

**MINUTES  
SELECTMEN'S MEETING  
MARCH 19, 2007**

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

**Executive Session – MGL Chapter 39, Sections 23B(3) and 23B(6)**

MOTION: Mr. Belanger moved to go into Executive Session for the purpose contract negotiations and sale of town owned property. Ms. Provencher seconded. The Board was polled:

Mr. Belanger:	AYE	Ms. Provencher:	AYE	Mr. Brennan:	AYE
Mr. Antanavica:	AYE	Mr. Zagorski:	AYE		

The Board went into Executive Session at 6:02pm.  
The Board came out of Executive Session at 6:45pm.

**Annual Town Meeting – Article Requests**

Police Vehicles - Police Chief Hurley and Sgt. Antanavica were present to review article requests. Sgt. Antanavica presented information pertaining to \$24,900 request to replace Chief's vehicle with all wheel drive Ford 500 Sedan. Any proceeds from the sale of the Chief's current car will go to the General Fund, estimated at \$7000. Mr. Antanavica noted that this item is being considered by Capital Planning as well.

MOTION: Mr. Belanger moved to support in concept, subject to review by CIPC and whether this will be established as stand alone article. Mr. Brennan seconded. UNANIMOUS

Sgt. Antanavica presented his proposal to replace two vehicles, a 2001 EMS sedan and a 1999 Fire sedan, with the current detective's Expedition, which he recommends be replaced with another Ford 500 all wheel drive sedan.

Mr. Brennan asked why we wouldn't sell the Expedition and buy another vehicle for the Fire/EMS Departments. Sgt. Antanavica was not prepared at this time, but can come back before nights end with information on book value on Expedition.

Selectmen Antanavica was also concerned whether Fire and EMS equipment would fit into one of these sedans. He also felt the Expedition is a better vehicle to access emergency situations in winter season. He reported that CIPC favors the Sergeants plan because there would be one less vehicle registered and insured.

Sgt. Antanavica will report back later in the evening to answer Mr. Brennan's questions. The Board congratulated the Sergeant on his continued planning for vehicle replacement within the Police Dept.

Alarm Bylaw – Chief Hurley distributed latest version of Alarm Bylaw. Mr. Brennan asked about the registration fee charges for those businesses that have paid fees to have new alarm systems in place another. Chief Hurley stated that he would consider waiving those fees. He asked Bylaw Committee to weigh in.

Marjorie Cooper, Chairman of the Bylaw Committee, reported that her group has reviewed different versions as submitted, adding first definitions to bring clarity to the document. She felt it made sense to allow the Chief's discretion on registration fees. Mr. Belanger felt we should leave the fee out of the bylaw, something that can be established from time to time by the Selectmen without having to change a bylaw. It was agreed to change the language to allow the registration fee to be set by the BOS.

Further discussion on fines for non-compliance, with some feeling the reoccurring offenses and resulting fines should be higher to promote compliance and make the continued alarm responses cost effective. Chief Hurley agreed to look at that further.

MOTION: Mr. Belanger moved to support in concept as amended.  
Mr. Antanavica seconded. UNANIMOUS

Abandonment Bylaw – Ms. Cooper reviewed the Bylaw Committee's read on this proposal, which they voted to add to Chapter 4 a Section 6 entitled "Committees in General" (text on file). Issues addressed included swearing-in of committees, record of attendance/abandonment, committee organization, establishment of rules, and keeping of minutes. The Board agreed that any committee policies or procedures "may" be set instead of the "shall" be set language Mr. Brennan asked for. Ms. Provencher recommended establishment of standard operating procedures to assist with transition. The Board congratulated the Bylaw Committee on their work in this regard.

MOTION: Mr. Brennan moved to approve subject to review by Town Counsel. Ms. Provencher seconded. UNANIMOUS

Chapter 9 – Ms. Cooper reported that the Committee agreed to remove fees from Section 26 regarding motor vehicle repair licenses.

MOTION: Ms. Provencher moved to approve Chapter 9, Section 26 amendment.  
Mr. Brennan seconded. UNANIMOUS

Stormwater Bylaw – Ms. Cooper reported that the Committee will not be ready with the Stormwater Management Bylaw for this town meeting. This article will be withdrawn at this time.

Ms. Cooper explained that a bylaw brought forward by the Conservation Commission some time ago was still under consideration, while one other request regarding heights of buildings brought forward by the Selectmen's Office belonged with the Zoning Bylaws.

Police Department – Sgt. Antanavica returned to report that values indicated for sale of Expedition could bring an estimated \$5800/\$6800. Also, the Fire Chief is unsure if the equipment would fit into a sedan but would work well in the Expedition; the seat folds down to accommodate storage and stretcher if needed.

MOTION: Mr. Brennan moved to approve replacement of EMS, Fire and Detectives vehicles as originally presented by Sgt. Antanavica. Ms. Provencher seconded. UNANIMOUS

Mr. Reed noted that location within the warrant for the police vehicles, whether stand alone article or within Capital Plan, will be determined after further review.

Moose Hill Water Commission – Chairman Kurt Parliment and CV/Rochdale Water District Supt. Mike Know were present to discuss proposal for engineering services that could take up to seven years to complete. Mr. Knox explained that one crucial part of the process would be to request approval for the water in Moose Hill Reservoir to be moved through what amounts to three different river basins. He noted that the recent Inter-Basin Transfer Act requires DEP to allow the Town moving the water out of the Chicopee River Basin, where the Reservoir is located. Without this consent, the water would not be available to the local water districts. This process alone will take approximately 1½ years.

The Board discussed options such as grant funding, water in general as an available commodity, possible development by outside vendor. Mr. Brennan urged that we adopt the \$260,000 engineering plan and implement stop gaps where MHWC would have to come back to the Town for further approval; he felt being plan-ready will benefit us in the long run should grant funds become available. All agreed that water was a precious resource and will be needed by all within a short period of time.

Mr. Reed reported that he had met with Mr. Knox and Mr. Parliment with regard to their proposal, and it was agreed that the first steps be funded at this time in an amount not to exceed \$20,000. We can look at this further in the Fall.

MOTION: Mr. Belanger moved to recommend approval for engineering study funded at \$20,000.  
Ms. Provencher seconded. UNANIMOUS

School Department – TA noted that the requests came in for an override, purchase of textbooks, transfer of Medicaid funds, and reappropriation of window/door projects.

Textbooks – \$73,000 - Supt. Dubrule explained that other towns have used this method recently to appropriate funds through town meeting article for purchase of textbooks. He has also included this cost within their budget proposal. Linda Looft, School Committee Chair, explained that State mandated courses change from time to time, and this will be a one-time purchase of textbooks for these classes. These changes are unpredictable, and they have looked at this type of funding in the area of technology too. Mr. Brennan felt this discussion is premature, as the budget sub-committee and the Convention of Boards need to meet in this regard first.

MOTION: Ms. Provencher moved to table this discussion until the Selectmen's next meeting.  
Mr. Brennan seconded.

Mr. Antanavica asked for information regarding how this was done in other school departments. Mr. Brennan's concern was how to handle this financially, and felt his group needed to meet on this first. Mr. Belanger noted that the budget sub-committee is not authorized to make any promises, or take any votes. It is merely a working group attempting to review the School Department's budget, then report back to their respective boards. Any decisions need to come back to the Board of Selectmen.

Further discussion on whether to fund this as article or through budget process; if an article, it could be taken up before the operating budget article. The School Committee will obtain information on how process worked in other towns. Mr. Brennan wondered whether this one-time purchase should come under the Capital Plan. TA noted that he has not included an article on the Warrant in this regard.

VOTE: UNANIMOUS

Windows/Doors – Carl Wicklund, School Facilities Manager, explained his intent to consolidate the Memorial and Middle School projects into one. He noted that the replacement of windows and doors at each school has been done in phases over the years, he needs to complete the last phase at each school, there are balances left in some articles, one bid process resulted in insufficient funds to award project, and the Accountant noted that language within one article did not allow for work on any doors. He felt that taking funds and re-appropriating them at town meeting to incorporate both projects would be more efficient at this point. He felt that the current funds totaling some \$120,000 would not be needed, and that an estimated \$40,000 balance could be returned.

Discussion on when the original project appropriations were made, which were in 2000/2001/2003, and the fact that other Capital projects went unfunded while these appropriates have sat idle. Mr. Belanger felt that the consolidated project should be weighed against current Capital requests, as this is apparently not an urgent matter. Mr. Provencher asked the age of the windows in the buildings. Mr. Wicklund stated that the Memorial School windows were original to 1954, and the Middle School windows were installed in 1961. Mr. Wicklund noted that one year we received no bids, and the fact that we have a short window of opportunity to do these construction projects usually limits the bids we do receive.

Mr. Reed recommended that we complete the projects and return the balance to the General Fund, which would be available in the Fall as Free Cash. He will review language for article with Town Counsel.

MOTION: Mr. Antanavica moved to support the Town Administrator's recommendation with regard to funding of these door/window projects. Ms. Provencher seconded. UNANIMOUS

Medicaid – Mr. Reed reported that there are no funds available at this time to transfer as requested, so he did not include any article. He has an issue with the School requesting these funds to begin with. He feels the funds should be returned to the General Fund and distributed equally between general government and school departments, which he has discussed with the Superintendent a number of times.

Override – Mr. Zagorski noted that the School's request for an override article was disapproved, as we have no plan in place or information to support such a request; it would have also required a ballot question, and the request did not meet deadline for submittal to be included on the ballot. Mr. Dubrule stated that they simply submitted that request to initiate conversation.

### Correspondence

1. Letter from Arts Council requesting appointment of new member, Phillip LeBlanc, for a three-year term, effective immediately. The Council also requested that member Charles Leis be appointed as ex-officio member, to be removed from the regular membership for one year as required by State regulations after serving two consecutive 3-year terms.

MOTION: Mr. Brennan moved to approve appointments as requested.  
Mr. Antanavica seconded. UNANIMOUS

2. Notice from Dept. of Conservation & Recreation regarding non-compliance pertaining to June 26, 2006 dam safety order #2 relative to Greenville Pond Dam. The Town has been granted an additional 120 days to comply. As of June 30, 2007 the Town will be assessed fines of \$500/day for each day of continuing violation. Mr. Reed reported that he has put \$10,000 into the Highway budget for engineering work. The Board felt \$10,000 in special town meeting would be a better source to handle in timely manner.

MOTION: Mr. Brennan moved to respond to DCR stating that the Town has an article on upcoming town meeting to fund engineering services, and to ask DCR for consideration regarding leveling of any fines. Ms. Provencher seconded. UNANIMOUS

3. Letter from CMRPC regarding 2007 Traffic Counts, listing 14 locations in Leicester to be done this year, with the possibility to add three more locations. Mr. Belanger asked that TA review list to make certain the areas recently studied under the Planning Board are not being duplicated by CMRPC.  
PENDING

Late. Application for membership on Cable Advisory Committee from Robert Pingeton. Mr. Belanger suggested the shortest available term.

MOTION: Mr. Antanavica moved to appoint Robert Pingeton to shortest available term. Mr. Brennan seconded. UNANIMOUS

### Signatures

MOTION: Mr. Belanger moved for the Board to sign 4/02/07 Annual Town Election Warrant as submitted by Town Clerk. Mr. Brennan seconded. UNANIMOUS

MOTION: Mr. Antanavica moved to sign recently approved full-liquor license for Eller's on the Hill in Cherry Valley. Mr. Belanger seconded. UNANIMOUS

### Town Administrator's Report

1. Mr. Reed reported that he has met with the Employee's Health Insurance Advisory Committee and reviewed additional responses from carriers; he is recommending to the Board that the Town change its coverage to MIIA's program.

2. Mr. Reed reported that the issue with fixed costs has been resolved and the agreement has been signed with Barbara Hanley for assistance to the Hillcrest Committees.

3. Mr. Reed reported on another meeting of the School Budget sub-committee; it is difficult with their budget request for a 12.6% increase under the limits of Proposition 2½. Mr. Belanger felt that they needed to correlate how they got to that figure. Mr. Brennan, a member of the sub-committee, felt his goal is to get to a zero deficit with the TA's numbers, with the next meeting scheduled for March 22<sup>nd</sup>. Mr. Belanger noted there is just so many pieces to the pie, we cannot expend more than our revenues allow.

4. Mr. Reed requested a \$6,460 Reserve Fund Transfer for emergency purchase of new postage mail machine, which had to be replaced at the end of calendar year 2007, but which died last week during a heavy mailing of tax bills.

MOTION: Mr. Brennan moved to approve \$6460 RFT request as submitted.  
Ms. Provencher seconded. UNANIMOUS

5. Mr. Reed reported that we have auditor's financial statements in house and should have management letter soon; he can bring the auditor in if the Board wishes. The annual letter to the auditor that the Board signs was held at this time.

### **Board Reports/Other Business**

Mr. Antanavica reported that the Capital Improvement Planning Committee will be meeting shortly to rank the requests for the 2008 Capital Plan

Ms. Provencher reported on progress of Open Space & Recreation Committee meetings, and the compiling of information from the survey results.

Ms. Provencher reported that the driveway into the Wal-Mart shopping area needs to be named for public safety E911 purposes, and after much consideration, she is recommending that the private drive be called "Soojian Way". Mr. Brennan was concerned that the Town does not become obligated for road maintenance. Mr. Antanavica noted that the Order of Conditions from the Planning Board regulate that the so-called driveway will never become a town road. The Board authorized Ms. Provencher to work with the public safety officials and name it what they determine to be appropriate.

Mr. Belanger again put out a call for volunteers, noting the number of vacancies on several town committees.

Mr. Zagorski noted that the annual Convention of Boards will be held on Thursday, March 22<sup>nd</sup> at 6:30pm at the Leicester Senior Center. He urged all departments involved in town meeting to attend.

Mr. Zagorski noted discussion some time back that the outgoing Chair remains in office until the conclusion of town meeting. He wondered if that was ever changed officially. The Board stated no, and reviewed the Board's policies and procedures in this regard.

Mr. Zagorski noted that the meetings in April will be held on Tuesday April 3<sup>rd</sup> and Tuesday April 17<sup>th</sup>.

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

The meeting was adjourned at 10:10pm.

Respectfully submitted,

Susan LeChasseur,  
Administrative Assistant