

**MINUTES  
SELECTMEN'S MEETING  
FEBRUARY 3, 2014**

**CALL TO ORDER/OPENING**

Chair Wilson called the meeting to order at 6:30pm. Members present were Sandra Wilson, Douglas Belanger, Matthew Dennison, Dianna Provencher, and Thomas Buckley. Also present was Town Administrator Kevin Mizikar.

**PUBLIC COMMENT PERIOD**

Ms. Wilson noted there were no members of the public present.

**CORRESPONDENCE**

Ms. Wilson read a memorandum from Highway Superintendent Thomas Wood. The Snow & Ice Account is over \$57,000 in deficit including all salt on order.

Mr. Mizikar noted that the Town is having increasing difficulty securing salt deliveries from the contracted supplier.

**RESIGNATIONS**

**Dispatcher – Jason D. Hanbury** – Resignation letter read by Ms. Wilson. Motion to accept letter of resignation and direct the Town Administrator to perform an exit interview was offered by Ms. Provencher, seconded by Mr. Buckley. No discussion. All in Favor.

**Dispatcher – Kyle Gibbons** – Resignation letter read by Ms. Wilson. Motion to accept letter of resignation and direct the Town Administrator to perform an exit interview was offered by Ms. Provencher, seconded by Mr. Dennison. No discussion. All in Favor.

**Lateral Transfer – Sargent Daniel Dyson** – Chair Wilson explained that two actions were required, approval for the Chair to sign an voluntary demotion to the position of patrolman, followed approval of a lateral transfer to a patrolman position with the Auburn Police Department.

Motion was offered by Mr. Belanger to accept and for the Chair to sign a voluntary demotion to the position of patrolman for Sergeant Daniel Dyson, seconded by Ms. Provencher. No discussion. All in Favor.

A Motion was offered by Mr. Belanger to approve the lateral transfer of Patrolman Daniel Dyson to the Auburn Police Department and directed the Town Administrator to perform an exit interview, seconded by Ms. Provencher.

Mr. Belanger said that hopefully we can begin addressing and rebuilding the Police Department, which of course takes money. The Town Administrator has been working with the Chief of Police and Fire Chief, but this is tough when the budget just keep getting cut.

Mr. Dennison commented that Mr. Dyson has been a big asset to the Town and thanked him for his service.

Mr. Buckley said that Mr. Dyson has performed remarkably and will be moving on with a heavy heart.

No further discussion. All in Favor.

### **Regional Dispatching – Intermunicipal Agreement – Vote to Sign Agreement**

Ms. Wilson noted that this Intermunicipal Agreement has been under consideration for a number of years. At this point Worcester has conceded to many requests of the Town. One request that is not considered critical was not accepted by the City.

Mr. Mizikar offered the following comments on the Intermunicipal Agreement (IMA): This is an initiative that has been under consideration by the Town for over 2 years now. The IMA prepared for your consideration tonight has been reviewed and considered by the Fire Chief, Chief of Police, members of the subcommittee established by this Board, representatives from the City of Worcester including the Director of Emergency Communications and City Manager's Office, and myself.

Under this agreement, the City of Worcester will establish a regional Public Safety Answering Point (911 Center) receiving both 911 and non-emergency calls originating from the Town of Leicester. This is a 10 year agreement.

The State is incentivizing municipalities to regionalize these services and has provided over \$51M to assist them in doing so. Leicester and Worcester will constitute a region and therefore the State will be providing a grant in the amount of \$1.67M for the construction of a new regional dispatching facility and annual funds. Provided grant funds of \$550,000 and above are provided to regional center from the State annually there will be no funds for services paid directly from the Town to the regional center. In FY14 the City of Worcester received approximately \$660,000 in state 911 grants. The State estimates that based on the combined call volume of the two municipalities the FY15 annual award for the region could be up to \$1M based upon the current statutes. 18.75% minimum annual reduction. Additionally, the Town will pay up to approximately \$30,000 for capital and emergency funds.

The Regional Center will be managed on a day-to-day basis by the Worcester Emergency Communications Director. There will be a 3 member Operations Committee comprised of the Worcester Emergency Communications Director, Leicester Fire Chief, & Leicester Police Chief.

The Center will be staffed by five call takers per shift receiving the incoming emergency calls. There will be at least one dispatcher dedicated solely to handling Leicester operations. Additional dispatchers will be added to support the Leicester Dispatcher during periods of heightened activity.

Given the financial model discussed, resources dedicated to dispatchers in the Town's budget will be freed up and reallocated. Those resources are needed to fund additional staff for the Police Department

The effective date of the agreement is March 1, 2014. It is estimated that that the facility will be operational in 6 to 10 months. An additional 60 days for the physical transition to occur once the facility is operational.

This is a shift in the operating model for the Town. If the current operating model continues, there are no additional resources available for additional staffing within the Department.

Mr. Dennison said this decision for him has come down to funding. It is about getting more resources on the Street. Weighing the pros and cons, getting more officers on the street out in the community is critical.

Mr. Buckley noted that there was probably no one more against regionalizing dispatching services than him. We have been trying to get more cops on without the resources to do so. He asked when saving would be realized.

Mr. Mizikar stated that funds would be able to be reallocated under the new model likely in fiscal year 2016.

Mr. Buckley stated that these funds may not go to the Police Department.

Mr. Belanger said the Board of Selectmen and Town Meeting will decide the future use of funds through the budget and Town Meeting process. He went on to say that this approach is not his first preference but without funding this is what we have to do. The most important part of the discussions is that we rejected the first three agreements that were presented outright. The biggest turning point was the Operating Oversight Committee which will include the Leicester Police and Fire Chiefs and the Worcester representative. He is comfortable because we have worked so hard to get to this favorable agreement.

Mr. Belanger further noted that the Town has other successful regional initiatives including the Worcester Regional Transit Authority and the Worcester Regional Public Health Alliance.

Mr. Belanger made a motion to vote to authorize and sign the Intermunicipal Regional Dispatching Agreement. The Motion was seconded by Ms. Wilson.

Mr. Buckley asked if the City of Worcester is at fault causing Leicester to terminate the agreement, would the Town be able to get money from Worcester to cover the cost of re-establishing dispatching services.

Mr. Mizikar stated that if the City defaults on the agreement, the Town would pursue all legal options available to it.

Ms. Provencher asked Mr. Mizikar how much the Town will actually save.

Mr. Mizikar stated that he is not going to commit to a specific dollar amount. However, he felt that the Town would be able to reallocate sufficient funds to hire up to two full time patrolman and one civilian.

Ms. Wilson stated that this is not an easy decision. She stated that under this agreement we would be able to rebuild the police department and improve the efficiency of dispatch. She provided an example of a recent motor vehicle accident that taxed the dispatch operations and communications with first responders because of heavy call volume. Additionally, she described a recent situation where a police officer was calling dispatch on the radio and had to be told to hold because the dispatcher was on the phone with a caller. This will not happen under the new model.

No further discussion. Mr. Belanger, Mr. Dennison, Mr. Buckley, and Ms. Wilson voted in favor. Ms. Provencher opposed. The Chair declared the motion passed.

### **Policy regarding Street Grindings, Street Sweepings, And Gravel – Vote to Adopt Amendments**

Ms. Wilson explained that the Town recently learned that street sweepings are considered hazardous and thus cannot be distributed to residents. Therefore the Town's policy on street sweepings must be changed to be in compliance with DEP. The changes to the policy document include the removal of all references to street sweepings and the request form.

Ms. Wilson further explained that at the recommendation of the Town Administrator the policy has been amended to remove provisions for the Town to deliver street grinding materials to individuals within Town because of the liability to the Town. People would have to pick up the materials at the Highway Garage.

Mr. Dennison made a motion to accept the policy as amended. The motion was seconded by Mr. Buckley.

Mr. Belanger questioned whether the highway superintendent was consulted. Ms. Wilson confirmed he was.

Mr. Belanger asked what will be done with the materials and Ms. Wilson explained the budget will have to now include disposal costs. Mr. Buckley said funds need added to the Highway budget and this should not be expected under their current funding.

Ms. Provencher questioned whether materials could be delivered to the Rod and Gun Club if the street was being grinded right next to it. Mr. Mizikar said his recommendation is that the Town could not deliver them.

Mr. Belanger requested that the Board wait to consider a vote on this and requested changes allowing exceptions to the no delivery rule if there is a liability waiver.

Mr. Buckley withdrew his second and Mr. Dennison withdrew his motion.

Ms. Wilson asked the Board to provide ideas for those exceptions to Mr. Mizikar.

### **DISCUSSION/OLD BUSINESS**

#### **FY'15 Budget – Governor's Budget, Intergovernmental Accounts, Financial Trends**

Mr. Mizikar briefed the Board on the Governor's budget proposal and its impact on the Town. New revenues will not be great, but the Town will experience less assessments.

Mr. Mizikar then provided a presentation on the financial trends of the Town over the last nine years.

Mr. Mizikar went over the intergovernmental section of the budget with the Board explaining his recommendations for those departmental budgets.

### **Open Meeting Law/Open Public Records (Email)**

Mr. Mizikar stated that with the new agenda format the binder layouts would be updated in the future. He went on to discuss the implications due to the open public records act of using a private email account for public business.

### **Payroll & Payables Warrant Execution**

Mr. Mizikar stated that recently vendors have been delayed in receiving payments from the Town because payable warrants were not being signed by Board Members in a timely fashion. He went on to state that he would be willing to provide the Board with more information and support if they were interested in the Town Administrator having the authority to sign the Payables and Payroll Warrants. Special legislation would be required at the State.

### **TOWN ADMINISTRATOR'S REPORT**

Town Administrator Mizikar provided comments from his submitted written report.

### **BOARD OF SELECTMEN'S REPORTS**

Mr. Belanger advised the Board on his recent LCAC show with Mr. Mizikar and about recent press articles on PILOTs in Worcester County. He also commended Raul, owner of Raul's automotive on S. Main St. He has done a great job in holding up the appearance of the shop as he said he would.

Mr. Belanger further stated that with of the matters that are being tighten up and improved, he does not want to lose all the Mayberry. He asked Mr. Mizikar to keep tightening things up, but also keep that in mind.

Mr. Dennison updated the Board on the EDC meeting from the previous week. The EDC is reinvigorated and will be working on marketing items, the opportunities at the airport, programs and initiatives identified by Mr. Mizikar.

Ms. Provencher advised on the Open Space Plan Committee's December 22 meeting and stated their next meeting would be February 5<sup>th</sup> at 7:00PM in room 3. Additionally she updated the Board of the Worcester County Selectmen Association by reading two letters. The first was related to the recent Gaming Commission ruling on the Town of Sterlings request for surrounding Town Status, and the second was a letter to the State Representatives on the Municipal Clerks Bill. She also thanked those who reached out to her after her recent surgery.

Mr. Buckley extended well wished to Ms. Sue LeChasseur. Additionally he said that although he understands Mr. Belanger's desire to keep the Mayberry Effect, he feels that we need to be progressive. Things are getting better. He went on to commend the Police, Fire, and Highway Departments for the great job they have been doing.

Ms. Wilson reminded residents that real estate taxes are due today and they can still be paid online. She commended the Fire Department for their efforts in saving the home at 58 Parker Street that caught on fire last week. They were on top of it. There are two kids in the home that go to Memorial School and donations can be made by contacting the school.

Mr. Dennison commented that he was at the fire scene last week and he was amazed how well organized the Department was. He said it was like watching an orchestra. Their ability to stop it

from spreading to the main part of the house and how they coordinated water delivery in and out of the narrow street was fantastic.

## **MINUTES**

Ms. Wilson asked that the minutes of 1/21/14 be amended to clarify that the policies that were changed were general policies and not BOS policies. Mr. Belanger moved that the minutes be accepted with the requested amendment. Mr. Dennison seconded the motion. All in favor.

Ms. Provencher offered a motion to amend the minutes of 8/13/13 regarding Founders Day Committee Appointments. Mr. Buckley seconded the motion. All in favor.

## **EXECUTIVE SESSION – MGL Chapter 30A, Section 21a**

Mr. Belanger offered a motion to into executive section under MGL Chapter 30A, Section 21a Paragraph 3 to discuss litigation strategy for the *Jeff Taylor, Building Inspector v. Jason Grimshaw et al* case a.k.a the Parker Street case. The motion was seconded by Ms. Provencher. Through a roll call vote all members were in favor. Ms. Wilson stated that the Board will reconvene in open session for the purpose of adjournment and no actions or announcements are anticipated.

Mr. Belanger offered a motion to adjourn the meeting at 8:45PM seconded by Ms. Provencher. All in Favor.