

**MINUTES  
BOARD OF SELECTMEN MEETING  
NOVEMBER 3, 2014 at 6:30PM**

**CALL TO ORDER/OPENING**

Chairman Buckley called the meeting to order at 6:32pm. Chair Thomas E. Buckley, III, Vice-Chair Dianna Provencher, 2<sup>nd</sup> Vice-Chair Matthew Dennison, Selectman Douglas Belanger, Selectwoman Sandra Wilson and Town Administrator Kevin Mizikar were in attendance.

**PUBLIC COMMENT PERIOD**

Mr. Buckley introduced Congressman Jim McGovern who stopped by to introduce himself and let residents know he is available to discuss their needs. Congressman McGovern has already met with the Town Administrator and Selectmen Dennison and Belanger to discuss issues including the fire station, water issues and funding for infrastructure projects. The Congressman recommended bringing all the relevant State and Federal players together to discuss challenges, solutions and how to fund solutions to water issues.

The Selectmen expressed their thanks to the Congressman for attending the meeting.

**1. SCHEDULED**

**a. 6:30pm – Becker College One Day Beer/Malt Permit**

Mr. Buckley introduced Mr. Wilder with Chartwells at Becker College. Becker is hosting an alumni event on November 15<sup>th</sup> for the final football game. This is a closed event for 50 alumni via invite only. Alcohol will only be served under a roped off 10x10 tent, wrist bands will be issued and signage will state it is a private alumni event.

A motion was made by Mr. Dennison and seconded by Ms. Provencher to approve the one day beer/malt permit for Becker College on November 15, 2014. Mr. Belanger stated the Town has had no issues or complaints with Becker and thanked them. The motion carried unanimously.

**2. CORRESPONDENCE**

**a. Accept Senior Center Donations**

Mr. Buckley presented a \$100 donation from Spencer Bank and four gift certificates from Mike's Donuts to be given out as prizes at the Senior Center Veteran's Breakfast. A motion was made by Ms. Provencher and seconded by Mr. Dennison to accept both donations to the Senior Center. The motion carried unanimously.

**3. NEW BUSINESS**

**a. Appointments**

**i. Emergency Police Officer(s)**

Mr. Buckley presented two requests from the Chief of Police to appoint Brian Sklut and Curtis Sampson as Emergency Police Officers. A motion was made by Mr. Dennison and seconded by Ms. Provencher to appoint Brian Sklut and Curtis Sampson as Emergency Police Officers as recommended by the Chief. The motion carried unanimously. Mr. Dennison noted that both officers understand this is a temporary position.

**ii. John Cove – Commission on Disabilities**

Mr. Buckley introduced John Cove who expressed interest in volunteering on Town committees and boards. A motion was made by Ms. Provencher and seconded by Mr. Dennison to appoint John Cove to the Commission on Disabilities. The motion carried unanimously. Mr. Buckley noted Mr. Cove must be sworn in by the Town Clerk prior to attending his first meeting.

**b. Request to Department of Inspectional Services**

Mr. Buckley presented requests from the Board of Health and the Code Department to dispose of obsolete and nonfunctioning equipment. A motion was made by Mr. Dennison and seconded by Ms. Provencher to accept the list as presented to dispose of obsolete and nonfunctioning equipment. The motion carried unanimously.

**c. Warrant Article Votes and Assignments**

Mr. Mizikar presented 13 warrant articles and motions for the Special Town Meeting to be held on November 18<sup>th</sup>. Mr. Mizikar noted the Board signed the agenda and set the date and time of the meeting previously. Mr. Mizikar stated it is customary for the Board to both vote to consider these articles and assign the reading of the motions.

The Board discussed and assigned the motions based on the Selectmen's preferences.

A motion was made by Ms. Provencher and seconded by Mr. Dennison to support Article 1. Ms. Provencher asked about the \$26 Kelley Ryan bill. Mr. Mizikar responded that it is a service fee relative to the contract with Kelly Ryan to mail out parking tickets. Mr. Belanger asked if the motion to approve prior year bills requires a 9/10<sup>th</sup> majority. Mr. Mizikar responded in the affirmative. Mr. Belanger asked why late bills exist. Mr. Mizikar noted that some were presented late by the vendor and some were presented late by the department head. After July 15<sup>th</sup>, bills can't be paid out of the prior fiscal year without Town Meeting approval. Ms. Wilson asked that additional description regarding these bills be added to the Town Hall Guide for the public's understanding.

A motion was made by Ms. Provencher and seconded by Ms. Wilson to support Article 2. Mr. Belanger asked for clarification. Mr. Mizikar stated that a payroll audit found the Clerk did not receive a 2% increase of \$865 in a past fiscal year. The motion carried unanimously.

A motion was made by Ms. Provencher and seconded by Ms. Wilson to support Article 3. Mr. Mizikar noted these are line item adjustments for five departmental budgets and a transfer to meet the budgeted revenue for ambulance services. Town Counsel felt that the language "to be raised and appropriated by taxation" should be added to the motion. Mr. Belanger stated that it is unnecessary and could be problematic. Mr. Belanger asked that the language be reviewed again by Town Counsel to see if the last paragraph of the motion can be removed. Bonnie Layden asked if these expenses are in addition to what was anticipated and Mr. Mizikar responded in the affirmative. Mr. Mizikar noted the Treasurer/Collector resigned and leave must be paid out plus an interim consultant must be brought on board until a new Treasurer/Collector is hired. The \$1,700 Assessor increase is for three additional hours for the Assessor's assistant. The \$5,620 will provide shift coverage to allow officers to attend mandatory in-service training. The \$12,000 for the School Department will offset the cost for students attending schools outside of Leicester as mandated by the State. This is a raise and appropriate article through general taxation, not free cash, as State aid came in at \$82,000 higher than the Governor's budget. The motion was amended to consider Article 3 pending the discussion of an amendment with Town Counsel. The motion carried unanimously.

A motion was made by Ms. Provencher and seconded by Mr. Dennison to support Article 4. Mr. Mizikar noted this article is to fund a comprehensive energy and infrastructure audit for Town buildings to increase efficiency and invest those savings back in the Town by making upgrades. If funded and the project is approved to go forward, the cost of the audit (\$21,765) will be rolled into the project cost. Honeywell won the bid for the audit. The motion carried unanimously.

A motion was made by Ms. Provencher and seconded by Mr. Dennison to support Article 5. Ms. Wilson noted this article would fund pagers which can work on the new digital frequencies. The motion carried unanimously.

A motion was made by Ms. Provencher and seconded by Mr. Dennison to support Article 6. The Board appoints election workers but this article gives the Town Clerk the ability to hire additional workers in case of an emergency. The motion carried unanimously.

A motion was made by Ms. Provencher and seconded by Mr. Belanger to support Article 7. The Town has an on-call Fire Department which does not participate in the Town's pension system and does not receive long term benefits if disabled on the job. The article would provide the firefighters with the opportunity to participate in the pension system and receive weekly disability benefits for their service to the Town. Mr. Mizikar stated there is not an insurance policy which could be taken out in the event of a disability so this would be an annual appropriation based on a salary survey of comparable towns at a percentage of full time wages. Ms. Wilson asked the cost for a firefighter is permanently disabled without this article. Mr. Mizikar responded that Town's insurance pays out a lump sum of up to \$500,000 which would hurt the Town's claim losses. Putting this item on Town Meeting for a vote is part of the current union contract. The motion carried unanimously.

A motion was made by Ms. Provencher and seconded by Mr. Dennison to support the motion for Article 8. This article would establish a Commission on Disabilities under Mass General Law and give the Town's existing committee full rights and recognition under State law. The motion carried unanimously.

A motion was made by Ms. Provencher and seconded by Mr. Dennison to support the motion for Article 9. This article changes three words in Section 6a of the alarm system bylaw which currently reads false alarms within a 12 month period to within a calendar year to allow the Town to more easily manage and keep track of false alarms. This article is supported by both the Fire Chief and Chief of Police. The motion carried unanimously.

A motion was made by Mr. Belanger and seconded by Ms. Provencher to support the motion for Article 10. Mr. Belanger has reached out to other elected officials and the Town's proposed sex offender residency bylaw has been well received. Mr. Belanger stated that the goal is to pass a bylaw and have it aligned with State law so the AG's office approves it and there is legal enforcement. The State's sex offender registry laws require individuals to register but does not regulate where they can live. The Bylaw Committee has reviewed and provide comments on the proposed bylaw. The motion carried unanimously.

A motion was made by Ms. Provencher and seconded by Ms. Wilson to support the motion for Article 11 to establish a revolving fund to accept funding from another school district when the Town provides the education for an out of district student. The motion carried unanimously.

A motion was made by Ms. Provencher and seconded by Mr. Belanger to support the motion for Article 12. Mr. Belanger asked that the motion for Article 12 be revised to state that the annual spending limit for the Parks and Rec Revolving Account is \$20,000. Mr. Wilson asked that Article 12 be further revised to state that the spending limit of \$20,000 is for FY'15. The motion carried unanimously.

A motion was made by Ms. Provencher and seconded by Mr. Dennison to support the motion for Article 13. This article would allow the Town to purchase residential energy from the market in a competitive environment and pass it along to all residents and businesses unless they choose to opt out. Residents and business will receive a card in the mail stating their electricity rate will decrease unless they send the card back. Bills would come from National Grid. Residents will be notified well in advance. The motion carried unanimously.

**d. Town Administrator Annual Goals**

Mr. Mizikar has had the opportunity to sit down and discuss goals with all five board members and has prepared five goal categories with specific tasks. Some goals will be on the 3-5 year goal list. The proposed five goals are as follows:

1. Further Develop the Town's Department and Personnel System
2. Facilitate the Development of 3-5 Year Goals with the Board of Selectmen
3. Proactively Manage and Improve the Town's Facilities and Properties
4. Pursuing a Mutually Beneficial Partnership with Becker College
5. Leading a Comprehensive Study of the Town's Drinking Water Resources and Related Infrastructure

Mr. Dennison asked where we are with the disposal of Town owned land. Mr. Mizikar responded staff have determined which properties are buildable and the next step would be looking at the buildable lots to see if the Town wants to sell or develop them. Other smaller parcels could be disposed to abutters or retained for conservation purposes. Of the six properties out of 32 identified at Town Meeting, the list has been narrowed down to four buildable lots. Mr. Belanger requested a joint annual education process on what is allowable relative to politics in school facilities. Mr. Buckley recommended taking a closer look at the goals and finalizing the list at the next meeting. Mr. Mizikar stated recommendations could be sent to him via email or Board members could meet with him again individually.

**e. Establish a Chapter 44, Section 53E1/2 Revolving Fund – Rent**

Mr. Mizikar noted that the Board of Selectmen is allowed to establish a revolving account for the balance of the fiscal year without Town Meeting approval to manage rent for newly acquired properties as it is an entirely new revenue source. The revolving fund would be for the purpose of collecting rent from tenants and maintaining the two Dale Court properties taken through tax foreclosure. A motion was made by Mr. Dennison and seconded by Mr. Belanger to establish a revolving account to collect rent and maintain the Dale Court properties. Mr. Wilson asked if the housing would be rehabilitated or sold as is. Mr. Mizikar responded it would likely be sold as it and required life safety changes have already been made by the Town. The spending limit of \$27,000 represents a full 12 months of rent. The motion carried unanimously.

**f. Contract – PVPC Professional Services for CDBG Grant Management**

A motion was made by Mr. Dennison and seconded by Ms. Provencher to approve a Professional Services Contract for CDBG Grant Management with Pioneer Valley Planning Commission and to authorize the Board Chair to sign. The motion carried unanimously.

**g. Proclamation – Pancreatic Cancer Awareness Month**

A motion was made by Mr. Belanger and seconded by Ms. Provencher to proclaim the month of November Pancreatic Cancer Awareness Month. The motion carried unanimously.

**4. DISCUSSION/OLD BUSINESS**

**a. Collection Boxes**

Mr. Mizikar stated there are 20 collection boxes in Town at 15 locations and only Walmart has received a Certificate of Compliance as required by the Town Bylaw. The majority of the boxes belong to 2-3 different agencies. Mr. Belanger stated that the Bylaw was passed a number of years ago when this was an issue in Town and Belanger recommended notification be sent to owners to register with the Town by January 1, 2015 Mr. Belanger further recommended the Town look into limiting the total number of collection boxes in Town in the future. Mr. Dennison recommended giving collection box owners 60 days to respond. A motion was made by Mr. Belanger and seconded by Ms. Wilson to notify owners of the boxes and the property on which they are

located that the Town's Collection Box bylaw will be enforced beginning January 1, 2015. The motion carried unanimously.

**b. Contracts Less than \$25,000**

Mr. Mizikar discussed contracts the Town Administrator has signed with values of less than \$25,000 as permitted over the course of the last year. No further comments from the Board.

**5. TOWN ADMINISTRATOR REPORT**

Mr. Mizikar presented highlights from his Town Administrator report including a Worcester Regional Airport consortium meeting, the FY'16 Budget Call due November 24<sup>th</sup>, a power purchase agreement with Boreggo Solar, winter roadway salt and the Hillcrest boiler project.

**6. BOARD OF SELECTMEN REPORTS**

Ms. Wilson reminded everyone that tomorrow is Election Day and property taxes were due today and can be paid online.

Mr. Belanger noted the final Economic Development brochure is nearly complete with maps and zoning to provide businesses with a roadmap to successfully navigate the Town permitting and licensing process.

Mr. Dennison noted that the brochure and maps will be available on the website and thanked Congressman McGovern for attending the meeting.

Ms. Provencher attended a State briefing for local officials on Ebola preparation. Ms. Provencher also thanked the fireman and police officers who helped with the Lions Club Halloween Parade. Ms. Provencher attended the recent Airport Advisory meeting and learned that the \$30M category 3 landing system which will allow for zero visibility landing is in the 30% design phase and improvements will be made to the taxiway located in the Town.

Mr. Buckley reminded all about the Veterans Breakfast at the Senior Center on November 13<sup>th</sup> and noted that many individuals and businesses have made generous donations.

**7. MINUTES**

A motion was made by Ms. Provencher and seconded by Mr. Dennison to accept the minutes of October 20, 2014 with the following changes:

- Item 3ai, Mr. Dennison clarified that he asked if Ms. Cooney is qualified for the temporary Tax Collector appointment only for public information purposes.
- Item 6 should read CO detectors, not CO2 detectors.

The motion carried unanimously.

**8. EXECUTIVE SESSION**

A motion was made by Ms. Wilson and seconded by Mr. Belanger at 8:45pm to enter into Executive Session under MGL Chapter 30A, Section 21a, Exception 2, negotiations with nonunion personnel, to review and consider approval of the Executive Session minutes of October 6, 2014, Sessions 1 and 2 and to resume in open session only for the purpose of adjournment.

**Vote by Roll Call:**

Buckley – Aye

Provencher - Aye

Dennison – Aye

Belanger – Aye

Wilson – Aye

The motion carried unanimously.

A motion to adjourn was made by Mr. Dennison and seconded by Ms. Provencher at 9:01pm. The motion carried unanimously.