

MINUTES
BOARD OF SELECTMEN MEETING
MARCH 20TH, 2017 AT 6:30PM
TOWN HALL, SELECTMEN'S CONFERENCE ROOM

CALL TO ORDER/OPENING

Chairman Belanger called the meeting to order at 6:30pm. Chairman Douglas Belanger, Vice Chair Harry Brooks, 2nd Vice Chair Thomas E. Buckley, III, Selectwoman Dianna Provencher, Selectman Michael Shivick, Town Administrator Kevin Mizikar, Assistant to the Town Administrator Kristen Forsberg and Student Liaisons Jaymi-Lyn Souza and Robert Kemp were in attendance.

PUBLIC COMMENT PERIOD

No members of the public provided comment

1. SCHEDULED

a. 6:30pm – Sergeant Promotion Pinning Ceremony – Officer Craig Guertin

Chief Hurley introduced the two newest members of the department, Officer Charles Larson and Officer Travis McCauley. Officer Larson was hired full time in 2016, completed the academy and his probational period and is now full time non-probationary. Officer McCauley was a lateral transfer in December of 2016 from the Rutland Police Department and has 8 years of experience.

Chief Hurley introduced Officer Craig Guertin who was appointed to the position of Sergeant. Officer Guertin has been with the department since 2006, served in Operation Iraqi Freedom and was the first officer from the Leicester Police Department to administer Narcan in the field. Deb Davis, Town Clerk, administered the oath of office. Sergeant Guertin thanked everyone who came out for their support and encouragement and noted he is excited to start this new journey in his career.

b. 6:35pm – Statement of Interest – Primary and Memorial School – MSBA

Superintendent Judy Paolucci presented two Statement of Interest applications to the Mass School Building Authority (MSBA) for the Primary and Memorial Schools. Ms. Paolucci noted the school department has put in requests for funding for improvements to these buildings for the past three years with the support of the Board of Selectmen. Ms. Paolucci stated that she realizes now the Town has been invited into the process for the Middle School we can't support the concurrent refurbishment or replacement of multiple schools but MSBA has asked the Town to keep their Statements of Interests current so the State has an understanding of the current needs of all schools in Leicester.

A motion was made by Mr. Buckley and seconded by Ms. Provencher to resolve that having convened an open meeting on March 20, 2017, prior to the closing date, the Board of Selectmen of the town of Leicester, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 27, 2017 for the Leicester Memorial School located at 11 Memorial School Drive, Leicester, MA which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: (7) Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the

City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

The motion carried unanimously.

A motion was made by Mr. Buckley and seconded by Ms. Provencher to resolve that having convened an open meeting on March 20, 2017, prior to the closing date, the Board of Selectmen of the town of Leicester, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 27, 2017 for the Leicester Primary School located at 170 Paxton St., Leicester, MA which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: (7) Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

The motion carried unanimously.

c. 6:40pm – Pole Hearing – Stafford Street

Thomas Blicharz, consultant for Verizon, presented a petition to place a new pole on Stafford Street to facilitate the installation of a solar farm.

A motion was made by Mr. Brooks and seconded by Ms. Provencher to approve the petition for joint pole location from Verizon and Ngrid. The motion carried unanimously.

d. 6:45pm – Pole Hearing – Main Street

Thomas Blicharz, consultant for Verizon presented a request to relocate an existing pole on Main Street to enable the new driveway for the Fire Station. Rosemary Wolanski, owner of Comprehensive Physical Therapy, wanted to confirm the business would not lose power and if so when. Verizon agreed to discuss this with Ms. Wolanski after the meeting as sometimes the power has to be cut to transfer a wire but is put right back up.

A motion was made by Ms. Provencher and seconded by Mr. Brooks to approve the petition for joint pole relocation contingent upon no harm being done to Comprehensive Physical Therapy. The motion carried unanimously.

2. CORRESPONDENCE

a. Student Liaison Reports

The students presented excerpts from their written report.

b. Senior Center Donations

A motion was made by Mr. Brooks and seconded by Ms. Provencher to accept the donations made to the Senior Center as presented. The motion carried unanimously.

c. Police Department Donation

A motion was made by Ms. Provencher and seconded by Mr. Brooks to accept the donation made to the Police Department as presented. The motion carried unanimously.

d. Parks & Rec Donations

A motion was made by Mr. Brooks and seconded by Mr. Shivick to accept the donations made to Parks & Rec as presented. The motion carried unanimously.

Mr. Brooks noted some of the funds will be used down at Community Field which is being dedicated to Ron Tarentino.

e. Letter of Thanks – Kaitlyn Dennison

A motion was made by Mr. Buckley and seconded by Mr. Shivick to send a letter of thanks to Kaitlyn Dennison for her time spent assisting the people of Haiti. The motion carried unanimously.

3. NEW BUSINESS

a. Resignations

None

b. Appointments

None

c. Change Order #2 – OPM Fire & EMS Headquarters – Architectural Consulting Group

Mr. Mizikar presented change order #2 to the owner's project manager(OPM) contract in the amount of \$2,400 for overtime work on the fire station project. The general contractor will be reimbursing the Town for this expense.

A motion was made by Mr. Shivick and seconded by Ms. Provencher to approve change order #2 with Architectural Consulting Group for OPM services at the new Fire & EMS Headquarter. The motion carried unanimously.

d. Agreement for Cost Analysis – Moose Hill Reservoir Development

Mr. Mizikar stated the Town has received 3 proposals from 3 consulting firms to study feasibility and perform a cost analysis to bring Moose Hill reservoir online as a potential drinking water source for the Town. The Town Administrator met with Joe Wood, Mike Knox and the Moose Hill Water Commissioners to discuss these proposals. As a result, Mr. Mizikar recommended signing a contract with Whitewater and Environmental Partners Inc. for these services.

A motion was made by Mr. Brooks and seconded by Mr. Shivick to sign the contract with Whitewater and Environmental Partners Inc. for a feasibility and cost analysis for Moose Hill. The motion carried unanimously.

e. Initial Compliance Certification – Leicester Middle School

Mr. Belanger read highlights from the Initial Compliance Certification which must be completed for eligible applicants who have submitted a Statement of Interest to the MSBA and have been invited into the eligibility period. The Town is not eligible to receive any grants until this certification is signed and submitted.

A motion was made by Ms. Provencher and seconded by Mr. Brooks to authorize the chair to sign the initial compliance certification for the Middle School Project. The motion carried unanimously.

Mr. Buckley asked if the Town will be reimbursed for the cost of the required feasibility study for the Middle School. Dr. Paolucci responded that the Town will be reimbursed for a percentage of the project which is determined by MSBA but would likely be around 59%. However, the Town must show it can pay for the entire cost and be reimbursed.

Mr. Belanger asked if the students are safe at the Middle School. Dr. Paolucci responded that the short answer is yes; there are cracks in play areas that could pose a tripping hazard but overall in terms of general safety the Town is in a good place. The lead and copper issue in the sinks has been resolved, asbestos is contained, inspected on a regular basis and is not dangerous and doors and locks that were not operating properly have been replaced.

4. DISCUSSION/OLD BUSINESS

a. Draft Special & Annual Town Meeting Warrants

Mr. Mizikar presented the draft warrant articles for annual and special town meeting as outlined below:

Special Town Meeting

- Art 1: Prior Year Bills – none at this time
- Art 2: Adjust FY'17 Operating Budget - \$115K in transfers will be proposed from within the budget; no additional sources of funding are needed
- Art 3: Balance Snow & Ice - \$118K needed to date
- Art 4: Fire Engine Lease Payment – Year 4 of 5; \$72,400
- Art 5: Lease/Purchase for Aerialscope Tower Truck – five-year lease/purchase agreement; \$115K for year's payment and annual payments of approximately \$90K
- Art 6: Adjust Vocational Tuition – add a little over \$19K
- Art 7: Greenville Pond Dam - \$12K to conduct a spillway analysis of the dam as required by the Office of Dam Safety

Annual Town Meeting

- Art 1: Reports of Town Board and Committees
- Art 2: Authorization to borrow in anticipation of revenue
- Art 3: Authorization to dispose of surplus items
- Art 4: State Aid to Libraries – Receive \$17K in funding
- Art 5: Authorization a Revolving Fund Bylaw – due to changes in the municipal modernization act; no longer have to reauthorize funds every year; just have to set annual spending caps
- Art 6: Set Revolving Fund Annual Spending Limits
- Art 7: Appropriate Chapter 90 roadway funds
- Art 8: Set salaries for elected officials
- Art 9: FY'18 Budget
- Art 10: Set Vocational Tuition – \$1.018M
- Art 11: Central Mass Regional Planning Commission Annual Assessment
- Art 12: Fund Stabilization Account – add \$269,705 in compliance with the Town's free cash policy bringing the total fund to over \$900K
- Art 13: FY'18 Capital Improvement Plan
- Art 14: Information Technology Lease/Purchase – use to acquire more costly IT equipment including servers
- Art 15: Stormwater Management – annually funded to handle costs associated with the MS4 EPA permit requirements
- Art 16: 2 Replacement Police Cruisers - \$76K
- Art 17: Other Post-Employment Benefits (OPEB) Provisions – due to changes in the municipal modernization act the Town can now easily establish a trust fund for health insurance for retirees
- Art 18: Fund OPEB - \$35K
- Art 19: Groundwater Studies at the Landfill – annual obligation; \$18K

- Art 20: Establish Middle School Building Committee – Would be the day to day authority over the development of the Middle School project
- Art 21: Middle School Replacement Feasibility Study – borrowing authorization requiring 2/3rd vote; total cost appx \$700K; State would reimburse the Town appx 60% of total cost; tax rate impact would be just over 1 cent and would not hit the operating budget until FY'19
- Art 22: Reserve Fund for Special Education – established through the municipal modernization act – allows schools to reserve fund from the operating budget at the end of every fiscal year and place these funds into a reserve fund for special education out of district tuition or transportation. Requires vote of the School Committee and the Board to take money out; can never appropriate more than 5% of our local contribution
- Art 23: Preservation Easement for the Library – required to obtain additional grant funding to have the stained-glass windows refurbished; perpetual historic easement would run with the land and restrict the property to permanent public use; \$17K grant
- Art 24: Solar Electricity Development Zoning Bylaw Change – puts emphasis on using already cleared land and requiring approvals for new solar developments; Town has many solar developments and has caused a lot a forest land to be converted and cut down
- Art 25: Amend Police Towing Bylaw – increase fee from \$10 to \$25; allow for credit cards to be used; expand locations at which fees can be paid as dispatch has moved to Worcester
- Art 26: Adopt Stretch Energy Code – required to become a Green Community and make grant funding available to the Town. Initial grant would be \$155K then can compete annually for up to \$250K. Auburn has received over \$500K since 2012 and Worcester has received \$1.1M. Could use funding to replace street lights with LED bulbs and lower utility costs of the Town to reduce the burden on taxpayers. 189 municipalities in Mass have adopted the stretch energy code and are now green communities. In January of 2017, the new IECC 2015 base energy code eliminated 99% of the stretch. Only requirement that still remains is a HERS study at a cost of \$750-\$1250 for single family new construction to check for energy efficiency which is well worth the cost.
- Art 27: Citizen Petition – Recall of Elected Officials – would require special State legislation
- Art 28: Dispose of Land in Russell Park – parcel of land a little over 1 acre which is not being used by park facilities
- Art 29: Citizen Petition – Double Dealing – present individuals who work or volunteer with the Town from conducting contract negotiations on behalf of outside agencies. Chapter 268A of Mass General Laws already has provisions for this and Town Counsel is reviewing the petition to see if it is in conflict.

b. Town Hall Programmatic Accommodations Policy

A motion was made by Mr. Brooks and seconded by Mr. Shivick to approve the Town Hall Programmatic Accommodations policy. The motion carried unanimously.

c. FY'18 Budget

Mr. Mizikar presented a revised balanced budget with \$115.00 left in the bottom line. Key changes are:

- Reducing two months of salary for the 21st and 22nd police officers as they would not come on board until September 1st at the earliest
- Reducing first 2.5 months of utility costs for the Fire & EMS HQ now slated to come online in September
- Increased employee benefits from 11% to 15%; still working with Fallon on these numbers
- Reduced vocational tuition

Mr. Shivick asked if there was any way to provide an additional \$5K to parks and rec by shaving a little off of department budgets. Mr. Mizikar noted this would be difficult and he can go in a shave a specific amount off of every department but not a lot of funding will be picked up and there would be a service impact.

A motion was made by Mr. Shivick and seconded by Mr. Brooks to reallocate \$5K in additional funding to the Parks & Rec department in FY'18.

Under discussion, Mr. Belanger stated this was not wise without a plan for using the funds. Mr. Mizikar noted a modest increase in State aid could possibly create \$5K in available funding. Mr. Buckley noted Parks and Rec's budget was increased by \$2K just a few years ago. Ms. Provencher noted she and Mr. Mizikar have been working on trying to get a swim program for Leicester and Spencer but unfortunately it is just not in the budget this year. Ms. Provencher stated she is not giving up but that the employees and departments come first. Mr. Shivick stated that Towtaid Park is in rough shape with graffiti on every possible interface and updates to the basketball courts needed. Mr. Belanger stated Parks and Rec should work to develop a plan over the next year of what they would do with the funding.

The motion failed 1:4 with Mr. Shivick casting the sole vote in favor.

d. Stabilization Policy

A motion was made by Mr. Buckley and seconded by Ms. Provencher to adopt the proposed Stabilization Policy. The motion carried unanimously.

e. Parking Meters and Other Revenue Items

Mr. Shivick presented the ideas of adding parking meters in Town and creating a foreclosure inspection requirement to raise revenue for the Town. Mr. Belanger stated he did not believe the Town would break even due to how much we would have to collect to pay off the cost of the meters and the staff to write tickets and empty the machines. Mr. Belanger asked Mr. Mizikar to look into the possibility of a foreclosure inspection requirement with the appropriate departments.

f. April Meeting Schedule

The Board decided to hold April meetings on the 3rd and the 19th due to Patriots Day.

5. TOWN ADMINISTRATOR REPORT

The Town Administrator presented highlights from his written report.

6. MINUTES

a. March 6, 2017

A motion was made by Ms. Provencher and seconded by Mr. Shivick to approve the minutes of March 6, 2017. The motion carried unanimously.

7. BOARD OF SELECTMEN REPORTS

Mr. Shivick attended the exceptionally good reiteration of the Wizard of Oz at the high school. Mr. Shivick spoke with the Executive Director of the Worcester Regional Retirement Board about enticing employees into early retirement to save money. A cleanup of Towtaid Park will occur on April 8th starting at 9am. Mr. Shivick asked about the crosswalk request for Route 9 and if another request could be put in.

Ms. Provencher enjoyed the Wizard of Oz and said the part of Dorothy (Jaymi-Lyn Souza) was very well played. Ms. Provencher asked people to pay attention to the crosswalk at Giguere's and the Opticom lights that come on when an ambulance and/or Fire truck are moving through the center of Town.

Mr. Buckley attended the Leicester Business Association annual event at Becker College Wednesday and enjoyed the night and the presentations. He was pleased to see that Chris Clark and Joe Dolen, former students, are leaders in this organization.

Mr. Brooks thanked the highway department for doing a great job during the recent storm adding that the Superintendent delayed his vacation to work during the storm. He noted a senior prom will take place at the Senior Center on April 28th from 6-9pm with dinner and the annual Earth Day cleanup will take place April 24rd at 9:30am at the Town Hall. Mr. Brooks has also reached out to the Worcester Co Sheriff's office to see if they can do a cleanup on both sides of Route 9. Mr. Brooks noted Denise Baker with the Mass Municipal Manager's Association is available to present on how to create a Town Manager form of government.

Mr. Belanger asked people to get out of the way of ambulance and received positive feedback about the Highway Department's handling of the most recent storm.

8. EXECUTIVE SESSION, MGL CHAPTER 30A, SECTION 21A

A motion was made by Mr. Buckley and seconded by Ms. Provencher to enter into executive session at 8:54pm under MGL Chapter 30A, Section 21A, Exception 3 (to discuss strategy with respect to collective bargaining) and to resume in open session only for the purpose of adjournment. The Chair declared that to discuss these matters in open session would compromise the position of the Town.

Vote by Roll Call:

Belanger – Aye

Brooks - Aye

Buckley – Aye

Provencher – Aye

Shivick - Aye

The motion carried unanimously.

A motion to adjourn was made by Mr. Brooks and seconded by Mr. Shivick at 9:43pm. The motion carried unanimously.