt with. All policies must be handled fairly and evenly. Mr. West requested that Mr. Newton list reasons why he does not recommend appointment of some firefighters, as the town would be liable for dismissing an employee with no just cause. Mr. West stated that the provisions of the Chief's Aide position relating to going onto a scene and reporting back gives the perception that he is not capable of doing his job. Mr. Newton said that it is absurd that they feel that he cannot do his job and that he'll withdraw the Chief's Aide position. The Board will consider Mr. Newton's request

regarding Special Municipal Employees. Mr. Kellner asked Chief Newton if he had a driver's license. Chief Newton stated that he did and produced the license.

- c) Ms. Alger made a motion to appoint the following for one year: Keith Newton, Deputy Fire Chief; James Putney, Captain; Thomas LeRay and Maurice Bateman, Lieutenants; Geoffrey Newton, Steward; Matthew Barry, Anthony Basso, Michael Caisse, Chris Fitzpatrick, Michael Jacques, Craig LeRay, Kevin Livengood, Randall Moore, Rory Moore, Joshua Morris-Siegel, Kelly Newton, Scott Newton, Roberta Newman, Emily Putney, Elizabeth Phelps, John Phelps, Richard Sevigny, Bradford Tisdale and David Valliere as firefighters. Mr. Kellner seconded the motion. The vote was unanimous in favor.
 - d) A discussion was held regarding the new dispatch services.
5. DPW –
- a) Route 32 - Keith Newton reported that he has received a letter from Mass. Highway stating that they would accept a “book job” rather than a “full plan” for the Route 32 project. He explained that this means the project would be more of reclamation than a full construction. He is currently waiting for the test data from Trowbridge Engineering. Some vertical curves will be addressed, but the footprint will still stay within 24 feet of the roadway. Discussion was held relating to details of the project. The next hurdle is getting back on track for funding.
 - b) Full staffing is now in place.
6. Board of Health –Phil Leger asked the Board if they needed any more information regarding the compacter contract. It will be a 3-year contract with Monadnock Disposal. He explained the details. Mr. Kellner made a motion to sign the contract and to not involve Kopelman & Paige. Ms. Alger seconded the motion. The vote was unanimous in favor.
7. Animal Control –
- a) Robin Mowrey presented a draft of a letter that he would like the Board to send out to dog owners who are not following the leash law.
 - b) Mr. Mowrey reported that there was a dog bite on 7/10/06. Louise Deschenes stated that her daughter was bit by a dog owned by Christopher McNamara while taking a walk. The dogs are currently under quarantine for 10 days. Mr. West will set up a dog hearing to determine what action should be taken.
8. Building Department - Geoff Newton stated that Kevin Killay, son-in-law of Scott and Nancy Monette, wants to build on Lot 2 on Toney road. He cannot stop them from building on a private way. A map of the property was reviewed. The Planning Board has approved Lot 2 as a conforming lot. The Conservation Commission stated that all conditions have been met. Keith Newton reported that an agreement has been reached, and Mr. Killay will take care of the roadway even though the town still owns the land.
9. Appointments: Mr. Kellner made a motion to reappoint Wayne Newton as Fire Chief. Mr. West suggested that the appointment be made on a temporary basis for 60 or 90 days. Mr. Kellner withdrew his motion, and made a motion to appoint Mr. Newton as Fire Chief on a provisional basis for 90 days. Ms. Alger seconded the motion. The vote was unanimous in favor. Mr. West made a motion to appoint Keith Newton, Curtis Deveneau, James Barclay and Thomas Kellner to the 24 Hour Dispatch Committee for one year and Wayne Newton to a 90 day provisional appointment. Ms. Alger seconded the motion, with the Board voting unanimously in favor. Discussion was held on the duties of the Emergency Management Director. Keith Newton stated that the Fire Chief has historically held this position. Mr. Kellner made a motion to reappoint Wayne Newton as Emergency Management Director. Ms. Alger seconded the motion. The vote was unanimous in favor. Mr. Kellner made a motion to appoint Wayne Newton as Forest Fire Warden on a 90-day provisional basis. Ms. Alger seconded the motion. The vote was unanimous

in favor. After some discussion with the Building Inspector, Mr. Kellner made a motion to appoint Dan Jolly to a 90-day provisional appointment as Gas Inspector. Ms. Alger seconded the motion. The vote was unanimous in favor. Mr. Alger recommended that Patrick Perry be moved from alternate to regular member on the Zoning Board of Appeals for a 3 year term. Mr. West made a motion to appoint Thomas Kellner to the vacant alternate position for 3 years. Ms. Alger seconded the motion. The Board voted unanimously in favor. Ms. Alger moved to appoint Kim MacPhee and Vyto Andreliunas to the Zoning Bylaw Task Force for 1 year. Mr. Kellner seconded, with the Board voting unanimously in favor. The appointment of a Veteran's Agent was kept on hold due to an on-going investigation.

10. At 10:12 p.m., Ms. Alger made a motion to go into Executive Session per MGL Chapter 39, Section 23B, #2. Mr. Kellner seconded the motion. The vote was Mr. West, yes; Ms. Alger, yes; and Mr. Kellner, yes. The regular meeting will reconvene to sign the Treasury Warrant only.

11. The regular meeting reconvened at 10:44 p.m.

12. The Treasury warrant was signed.

13. At 10:50 p.m., Mr. West made a motion to adjourn. Ms. Alger seconded, and the vote was unanimous in favor.

Minutes recorded by Diana Newton.