

**MINUTES
SELECTMEN'S MEETING
NOVEMBER 17, 2008**

Chairman Belanger called the meeting to order at 6:00pm. Members present were Douglas Belanger, Dianna Provencher, Richard Antanavica and Stanley Zagorski. Also present was Town Administrator Robert Reed. Selectmen Brennan was absent.

Executive Session

MOTION: Ms. Provencher moved to go into Executive Session for the purpose of litigation and land acquisition, the Board to reconvene in open session, with no public announcements anticipated. Mr. Antanavica seconded. UNANIMOUS

The Board went into Executive Session at 6:02pm.
The Board came out of Executive Session at 6:20pm.

Reorganization

Mr. Belanger recalled that the Board agreed prior to last Town Election in the April to forego our annual reorganization of the Board and to extend the current lineup until October. He appreciates the good will of the Board in allowing him to remain as Chairman. Unfortunately, between his busy schedule and Mr. Brennan's work commitment we have yet to reconsider this matter. He hopes to revisit this subject with a full board at our 1st meeting in December.

Correspondence

1. Letter of resignation from Conservation Commission member Mary Ellen Brosnihan.

MOTION: Mr. Antanavica moved to accept resignation with regret with letter of thanks sent. Ms. Provencher seconded. UNANIMOUS

2. Letter from Mass Cultural Council recommending extension of the 2nd term of Leicester Arts Council member Kurt Parliment to allow grant period to be completed under his guidance.

MOTION: Ms. Provencher moved to extend the term of Arts Council member Kurt Parliment through January 16, 2009. Mr. Antanavica seconded. UNANIMOUS

3. Request from XRoads Inc d/b/a Crossroads Marketplace to extend hours on Wine & Malt Package Store License to allow 8:00am opening. Mr. Belanger suggesting we extend license, as we do with others, to the limits allowed by the State.

MOTION: Ms. Provencher moved to allow hours of operation at Crossroads Marketplace from 8:00am to 11:00pm. Mr. Antanavica seconded. UNANIMOUS

4. Letter from DEP regarding permitting and data collection needed to permit Moose Hill Reservoir as public drinking water supply. Mr. Belanger chose not to read aloud this lengthy document, but asked the Town Administrator for his input. Mr. Reed explained that this letter details a procedure that is way beyond what the Town's annual town meeting funding appropriation intended to produce. There will be a follow-up meeting between DEP representative and our consultant, as there appears to be a disconnect as to what steps the Town was moving toward. The next phase will be to determine what potential customers would be viable sources for the water supply. He felt we are limited in the scope we can pursue at this time vs. the comprehensive plan the DEP has outlined. Ms. Provencher asked that this report be made available for the public, should we receive any inquiries. PENDING

Environmental Protection Agency

Mr. Reed reported that the Town is required to sign a Consent Agreement which speaks to the responsibilities under the Stormwater Management regulations. Signing the letter will acknowledge our responsibilities. Mr. Zagorski noted that the Town failed to file two annual reports; the individual in charge was dealing with a serious illness and this simply fell through the cracks. He explained that the Town has reached out to our Congressman and others to assist in reconciling the matter, but there has been no movement on their part. Mr. Belanger noted that we are still working toward that end. Mr. Zagorski asked if the Consent Agreement binds us to pay

any fines. Mr. Belanger stated yes, unless those are mitigated. Mr. Zagorski asked if there is a problem, as the Consent Agreement states that we will address this issue within 30 days, which has since passed. Mr. Reed explained that EPA is aware that any payment would need to be raised at annual town meeting.

MOTION: Ms. Provencher moved to authorize Town Administrator to execute Consent Agreement with EPA. Mr. Zagorski seconded. UNANIMOUS

Town Administrator's Report

- The Town some time ago assumed the responsibility of snow & ice maintenance of private roads, however, collection fees related to the costs incurred to do so is a problem. Town Counsel is on notice for legal action, and will eventually file suit if need be against one particular developer. Mr. Antanavica noted that developer of Carey Hill Estates paid the first invoice from previous year's maintenance but we have had no response from him sense. The Town has felt obligated under public safety standards to keep up with maintenance, but Mr. Blair has not responded to our invoicing nor reimbursed the Town further. He explained that the Planning Board's Order of Conditions speaks to maintenance of roadways by developer prior to acceptance as a public way. We have sent out letters to all developers allowing them to choose to maintain these private roadways themselves or the Town will do so and bill them for services. There is a Performance Bond held by the Planning Board on the project, but he believes Counsel has ruled that these types of costs cannot be taken out of that coverage; that is meant to keep road standards up to par, which will cost more than the balance of the bond at this point. There are many safety hazards as the road has deteriorated significantly over the past several years of neglect. Mr. Antanavica noted there was \$16,000+ owed by Mr. Blair from last year and now we will be acquiring costs for this upcoming season. The Board agreed that we should move forward and put in a claim for all damages to roadways, equipment, and related maintenance costs for Carey Hill Estates development project.

MOTION: Mr. Antanavica moved to take all legal avenues available to rectify the outstanding issues with Clealand Blair and Carey Hill Estates development. Ms. Provencher seconded. UNANIMOUS

- Energy audit will be performed on all Town buildings with hopes of applying for grant funds for upgrades or green energy improvements. Town Hall facility should be ready to move forward for upcoming annual town meeting.
- Our departmental Task List is being produced and amended as the Selectmen notify us of pending projects they are working on; he reminded the Board that some have not responded to his request for submission. It was agreed that sub-committee assignments should be included on the project list, that more information was better than less, make it all inclusive at this point. Mr. Zagorski suggested categories such as working list, future list, completed list. Mr. Brennan asked if we have found the list he has submitted years ago, which has not yet been located. Mr. Reed had asked that Mr. Brennan submit that list to us again.
- 2009 Budget update submitted for review, with State Aid cut built into numbers, which will lower the floor for 2010 Budget. He hopes to meet with Advisory Board and members of the finance sub-committee soon. He noted that each 1% increase calculates to approximately \$120,000.

MOTION: Mr. Antanavica moved to direct Town Administrator to ask for two 2010 Budget scenarios; one level funded and one with a 3% cut. Ms. Provencher seconded. UNANIMOUS

Hillcrest Country Club – Lease Agreement

Dave Mero, HCC's accountant, was present to speak to final draft Lease Agreement between Town and Hilltop Management. He was pleased with the outcome, a 5-year lease. Mr. Reed reported on aggressive bid process, solicited several firms, advertised, following Chapter 30B regulations in seeking proposals with only one response submitted for consideration. He noted minor amendment to Article 10.01 which should read "Lessee" instead of the current "Lesser". Mr. Mero reported that both Gerry Paulauskas and Bruce Smith, partners of Hilltop Management CC, LLC, are very excited to be working under a 5-year agreement vs. the former 1 year lease. They will be making improvements to the facility including a much needed roof replacement. Mr. Mero felt the greens and fairways are looking great and the course is better than ever. He noted the dedication of the staff; in fact the partners are not taking a salary from the business. Mr. Zagorski questioned that, with Mr. Mero responding that the partners have instead invested their proceeds. Mr. Zagorski wondered about the prediction

in the proposal that Hilltop would merely break even after the 5-year lease is over. Further discussion on the economy in general, corporate filings, and bookkeeping requirements for Hilltop. Mr. Zagorski felt the place is unsightly from the outside and suggested some quick fixes to prompt rentals, where the money is in booking the hall. Mr. Antanavica noted that the Town had a survey on the website seeking ideas as to what the taxpayers felt we might do with the property; he agreed with the Town Administrator that many ideas, although good ones, were just not viable options in these economic times. Mr. Zagorski noted Lease Agreement allows for up to \$55,000 to be spent over the 5-year period on roof replacement, which becomes in the end part of the rent paid to the Town.

MOTION: Ms. Provencher moved to approve and enter into Lease Agreement, subject to amendment discussed earlier. Mr. Antanavica seconded.

Discussion – Mr. Belanger noted that Hilltop may award bid to roofing contractor upon the Selectmen's review, and further authorized the Town Administrator to review and approve contract.

VOTE: UNANIMOUS

MOTION: Ms. Provencher moved to authorize Town Administrator final approval of contract award of roof replacement. Mr. Zagorski seconded. UNANIMOUS

Minutes

MOTION: Ms. Provencher moved to approve 10/20/08 Regular Session and 11/03/08 Executive Session minutes. Mr. Zagorski seconded. UNANIMOUS

Board Reports/Other Business

Selectman Zagorski:

- Energy study by WPI is in the preliminary stages; they will be reviewing potential for solar power at Town Hall and Schools
- Becker College's new football field and lighting issues have brought forward complaints from neighbors; season will end soon but representatives will meet over the winter and look at issues at hand. Mr. Belanger suggested a neighborhood meeting at the Senior Center.
- Economic Development Committee meeting on December 10th at 7:30pm will have a representative from Wal-Mart present to discuss Route 9 West commercial development

Selectman Antanavica:

- Heating season is upon us, cautioning residents with stoves and other heating elements
- Wished all a Happy and safe Thanksgiving

Selectwoman Provencher:

- Public meeting on Worcester's Mobility Study will be held November 19th at CMRPC; the urban core they are looking at includes sections of Leicester

Selectman Belanger:

- Beavers are busy causing problems all over town; he asked that we obtain reports from Highway and water & sewer districts as to how much time and money are spent on managing this ongoing problem. He wants to petition the Legislature to amend these trapping laws, which results in destruction of property and homes.
- Highway is working on improving Memorial School Drive sidewalks.
- Annual football rivalry game between Leicester and Spencer was held this year at the new Becker field. He felt it a great gathering, a time to visit with old friends, their families, and cheer on the home team.

MOTION: Ms. Provencher moved to adjourn.
Mr. Zagorski seconded. UNANIMOUS

The meeting was adjourned at 7:34pm.
Respectfully submitted,

Susan LeChasseur, Administrative Assistant