

**MINUTES
SELECTMEN'S MEETING
OCTOBER 1, 2007**

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. Selectman Brennan was away on vacation.

Representative Binienda – Report to Town of Leicester

Chairman Belanger noted that the fiscal state of the Town is dismal at best. He reiterated that we cannot handle any more of the State's unfunded mandates, which affect our annual budget. We cannot handle the budget deficit these State mandated programs cause. He asked Rep. Binienda for a statement.

Rep. Binienda wished he had good news to deliver, but things are not good at the State level; Lottery proceeds are down some \$120 million. As Chairman of the State's Revenue Committee, there is a 2.9% new growth estimate. However, revenue losses will all but wipe that out. He felt internet sales take away from sales tax revenues that are not reported, and felt our proximity to New Hampshire has also affected sales tax proceeds. With the Federal government sending hundreds of billions of dollars overseas to fight the war in the Middle East, our country is suffering. Local Aid cuts are expected, perhaps level funded in FY'09, resulting in actual cuts considering the increasing costs for services.

Mr. Belanger agreed that we are in deep trouble, but he felt we can fix some things. For one thing, the unfunded mandates that the State continues to impose. He noted that at least the Senate has made proposals as to how to offer some relief, while the House just keeps saying "no" to any changes without offering any other suggestions as to what might work. He did not feel that the House of Representatives was working on our behalf. He sees them instead saying "no" to any new taxes, implementing some \$1million in School education mandates, and making us do the hard work within our budgets to somehow absorb these exorbitant costs. He sees that as being taxed in the long run, but letting the legislators off the hook and making us deal with the increases on a local level. For example, the House has said "no" to proposals changing regulations that would call for Verizon to pay property taxes rather than being exempt. Why does this company get relief while we continue to be dealt with cuts in local aid and increased costs through new mandated programs? And the Speaker was opposed to the Municipal Partnership Act.

Mr. Binienda stated that the Speaker of the House was not against all aspects of the Municipal Partnership Act, some portions of the bill were approved.

He did not feel we should start charging Verizon property taxes, as they already pay millions in other taxes, and any further costs may jeopardize their fiber optic upgrades. He noted also that Verizon pays for every pole installation, while electric and cable companies use the poles without paying any fees. He asked if we were going to start charging taxes for materials used to produce publications such as ink, paper, etc.; the local press does not contribute to our tax base either. He spoke of programs brought forward by the House such as the Group Insurance Commission.

Ms. Provencher asked if the legislators were going to stop implementing unfunded mandates. Mr. Binienda stated that he was not in favor of them.

Mr. Reed noted that the Town of Leicester signed a two-year deal under the Mass Municipal Association for health insurance coverage through FY'09. We went out to bid with good results, costs lower than anticipated. With the Group Insurance Commission's plan, we would have to sign a 3-year Agreement without knowledge of those rates, and there may be increased costs due to those communities that have poor loss experience. Mr. Belanger agreed; others screw up and get the benefit of our close watch over insurance claims, helping to keep our rates lower, yet we would have to pay higher rates if we joined the State's group insurance program. Mr. Reed stated that presently the Group Insurance Commission's plan may not help us.

Mr. Belanger felt that the House in particular and the Senate in general have passed these bills calling for increased costs to the towns. He felt that they are shying away from any so-called tax increases, but we

are having to implement taxes locally via fees we are having to charge for services such as student bussing, sports programs, and the like. He felt the legislators are shirking their responsibility and piling the problems on to us to deal with at the local level.

Mr. Antanavica too was upset about continual unfunded mandates put on the cities and towns. He noted that there are programs that are funded the first year, making the legislators look like heroes, then the funds are cut the second year and the towns have to absorb those costs. He noted a recent bill calling for "2 and 2" for firefighters; well, with Leicester being an on-call fire service with a \$200,000 annual budget, compare that to what the program would cost the town, some \$200,000 for four firefighters. We cannot afford those changes in regulations. He felt the State should stop spending time trying to figure out new legislation, but instead go after the companies that have robbed the State (through construction projects). Why aren't they being pursued.

Mr. Binienda reported that the House wants to reinstate toll collections at Exits #1-6 on the Mass Pike; why did we give up that revenue, the toll booths are still being maintained and roadway maintenance costs continue. He is in favor of this change as a revenue source that was cut by previous administration.

Mr. Antanavica asked why the Town had to use Chapter 90 moneys allotted for roadway improvements to make repairs to Route 56, a State Highway that was scheduled to be repaved by the State two years ago. We were asked to be prepared, spent our funds on engineering plans, now the project has been put off time and again, and has still not been put out to bid by Mass Highway Dept.

Mr. Zagorski agreed that Federal funds are trickling out of the country, and we can no longer handle the deficit being created at the local level. He did see how internet sales could be an issue, how we are losing sales tax due to increased purchases over the internet, but he did not feel New Hampshire's lack of a sales tax has made any affect recently, as that has been in place for years, nothing has changed there. He asked why the Dept. of Revenue is not going after internet sales tax. Mr. Binienda said that the residents are not declaring their purchases. Mr. Zagorski did not feel the local resident should be pursued on this, but the companies making the sales; the DOR is the watchdog, why aren't they doing their job. Mr. Binienda reported that there is a bill in the works that speaks to this issue.

Mr. Zagorski asked if Proposition 2½ hadn't outlived its usefulness, isn't it time that it be amended. Mr. Binienda felt there would be a revolution if the legislators tried to change that law.

Mr. Reed noted that our Local Receipts were indeed increased in FY'07 as Rep. Binienda indicated, but charges have also been increased, resulting in a net 1.4% increase in State Aid. Mr. Belanger felt this is hogwash, nothing but a shell game being played by the Speaker of the House. He agrees with the concept of a tax cap, but some things can be changed to make it better for the cities and towns. An easy fix would be to remove the Overlay amounts from the Proposition 2½ limit. Another suggestion that has been made is to have the State administer the Special Education program, so as not to have 351 cities and towns hassling over those State mandated programs. He listed a number of costs related to these programs, totaling \$1million in unfunded mandates that take away from Leicester's budget.

Mr. Zagorski added that he would like to see the legislature get the budget set on time. Mr. Binienda noted that they did do it this past year. Mr. Reed noted, however, that there was yet another amendment to their budget in July reducing State Aid.

Scott Rieder, Chairman of the School Committee, noted that it is indeed the hidden mandates that are killing the Town. For instance, the recent SPED circuit breaker evaluation; in years past results could be implemented over time, but we now have to act immediately to correct what they saw as lacking during recent evaluation, and must hire another psychologist immediately, with no plans to fund such a position within our budget. He felt we will lose school choice next, as amenities that attract students to Leicester will have to be cut with the unfunded mandates that continue to be imposed.

Mark Armington, School Committee, thought it ironic that the State used the term "pothole funds" for the reserve money in Chapter 70 that is used to subsidize shortfalls in the School. Based upon a written request outlining specific deficiencies within the system as found through various audits, the State can

reallocate these funds, which have been approved for Leicester in the past. However, he felt this was likened to a finger in the dike method of fixing things, instead of addressing the real issues.

Mr. Belanger noted that Selectmen Brennan, while he couldn't be here this evening, wanted Rep. Binienda to be made aware that the inequities in the system are pitting school and general government against one another. His idea that the State take over SPED transportation administration is the only way to take this fight out of each and every community, and instead have the program funded at the State level.

Mr. Belanger asked, before they pass any new legislation that will supposedly help communities, that they first involve local governments to get our read on whether or not such a plan would work. Because, he noted, we are the ones that have to make it work, we have to play the cards we are dealt.

Mr. Armington noted that Local Aid funding has declined steadily since the year 2000, while costs have continued to increase. He was amazed at the fact that it cost approximately \$700 per pupil out of pocket for parents to send their children to school these days; imagine, paying in the USA to send children to public school. He urged that education must come first for our kids and our country. We need to pay for education first, not consider doing so "if" gambling casinos are approved or "if" retail sales improve. He felt that we need the State and Federal government to fix the problems that exist. Teachers give 100% and more toward educating our students, not knowing if moneys will be available to fund their positions.

Mr. Belanger felt that we need a working summit, we are in crisis. What is the potential for a real summit, one that utilizes fiscally responsible individuals like those here in the Town of Leicester. We need solutions, the net results of the changes made at the State level have been bad for the communities. Rep. Binienda stated that he could set up meetings for local officials with higher ups at the State House. Mr. Belanger stated that he would absolutely be there, let him know when.

Mr. Antanavica asked why it is taking so long to implement the camera ready ticketing program; equipment would be donated, the company would get a percentage of the fees collected, the officers can send tickets to motorists electronically, which translates to local revenues. He asked that the legislators get this program moving.

Chairman Belanger and other Board members thanked Rep. Binienda for his attendance. Rep. Binienda was pleased to have the opportunity.

The Board recessed at 7:26pm.

The Board reconvened at 7:30pm.

Joint Appointment Process – Advisory Board

Chairman Belanger noted that Moderator Bill Griffin chose not to attend this evening, but is in favor of the appointment.

Richard Harris, applicant, stated that he has been a resident of Leicester the past seven years, with this his first opportunity to move on his interest to get involved in town government; he now has the time to devote. His has a financial background and a degree in political science. Mr. Cote stated that he had suggested Mr. Harris apply, who attended meetings, and has the support of the Advisory Board for appointment.

Mr. Goodney nominated Richard Harris for membership on the Advisory Board. Mr. Belanger noted that a nomination to office does not require a second. The Boards were polled:

<u>Board of Selectmen:</u>		<u>Advisory Board:</u>	
Ms. Provencher:	AYE	Mr. Shambo:	AYE
Mr. Antanavica:	AYE	Mr. Connolly:	AYE
Mr. Zagorski:	AYE	Mr. Giggey:	AYE
Mr. Belanger	AYE	Mr. Verrick:	AYE
		Mr. Cote:	AYE
		Mr. Culross:	AYE
		Mr. Goodney:	AYE

Ms. LeChasseur noted term to expire June 30, 2010, Mr. Harris will need to see Town Clerk to be sworn into office prior to serving the Town. The Board thanked Mr. Harris for his interest, welcoming him.

Correspondence

3. Letter to Town Counsel from Ethics Commission regard Leicester School Committee members, stating that the matter has been referred to the Commission's Enforcement Division. Scott Rieder, School Committee, stated that he has discussed same with their School attorney, and he awaits a decision from Attorneys Cove and Toomey. He has been assured that the teachers' contracts are in no jeopardy. Mr. Belanger noted that, as has been advised, always err on the side of caution with regard to ethics. He thanked Mr. Rieder for the forward movement that has been made of late. FILE

1. Memo from Town Administrator regarding Fiscal 2009 Budget sent to all departments, boards and committees laying out the bleak picture ahead. Mr. Belanger felt it was a good message. The Board discussed options available for departments that fall under their jurisdiction, could we "freeze" spending and have departments function on the least amount possible, therefore lending balances from FY'08 to be made available as Free Cash for appropriation in FY'09. Mr. Reed felt this would be an issue for the budget sub-group, there needs to be a written agreement to rely on in the end. Mr. Antanavica felt there must be cost savings, because in the end it could mean personnel cuts instead. Mr. Zagorski suggested monthly budget forecasts be implemented, there is software out there that can provide this type of information, we need actual costs to determine budgeting. Mr. Reed felt we have that information already, but we need to pay closer attention to it. However, some departments have the ability to carry over and move money around within their budget, taking away any true picture of operating costs. Mr. Belanger felt we should lead by example, not wait for the budget sub-group to work on this, put an agreement together now. Mr. Reed felt a budget policy needs to be established at the Advisory Board level, stating that departments will not be punished by having line items cut if they can save the Town money through not spending down their operating budget. The Board agreed and asked that such a budget policy be developed. Using supplies as an example, Ms. Provencher asked Mr. Reed, as Procurement Officer, how central purchasing implementation is progressing, which should save money. Mr. Reed noted that we utilize the State bid list and regional purchasing options whenever possible.

2. Fall meeting schedule from MMA for legislative breakfasts meetings held regionally, with Shrewsbury holding one on October 19th. Mr. Belanger suggested we put in bullet formula our discussions earlier this evening with Rep. Binienda and begin with that as a promotion to Mass Municipal Association. Any members interested in attending the meeting need to contact Ms. LeChasseur to sign up.
PENDING

Set Trick or Treat Hours

MOTION: Ms. Provencher moved to set Trick or Treat hours from 5-7pm on October 31st.
Mr. Antanavica seconded. UNANIMOUS

Appointment – Parks & Recreation Committee

Application from Ronald Tarentino, 5 Hemlock St, for membership on Parks & Recreation, who is being recommended by the group.

MOTION: Ms. Provencher moved to appoint Ronald Tarentino to Parks & Recreation, term to expire June 30, 2008. Mr. Zagorski seconded. UNANIMOUS

Renewable Energy Report – Update

Mr. Zagorski reported that the Memorial School and Town Hall properties were given a cursory look relative to energy efficiencies. The company commended the efforts of the Town Hall custodian for keeping this ancient boiler going, which is in pretty good shape overall, however inefficient. Lighting was in pretty good shape, although upgrades could be made to save energy in the end.

Since then, the Middle School “water towers” area has been given priority over the Town Hall as a wind collection site. Memorial School will be included as well, with both locations having pros and cons. Mr. Belanger asked if the Hillcrest Country Club site had been considered. Mr. Zagorski stated no, but we can include a third location of the site survey application. The Board agreed.

Mr. Zagorski noted the next step being any associated costs being determined. He commended the efforts of Scott Broskey, resident and Planning Board Associate Member, who has spearheaded this project.

MOTION: Ms. Provencher moved to approve Chairman executing Mass. Technology Collaborative Municipal Wind Turbine Site Survey Application, to include three site locations. Mr. Antanavica seconded. UNANIMOUS

Treasurer – Tax Bill Options

Mr. Belanger noted that Ms. Pierce was unable to attend this evening, but he would like to speak with her about a tax bill option which could allow for “gift” funds to be selected by property owner and donated to the town. Mr. Zagorski thought that it might pertain to scholarships only. Mr. Belanger stated that he is still researching this matter and will bring it back up when he has more information. PENDING

Town Administrator’s Report

Mr. Reed is looking into available funds from Division of Energy Resources, which could give more moneys toward energy efficiency efforts by Mr. Zagorski, and also a new woody-bio-masses funding category.

Mr. Reed is working with M.O.R.E. regional group toward aggregate supplier program relative to utilities.

Mr. Reed has materials for the Board’s review from recent meeting held at DCU in Worcester gambling proposals facing the State, pros and cons were discussed.

Mr. Reed reported that we need to revisit Highway Dept.’s washed sand bid award, as there were discrepancies in the pricing, whether per ton or per yard. The net result creates a better situation for Leicester, and all parties have agreed to the change.

MOTION: Ms. Provencher moved to amend bid award for Washed Sand material from Aggregate to Bond Construction, as recommended. Mr. Antanavica seconded. UNANIMOUS

Mr. Reed noted that former Town employee Dolores Cote has been a big help of late, as she filled in at the Highway Department while the clerk was out on sick leave.

MOTION: Ms. Provencher moved to send letter of appreciation to Mrs. Cote. Mr. Zagorski seconded. UNANIMOUS

Mr. Reed reported that Inspector of Buildings Jeff Taylor is recommending a John Bowen as part-time custodian at Town Hall, after the first hiring did not work out.

MOTION: Ms. Provencher moved to appoint John Bowen as part-time custodian, subject to all Town personnel procedures. Mr. Antanavica seconded. UNANIMOUS

Mr. Reed reported that he is in the process of acquiring bid proposals for auditing services.

Board Reports/Other Business

Mr. Zagorski reported on Becker projects; construction of dormitory is making progress along with grant availability through Congressman Neal’s office for possible May House rehabilitation. Mr. Reed noted also continuing discussions surrounding Hillcrest Country Club.

Mr. Zagorski reported on receipt of \$2000 for improvements to Lions Park, which was used to purchase plants. Sheriff Glodis sent a crew of inmates from his community assistance program; the job was completed, all foliage planted in a days time. The Board asked that a letter of thanks be sent.

Mr. Antanavica reported on recent retirement party for Firefighter Don Peloquin; festivities included a golf tournament and was very successful.

Mr. Antanavica reported on payment due Town from last winters plowing & sanding of sub-divisions roads still under construction. He felt the fees were too low, which would prompt the developer to just keep letting the Town maintain the roads; they have no incentive to make them public ways. He asked that Town Counsel follow up on fees due and how we might collect them.

Mr. Antanavica noted monthly reports from Police Chief and Town Planner, and asked that we also receive these types of reports from the Fire, EMS & Highway Departments.

Mr. Antanavica noted the upcoming Massasoit Arts Guild show to be held on October 13th & 14th, with the award winning piece to be donated to the Town of Leicester.

Ms. Provencher noted upcoming Open Space & Recreation Plan meeting scheduled for October 16th, urging members to attend to complete the work that Town Planner Michelle Buck has done on behalf of the community.

Ms. Provencher noted upcoming CMRPC meeting in Southbridge on October 9th concerning Brownsfields sites; she will attend and report back.

Ms. Provencher reported that she is working on the Town's portion of a heritage landscape survey relative to the Chicopee watershed area.

Mr. Belanger noted that we were looking to fill the at-large seat on the recently appointed Revenue Development Committee (REC), and we have Robert Kennedy of Rochdale interested in serving.

MOTION: Ms. Provencher moved to appoint Robert Kennedy as at-large member to R.E.C., term to expire yearly on June 30th. Mr. Antanavica seconded. UNANIMOUS

Mr. Belanger appreciated the Board's comments and input this evening relative to the dire financial situation we are facing, which is the same at the WRTA on which he serves; he felt we must keep the message up front, as everyone will be in line at the State House looking for additional funds.

Minutes

MOTION: Mr. Antanavica moved to approve 9/17/07 Regular and Executive Session minutes. Ms. Provencher seconded. UNANIMOUS

Executive Session – Contract Negotiations

MOTION: Ms. Provencher moved to go into Executive Session for the purpose of contract negotiations, Board to adjourn with loss of quorum, no public announcements expected. Mr. Antanavica seconded. The Board was polled: ALL AYES

The Board went into Executive Session at 8:19pm.

The Board came out of Executive Session and adjourned at 8:45pm.

Respectfully submitted,

Susan LeChasseur,
Administrative Assistant