

**MINUTES
BOARD OF SELECTMEN MEETING
NOVEMBER 21, 2016 AT 6:30PM
TOWN HALL, SELECTMEN'S CONFERENCE ROOM**

CALL TO ORDER/OPENING

Chairman Belanger called the meeting to order at 6:31pm. Vice Chair Harry Brooks, 2nd Vice Chair Thomas E. Buckley, III, Selectwoman Dianna Provencher, Selectman Michael Shivick, Town Administrator Kevin Mizikar, Assistant to the Town Administrator Kristen Forsberg and Student Liaisons Jaymi-Lyn Souza and Robert Kemp were in attendance. Chairman Belanger was absent due to holiday travel.

PUBLIC COMMENT PERIOD

No members of the public provided comment

1. SCHEDULED

a. 6:30pm - FY2017 Tax Classification Hearing

Mr. Brooks read the public hearing notice for the 2017 Tax Classification Hearing. A motion was made by Mr. Buckley and seconded by Mr. Shivick to open the public hearing.

Vote by Roll Call:

Brooks - Aye
Buckley – Aye
Provencher – Aye
Shivick – Aye

The motion carried unanimously

John Prescott, Town Assessor, stated that the Board of Assessors is recommending a single tax rate for FY2017 as the Town is 89% residential and a single tax rate is an incentive to businesses. The FY2017 tax rate would increase by .58 including the eligible levy under Proposition 2 ½ and debt exclusions approved at Town Meeting.

A motion was made by Mr. Buckley and seconded by Ms. Provencher to close the public hearing.

Vote by Roll Call:

Brooks - Aye
Buckley – Aye
Provencher – Aye
Shivick – Aye

A motion was made by Ms. Provencher and seconded by Mr. Shivick to set a single tax rate at \$15.48 for FY'17. The motion carried unanimously.

b. 6:45pm – Award General Obligation Bonds – Fire & EMS Headquarters – David Eisenthal

David Eisenthal, Financial Advisor to the Town with Unibank, presented an option to award and execute \$4.465M in general obligation bonds to finance the Fire and EMS facility structured as a 25 year payback with less impact over the next few years as the Town finishes paying down the Hillcrest and Police Station debt. So far the Town has issued \$1.6M in short term bonds to finance the Fire and EMS station which will come due in April of this

year and will be permanently financed at the completion of the project. The Town received 4 bids for the general obligation bonds and First Tennessee National (FTN) was the winning underwriter with a rate of 2.83%. The Town applied again for a rating from Standard and Poor (S&P) as part of this process and was again awarded a rating of AA+ which is the next to best rating. S&P indicated the Town was strong or very strong in all credit score ratings and very strong in their debt position with strong liquidity. Since the last rating in May of 2015 the Town's budgetary flexibility score has improved. This borrowing would make use of new changes approved at Town Meeting under the Municipal Modernization Act which allow a small amount of the premium to be used for project costs. The Town would borrow \$4.670M to reduce the principal and the debt service accordingly.

A motion was made by Ms. Provencher and seconded by Mr. Buckley to accept the award of general obligation bonds to First Tennessee National for the Fire and EMS HQ. The motion carried unanimously.

2. CORRESPONDENCE

a. Student Liaison Reports

The students provided highlights from their written reports

3. NEW BUSINESS

a. Resignations

None

b. Appointments

i. EMT Basic – Valerie Nugent

A motion was made by Ms. Provencher and seconded by Mr. Shivick to appoint Valerie Nugent to the position of EMT Basic. The motion carried unanimously.

c. 2017 License Renewals

Mr. Mizikar presented annual license renewal requests that have made it through internal review and have paid back taxes. Mr. Mizikar noted Class II licenses are not being submitted at this time due to the Fire Dept. review.

A motion as made by Ms. Provencher and seconded by Mr. Buckley to approve the 2017 license renewals as presented. The motion carried unanimously.

4. DISCUSSION/OLD BUSINESS

a. Community Wide Survey

Mr. Mizikar noted that one of the Board's 3-5 year goals and as further defined in his annual goals includes getting back out into the community to engage them in the processes and approaches the Town is considering to increase tax base growth and economic development. In conjunction with the Superintendent of Schools, he is working with a company called Thought Exchange to develop a true dialogue with the community around these topics rather than just a survey. This company allows the Town to ask very board questions and solicits feedback and reengages the community rather than just looking at individual responses. It allows residents to star responses of residents and rather them by what they think are important and ask questions about school department operations and Town goals. The goal is to get a large response by partnerships with schools and having students go out into the community with devices to help people answer the questions. Mr. Brooks recommended going to the Housing Authority. Mr. Mizikar noted the Town intends to go to events to solicit feedback. Mr. Shivick asked if this was more of a coordinated campaign rather than just online since not everyone has access to a computer and Mr. Mizikar stated it would be and it's not paper-based and the students and Town Hall staff can help folks answer questions in a private and direct way. Mr. Buckley noted the plan looks good and nonthreatening but asked without logins or passwords how it will be kept to Leicester residents.

Mr. Mizikar noted a link goes out through an email that doesn't allow multi users to use it and a new link can be generated each time someone goes out into the community so we can control who has access to the survey.

b. Complete Streets Program and Policy

Mr. Mizikar noted the State is pushing a complete streets approach to roadway design and construction which comes as a three-phase process. First a policy must be created and adopted by Mass Highway which defines the areas in Town that should be included and discusses how the Town will go about implementing the program. Once the plan is adopted the Town would identify shovel ready projects and submit them to the State for design review and could review up to \$250K in assistance to bring a roadway into compliance that doesn't currently meet the design standard of a complete street program. This will be done strategically; not every street will be meet these criteria or be made to meet it. However, this will help with streets in our redevelopment areas, enabling the Town to receive funding and move forward with projects already in the pipeline more quickly. The Town plans to work with Becker College on this and have a policy in front of the Board by the end of December the prioritize streets which would include outreach and public hearings.

c. Drinking Water

Mr. Mizikar met with Moose Hill Water Commission and they supported the approach the Board approved at the last meeting to do a cost benefit analysis and determine the viability of Moose Hill prior to doing scientific research.

Mr. Shivick asked if a company had been found yet to do the survey. Mr. Mizikar stated he is putting parameters together then will get it out to bid. Mr. Shivick noted there is a Leicester Water District meeting on 12/8 if residents are interested in attending. Mr. Mizikar noted he would like to have a 2016 version of the meeting in the IMA referenced by Mr. Shivick with the Board, Moose Hill Commissioners and Leicester Water District Commissioners in December and he plans to send out a letter. Mr. Shivick noted the IMA was signed in 2003 and contemplates there not being enough water in Town and developing Route 9 and non-district members are paying on this debt all in the name of developing Moose Hill and creating business in that district so it seems like some of the rhetoric about Moose Hill not being viable is the opposite of what should be being discussed. Mr. Shivick noted there is a Cherry Valley Rochdale water meeting on 12/6 and a Hillcrest Water meeting on 12/5 that are both open to the public.

Mr. Brooks noted Moose Hill Commissioners have requested to be on a Leicester Water District agenda and are waiting to hear back.

d. Medical and Recreational Marijuana

Mr. Mizikar noted that Natural Healthcare has taken occupancy of the old Leicester Tool and Die building and is making improvements including connecting to utilities in the street. However, Healthy Pharms which planned to go across the street from Cumberland Farms on Rout 9 by Walmart has communicated through their attorney that they are no longer interested in Leicester. However, their attorney has expressed interest in bringing a new client in front of the board for a letter of support.

Mr. Mizikar provided an overview of the new Recreational Marijuana law which makes the recreational use of marijuana permissible and defines what individuals can do in addition to giving the Towns a 2% local sales tax option should Town Meeting adopt it. The Town would receive this on a quarterly basis through local aid much like meals tax. Towns can put in bylaws banning public smoking and consumption similar to what we have for tobacco. Since the Town has already defined zoning where medical marijuana is allowed the locations of recreational marijuana businesses can't be further restricted meaning anywhere medical marijuana is allowed recreational is now allowed. The Town is able to limit the number of facilities but must choose to either regulate

the type of facility, limit the number to 20% of the number of package stores allowed, or limit the number to fewer than the number of medical marijuana facilities registered and operating in Town. Mr. Mizikar noted the Board may want to be thoughtful about the number of medical marijuana facilities it allowed because if they choose this method to limit recreational marijuana then the Town can never have more recreational than medical businesses. If more than 10% of registered voters sign a petition the Town could get a state ballot question regarding whether or not to allow the consumption of marijuana within a place that sells it, similar to drinking alcohol in a bar.

Mr. Brooks asked about the option to limit recreational businesses to less than medical facilities. Mr. Mizikar noted the Town is considered to have zero medical facilities at this time because they are not yet registered and further noted this is only one option the Town can choose to further limit marijuana businesses. The Town would have to adopt a bylaw if they want to restrict recreational businesses and it would have to include one of the three provisions outlined. 52.4% of the voters in Leicester voted in favor of recreational marijuana. Mr. Mizikar added that the law does allow for a host community agreement and he will be asking the Regional Health Alliance to commit to providing additional funding should our substance abuse numbers for students increase. Finally, the law does not prohibit recreational and medical businesses from being in the same facility but none of the businesses the Town has talked to have said they were interested in doing this so far. The Board expressed their willingness to meet the potential new medical facility.

e. CDBG Discussion

Mr. Mizikar stated the Town will be pursuing FY'17 CDBG funding with the support of CMPRC for accessibility improvements at the Town Hall and the CDBG group was recently reconvened. The Town will be putting out a call for residents to serve on this committee. It does not seem advantageous for the Town to partner with Charlton this round as the Town can show a stronger application with more improvements for Leicester if we go it alone. Mr. Mizikar stated he will be reaching out to Robin Craver in Charlton to discuss. Mr. Shivick asked about the timeline for the grant. Mr. Mizikar noted applications are due in March and normally awarded in the summer. Town Meeting has given approval for borrowing to match the grant funding to enable the project to move forward. Mr. Mizikar noted the Town was not awarded funding 3 years ago, was awarded funding 2 years ago and just missed being awarded funding last year.

f. January and February Board Meeting Dates

The Board decided to meet on the 2nd and 4th Mondays in January and on February 13th then to resume the regular meeting schedule in March with a hold in February 27th if needed.

5. TOWN ADMINISTRATOR REPORT

The Town Administrator provided highlights from his written report.

Ms. Provencher asked if you dial the LPD non-emergency number if you will get a dispatcher now that dispatch has moved to Worcester. Mr. Mizikar responded in the affirmative, further adding that you will get only the Leicester dispatcher and if you dial 911 from a home phone you will get only the Leicester dispatcher as well.

Mike Shivick asked Mr. Mizikar if he had met with the Town Administrator in Oxford regarding the MassPike exit onto Route 56. Mr. Mizikar said he had and this is not on their Board's agenda at this time as there is a new Town Administrator who was not aware of this but Mr. Mizikar offered to share the mobility study and the Town expressed interest in working with Leicester on economic development. Mr. Shivick stated if Oxford is not looking at this and because of serious issues in the Route 56 area maybe the Town should focus on developing Route 9 west and not waste further resources on Route 56. Mr. Buckley believes both need to be worked on as

there are 3 unoccupied buildings on Route 56 and large companies aren't going to come in if they don't have access to highways, roads, water supply and resources like natural gas.

6. BOARD OF SELECTMEN REPORTS

Mr. Shivick stated that he continues to attend water district meeting and is the only Board member that does and appreciates being able to share information with the Board. Mr. Shivick asked the Town Administrator to follow up on the crosswalk letter sent to the State legislative delegation. Mr. Shivick asked if it is too late for crosswalks to be done and Mr. Mizikar responded it has to be above 50 degrees for the Town to paint and for it to dry. Mr. Shivick hoped everyone comes out to support the Wolverines in the annual Battle of Breezy Bend on Thanksgiving as he was on the superbowl team as a JV.

Ms. Provencher wished everyone a happy thanksgiving and warned all residents to be careful with their wood stoves.

Mr. Brooks noted the passing of Ann Cutting, the oldest resident in Town at 103 years old, who received the Boston Post cane 2 years ago at Town Meeting. Over the weekend a group of people were down at the softball fields blowing bubbles for Maddie from the Primary School to raise awareness for epilepsy. The tree lighting on the common is December 3 from 5-7pm. Mrs. Claus will read The Night Before Christmas, the big pine tree will be lit and the front of the Town Hall will be decorated.

7. MINUTES

a. November 1, 2016

A motion was made by Ms. Provencher and seconded by Mr. Shivick to approve the minutes of November 1, 2016. The motion carried unanimously.

b. November 7, 2016

This item was tabled until the next meeting.

8. EXECUTIVE SESSION, MGL CHAPTER 30A, SECTION 21A

A motion was made by Ms. Provencher and seconded by Mr. Shivick to enter into executive session and resume in open session only for the purpose of adjournment.

Vote by Roll Call:

Brooks - Aye

Buckley – Aye

Provencher – Aye

Shivick - Aye

The motion carried unanimously.

A motion to adjourn was made by Ms. Provencher and seconded by Mr. Buckley at 9:21pm. The motion carried unanimously.