

**MINUTES
SELECTMEN'S MEETING
MAY 21, 2007**

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

Executive Session – Collective Bargaining

MOTION: Mr. Brennan moved to go into Executive Session for the purpose on collective bargaining, with no announcements expected, Board to reconvene in Open Session. Ms. Provencher seconded.

The Board was polled:

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

The Board went into Executive Session at 6:01pm.

The Board came out of Executive Session at 6:25pm.

Fee Schedule – Reconvene Hearing

MOTION: Mr. Antanavica moved to reconvene public hearing from April 17, 2007.
Ms. Provencher seconded. UNANIMOUS

Chairman Belanger noted remaining fee schedule within Selectmen's Office needs to be determined. He and Selectmen Antanavica met per the direction of the Board to bring back a proposal on remaining fees:

Yard Sales – while they are not certain what the fee would be, if any, or what any other limitations might be, they suggested a not-to-exceed number of yard sales allowed per year. They agreed that too many become a problem for neighbors, parking, and therefore police in the end. Mr. Belanger directed the Town Administrator to work with the Bylaw Committee to determine specific language in this regard, to be brought back to the Board of Selectmen for further consideration.

Temporary Business – they felt that \$100 per 3-day permit seemed fair, with an additional \$25 per day thereafter. Mr. Zagorski asked if the intent was to charge for each separate event, or to run temporary permit continuously. Mr. Belanger and Mr. Antanavica agreed that some type of clarification was needed, and suggested that unless the temporary business ran continuously for a specific cause, the applicant would need a permit for each separate use. Mr. Belanger used an example of selling rugs on the side of the road; the intent of the Temp Biz Permit was to charge enough to compensate for those regular businesses that own property, pay taxes, along with yearly business fees. Ms. Provencher was concerned that a property owner that pays taxes could be charged this type of fee to open a business to sell these rugs, for example. She wondered why they wouldn't just get a permanent business license. Mr. Brennan agreed that they could pursue a permanent business license if they are a property owner. Mr. Belanger noted that the concern all along was those transients that might come in and set up for a weekend to sell sweatshirts, for example.

MOTION: Mr. Antanavica moved to set Temporary Business License fee at \$100 per 3-day event, with an addition \$25 per day for each consecutive day within the specific event.
Mr. Brennan seconded. UNANIMOUS

Outdoor Business – they felt that this category was a duplication of the Temporary Business License, and agreed to redefine this category through the Bylaw Committee.

Non-profit license request – the Board agreed with the practice of waiving fees for non-profit events.

MOTION: Ms. Provencher moved to continue practice of waiving permit fee for non-profit events.
Mr. Antanavica seconded.

Under discussion, Mr. Brennan wanted the non-profit group to be limited to those that have a presence within the Town of Leicester. Mr. Zagorski agreed that is the intent with the waivers. Mr. Antanavica felt that a certificate of non-profit should be on file.

AMENDMENT: Ms. Provencher and Mr. Antanavica moved to amend MOTION and SECOND to include Leicester non-profit groups with certificate on file. UNANIMOUS

Chapter 61 Land – Right of First Refusal

Mr. Reed explained that because a portion of the named property was being transferred to a family member, this notification from Atty. Pepka on behalf of Raymond Olney White, 669 Henshaw Street, was not required; therefore, the Selectmen did not have to exercise it's Right of First Refusal. He suggested, nowever, that the Board take a formal vote in this regard, and he will follow up with a letter to the attorney formalizing the Town's position. Mr. Brennan asked if the parcel would remain under Chapter 61. Mr. Reed did not think it would.

MOTION: Mr. Brennan moved for the Board to not exercise it's Right of First Refusal on parcel referred to in 3/27/07 letter to the Board regarding R. Olney White's transfer of land.
Ms. Provencher seconded. UNANIMOUS

Gambling Legislation – Consideration

Mr. Belanger read proposal from Worcester City Councilman Dennis Irish requesting approval of resolution and its transmittal to Governor's Special Commission on Gaming, the Mass Senate President, Speaker of the House and Central Mass Legislative Caucus urging expansion of legalized gaming in Massachusetts. Mr. Belanger did not read the entire document, but made it available to the press.

MOTION: Mr. Brennan moved to support Resolution as requested, with letter of support to be transmitted accordingly. Ms. Provencher seconded. UNANIMOUS

Board Reports/Other Business

Mr. Zagorski asked for a follow-up on deed search for Worcester Airport property, much of which is within Town of Leicester boundaries. TA to research.

Mr. Belanger regretted not being able to attend recent town meeting, but thanked all involved in preparation, as he has heard nothing but good remarks and knows how much work it takes behind the scenes.

Correspondence

1. 2007 Memorial Day activities notice. Mr. Brennan will MC.
2. May 10, 2007 letter from Board of Health to Opal Stone regarding "Hope House" facility at 1601 Main Street relative to kitchen facilities and requirements to open facility as scheduled. Mr. Belanger noted that representatives of the Willis Center have been cooperative, their management team has worked with him and the TA, the facility is not opened yet as planned, but they have been cooperative and we are cautiously optimistic that the Town's issues will be resolved fairly. TA noted that the BOH issues would not hold up the opening, but the fact that they do not yet have an occupancy permit will. Mr. Belanger submitted letter dated 4/02/07 along with accompanying information as formal record. PENDING

Town Administrator's Report

Mr. Reed submitted copies of memorandum dated 5/17/07 relative to budget projections out to FY'2012. The Board asked that this information also be distributed to the Advisory Board, with the hope that budget sub-committee meetings will continue on regular basis to insure an early start to budgeting procedure each year. Mr. Reed commended the efforts of all department heads during the budget process. The Board requested that this information be forwarded to department heads and committee chairs with the following additions: ask for their input regarding revenue enhancement, and ask for their continued efforts to save the Town by not spending down their budgets.

Noting that reserves were depleted with the FY'08 budget round, Chairman Belanger asked all departments and boards to continue to spend wisely in an attempt to have balances remaining within yearly budgets that is then transferred at years end to the General Fund, which then becomes available as Free Cash for further appropriation. Mr. Reed noted the difficult financial picture for the Town next year and beyond.

Mr. Antanavica noted that the Capital Improvement Planning Committee will continue to meet to discuss amendments to their policies and procedures; for instance, a guideline requiring use of appropriated funds within limited timeframes.

Mr. Zagorski is working within the community toward revenue enhancement projects, and asked that the Administrator be ready to move toward shared services, grant applications, renewable energy projects, and economic development.

Mr. Belanger asked that a draft charge and committee make-up recommendation be prepared for consideration at our June 4th meeting. Mr. Reed suggested that community members be involved, and that some type of follow-up system be implemented in this regard.

Police Department – Awards

Before the awards ceremony began, Chairman Belanger noted a recent boat safety course given for members of the Burncoat Pond Water District, which he highly recommended to other water districts. He asked whether the Chief would be policing waterways. Chief Hurley stated that it is his hope to be able to do so this year.

Chairman Belanger made the following presentations to various police department staff, with the assistance of Police Chief Hurley:

- Life Saving Award – established for sworn department personnel, recognizing an officer or team of officers who, through direct medical intervention, is/are responsible for saving a life. This year's recipients are Sgt. Joseph Fontaine, Officer John Caforio, Officer Alexander Samia, and Dispatcher Trina Deary.
- Meritorious Service Award – established for sworn department personnel, recognizing superior action by an officer to a specific situation. This year's recipient is Officer Julie Berry.
- Police Community Service Award – a highly credible accomplishment for sworn department personnel recognizing superior action by an officer to a specific situation. This year's recipient is Officer Joseph Hamm.
- Outstanding Performance Award – established for sworn department personnel and recognizes credible acts in the line of duty. This year's recipient is Officer Daniel Dyson.

The Board members commended this fine group of police department personnel, noting the dedication and efforts made on behalf of the citizens of Leicester. The Chief thanked his entire department for their work ethic. All agreed that the first annual awards ceremony, held May 3rd at the Knights of Columbus, was very successful.

Board Reports/Other Business (continued)

Mr. Belanger read from a list of assessments to the Town from the Worcester Regional Transit Authority (WRTA) noting an additional assessment of some \$11,000+ for bus transportation increases due to the opening of the Wal-Mart facility on Route 9. The total amount will be shared between the Towns of Leicester and Spencer. Ms. Provencher asked for an exact figure for Leicester's portion. Mr. Brennan noted that this assessment is listed on the so-called Cherry Sheet, which would reduce the Town's revenues in that amount. Mr. Belanger suggested that the TA and Ms. Provencher speak with Wal-Mart representatives to see if they could share in this cost. Mr. Brennan did not feel that Leicester should take the hit at all. Ms. Provencher will be glad to meet with Wal-Mart officials, but felt that the WRTA is making money on this increased ridership. Mr. Belanger noted that bus fares pay but a small portion of costs, and that the bulk of the transportation costs are paid by federal and state apportionments. Mr. Zagorski agreed with Mr. Brennan; there is no way we should absorb any additional assessments, this is yet another unfunded mandate. The Board directed the TA to work with Ms. Provencher or Mr. Zagorski in this regard.

Town Administrator's Report (continued)

- Mr. Reed commended the efforts of the Leicester Highway Department and the Leicester Water Supply District for recent repairs to water service at the Town Hall facility. They helped to minimize the service disruption and reduced related project costs. The Town Hall Building Commission has agreed to pay for the repairs.
- Mr. Reed reported on incoming quotes for Greenville Dam engineering survey, which is required by DEM for what may be emergency repairs. Mr. Belanger suggested contacting local water and sewer districts who use this type of engineering service, which may be helpful.
- Mr. Reed reported that there will be an upcoming meeting of the EMS/Fire Study group. Mr. Zagorski asked the TA to follow up with the neighbor regarding parking issues at the Water Street station, as he continues to receive correspondence in this regard. The Board asked how to best deal with parking issues. Mr. Antanavica assured them that there is no solution at this time, they do the best they can with limited space, but they have done all they can for the neighbor.

Board Reports/Other Business (continued)

Mr. Zagorski reported on upcoming meeting with Becker College officials and representatives of the Town scheduled for June 4th at 4:30pm at one of the Becker sites, at which time several pending projects will be discussed.

Mr. Brennan asked that we therefore postpone the Hillcrest CC sub-committee meeting with the consultant, which was previously scheduled for June 4th.

Mr. Zagorski reported on project he has been involved with regarding renewable energy. Local resident and Planning Board associate member Scott Broskey will give an update to the Selectmen at our meeting of June 21st. A engineer will survey the town at no cost, which will allow the Town to be ready should grant funds become available for this type of program.

Mr. Zagorski reported on upcoming Economic Development Committee meeting scheduled for next week.

Mr. Zagorski reported that the Leicester Lions Club is the recipient of the Best Mid-sized Lions Club within the State, some 150 clubs being represented. The Board asked that a letter of congratulations be sent.

Mr. Antanavica reported that the regional dive team was put to work today for a search and rescue mission in the Town of Holland. He is pleased that this mutual aid approach is working out as planned.

Mr. Antanavica distributed copies of Statement of Interest from Mass School Building Authority (MSBA) with regard to possible funding of school building related projects. He noted that meetings with School Department representatives has resulted in a list of priorities for which the group is recommending be forwarded as potential projects that may fall under MSBA criteria. A formal application would be needed at a later date, but he is asking now for the endorsement of the Board of Selectmen. The Board is required to take a formal vote, which must be signed by an authorized represented of the Board of Selectmen, after which the project forms will be forwarded to the School Committee for their consideration. Final endorsement by the School Committee and accompanying information will then be processed as required.

MOTION: Mr. Brennan moved to authorize Town Administrator Robert Reed to sign MSBA forms on behalf of the Board of Selectmen. Mr. Zagorski seconded. UNANIMOUS

Mr. Antanavica requested support on the following projects:

Leicester Primary School – Priority 1

Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists. The Primary School's roof is significantly leaking in a number of locations. Health and safety concerns are evidenced by water on the floors, water behind the walls and electrical areas, and spontaneous mold outbreaks.

MOTION: Mr. Brennan moved to support and therefore endorses the Leicester Primary School roof project under Priority 1. Ms. Provencher seconded. UNANIMOUS

Leicester Primary School – Priority 5

Replacement or renovation or modernation of the heating system in a school house to increase energy conservation and decrease energy related costs in the school house. The Primary School's heating system is currently over 31 years of age, with all original equipment with the exception of minor upgrades. The current technology of the system does not allow for individual control of office and classroom temperatures, and cannot take advantage of significant fuel and energy savings which a modern replacement heating system would do.

MOTION: Mr. Brennan moved to support and therefore endorses the Leicester Primary School heating system project under Priority 5. Ms. Provencher seconded. UNANIMOUS

Leicester Middle School – Priority 1

Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists. The Middle School's roof is significantly leaking in a number of locations. Health and safety concerns are evidenced by water on the floors, water behind the walls and electrical areas, and spontaneous mold outbreaks.

MOTION: Mr. Brennan moved to support and therefore endorses the Leicester Middle School roof project under Priority 1. Ms. Provencher seconded. UNANIMOUS

Leicester Middle School – Priority 5

Replacement or renovation or modernation of the heating system in a school house to increase energy conservation and decrease energy related costs in the school house. The Middle School's heating system is currently over 40 years of age with all original equipment with the exception of minor upgrades. The individual room convectors are over 51 years of age and are obsolete at this point in time. The current technology of the system does not allow for individual control of office and classroom temperatures, and cannot take advantage of significant fuel and energy savings which a modern replacement heating system would do.

MOTION: Mr. Brennan moved to support and therefore endorses the Leicester Middle School heating system project under Priority 5. Ms. Provencher seconded. UNANIMOUS

Leicester School Administration Building – Priority 7

Replacement or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements. The current Administration Building at 1078 Main Street is inadequate due to facility constraints for the Office of the Superintendent to fully discharge its mission for the school district. We have eight full-time personnel and two part-time personnel crowded into a 2400 sq. ft. building. There is significant flooding in the basement, the boiler system is over sixty-seven years of age, there is no conference/meeting space, there is asbestos in the building, there is significant window separation, one-zone heating for two floors, marginal electrical system, and inadequate parking for staff and public.

Mr. Brennan asked if the School Administration Building upgrade included the possibility of relocating the offices within the Town Hall facility. Mr. Antanavica stated yes.

MOTION: Mr. Brennan moved to support and therefore endorses the Leicester School Administration Building replacement project under Priority 7. Ms. Provencher seconded. UNANIMOUS

Leicester High School – Priority 3

Prevention of the loss of accreditation. The recent NEASC report of October 2006 listed several areas of concern with regard to the lack of technology resources and the need for HVAC system upgrades. In addition, athletic areas, although not obsolete, are lacking and do not support the safe, positive, and respectful sense of pride and ownership.

MOTION: Mr. Brennan moved to support and therefore endorses the Leicester High School accreditation proposal under Priority 3. Ms. Provencher seconded. UNANIMOUS

Mr. Zagorski asked what the reimbursement rate would be with regard to these proposed projects. Mr. Antanavica explained that the ratio has not yet been determined to his knowledge.

The Board thanked Mr. Antanavica for his report and work on these important school facilities upgrades.

Ms. Provencher reported on recent OSRPC meeting, with draft of Open Space & Recreation Plan to be distributed this week. She urged all boards and departments to respond to the survey contained in the Plan.

Ms. Provencher reported on Hillcrest CC sub-committee meetings, noting that discussions on upgrades to the building have resulted in figures of \$1million costs to complete. She also noted that Becker College is interested in utilizing the facility. Mr. Reed explained that they are working on overlaying maps with available space, golf course layout, and building facilities to better determine what the site contains; this will be needed for RFP process. Ms. Provencher noted that this will also help to determine property boundaries. She also reported that to move the two holes across Pleasant Street would be very expensive. Other issues under discussion have been crosswalks, sewer connections, and errant golf balls. With regard to golf balls, Mr. Belanger asked someone on the committee to respond to neighbors complaints.

Mr. Brennan noted upcoming festivities and encouraged all to attend Memorial Day parade and related services in Leicester, including open house at Cherry Valley and Rochdale Legion Posts.

Mr. Brennan asked that Mass. Highway be contacted to make repairs to Route 9 east of St. Joseph's Church.

Mr. Brennan asked what is happening with Route 56 repaving project. TA noted possible amendments to "TIP" projects that are under consideration; he is hearing that increased costs in fuel and materials is causing delays with proposed projects. Ms. Provencher will find out at her next meeting with CMRPC. Mr. Brennan asked that a letter be sent to legislators urging that this project be done now, the roadway is falling apart. Mr. Antanavica noted that the Town did its part by paying for the engineering a year ago to be prepared for what we were told would be a 2007 project, now here we are being delayed again for 2008. Mr. Belanger felt that, since it's delayed again, why not look into the sidewalks that he agreed to forego because the project was set to move forward. Ms. Provencher noted that sidewalks would be very costly and would require drainage cuts.

Mr. Brennan asked for support on fight to prevent DEP from changing regulations with regard to water quality issues, which City Manager Michael O'Brien is taking the lead on. He felt these changes are merely methods by DEP officials to give workers a job. He asked for a letter to be forwarded to legislative representatives in this regard. Mr. Zagorski was confused, he thought the issue at hand involved sewers. Mr. Brennan agreed, but knows that both water and sewer regulations are being tampered with at a cost to the communities and districts. Mr. Zagorski suggested waiting for specific information before we send any letters.

Mr. Brennan noted recent accomplishments of Leicester resident Linda Looft, one of our unsung heroes, and asked that a letter be sent congratulating her on a recent award.

Mr. Brennan reported that he had the unfortunate experience of attending a fire in Spencer, but saw the accomplishments made by the mutual aid teams. He was very impressed with the performance of these public safety personnel.

Mr. Belanger asked that we support through a letter to legislators the "status quo" with regard to cable contracts within municipalities, as per recent notice from MMA.

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

The meeting was adjourned at 8:20pm.

Respectfully submitted,

Susan LeChasseur,
Administrative Assistant