



AMENDED

PUBLIC NOTICE POSTING REQUEST

OFFICE OF THE LEICESTER TOWN CLERK

ORGANIZATION: Select Board

MEETING: X

PUBLIC HEARING:

DATE: August 3, 2020

TIME: 6:00pm

LOCATION: Virtual Meeting – See Instructions Below

REQUESTED BY: Kristen L. Forsberg

*Agenda packet and associated documents can be found at www.leicesterma.org/bos. This agenda lists all matters anticipated for discussion; some items may be passed over, and other items not listed may be brought up for discussion to the extent permitted by law. Select Board meetings are recorded by LCAC. Any member of the public planning to record the meeting must first notify the Chair. **PLEASE SILENCE ALL CELL PHONES DURING THE MEETING***

Join by computer, tablet or smartphone.

<https://global.gotomeeting.com/join/620743317>

Dial in by phone

(408) 650-3123; Access Code: 620-743-317

CALL TO ORDER/OPENING

1. RESIGNATIONS & APPOINTMENTS

- a. Appointment – Mike Franklin – EMS Coordinator
- b. Appointment – Kyle Maldonado – Per Diem/On Call EMT-Basic

2. NEW BUSINESS

- a. Discussion/vote of use of Memorial School for storage of desks and other items to be removed from other school buildings temporarily while COVID-19 social distancing rules are in effect
- b. Discussion/vote of use of Memorial School for fire training activities
- c. Open warrant for 09/26/2020 Town Meeting; Set close date of warrant for 08/13/2020 at 5:00 pm
- d. Discussion/vote of 09/26/2020 Special Town Meeting technology, costs & funding; voter information (MGL c. 53 Section 18B and/or other legal options or requirements)
- e. Discussion/vote to approve warrant article for site work, construction and furnishing of a new Pre K-8 school as to form and place article on the warrant for the 09/26/2020 Special Town Meeting
- f. Discussion/vote to approve the ballot question for site work, construction and furnishing of a new Pre K-8 school as to form and place question on the 11/03/2020 Presidential Election Ballot
- g. Discussion/vote Letter to Massachusetts Municipal Association – Police Reform Legislation

ADJOURN



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ADJOURN



Town of Leicester • Emergency Medical Services

3 Paxton Street • Leicester, MA 01524

PHONE: (508) 892-7006

Date: May 12, 2020

To: Select Board

From: Robert F. Wilson
EMS, Director

Subject: EMT- Appointments

I respectfully request the Board appoint the following applicant to the position of per diem\on call EMT- Basic for The Town of Leicester Emergency Medical Service, with a six Month probation period.

Kyle Maldonado

This appointment will help solidify the per diem coverage during the weekend and evening hours.

Thanking you in advance for your consideration in this matter.

RECEIVED JUL 22 2020



Town of Leicester
OFFICE OF THE TOWN ADMINISTRATOR

Town Hall, 3 Washburn Square
Leicester, Massachusetts 01524-1333
Phone: (508) 892-7000 Fax: (508) 892-7070
www.leicesterma.org

June 11, 2020

To: Select Board

From: David Genereux, Town Administrator

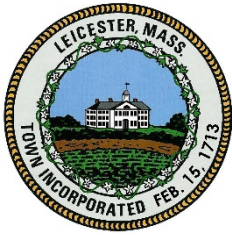
RE: September 26, 2020 Town Meeting – Miscellaneous details

Below is a list of various information points regarding the proposed September 26, 2020 Town Meeting:

- We are confirmed that we can utilize the former Millbrook Distributors building at 88 Huntoon Highway, Leicester. Liam Rafferty, who is representing the owners of the property, met with us on July 29th and informed us that they would be happy to offer a space that would offer a greater gathering of residents while maintaining social distancing. We have the capacity of the meeting space set at just under 800 residents.
- The building will be dry, but not heated. Residents should dress appropriately. The floor will be cleaned in advance of the meeting, with the back half of the building (which is under interior construction) being sealed off. There will be many doors open, to allow for the free flow of air during the meeting.
- All costs associated with the Town Meeting are eligible for CARES Act reimbursement, so there will be no local costs to the taxpayer. So, at this point, our mission will be to produce the best meeting possible for residents to comfortably attend the meeting, view presentations, and cast their vote. We are currently working with a local provider to set up screens, sound, and recording capability for the meeting.
- We will not be doing a mailer. The Board may recall that the Town accepted MGL Chapter 53, Section 18B, at the October 30, 2018 Town Meeting. Acceptance of this law would allow for a mailer to be sent explaining the project to voters, along with pro and con statements. However, the timing of the deadline for the ballot question (August 5), made using the assembly procedure for the mailer provided in the law difficult, and a party asked to provide w=one of the statements decline, citing the cost of the mailer to residents of the Town.

We can have information on the ballot question posted electronically, as long as the information does not have a pro or con position and does not encourage voting. We will post the information provided in the Town Meeting warrant to provide information regarding project finance and costs to residents ahead of the vote. But the ballot question will have no dollar figure or explanation to voters.

Please feel free to contact me with any questions or concerns.



Town of Leicester, Massachusetts

Special Town Meeting Warrant

Proposed Pre k-8 School – September 26, 2020 – 10:00AM

Meeting location:
88 Huntoon Memorial Highway
(The former Millbrook Distributors Building)
Leicester, MA 01524

First Version - Published August 3, 2020

Town Rules & Procedures Review

Each Town Meeting is a formal legislative body. As such, we are governed by both Massachusetts General Laws and Chapter Two of Leicester's Town By-Laws. Our proceedings follow "Town Meeting Time, A Handbook of Parliamentary Law", and tradition.

The Town Moderator does not vote, except in cases of a tie vote on the floor.

Town Meetings in Leicester are open only to registered voters.

As members of the town meeting, voters have the right, if they so choose, to present opinions and to ask questions through the moderator in relation to the motion under discussion, and only to the motion under discussion. You have a right to be comfortable with the facts at hand in order to make an informed vote.

A voter wishing to address the meeting through the moderator should approach the microphone and must identify themselves and state their address each time they address the meeting. If it seems that the Moderator is not aware of your desire to speak, please give some signal so that you will be recognized. If you are not able to get to the microphone, please give a signal and a teller or volunteer will bring a microphone to you.

No one may speak to any motion more than twice, except to clarify a point or respond to a question through or from the moderator, and maximum time is ten minutes. Voters must stay on topic with the motion at hand, and personal attacks or slurs of any kind will not be tolerated.

If you have a question as to why something is done in a fashion, feel free to ask. Raise that question or issue with the statement, "Point of Order."

If a member of this meeting wishes to move the question, that motion must be made from the microphone. A motion to move the question will not be accepted from the floor. A motion to move the question simply indicates that at least the individual offering the motion to move the question and person making the second have heard all the debate they feel is needed. A seconded motion to move the question is not a debatable motion. At such time, all debate will cease, and a vote is taken. A 2/3 majority is required for passage. If the motion to move the question passes, we will immediately vote on the motion which was under discussion in the hands of the meeting. If the motion to move the question is defeated, debate on the motion previously under discussion will resume. This procedure is often misunderstood but is allowed and governed under the By-Laws of the Town of Leicester.

Any motion undertaken by Town Meeting in Leicester may be reconsidered, meaning it can be brought up for a vote a second time. The motion to reconsider a motion must be made within one hour of the taking of the original vote on the motion in question. A motion cannot be brought forward for reconsideration more than once.

Any motion made must be within the scope of the articles posted in the warrant and presented to the moderator in writing.

Respectfully,
Donald A. Cherry, Jr. – Town Moderator

WORCESTER, SS.

To a Constable in the Town of Leicester,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Leicester qualified to vote in Town Elections and Town Affairs to meet at the 88 Huntoon Memorial Highway (The former Millbrook Distributors Building), Leicester, MA on Saturday, the twenty-sixth day of September 2020 at 10:00 AM, then and there to act on the following articles, to wit:

ARTICLE 1 BORROWING AUTHORIZATION VIA DEBT EXCLUSION; SITE WORK, CONSTRUCTION AND FURNISHING OF A PRE-K -8 SCHOOL BUILDING AND ASSOCIATED FIELD REPLACEMENT.

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the School Building Committee for the construction of a Pre K – 8 School with associated field replacement and site work, located on town-owned land on Paxton Street, Leicester, MA which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”). The Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) 61.32 percent (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

PROPOSED MOTION

That the Town appropriate the amount of Ninety-One Million, Four Hundred Four Thousand, Seven Hundred Thirty-Four (\$91,404,734) Dollars for the purpose of paying costs of a Pre K – 8 School with associated field replacement and site work, located on town-owned land on Paxton Street, Leicester, MA, including the payment of all costs incidental or related thereto (the “Project”), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the Town may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of the School Building Committee. To meet this appropriation the Treasurer is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority. The Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; provided further that any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) 61.32 percent (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2½); and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA.

FINANCE ADVISORY BOARD RECOMMENDATION

CAPITAL PLANNING IMPROVEMENT COMMITTEE RECOMMENDATION

SELECT BOARD RECOMMENDATION

DISCRIPTION

The Town of Leicester is seeking a grant from the Massachusetts School Building Authority (“MSBA”) to fund a new Pre-K through Eighth Grade school with associated field replacement and site work, located on town-owned land on Paxton Street (“School Building Project”). This building will replace the Middle School, which will be removed, and Elementary School, which will be closed and potentially repurposed or sold.

The total cost of the School Building Project, estimated at \$91,404,734.00, will be funded in part by an anticipated MSBA grant. The Town will be responsible for payment of School Building Project costs over the amount of the grant approved by and received from the MSBA. The MSBA has signed a Project Scope and Budget Agreement with the Town, which guarantees project funding at up to 61.32% reimbursement of **eligible** costs. The maximum total facilities grant from MSBA is set at \$41,937,394, leaving the Town’s total maximum project budget, including contingencies, at \$49,467,340

This project is anticipated to be funded via a debt exclusion, meaning that it requires a town meeting vote and a ballot question asking if the Town may authorize a debt exclusion under Proposition 2 ½ as allowed by M.G.L. Ch. 59 §21C(k). Proposition 2½ limits the amount of revenue that the town may raise from local property taxes each year to fund municipal operations. However, Proposition 2½ allows a city or town to increase tax revenues above that limit with voter approval, i.e., by voting on a ballot question, which will be presented at a future election.

The full sum of the School Building Project cost of \$91,404,734.00. This sum includes both the Town’s share of \$49,467,340.00 share and the MSBA’s \$41,937,394.00 anticipated grant. If approved, the Town’s portion of the debt will be funded by a twenty-year borrowing, with four years of temporary debt. Estimated costs per thousand dollars valuation per year, based on estimated interest rates, and cost to average single family, at \$259,606 follow:

Fiscal Year	Cost per thousand	Cost to Ave Single Family
FY 2021	.0582 (\$0.06)	\$15.10
FY 2022	.6792 (\$0.68)	\$176.32
FY 2023	1.4797 (\$1.48)	\$384.13
FY 2024	2.5365 (\$2.54)	\$658.47
FY 2025 – FY 2044	3.5085 (\$3.51)	\$910.80

*To calculate the cost of the annual debt for any property, take its assessed value, divide it by \$1,000 and multiply by the rate list in the “cost per thousand” column. Example: Year 1 cost on average residential property valued at \$259,606/1000=259.60; 259.60*0.582 = \$15.10

VOTE REQUIRED FOR PASSAGE Requires a 2/3rds majority vote under M.G.L. c. 44 §20

TOWN OF LEICESTER
ANNUAL TOWN MEETING
September 26th, 2020

And you are hereby directed to serve this Annual Town Meeting Warrant by posting an attested copy in at least one public place in each precinct of the Town, on the Town Clerk's bulletin board, and on the bulletin board in the front entry of the Town Hall, and also by serving a copy of said Warrant to the Moderator and the Town Clerk, not less than fourteen (14) days before the 26th day of September 2020.

Given under our hand and seal of the Town on this _____ day of _____ 2020

Respectfully submitted, Leicester Select Board

Chair

Date: _____

Pursuant to above warrant, I have notified and warned the inhabitants of the Town of Leicester by posting a certified copy in the following precincts:

- Precinct 1. Leicester Post Office,
- Precinct 2. Redemption Center/Jan's Beer Mart,
- Precinct 3. Post Office in Rochdale,
- Precinct 4. Leicester Country Bank for Savings;

and on the Town Clerk's bulletin board, in the front entry of the Town Hall, with the Moderator, and with the Town Clerk, not less than fourteen days before the 26th day of September, 2020.

Printed Name of Constable

Signature of Constable

PROPOSED BALLOT QUESTION

BALLOT

Shall the Town of Leicester be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond(s) issued in order to construct and furnish a new Pre K-8 School and associated athletic fields to be constructed on school property on Paxton Street; said school to replace the existing Middle and Elementary Schools?

Yes ____ No ____



Town of Leicester
OFFICE OF THE SELECT BOARD
Town Hall, 3 Washburn Square
Leicester, Massachusetts 01524-1333
Phone: (508) 892-7077 Fax: (508) 892-7070
www.leicesterma.org

August 3, 2020

President Cecilia Calabrese
Massachusetts Municipal Association
One Winthrop Square
Boston, MA 02110

Dear Ms. Calabrese,

On July 16, 2020 and thereafter through online, digital, and print publications, the Massachusetts Municipal Association (MMA) has advocated publicly for both Massachusetts Senate and House versions of bills (S2800 & H4860 respectively) aimed at sweeping police reform statewide. While reconciliation of Senate and House bills has not yet begun, both bills include fundamental changes to the civil service process, collective bargaining, labor management, and qualified immunity for officers.

While the Leicester Select Board values the MMA, it is important to note that while purportedly acting as the voice of all Massachusetts cities and towns, the Town of Leicester was not consulted concerning this advocacy, which has created divisions locally, and could potentially put Law Enforcement Officials (LEOs) in conflict with municipal bodies.

On July 22, 2020, the Massachusetts Chiefs of Police Association publicly opposed both House and Senate bills.

MMA's advocacy surrounding this legislation has caused some in the community, including LEOs, to believe that municipal leadership at the local level is at odds with its own policing. The Select Board of the Town of Leicester has an excellent working relationship with the Leicester Police Department. Our officers, first responders, and frontline staff have demonstrated exemplary service throughout the last several months, during which Massachusetts has endured a pandemic, civil unrest, and a virtually economic shutdown.

The Leicester Select Board wishes to convey that we stand with our Police Department in solidarity during these unprecedented times and urges the MMA to ensure municipal leadership is polled statewide prior to advocacy that would make fundamental changes to municipal operations.

Sincerely,

Dianna Provencher, Chair

Harry Brooks, 1st Vice Chair

John Shocik, 2nd Vice Chair

Richard Antanavica, Member

Herb Duggan Jr., Member