

**MINUTES  
SELECTMEN'S OFFICE  
SEPTEMBER 23, 2013**

Chair Wilson called the meeting to order at 6:30pm. Members present were Sandra Wilson, Thomas Buckley, Matthew Dennison and Douglas Belanger. Also present was Interim Administrator Robert Reed. Selectman Provencher was absent due to meeting conflict.

**New Town Administrator matters**

Ms. Wilson noted the following items she wants the Board to weigh in on regarding newly appointed TA Kevin Mizikar:

- Vacation days Oct 9<sup>th</sup>/partial and Oct 10<sup>th</sup>/full day off.
  - Mr. Belanger moved to approve, Mr. Buckley 2<sup>nd</sup>. UNANIMOUS
- Shared services with Town of Grafton, mostly on Sundays and through October, to close up any loose ends.
  - Mr. Belanger moved to approve, Mr. Dennison 2<sup>nd</sup>, subject to Leicester being TA's main focus and through end of October. UNANIMOUS
- Employment Agreement (EA) amended by Labor Counsel, mostly MGL amendment and formatting corrections. Nothing of significance was changed but document was made legal for all parties concerned.
  - Mr. Belanger moved to approve amended EA amendment, as presented. Mr. Buckley 2<sup>nd</sup>. UNAN

**Appointments**

Ms. Wilson noted that the Animal Control Officer (ACO) Pat Dykas had considered changing her means of service to the Town but opted for no changes at this time. Mr. Buckley felt we should help her out as the Town has done very well by her services.

Mr. Buckley moved to appoint Patricia Dykas/Animal Control Officer and Dominic Pendola/Assistant Animal Control Officer effective 7/1/13 with term running through 6/30/14. Mr. Belanger 2<sup>nd</sup>. UNAN

Ms. Wilson noted that Kim Conley volunteered for three committees. We met her on Sept 9<sup>th</sup> when she was appointed to Bylaw Committee. She is willing to do another committee and it has been recommended by the Commission of Disabilities (COD) to appoint her to COD. She was unable to attend this evening.

Mr. Belanger moved to appoint Kim Conley to COD, term to expire 6/30/14.

Mr. Buckley 2<sup>nd</sup>. UNANIMOUS

Ms. Wilson noted that Ms. Conley will withdraw her application for a 3<sup>rd</sup> group, Capital Planning.

**DOER Technical Assistance Grant – Green Communities**

Mr. Reed reported that Town Planner Michelle Buck has taken the lead on this grant application. Any energy upgrades we have made over the years will help our chances of award. Ms. Buck has done a ton of work in this regard, which we may benefit from if grant award received.

Mr. Belanger moved to authorize Chair signing grant application and related documents.

Mr. Dennison 2<sup>nd</sup>. UNANIMOUS

**Special Town Meeting – review article requests**

Board reviewed draft listing of requests (on file). Most items were approved at this time. Warrant will be finalized at our meeting on October 7<sup>th</sup>, at which time it will be made ready for posting requirements.

Sale of town owned land – Mr. Reed noted that he had thought this pertained to all town parcels when we last met, but this is in reference to some specific requests we have received from property owners; one needs title search done by requester, another he is told have been resolved, and the other we have not heard from again. He will look at which of them would need town meeting approval, but we will not be doing any title searches.

As far as tax title parcels, there is not much of any value other than the Waite St property we recently sold. Members felt we need to light a fire and be prepared for a major property sale; not having the time to do so is unacceptable. If those in charge have not had time up to this point, there will certainly not be any more time

available in the future under these financial constraints. The Board asked that Mr. Reed sit with those department heads involved before he leaves and determine which Town parcels and owner unknown parcels are available for a land sale.

In the meantime, the Board asked that this article be added back to the draft Warrant for further consideration.

### **Proposition Override – FY'14 Budget discussions**

(Members of the Advisory Board present: Bonnie Layden, Dave Mero)

Chair Wilson asked which reps were handling the upcoming public forums, and where. 9/24 with Bonnie Layden and Sandy Wilson at Town Hall 6:30pm, 9/26 with Dave Mero and Sandy Wilson at Housing Authority at 1:00pm. Members will be present as their schedule allows. Mr. Belanger noted that he and Mr. Dennison will need to take leave from the 9/26 forum, as they have an important Economic Development Committee meeting to attend; they plan to rejoin the forum when meeting is closed. Mr. Belanger felt and the members concurred that the Advisory Board has done a good job handling this process, hopefully residents have listened and will react. Many of our numbers are based on projections at this point and there are several unknowns. Voters might attack any portion of our presentation, some merely not trusting government.

Mr. Dennison noted that we have lost each year since 2009 \$1Million in State Aid. This information must be made known to the residents and voters, loud and clear. We are currently working with a nearly \$1Million deficit for FY'14.

Mr. Buckley feels the boards have been well prepared in their public forum presentations, many questions were raised and hopefully we answered most. He taught for Leicester Public School 38-yr and the last ten were years full of bickering among town departments. Can we not simply agree to disagree and work professionally? We now have a 5-year plan in place with the chairs and vice chairs working well together during the past year, and a historical precedent has been established now. Some would like to divide us. We are all on the same page now.

Mr. Belanger's felt the boards have worked well together with positive feedback and support for the 5-yr plan. If the Override should fail, then what, he is asked by many; we don't know at this moment but the Board better get ready to make some tough decisions.

Mr. Reed noted basic concerns and historical issues:

- Reduction in State Aid of \$1M/year since 2009 – double whammy with Proposition 2½ limits
- Fixed costs have been reduced through diligent efforts
- Failed override votes can affect bond rating and loan applications
- 5-yr financial plan is conservative and always speculation, which is the best we can do

Issues brought forward by members:

- School loan will end in FY'14, decreasing tax rate by .38/\$1000 valuation
- Regional retirement costs vs 401k systems
- Letter campaign to legislators regarding unfunded mandates
- Pursue appellate route through State auditor's office listing issues (ie fire turnout gear must be replaced within 10-yr, which makes sense for cities but not small towns)

Advisory Board Chair Bonnie Layden asked what will happen should the Override fail. Chair Wilson stated that we will divide and conquer with new administrator and new superintendent at the helm. Mr. Belanger felt core services cuts will be outlined, and if Dept Heads disagree, they will need to show us how we can manage otherwise. Ms. Wilson noted that departments have spent 1/3 of available budget at this point; the library for instance, if we are forced to close it, we won't save the entire \$162,000. She felt we will know what Free Cash balance is and what State Aid will be by town meeting date. Ms. Layden felt we should all be sharing ideas to keep crucial services, as members have good ideas.

The Board thanked the Advisory Committee for their work during this Override process.

### **Disclosure – MGL 268A, Section 20(b)**

Chair Wilson noted public disclosure filed by Thomas Buckley, as both a municipal employee and elected municipal employee, of a new financial interest in contract as he looks to continue as substitute teach for the School Dept.

Mr. Dennison moved to authorize Chair to sign Disclosure Form on behalf of Board of Selectmen.

Mr. Belanger seconded. 3-0, Mr. Buckley abstained.

### **Correspondence**

1. Notice of donations received by COA from Common Pathways in the amount of \$1000 and Central Mass Striders in the amount of \$100.

Mr. Dennison moved to accept donations on behalf of the Town, to be used for programs indicated.

Mr. Belanger seconded. UNANIMOUS

2. Memo from Town Planner asking for ratification of previous decision allowing the Town to take over electricity costs on those few remaining developments that were in the pipeline when that decision was made in 2008.

Mr. Belanger moved to ratify decision allowing for electricity costs for streetlights within certain developments to be paid by Town once streets are accepted as public ways, which was already approved during 2008 change in policy. Mr. Dennison seconded. 3-0, Ms. Wilson abstained.

3. Letter from DHCD in response to our letter of appeal on denial of our joint application with Charlton for FY'13 CDBG grant. Mr. Reed will pursue this matter, as he would like DHCD to explain why other towns with lower scores were awarded funds while we were denied again based on community wide needs scores, which he feels should not be the deciding factor.

Mr. Belanger moved to sign joint letter with Town of Charlton in pursuit of FY'13 DHCD/CDBG grant and the denial of our joint application. Mr. Dennison seconded. UNANIMOUS

4. Notice from Dept of Administration & Finance of \$4Million in funding for third round of community innovation challenge grants. Mr. Reed noted applications are due November 22<sup>nd</sup>. Our Town Planner is working toward energy efficiencies grant award on upgrades we have made in recent years. FILE

5. Memo from Dept of Agriculture noting upcoming meetings for animal control inspectors. Ms. Provencher noted one segment pertains to what to do with animals during disasters, which our CERT team and DART team may be interested in. FILE

6. Notice from MMA regarding upcoming fall legislative breakfasts. Members can let Sue know if they would like to sign up. FILE

### **Town Administrator's Report**

- Met with newly appointed Town Administrator Kevin Mizikar and reviewed pending project list. He feels Mr. Mizikar has some good ideas and should work out great.
- Dam safety feasibility study for Waite Pond should be funded as it would help our cause with regard to extensions to dam repairs needed and any grant funds that may become available. Mr. Buckley agreed that a shovel-ready project could help with any grant award. Mr. Reed recommended another \$20,000 - \$30,000 be appropriated to fund balance. He is unclear of when grant round applications would become available.

### **Special Town Meeting (continued)**

Mr. Dennison moved to add article to the draft Warrant to appropriate funds for Phase II inspection work at Waite Pond. Mr. Buckley 2<sup>nd</sup>. UNANIMOUS

### **Board Reports/New Business**

Selectman Belanger:

- Affordable Care Act must be implemented and he wonders if notices have been sent out to employees, or would municipalities exempt. It can be costly if we miss any important dates for implementation of this program. There was also concern as to whether employees are contracted or at-will and whether eliminating positions would require any special notices.

Selectman Buckley:

- Harvest Fair judging was fun and delicious.
- Recent public forum held at Senior Center regarding Override proposal was well received, the presenter, Dave Mero, speaking from the heart.
- Giguere Gymnastics held anniversary celebration and it was a great show. We hope for their continued success.
- Tollbooth fundraiser was held for Parks & Recreation activities.

Selectman Dennison:

- Concurred with Mr. Buckley, kudos to Giguere facility, it was a spectacular show
- Project New Hope will hold comedy show fundraiser coming up on November 9<sup>th</sup> at the Manor Restaurant.

Selectman Wilson:

- Harvest Fair was awesome and activities were aplenty. Most all food vendors sold out. She noted Ms. Provencher earned several award ribbons for her agricultural entries
- Giguere's put on a fantastic anniversary presentation. Training offers children grace and confidence and many have gone on to careers in gymnastics.
- Sept 24<sup>th</sup> public forum in Town Hall will be broadcast live at 6:30pm.
- Special Election for Override on October 1<sup>st</sup> with voting hours from 12:00pm – 8:00pm. Absentee ballots are still available.

Minutes

Mr. Dennison moved to approve 8/13/13 Regular Session minutes  
Ms. Wilson seconded. 3-0, Mr. Belanger abstained.

Mr. Belanger noted this is Bob Reed's last meeting with the Board of Selectmen. He mentioned that if he at times was impatient, it was nothing personal. Ms. Wilson was thankful that Bob got her up to speed when first elected. Mr. Reed felt the Selectmen in Leicester have been good boards to work with. There was little infighting, which creates an atmosphere where nothing can get done. It was a good environment to work in and nine years flew by.

Executive Session

MOTION: Mr. Belanger moved for the Board to enter into Executive Session under MGL Chapter 30A, Section 21(a)3 to discuss strategy with respect to contract negotiations or litigation; no public announcements are anticipated, Board to adjourn with loss of quorum.  
Mr. Dennison seconded. The Board was polled: ALL AYES

The Board entered into Executive Session at 8:00pm.  
The Board came out of Executive Session at 9:02pm.

The Board adjourned at that time, with loss of quorum.

Respectfully submitted,

Susan LeChasseur, Administrative Assistant