

**MINUTES
BOARD OF SELECTMEN MEETING
DECEMBER 15, 2014 at 6:30 PM**

CALL TO ORDER/OPENING

Chairman Buckley called the meeting to order at 6:31pm. Chair Thomas E. Buckley, III, Vice-Chair Dianna Provencher, 2nd Vice-Chair Matthew Dennison, Selectman Douglas Belanger, Selectwoman Sandra Wilson and Town Administrator Kevin Mizikar were in attendance.

PUBLIC COMMENT PERIOD

No members of the public provided comment.

1. SCHEDULED

a. 6:30pm – New Officers/Directors – Shannon Davis American Legion Post 205

A motion was made by Ms. Provencher and seconded by Mr. Dennison to approve the change of officers at the Shannon Davis American Legion. The motion carried unanimously. Mr. Mizikar noted that the change of manager with the ABCC flagged the need to approve the new slate of officers. The ABCC is increasing scrutiny of club officers to ensure that only approved club officers sign all liquor license related documents.

b. 6:35pm – Common Victualler License – Pleasant Street Diner

Sherry Hurley, co-owner of Pleasant St. Diner, discussed the new diner which will be open for breakfast and lunch from 5am-2pm daily except for Tuesdays and will offer hot lunch delivery. A motion was made by Ms. Provencher and seconded by Mr. Belanger to approve the request for a common victualler license for the Pleasant St. Diner. Mr. Dennison asked if Ms. Hurley intended to potentially expand her hours of business in the future. Ms. Hurley responded that she could possibly be open seven days a week from 5am-10pm depending on business. Mr. Belanger asked if the Board was required to set the hours for restaurants. Mr. Mizikar stated this is not a requirement. Mr. Belanger felt that the hours should not be set and the Board concurred. The motion carried unanimously.

2. CORRESPONDENCE

None

3. NEW BUSINESS

a. Appointment – Interim Treasurer/Collector

A motion was made by Mr. Belanger and seconded by Ms. Provencher to appoint Amy Perkins to the position of Interim Treasurer/Collector. The Board wished Ms. Perkins good luck. Ms. Wilson asked if the other candidates had been notified. Mr. Mizikar responded he was waiting for the Board's approval first. Mr. Mizikar added that Ms. Perkins has been with the Town for five years and has already brought forward solutions to get the office back on track. The motion carried unanimously.

b. Appointment – EMT-Basic

A motion was made by Mr. Dennison and seconded by Ms. Provencher to appoint Ryan Monahan to the position of per-diem on call EMT basic subject to a six month probationary and CORI check. The motion carried unanimously.

c. Resignation – Temporary Tax Collector

Mr. Mizikar stated that the Board appointed Ms. Cooney to the position of temporary Tax Collector and as full duties will transfer to Ms. Perkins, he is asking the Board to accept her resignation from this position as a formality for legal reasons. A motion was made by Mr. Dennison and seconded by Ms. Provencher to accept the resignation of the temporary Tax Collector. The motion carried unanimously.

d. Request to Dispose of Equipment – Library Department

A motion was made by Ms. Provencher and seconded by Mr. Dennison to approve the Library's request to dispose of equipment. The motion carried unanimously.

e. Agreement - Investment Grade Audit – Honeywell, Inc.

Mr. Mizikar presented the contract with Honeywell, Inc. for the investment grade energy audit of all Town and School facilities. The goal of the audit is to identify energy conservation measures to be undertaken in order to save enough on utility usage to make bond payments obtained for the upfront cost of the upgrades. The agreement is based on the State model and has been reviewed and approved by both Town Counsel and Honeywell, Inc. A motion was made by Ms. Provencher and seconded by Mr. Dennison to execute the agreement with Honeywell, Inc. for the investment grade audit. Mr. Belanger noted that the final version of the agreement has been shortened quite a bit, specifically the section on price and terms. Mr. Mizikar stated that Town Counsel approved the revised agreement and clarified that the State agreement is based on a RFP which requires more details about costs to implement the energy upgrades whereas this agreement is based on a RFQ which evaluates the quality of the company, not the price solution. Mr. Belanger asked if payment will be made based on service provided and not savings. Mr. Mizikar responded in the affirmative and stated the purpose of the audit is to develop a scope of work to determine which upgrades the Town should invest in to achieve cost savings. Mr. Buckley noted that the cost of the audit will be rolled into the overall contract for the upgrades if the Town decides to move forward and that Mr. Mizikar has obtained a \$10,000 grant to offset the cost of the audit. The motion carried unanimously

f. 2015 Liquor License Annual Renewals

Mr. Mizikar noted that all 16 liquor licensed establishments passed the annual fire inspection and requested the Board consider approving renewals for all applications as presented. A motion was made by Ms. Provencher and seconded by Mr. Belanger to approve the renewal of all liquor licenses as presented. Ms. Wilson asked if the Police Department has had any compliance issues or conducted any stings. Mr. Mizikar stated that there have been no compliance issues and that no stings were conducted. The motion carried unanimously. Mr. Belanger asked that the Board be provided with an updated list of available liquor licenses.

g. Agreement - Electricity Aggregation – Hampshire Council of Governments

Mr. Mizikar presented the agreement for electricity aggregation with the Hampshire Council of Governments (COG) as approved at Special Town Meeting. Mr. Mizikar stated his confidence in the Hampshire COG as they have received a designation from the State Department of Energy Resources and are a government entity. The Hampshire COG is currently working with 45 communities and the Town will be able to actively participate in the bidding process for the consortium. A motion was made by Mr. Dennison and seconded by Ms. Provencher to execute the agreement with the Hampshire COG for electricity aggregation. The motion carried unanimously. Mr. Belanger requested the Town Administrator reach out to other communities regarding the increased National Grid electricity costs. Mr. Dennison asked about the potential solar power program. Mr. Mizikar stated he has exchanged emails with

Community Solar who is looking at several Town-owned sites which could be used to provide solar for residents.

h. Certificate of Compliance – Collection Boxes

Mr. Buckley introduced Kerry Cyganiewicz with Planet Aid who submitted certificate of compliance requests for Planet Aid collection boxes located at LHS and the old Colby bakery. Mr. Buckley noted the Town received complaints about a collection box placed in a sensitive area and revisited the bylaw to confirm all collection boxes are in compliance. Mr. Mizikar noted that five locations had submitted the required information and requested the Board issue certificate of compliance. Businesses were notified they have until January 1, 2015 to be in compliance and this item will be revisited at the January 5, 2015 meeting. Mr. Buckley noted the Town has nothing against collection boxes but wants to assure they are kept cleaned and sited appropriately. Mr. Belanger commended Mr. Cyganiewicz for attending the meeting and showing his desire to comply with the bylaw. Mr. Cyganiewicz noted he does not have all the certificate of compliance requests yet as Planet Aid is evaluating which sites are best suited for the collection boxes and will likely be removing some in locations which can't be kept under control. Mr. Cyganiewicz noted that Planet Aid places collection boxes under lights and near cameras and he periodically drives by to check on the boxes. A motion was made by Ms. Provencher and seconded by Mr. Belanger to issue certificates of compliance to the 5 locations as presented. The motion carried unanimously. Ms. Wilson noted that a collection box was removed from the Staffordshire Apartments property at midnight and that it came over the police scanner to ensure it was a proper removal.

4. DISCUSSION/OLD BUSINESS

a. FY 2015 Budget

Mr. Mizikar noted that the legislature opposes the governor's mid-year cut to local aid but have yet to determine where funds will come from to balance the budget. Mr. Mizikar will lift the spending freeze and move forward with the spending plan as issued in July and amended at Special Town meeting. Mr. Dennison noted he has been asked why the new State Rep, Kate Campanale, was not introduced at Special Town Meeting. Mr. Buckley responded this was a complete oversight and he would have asked the moderator to do so had he thought of it. Mr. Buckley asked that the new State Rep be invited to the next Board meeting.

b. Surplus Supplies and Equipment Disposal Policy

Mr. Mizikar presented a draft policy on the disposal of equipment as prepared by the Town Administrator at the request of the Board. The purpose of this policy is to enable the Town Administrator to dispose of small items of low or no value without seeking Board approval. Mr. Mizikar noted the State law governs equipment disposal over \$5,000 and recommends localities adopt their own policies for items under \$5,000. Mr. Buckley recommended items be first offered to other departments then sold. Mr. Dennison stated he is in favor of Section 9 which restricts the sale of equipment to Town employees. Mr. Belanger asked why employees can't buy the equipment if the process is open and transparent and recommended not turning down money. Ms. Wilson noted the policy doesn't exclude family from purchasing items on behalf of Town employees which eliminates the transparency of the sale. Mr. Mizikar noted the only rationale which exists for excluding town employees is insider information such as knowing the real value of an item but doesn't feel strongly one way or another. Ms. Wilson noted that Town employees are allowed to bid on items over \$5,000 now. A motion was made by Mr. Belanger and seconded by Ms. Wilson to approve the surplus supplies and equipment disposal policy with the following changes:

- Strike Section #9
- Include the advertising process under Section D

Mr. Dennison asked about the prescribed method of disposal. Mr. Mizikar noted there is no prescribed method but items for sale could be advertised in the newspaper, online, etc. and more broadly advertised for items valued closer to \$5,000. Mr. Dennison suggested using the T&G, the Spencer New Leader and LCAC. Mr. Belanger asked that the item(s) be listed on a Board agenda prior to the bid due dates. Ms. Wilson noted a link could be put on the homepage with items for sale and sent out to all who subscribe to Town news via the website and recommended advertising in as many free places as possible. Mr. Belanger noted that State ethics laws on insider trading already exist which employees must follow or face prosecution. Mr. Mizikar asked if the advertising requirements would apply to items under \$1,000. Mr. Belanger responded in the affirmative. The motion was revised to approve the policy contingent upon striking Section 9 and adding language in Section D regarding advertising the sale of equipment at no cost to the public and informing the Board prior to a sale. The motion carried unanimously.

5. TOWN ADMINISTRATOR REPORT

Mr. Mizikar discussed the sergeant promotion process, Emergency Management Director position posting and interviews with temp firms for an departmental assistant in the Treasurer/Collector's Office. Mr. Wilson asked if the police academy training is complete and if the officers have gone out on any patrols. Mr. Mizikar responded the academy will finish in February and the officers were able to go out on parole for one week during EVOC training. Mr. Mizikar is also working with Mass Development's real estate division to determine the best and highest use for disposing of buildable Town owned land as approved at the May Annual Town Meeting.

6. BOARD OF SELECTMEN REPORTS

Ms. Wilson noted that the Blackstone River Valley is well on its way to becoming a National Park and Leicester is at the northernmost part which will be great for tourism and economic development. Ms. Wilson further noted that the kids did a great job singing at the senior center and thanked Judith Paolucci and Rachelle Cloutier for organizing the event. The Fire Station Building Committee toured the Holden and Paxton fire stations and are narrowing down possible locations with the goal of having the new fire station under construction in 18-24 months.

Mr. Belanger noted the research undertaken by the fire station building committee is very valuable to establish best practices, wished everyone a happy new year and asked for an update on the ambulance accident over the weekend. Mr. Mizikar responded that everyone is ok and there was no significant damage to the vehicle.

Mr. Dennison stated he is looking forward to having the new State Rep, Kate Campanale, at the January 5, 2015 Board meeting.

Ms. Provencher thanked the kids for doing such a great job caroling at the senior center. Mr. Belanger noted that Ms. Provencher is leading the carolers at the Meadows and doing a great job.

Mr. Buckley wished everyone a happy new year.

7. MINUTES

A motion was made by Ms. Provencher and seconded by Ms. Wilson to accept the minutes of November 24, 2014 and December 1, 2014. The motion carried with 4 ayes and 1 abstention (Mr. Belanger, due to absence).

8. EXECUTIVE SESSION

A motion was made by Ms. Wilson and seconded by Ms. Provencher to enter into executive session at 7:45pm under Exemption #3, to discuss strategy with respect to litigation, and Exception #6, to consider the purchase, exchange, lease or value of real property and to adjourn 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. Belanger and seconded by Ms. Provencher at 8:04pm. The motion carried unanimously.