

**MINUTES  
SELECTMEN'S MEETING  
JULY 23, 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 of contract negotiations, no public announcements anticipated, Board to reconvene in open session. Ms. Provencher seconded. The Board was polled: ALL AYES

The Board went into Executive Session at 6:02pm.  
The Board came out of Executive Session at 7:20pm.

**Public Hearing – Ginzzies, 850 Main St**

MOTION: Mr. Brennan moved to open public hearing.  
Ms. Provencher seconded. UNANIMOUS

Richard Glasberg and his wife were present on their application for a Common Victualler's License at 850 Main St. He promotes a family restaurant serving burgers, salads, sandwiches along with ice cream and perhaps dinner specials. He wants to be open Tuesday-Sunday from noon until 7:00pm. He submitted the Permit/License Form, which has yet to be completed, with inspections scheduled this week.

Ms. Provencher, noting his grand opening is publicized for July 31<sup>st</sup>, asked if he could wait another week should inspectors require certain work. If he had to, he would; it was his intent to do training those first few days.

Mr. Antanavica asked if he had been in this business before. Mr. Glasberg stated that he has worked in the business, but not owned one before.

Mr. Zagorski asked if he would have outside seating. Mr. Glasberg stated yes, that is available. Mr. Zagorski asked if parking area was sufficient. Mr. Glasberg reported that he had eight spaces below, and twelve more in lot above.

MOTION: Mr. Brennan moved to approve Common Victualler License for SuRch Enterprises, LLC, d/b/a Ginzzie's, subject to completion of Permit/License Form, hours to be set for 6:00AM-11:00PM. Ms. Provencher seconded. UNANIMOUS

**Public Hearing – Convenient Auto, 1137 Stafford St**

MOTION: Mr. Antanavica moved to open public hearing. Ms. Provencher seconded. UNANIMOUS

Travis Johnson was present on his application for Motor Vehicle Repair and Class II Used Car Sales at 1137 Stafford St. He noted the property is across from Rochdale Post Office, was previously run as RB Collision, he and a partner have purchased the property, which includes the diner and laundromat.

Discussion on number of vehicles requested and where they would be stored. The Board asked that no junk cars be on the lot, no cannibalized vehicles be visible. He reported that body work would not be done on premises and he has no intention of dealing with junk cars. The Board asked that no repairs be done outside, this being a residential neighborhood.

Mr. Brennan expressed concern that there were vehicles there now for sale. Mr. Johnson stated they belonged to his business partner, Robert Dumais, who told the Board that the vehicles were from another lot he has in another town. Mr. Johnson stated that Ray Buckley still holds a license for the property, and allowed use of lot. Mr. Brennan stated he had heard differently, and was concerned that an applicant

would actually put cars out for sale prior to being issued a license. Mr. Johnson apologized; he didn't realize it would be a problem. Mr. Brennan wondered if he had knowledge of the business. Mr. Johnson stated yes, he has worked in the field for years and sold cars on his own.

Mr. Brennan asked what the hours of operation would be. Mr. Johnson requested 7am-6pm Monday thru Saturday. Mr. Brennan suggested 8am opening in this residential area. Mr. Johnson wanted people to be able to drop their car off earlier, and agreed to no repairs before 8am. Mr. Antanavica felt they should be closed on holidays.

Number of motor vehicles agreed to included 15 for sales, 8 for repairs, with an additional 4 for repairs stored inside.

MOTION: Ms. Provencher moved to approve Motor Vehicle Repair and Class II Licenses for Travis Johnson, d/b/a Convenient Auto Repair and Sales. Mr. Antanavica seconded.  
UNANIMOUS

### **Appointments – various boards and committees**

MOTION: Mr. Brennan moved to appoint Dianna Provencher as Selectmen's rep to CMRPC, with Tom Wood as alternate. Mr. Antanavica seconded. 4-0, Ms. Provencher abstained

MOTION: Mr. Brennan moved to appoint slate as submitted, including Martin Pratte as LBA rep to Government Study Committee. Ms. Provencher seconded.

Discussion – Mr. Zagorski raised concern over one member with regard to residency. Mr. Reed noted there is no residency requirement in Leicester and the Town Clerk reports the individual is on the voters list, therefore considered a resident. Mr. Antanavica felt the census stated differently. Mr. Reed explained Town Counsel advised that residency is not easily defined nor can it be easily confirmed, it is a very complicated issue. Counsel feels that individuals act in the best interest of the Town, and there is a rule of thumb, a rule of consistency, that we trust folks are doing the right thing. Mr. Belanger noted also that it would be the Town Clerk or Board of Registrars that would pursue this issue; it is not the authority of the Board of Selectmen. Mr. Zagorski appreciated the information, the question was raised, and he feels we have the right answers. Mr. Antanavica expressed concern; he has heard for years that one member was not a resident but the individual is voting on matters concerning zoning in this town. He feels the Board is setting a precedent by allowing members from out of town. He noted a recent 4-page letter sent, stating that he named the individual, which was incorrect. Mr. Belanger agreed, noting Mr. Antanavica had taken pains to not name anyone in particular. Mr. Belanger felt that legitimate concerns had been raised, but the rules would have to be changed, and we cannot do that now in this format. Mr. Brennan asked if we could instead limit the term of office while a change to the Bylaws is considered. Mr. Belanger stated no, that option is not available.

VOTE: 4-1, Mr. Antanavica opposed.

### **FY'08 Materials Bids – Highway Department**

MOTION: Mr. Brennan moved to award bids as presented in list from Highway Foreman dated 7/18/07. Ms. Provencher seconded. UNANIMOUS

### **Correspondence**

1. Memo from EMS Director requesting appointment of Jonathan McNamara as EMT/Basic per diem.

MOTION: Mr. Brennan moved to appoint as requested, subject to all Town personnel procedures. Ms. Provencher seconded. UNANIMOUS

2. Memo from Town Planner requesting co-application CMRPC no-cost technical assistance grant for economic development projects.

MOTION: Mr. Brennan moved to approve request, and authorize co-signature of Chairman of BOS. Mr. Provencher seconded. UNANIMOUS

3. Memo from Town Planner stating that there would be additional training funds available for any C.40B projects that are brought to the Town in the future, although the first \$10,000 for the Stafford St project have been depleted. Mr. Antanavica felt board members should be trained ahead of time, not wait for a project submittal. The Board asked that a memo in that regard be sent to the Zoning Board of Appeals, who hears these applications. MEMO

4. Memo from Planning Board supporting a moratorium on 40B projects until improvements are made to Chapter 40B. The Planning Board will send a letter of support, as did the Selectmen, to the Town of Walpole in their quest to have this law reviewed. FILE

5. Copies of letters to Mass Highway and CMRPC regarding Draft Route 9 Traffic Study. Mr. Belanger reported that he and Mr. Reed met with State Highway officials regarding ongoing issues with Route 9 traffic reconfiguration that was done recently, along with other pending MaHwy issues at hand. Mr. Antanavica urged residents to view the Draft Study as it will affect neighborhoods along Route 9, which is available at the Library and Town Clerk's office for public viewing. PENDING

6. Copy of letter to Fire Chief from Supt. Dubrule thanking them for assistance during recent water damage at High School. Mr. Antanavica reported this was apparently caused by sprinkler malfunction; he urged that keys for emergency access be in the lock box as required, as this was not the first time they were not available when needed. The Board asked for an estimate on claim and what might have caused the problem. PENDING

7. Copy of letter to School Supt. from Mass School Building Authority asking for determination of our #1 priority with regard to school rehab projects. Mr. Antanavica reported that he met with Carl Wicklund and Greg Shambo and concurred that our first choice for funding would be the Primary School roof. Dr. Dubrule will respond accordingly. FILE

8. Letter from Greater Worcester Community Foundation thanking the Town and staff for its assistance during funding cycle. FILE

9. Notice from DEP regarding availability of waste cleanup grants. Info forwarded to other dept. FILE

Late – Letter of resignation from School Committee member David Stanick. Mr. Reed to send letter of thanks. FILE

Late – Request from Interim Librarian to dispose of obsolete equipment.

MOTION: Mr. Brennan moved to approve request to dispose of obsolete equipment, as listed.  
Ms. Provencher seconded. UNANIMOUS

Late – Memo from Police Chief in support of legislation for so-called "red light camera" identification. PENDING

Late – Mr. Reed recommended appointment of James Smith as part-time 19.5 hr custodian for Town Hall. The Board asked if we had looked into Leicester residents or those that may be laid-off from employment. Mr. Reed stated that he left the hiring up to the department head, Jeff Taylor, that the Selectmen are not meeting for another month now, and the position has been vacant for several weeks and it's taking its toll. The Board asked that the TA find out more about the process. PENDING

### **Town Administrator's Report**

- Mr. Reed noted proposed Chapter 90 resurfacing plan for FY'08.

MOTION: Mr. Brennan moved to approve. Ms. Provencher seconded.

Discussion on various streets that the Board has concerns with, namely Auburn St, Huntoon Highway, Collier Ave, and sidewalks along Memorial Drive. Board members will follow up with Foreman on particular concerns.

VOTE: UNANIMOUS

- Mr. Belanger, noting the sidewalk paving issue, spoke to a concern of many residents regarding school bus transportation issues; how will the children get to school. With the new policy adopted by the School Dept., if walking is their only option, many areas have no sidewalks; it could be stormy or dark out. For instance, the younger kids who go to Memorial School. What about crossing guards, and what has been done from a public safety standpoint regarding this new transportation policy. Was there an impact study done, or were these cuts made solely to save a buck. The Selectmen felt there was fat enough within the School Budget to cut in other areas besides transportation. With school starting in six weeks, the Board asked that a meeting be held to address these public safety concerns. The Chairman will work with the TA on this.
- Mr. Reed reported that the Town was not awarded the DHCD Community Development Block Grant which we'd applied for the 2<sup>nd</sup> time. He is optimistic that we could raise our scores with more public input; we need validation of the need, the area we are lacking in. Mr. Brennan wondered if changing or moving the target area would help.
- Mr. Reed reported that the Town has received another \$11,000+ this year in insurance rewards point, a program administered by Ms. LeChasseur.
- Mr. Reed reported that the Town also received an additional \$5000+ in UST project reimbursements.
- Mr. Reed reported that the Hillcrest CC sub-committees voted to extend the current lease for one year to allow RFP process to be completed. He noted difficulty in obtaining mapping information, and now suggestions of other possible uses that added to the workload, making it difficult to meet the group's deadline. Mr. Brennan thanked the members for their hard work, and for keeping him informed while he was on baseball sabbatical. Mr. Zagorski asked about the consultant. Mr. Reed reported that we have used up allotted hours, but perhaps she could still answer some of our questions.

MOTION: Ms. Provencher moved to approve one-year lease extension per recommendation of Hillcrest CC sub-committee, term to run through 12/31/08. Mr. Brennan seconded.  
UNANIMOUS

### **Budget Discussion**

Mr. Reed distributed for review copies of FY'08 Budget projections updated as of 7/23/07. He noted the Cherry Sheet figures have changed, some \$75,000 less than previously issued by the State; however, we will be able to absorb this with Local Receipts, although not good for our budget picture. He asked the members to review the document and comment.

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

Mr. Belanger, after reviewing options, announced that we will meet again on August 13<sup>th</sup>.

Mr. Zagorski reported on survey of Middle School and Town Hall with regard to renewable energy, thanking facilities managers Bill Burt and Carl Wicklund for their assistance. He also thanked Scott Broskey who pursued the free inspection survey; funding potentials on recommendations to follow.

Mr. Antanavica noted recent retirement of Rescue Square member Don Peloquin, thanking him for his years of service to the Fire Department and the community.

Mr. Antanavica reported that the Fire truck used in mutual aid to battle Uxbridge mill fire was damaged during use, shorting out the electrical system. He wanted to thank those that assisted in battling this devastating fire.

Ms. Provencher reported on meeting with Town Administrator and Town Planner, both Mr. Reed and Ms. Buck contributing to the goal of getting through the legal process in our attempt to remove a parcel at Burncoat Park from passive to active recreational use. It is their hope that a narrated version will be acceptable rather than the Town spending funds on a full impact study.

Mr. Brennan wondered if we could look into the possibility of expansion of Rochdale Park to include restroom facilities and concession stand, which could be lucrative, and look toward opening the beach up to Town residents. Mr. Belanger warned that a study would need to be done to look at this fully.

Mr. Belanger thanked town departments and staff for their involvement with contract negotiations.

### **Executive Session – Collective Bargaining**

MOTION: Mr. Brennan moved to go back into Executive Session to complete discussions on contract negotiations, no public announcements forthcoming, the Board will adjourn with loss of quorum.

The Board went into Executive Session at 9:47pm.

The Board came out of Executive Session and adjourned at 10:00pm.

Respectfully submitted,

Susan LeChasseur,  
Administrative Assistant