

SELECT BOARD MEETING MINUTES
MARCH 9, 2020 at 6:30pm
TOWN HALL, SELECT BOARD CONFERENCE ROOM

CALL TO ORDER/OPENING

Chairwoman Wilson called the meeting to order at 6:31pm. Chair Sandra Wilson, Vice-Chair Harry Brooks, 2nd Vice-Chair Rick Antanavica, Selectwoman Dianna Provencher, Selectman John Shocik, Student Liaisons Katheryn Stapel and Jacob Stolberg, Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg were in attendance.

1. SCHEDULED ITEMS

a. 6:30pm – School Building Committee Presentation and Discussion

Jeff Berthiaume provided an update on the school building feasibility study and the next approval steps in the Mass State Building Authority (MSBA) process. Town officials will be in Boston on Thursday to discuss the study and associated budget projections with the State. A Special Town Meeting has been scheduled for May 9th at 10am at the High School. Once further direction is provided by MSBA, additional information will be provided to the Board. Mr. Berthiaume stated that furniture, books, computers, etc. are included in the project costs and the project would be essentially turnkey ready upon completion, if approved.

2. PUBLIC COMMENT PERIOD

Lee Dykas discussed his citizens petition to amend the zoning bylaws pertaining to marijuana to allow for outdoor growing of cannabis. Mr. Dykas stated that this is a time sensitive matter and would like the bylaw addressed at May Town Meeting so he can plant a crop in June.

Joel Hart discussed his request to have an agenda item to change the date and location of the School Special Town Meeting which was not included on this agenda. Ms. Wilson noted she informed Mr. Hart that a full test run is planned up at the high school and that she would have asked for a sound system if the meeting was at Town Hall so people in the back of the gym can hear. Ms. Wilson noted the item will not appear on an agenda again unless the test fails.

3. REPORTS & ANNOUNCEMENTS

a. Student Liaison Reports

The Student Liaisons provided updates from the Leicester Public Schools.

b. Select Board Reports

The Select Board discussed a variety of topics including daylight savings time, check batteries on fire & co2 alarms, be careful of the children in the morning because it is darker, the Open for Business meeting on 3/12 at 6pm, outdoor growing of marijuana which is now allowed by the State and would require a change to our bylaws, the potential upcoming drought and properly discarding cigarettes, the latest updates on coronavirus and the Swan Tavern fundraiser on 3/28 at 7pm at the Leicester Country Club with raffles and auction of services.

c. Town Administrator Report

The Town Administrator presented highlights from his written report. Mr. Genereux noted that the Highway Superintendent has requested permission to trade in old surplus highway equipment to purchase two mowers and a trailer for school maintenance operations at a net cost to the Town of \$1,937.19.

d. **Eagle Scout Ceremony – Adam Labombard**

The Board signed a certificate of achievement for Adam Labombard who is becoming an Eagle Scout on March 29, 2020.

4. RESIGNATIONS & APPOINTMENTS

None

5. OTHER BUSINESS

a. **Police Department Donation**

A motion was made by Mr. Brooks and seconded by Ms. Provencher to accept a \$500 donation to the Leicester Police Department from Hot Dog Annie's. The motion carried 5:0:0.

b. **Historical Commission Letter**

Ms. Wilson discussed a letter from the Historical Commission which requested assistance in rectifying an issue where an item was moved from the Historical Commission office to the Library. Ms. Wilson noted Mr. Genereux has worked with the highway department to ensure that items are not removed without notification.

c. **Discuss and/or Vote on May Annual Town Meeting Warrant**

Mr. Genereux reviewed the first draft of the Annual Town Meeting Warrant with the Board which will likely be modified going forward to include a general bylaw amendment request from the Fire Department and a citizen's petition from Lee Dykas.

Article 1 – Prior Year Bills

- Two outstanding invoices from prior fiscal years in the amounts of \$312.50 and \$1,161.68

Article 2 - FY20 Budget Amendment

- Transfers come from free cash and the employee benefits line item, as the health insurance line item has a surplus
- Transfers would go to:
 - Veterans Benefits (Chapter 115 State benefits)
 - Snow and Ice deficit
 - Accounting salaries are adjusted due to an Intermunicipal Agreement with the Town of Spencer for shared accounting services where the Town will be paid for the Town Accountant's supervisory services and an increase in hours for the Assistant Town Accountant to accommodate work from Spencer.
 - DIS and Treasurer/Collector have deficits due to the payout of vacation time for former employees
 - Funding for recycling operations
 - Vocational School Tuition has a deficit of \$22,008

Article 3 – Improvements at Town Parks

- Annual \$25,000 allocation for annual parks maintenance as outlined in host community agreement with Cultivate
- \$40,000 match for a \$15,000 KaBOOM! grant for playground equipment at Towtaid Park
- \$15,000 for replacement paving and fencing on the tennis and pickleballs courts at Towtaid to supplement \$50,000 in grants, State budget and fundraising

Article 4 – Fire Equipment Maintenance and Repair

- \$20,000 for work on engine 4 and repairs at stations 2 & 3

Article 5 – Highway Vehicle Maintenance and Equipment Repair

- \$25,000 for repairs to trucks 4 and 10

Article 6 – Police Headquarters Maintenance and Repair

- \$34,905 to repair the building's furnace and nitrogen generator in addition to police training room upgrades

Article 7 – School Maintenance and Repair

- \$100,000 for field work, dumpsters, air handler repairs, boiler and distribution system repairs and roof drain work

Article 8 – Emergency Management Supplies and Personal Protective Equipment

- \$20,000 to defray potential costs relative to pandemic or other emergencies, as needed (e.g. coronavirus)
- Would seek reimbursement from FEMA/MEMA

Article 9 – Local Share of Veterans Heritage Grant

- \$6,350 to match \$6,350 in grant funds to repair two veterans' monuments in Town

Article 10 – Mosquito Control Participation Vote

- Town Meeting approval is required for participation in this program
- Minimum three-year commitment at an approximate cost of \$64,000 per year

Article 11 – Funding for Mosquito Control

- Would be passed over if Article 10 fails
- Would cover May and June of 2020

Article 12 – Elected Official Stipends

- Only change is a 2% COLA for the Town Clerk

Article 13 – FY21 Operating Budget

- \$30,183,521 – an increase of \$525,496 or 1.77% over FY20
- Municipal budget is increasing by 5.69% and the School budget is increasing by 1.66% due to:
 - Highway fields and maintenance - \$150,000 moved from schools to highway to hire 3 employees
 - Shared accounting services – Payment from Spencer is specific to accounting
 - Economic Development and Highway positions funded out of free cash at a cost of \$100,000
 - Goal is 75/25 split to the extent possible; has been for the past two years but not this year

Article 14 – Vocational Tuition

- Standard allocation of \$1,078,000 which may require additional funds at fall town meeting

Article 15 – CMRPC Annual Assessment

- \$3,221 for regional services

Article 16 – FY21 Cable PEG Access Enterprise Account Appropriation

- \$102,925 in funds received from Charter for local cable operations

Article 17 – OPEB

- \$35,000 to fund a portion of the Town's \$23.8M liability for other post employee benefits

Article 18 – Stormwater Management

- \$12,001 for operations, professional services, MS-4 permit reporting requirements

Article 19 – Landfill

- Annual appropriate for DEP required testing and monitoring

Article 20 – Police Cruiser

- \$49,200 for to purchase and equip one police cruiser

Article 21 – FY21 Capital Plan

- \$555,434 for the aerial scope lease payment, new ambulance, station 2 roof, cameras at the high school, emergency generator at Town Hall, replacement detective unit, carport at PD, replacement 150 for PD with the current F250 going to highway for plowing operations

Article 22 – Dams

- \$7,000 to meet DEP reporting and inspection requirements for Waite Pond and Greenville Pond Dams

Article 23 – Hillcrest

- Study on the building needs at Hillcrest and potential future options

Article 24 – Stabilization

- \$353,093.50 from free cash to the Town's rainy-day fund

Article 25 – Revolving Fund Annual Limits

- No change from FY20

Article 26 – Disposition of the Fields at Memorial School

- GIS shows one parcel for the school and the fields; old assessor's maps show two separate parcels
- Fields would be landlocked if the building parcel is sold without the fields parcel

Article 27 – Land swap with Hillcrest Water District

- For the parcel that contains the water tank which is Town owned; District will give the Town the other parcel they own that is of no beneficial use to the District but would give an additional egress from the Memorial School
- Land swap was approved at a former Town Meeting but never approved

Article 28 – Town Match to replace Waite Pond Dam

- Borrowing authorization for \$388,000 - Town's match for the \$1M State Dam and Seawall Grant
- Not a debt exclusion

Article 29 – General Bylaw Amendment – Fire Alarm (more information to follow)

Article 30 – Zoning Bylaw Amendment – Adaptive Reuse Overlay District Improvements (under Planning Board discussion)

Plus, a potential Article 31, citizens petition from Lee Dykas for a zoning bylaw amendment.

d. Discuss and/or Vote on May Special Town Meeting Warrant (School Vote)

A draft legal warrant article for the school vote is included in the packet which is a subject to approval by MSBA.

e. FY21 Budget Discussion

This is a standing warrant article through the budget season. No updates were provided.

6. MINUTES

a. February 24, 2020 (Regular and Executive Session)

A motion was made by Mr. Brooks and seconded by Ms. Provencher to approve the minutes of February 24, 2020. The motion carried 5:0:0.

A motion was made by Mr. Brooks and seconded by Ms. Provencher to approve the executive session minutes of February 24, 2020. The motion carried 5:0:0.

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

a. Exception 3 – Discuss strategy with respect to collective bargaining (Fire, Police and Highway Unions)

b. Exception 3 & 7 - Discuss strategy with respect to pending litigation pursuant to G.L. c. 30A, §21(a)(3) and (7) and Suffolk Construction v. DCAM, 449 Mass. 444 (2007) – Fire & EMS Headquarters

A motion was made by Mr. Brooks and seconded by Ms. Provencher to enter into executive session at 8:35pm under MGL, Chapter 30A, Section 21A, Exception 3, to discuss strategy with respect to collective bargaining (Fire, Police and Highway Unions); and Exceptions 3 & 7, discuss strategy with respect to pending litigation pursuant to G.L. c. 30A, section 21(a)(3) and (7) and Suffolk Construction V. DCAMM, 449 Mass. 44 (2007) (Fire & EMS Headquarters). The Chair declared that to discuss this matter in open session would compromise the position of the Town. Roll call: 5:0:0.

A motion to adjourn was made by Ms. Provencher and seconded by Mr. Shocik at 9:19pm. The motion carried 5:0:0.