

PUBLIC NOTICE POSTING REQUEST OFFICE OF THE LEICESTER TOWN CLERK

ORGANIZATION: Select Board

MEETING: X

PUBLIC HEARING:

DATE: August 17, 2020

TIME: 6:30pm

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 via computer, tablet or smartphone

<https://global.gotomeeting.com/join/782796885>

Dial in via phone

(571) 317-3112; Access Code: 782-796-885

CALL TO ORDER/OPENING

1. SCHEDULED ITEMS

- a. 6:30 PM - Fire Station Retention Pond Discussion with VHB

2. REPORTS & ANNOUNCEMENTS

- a. Select Board Reports
- b. Town Administrator Report

3. PUBLIC COMMENT PERIOD

4. RESIGNATIONS & APPOINTMENTS

- a. Resignation – Michael Curtis – Registrar (Republican)
- b. Appointment – William LeBeau – Registrar (Republican)
- c. Appointment – Suzanne Sears – Parks & Rec Committee
- d. Appointment – Renee McCue-Hall – Council on Aging

5. OTHER BUSINESS

- a. Recycling Center Discussion Update
- b. Sign State Primary Warrant
- c. Discussion/Vote to set date, time and location of Fall Town Meeting – 11/17/2020 @ 7:00 – High School Gymnasium
- d. Discussion/Vote to open the Fall Town Meeting Warrant and set warrant closing date – 09/24/2020 @ 5:00 PM.
- e. Discussion/Vote - Police Contract MOU
- f. Discussion/Vote - Department Head Contracts
- g. Reserve Fund Transfer - \$14,000 – Fire Department Air Pack Replacement Grant Match
- h. Approval of Sale of \$1,969,445 in Bonds Anticipation Notes (BAN)

- i. Discussion/Vote – FY21 Town Administrator Goals
- j. Discussion/Vote – Collection/Donation Box Ban Bylaw

6. MINUTES

- a. July 20, 2020
- b. July 30, 2020
- c. August 3, 2020

ADJOURN

Proposed Executive Session Motion

Board Member 1

I move to go into Executive Session under MGL Chapter 30A, Section 21(a) under

Exception #2 To conduct strategy sessions in preparation for negotiations with nonunion personnel (Department Head Contracts); and

Exception #3 To discuss strategy with respect to collective bargaining (Police Union)

The Board will reconvene in open session at the conclusion of executive session

Board Member 2

Second

Chairperson

To discuss these matters in open session would compromise the position of the Town, the Chair so declares.

VOTE BY ROLL CALL



Phone 508.752.1001
Fax 508.459.0877
www.vhb.com
Engineers | Scientists | Planners | Designers

120 Front Street
Suite 500
Worcester, MA 01608

Client Authorization

☐ New Contract:

Date: August 13, 2020

☒ Amendment No.: 5

Project No.: 14751.00

Project Name: Leicester Stormwater Basin Engineering Review – Amendment No. 5

		Cost Estimate	
		Amendment	Contract Total
To:	David A. Genereux Town Administrator Town of Leicester 3 Washburn Square Leicester, MA 01524	Labor: \$34,300	\$173,720
		Expenses: \$0	\$1,000
		TOTAL: \$34,300	\$174,720
E-mail:	genereuxd@leicesterma.org	<input checked="" type="checkbox"/> Lump Sum	<input type="checkbox"/> Time & Expenses
		<input type="checkbox"/> Lump Sum + Expenses	
		<input type="checkbox"/> Cost + Fixed Fee	<input type="checkbox"/> Labor Multiplier

Phone No: 508.892.7000

Estimated Date of Completion: Fall 2020

Project Description

VHB has been performing third party engineering review services for the Town of Leicester (The Client) regarding their Fire Station and EMS Project located at 3 Paxton Street (the Site). The Client has requested additional services which are included in this amendment.

The previously selected design route included the replacement of a portion of the Warren Avenue drainage system and extension of a drainage trunkline down Warren Ave to Harberton Drive, then down Harberton Drive to the existing stream discharge point at #14 Harberton Drive. During preparation of the Design Development plans and permitting documents for this work and the on-site improvements, VHB was requested to evaluate the possibility of revising the design to route the drainage from the Site down Gleason Way, discharging behind one of the houses on Gleason Way.

To date, significant progress had already been made on the original route off-site drainage design, including design plans, closed drainage system layout and profile, and an analysis of the capacity of the Warren Ave drainage system. Based on an initial desktop and field reviews by a VHB engineer and wetland scientist, it appears that the revised route is feasible; however, additional work is required to complete the design along this alternate route. As a result, VHB has prepared this amendment for engineering services required to redesign the off-site drainage system.

We anticipate the permitting effort for this new route will be similar as the initial route, requiring a Notice of Intent filing with the Leicester Conservation Commission. As a result, we are not proposing any changes to the scopes or fees for Task 12 – Permitting Support or Task 15 – Additional Permitting Support. In addition, since the work associated with Task 13 has not commenced and is expected to be similar to that required for the previously selected route, we are not proposing any changes to the scopes or fees for Task 13 – Construction Documents.



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Scope of Services

Task 16 – Wetland Resource Area Delineation – Gleason Way

Fee: \$2,500

A VHB wetland scientist will field review the project area indicated on the attached sketch and identify and delineate regulated wetland resource areas subject to federal, state, or local jurisdiction. The wetland scientist will delineate the resource area boundaries in accordance with requirements of the Massachusetts Department of Environmental Protection (DEP) and/or the US Army Corps of Engineers (USACE) and mark relevant resource area boundaries with numbered plastic flagging. The wetland scientist will collect field data to support the delineation, including representative photographs and field notes describing wetland and upland plant communities, soils, and hydrology in accordance with DEP criteria. Flag locations within 200' of the project area will be recorded using sub-meter accuracy GPS technology for use in Task 17. Flag locations within the survey limits of the selected alternative will be field surveyed under Task 18.

Task 17 – Gleason Way Conceptual Design

Fee: \$5,900

17.1 Conceptual Design Figures and Cost Estimates

VHB will develop up to three potential design alternatives for drainage configurations discharging west, toward Sargent Pond, via Gleason Way. VHB will also prepare an order of magnitude construction cost estimate for each alternative. The goal of these cost estimates will be to confirm that the alternatives meet the Town's funding requirements.

17.2 Additional Meetings

At the request of the Client, VHB will attend Project meetings as assumed below:

- Up to two presentations of Conceptual Design Alternatives to the Client/Abutters/Town Personnel, assumed to be conducted virtually

17.3 Response to Comments

At the request of the Client, VHB will provide up to 12 hours of support to develop responses to comments generated by the public and Select Board.

Task 18 – Additional Existing Conditions Site Survey – Gleason Way

Fee: \$10,400

Following the Client's selection of an alternative under Task 17, VHB will prepare an Existing Conditions Survey of the approximately 3.0-acre area associated with the selected alternative, as shown on the attached sketches and described below. The survey for this area will be produced using CAD based methods (AutoCAD Civil 3D 2020) and can be provided in a digital format if needed. This additional survey will be incorporated into the previously prepared Existing Conditions Base Plan. Survey will not be performed for the areas associated with the alternatives that were not selected.



- **Property Line Survey:** VHB will conduct an on the ground survey of the project boundaries. Record plans and deeds will be obtained for the locus parcels and immediate adjacent parcels at the town offices and Registry of Deeds. Evidence of the perimeter property lines (bounds, pipes, fences, walls) will be field measured, compiled with record data and shown on the plan.
- **Topographic Survey:** VHB will perform field survey, office calculations and plan preparation to develop a Topographic Survey of the area shown on the attached sketch. The survey will identify the location of the following features that are located within the Limit of Work: buildings (building corners of abutting house will be located that are outside limit of survey), paved areas, curbing, landscaping, wetland flags, surface utilities that are located within the limit of survey. In addition, ground elevations will be taken at sufficient locations to produce one-foot (1') contours throughout the limit of survey.
- **Underground Utility Survey:** VHB will perform research at the public and private utility agencies servicing the area. Existing record utilities such as gas, water, telephone, cable, electric will be shown on the base plan from these record drawings. Underground drain and sewer lines will be field located where observed. Invert elevations, pipe size, pipe type, and direction of flow will be field located, where accessible.

Task 19 – Design of Gleason Way Off-Site Improvements

Fee: \$13,600

Following completion of the additional existing conditions survey under Task 18, VHB will revise the following civil engineering related documents prepared under Task 11 (Design Development) to incorporate the Gleason Way work in support the design and permitting phase of the Project. VHB anticipates that the additional work will include new catch basins, manholes, pipe, outfalls, outlet protection, trench patching, etc. For the purposes of this scope and fee, VHB has assumed that we will develop one set of documents.

19.1 Revised Civil Engineering Design Development/Permit Phase Site Plans

VHB will modify the Design Development/Permit Phase site civil engineering plans for the Project to incorporate the selected alternative. VHB's plans developed under this task are intended to support design and permitting and are not intended to be used for construction.

VHB's modifications to the civil engineering plans will consist of the following:

- **Title Sheet:** This sheet will be modified to show contain a revised project locus map, drawing index, and property ownership.
- **Existing Conditions Plan:** These plans will be modified to show the revised boundary of the proposed project area and the existing site physical features, including all site utilities, environmental resource areas and topography at one-foot (1') contour intervals.
- **Layout and Materials Plan:** These plans will be modified to reflect the selected alternative and will include the proposed geometric layout and dimensional requirements of site improvements. In addition, VHB will identify materials anticipated to be used for construction (i.e., curbing types and other surface treatments) on this plan.
- **Grading, Drainage, and Erosion Control Plan:** These plans will be modified to reflect the selected alternative and will show the proposed topography at one-foot contour elevations

supplemented by spot grades and the location, size and invert elevations of proposed drainage facilities. The plan will identify the location and description of perimeter erosion control measures. It is VHB's understanding that the Project will not be located within the 100-year floodplain and will not require the preparation of compensatory flood storage calculations.

- Site Details: Site-specific typical details will be modified to include additional aspects of the design resulting from change in work.

19.2 Revised Stormwater Design – Gleason Way

VHB will revise the stormwater design to incorporate the Gleason Way work

Hydrologic Analysis

VHB will revise the hydrologic analysis to reflect the selected design alternative, including modifying the model subcatchments and routing, to incorporate the Gleason Way work. The analysis will evaluate pre-development/pre-construction and proposed conditions. Soils on the Site will be classified based on the most recent National Resource Conservation Service (NRCS) delineations as shown on the NRCS maps. VHB will develop a Hydrologic Model to determine existing peak runoff rates and volumes for storm events with a 2-, 10- and 100-year, 24-hour recurrence interval.

Closed-Drainage System Capacity Analysis

VHB will prepare a closed-drainage system capacity analysis to size existing and proposed pipes on Gleason Way. The capacity analysis will be based on Rational Method calculations and will evaluate peak runoff rates for the 25-year storm event.

Stormwater Report

It is anticipated that modifications to the Stormwater Report scope included under Task 11 will be relatively minor. As a result, we are not proposing any changes to the scope or fee for this subtask. The Stormwater Report will document compliance with the Leicester Stormwater Regulations and the DEP Stormwater Management Standards by attenuating the increase in peak rates of runoff to pre-development/pre-construction conditions.

Preparation of new or additional evaluations or analyses for on-site or off-site project components, significant changes to site layout, relocation and/or redesign of site drainage or other utilities, or similar significant changes will be undertaken as additional services beyond the scope of this contract.

19.3 Additional Meetings

At the request of the Client, VHB will attend Project meetings as assumed below:

- One Design Progress Meeting with the Client and applicable Town Personnel, assumed to be conducted virtually



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Task 20 – Gleason Way Easement Plan

Fee: \$1,900

VHB will utilize previously obtained property line data to create an easement plan for the location where the proposed drainage system crosses and/or discharges onto a property on Gleason Way. The new easement configuration to be determined by the client and/or engineer and supplied to VHB. The plan will be drawn at a suitable scale and meet the current Worcester County Registry of Deeds Requirements for recording.

Right to Rely

It is understood that VHB will perform services under the sole direction of the Client. The Client shall provide VHB with project-related technical data including, but not limited to, the following:

- Permissions to access the Site and surrounding areas as necessary;
- Copies of available previous surveys and subdivision plans of the Site and surrounding areas as necessary;
- Copy of Title Report and relevant documents; and
- Project-related technical data including any historical environmental reports, and all other relevant data pertaining to the environmental condition of the Site.

VHB shall be entitled to rely upon the accuracy and completeness of information furnished by the Client in connection with the performance of services under this Agreement. VHB will not, as part of this Agreement, independently verify the accuracy and completeness of work prepared by other entities.

Compensation

VHB will perform the Scope of Services contained in this Amendment on a fixed fee basis for an additional fee of **\$34,300**. We will invoice monthly on based on estimated percent complete.

Services Not Included

The Scope of Services for this Agreement is inclusive only of those tasks herein specified. Should any other work be required, VHB will prepare an appropriate proposal or amendment, at the Client's request, that contains the scope of services, fee, and schedule required to complete the additional work items.

The Client understands that VHB is providing the limited services above. As such, VHB shall not be liable for any unknown or unforeseen circumstances which may affect the Client's purchase, sale or development of the Site.



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Prepared By: **Luke Boucher, PE**

Department Approval: **Jacob San Antonio, PE**

Please execute this Client Authorization for VHB to proceed with the above scope of services at the stated estimated costs. No services will be provided until it is signed and returned to VHB.

☐ Subject to attached terms & conditions.

☒ Subject to terms & conditions in our original agreement dated 09/27/2019.

Vanasse Hangen Brustlin, Inc. Authorization

By: _____

Print: Jake San Antonio

Title: Managing Director

Date: 8/14/2020

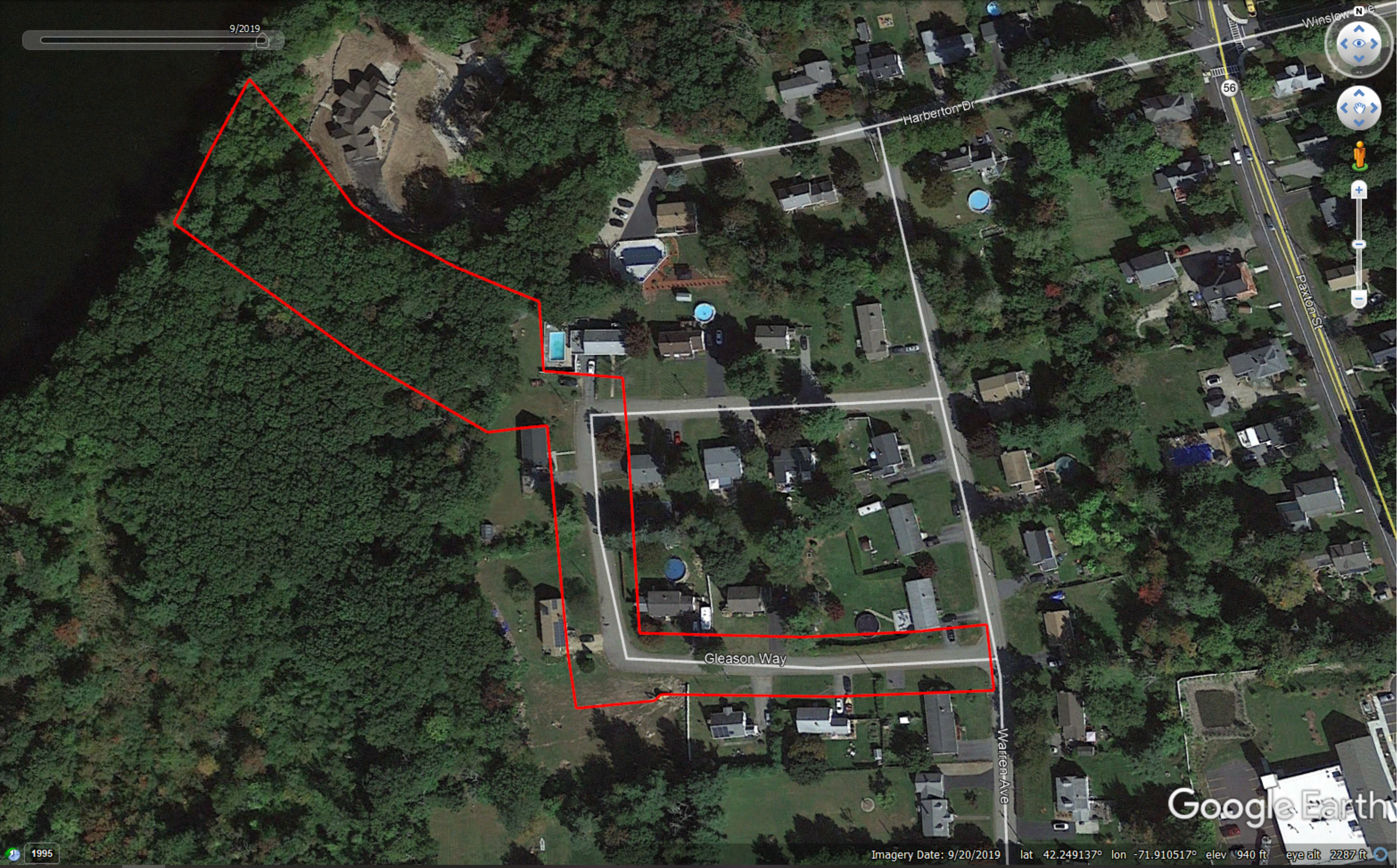
Client Authorization *(Please sign original and return)*

By: _____

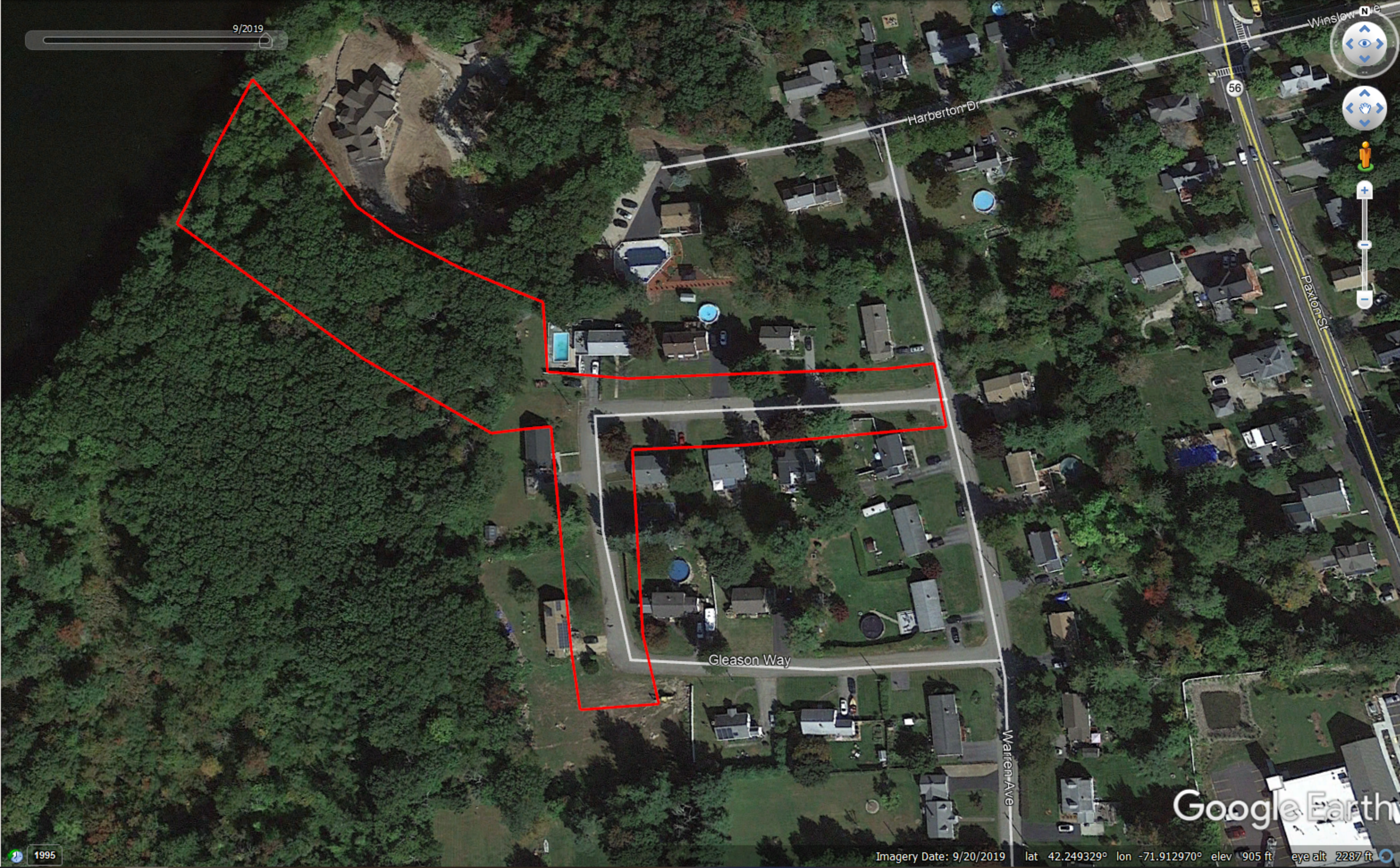
Print: _____

Title: _____

Date: _____

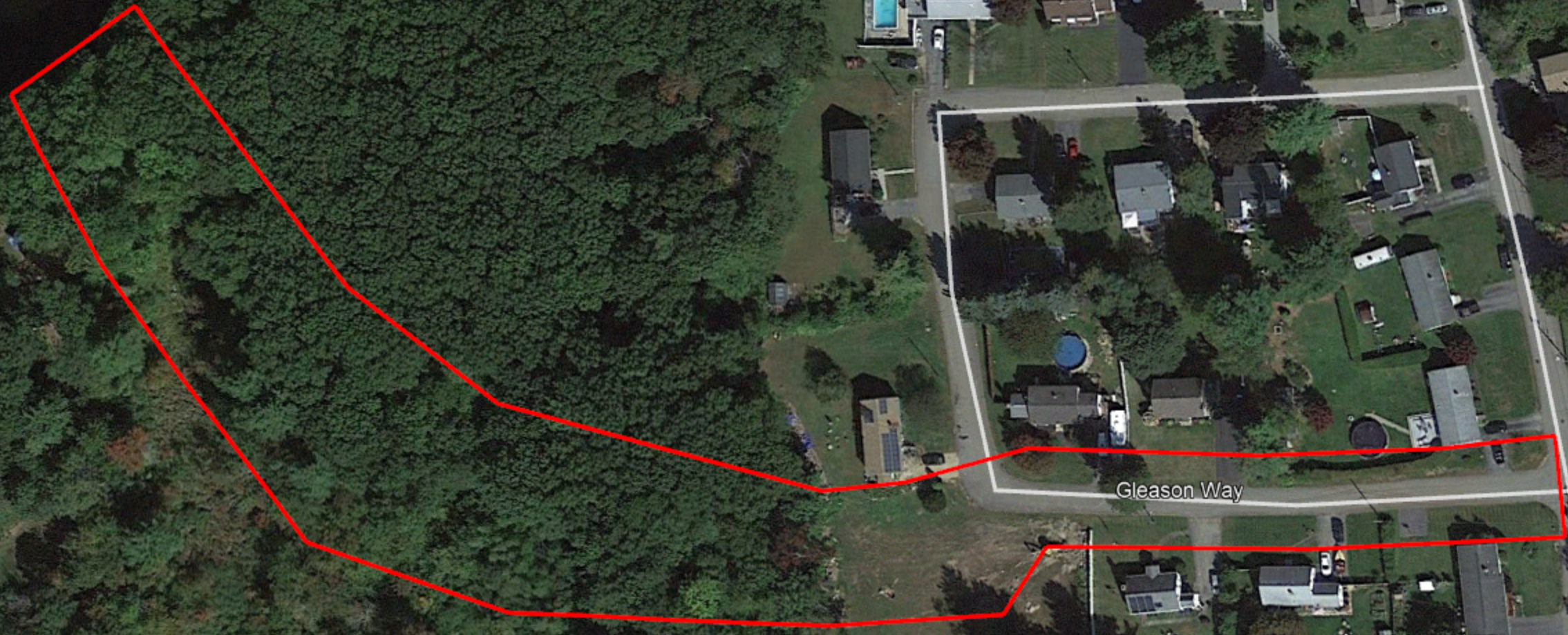


Approximate Limit of Survey - Gleason Way Option 1
VHB Job No. 14751.00
Amendment No. 5



Approximate Limit of Survey - Gleason Way Option 2
VHB Job No. 14751.00
Amendment No. 5

9/2019



Harberton Dr

56

Paxon St

Gleason Way

Warren Ave

Google Earth

Imagery Date: 9/20/2019 lat 42.248224° lon -71.910273° elev 957 ft eye alt 2287 ft

1995

Approximate Limit of Survey - Gleason Way Option 3
VHB Job No. 14751.00
Amendment No. 5



Phone 508.752.1001
Fax 508.459.0877
www.vhb.com
Engineers | Scientists | Planners | Designers

120 Front Street
Suite 500
Worcester, MA 01608

Client Authorization

☐ New Contract:

Date: August 13, 2020

☒ Amendment No.: 6

Project No.: 14751.00

Project Name: Leicester Stormwater Basin Engineering Review – Amendment No. 6

		Cost Estimate	
		Amendment	Contract Total
To:	David A. Genereux Town Administrator Town of Leicester 3 Washburn Square Leicester, MA 01524	Labor: \$19,000	\$192,720
		Expenses: \$0	\$1,000
		TOTAL: \$19,000	\$193,720
E-mail:	genereuxd@leicesterma.org	<input checked="" type="checkbox"/> Lump Sum	<input type="checkbox"/> Time & Expenses
		<input type="checkbox"/> Lump Sum + Expenses	
		<input type="checkbox"/> Cost + Fixed Fee	<input type="checkbox"/> Labor Multiplier

Phone No: 508.892.7000

Estimated Date of Completion: October 1, 2020

Project Description

VHB has been performing third party engineering review services for the Town of Leicester (The Client) regarding their Fire Station and EMS Project located at 3 Paxton Street (the Site). The Client has requested additional services which are included in this amendment.

The previously selected design route included the replacement of the Warren Avenue drainage system and extension of a drainage trunkline down Warren Ave to Harberton Drive, then down Harberton Drive to the existing stream discharge point at #14 Harberton Drive. During preparation of the Design Development plans and permitting documents for this work and the on-site improvements, VHB was requested to evaluate the feasibility of revising the design to eliminate the need for easements through private properties by incorporating a stormwater pump station into the design. The discharge from the stormwater pump station would convey flows to the existing closed-drainage system in either Paxton Street (Route 56) or to Main Street (Route 9). As a result, VHB has prepared this amendment for engineering services required to complete the feasibility study.

As the scope and complexity of the final stormwater pump station design is dependent on the outcome of the feasibility study, a separate amendment will be required to advance the stormwater pump station design to a level commensurate with Task 11 - Design Development and Task 13 – Construction Documents.



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Scope of Services

Task 21 – Stormwater Pump Station Feasibility Study

Fee: \$19,000

21.1 Stormwater Pump Station Feasibility Study

VHB will perform conceptual design of a stormwater pump station. As the previously selected stormwater design was estimated to result in no overland discharges (pond overflows) onto Warren Ave properties for the 100-year storm event, the stormwater pump station feasibility study will also be based on this design criteria. As a result, the combination of pumping and on-site storage will be designed to minimize overtopping and discharge onto adjacent properties for the 100-year event.

As the stormwater pump station would discharge into either the existing closed-drainage systems on Paxton Street (Route 56) or Main Street (Route 9), it is critical that the receiving system has adequate excess capacity to convey design flows from the stormwater pump station to prevent the additional flows from causing or exacerbating roadway flooding.

VHB will perform a hydraulic analysis of the Town-owned and operated Paxton Street (Route 56) closed drainage system for the 10-year storm event. The 10-year storm event is consistent with the design of roadway closed-drainage systems where water on the roadway has reduced potential to result in significant damage to adjacent properties. The analysis of the existing closed drainage system will require delineation of the entire tributary watershed of the existing system, as well as preparation of a hydraulic model to determine which, if any, portions of the existing system would require replacement with larger capacity pipes.

As Main Street (Route 9) is a State-owned and operated roadway, VHB will conduct preliminary coordination with MassDOT to inquire whether or not they would allow a connection from the stormwater pump station into the existing system. In addition, VHB will discuss any known capacity or flooding issues in the existing system with MassDOT and Leicester DPW. **If this coordination indicates that MassDOT will allow the connection and MassDOT is not aware of any existing capacity or flooding issues, VHB can prepare a hydraulic analysis of the Main Street (Route 9) system under a separate amendment.** We anticipate this would require delineation and modeling the existing drainage associated with approximately 1.5 miles of roadway, extending from the high points in Pleasant Street, Main Street, and South Main Street to the discharge point into Sargent Pond. Due to the significant effort associated with this alternative, VHB has excluded the Main Street (Route 9) hydraulic analysis under this scope of work and is only providing initial preliminary coordination with MassDOT and the Leicester DPW. If this alternative becomes a viable option, VHB can prepare a separate amendment to perform a hydraulic analysis of the Main Street (Route 9) system.

21.2 Conceptual Design Figure and Cost Estimate

VHB will develop a conceptual design figure for a stormwater pump station configuration discharging from the site to Paxton Street (Route 56). VHB will also prepare an order of magnitude construction



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cost estimate for this configuration. The goal of this cost estimate will be to confirm that the project meets the Town's funding requirements.

21.3 Additional Meetings

At the request of the Client, VHB will attend Project meetings as assumed below:

- Up to two presentations of Conceptual Design to the Client/Abutters/Town Personnel, assumed to be conducted virtually

21.4 Response to Comments

At the request of the Client, VHB will provide up to 20 hours of support to develop responses to comments generated by the public and Select Board.

Preparation of new or additional evaluations or analyses for on-site or off-site project components, significant changes to site layout, relocation and/or redesign of site drainage or other utilities, or similar significant changes will be undertaken as additional services beyond the scope of this contract.

Right to Rely

It is understood that VHB will perform services under the sole direction of the Client. The Client shall provide VHB with project-related technical data including, but not limited to, the following:

- Permissions to access the Site and surrounding areas as necessary;
- Copies of available previous surveys and subdivision plans of the Site and surrounding areas as necessary;
- Copy of Title Report and relevant documents; and
- Project-related technical data including any historical environmental reports, and all other relevant data pertaining to the environmental condition of the Site.

VHB shall be entitled to rely upon the accuracy and completeness of information furnished by the Client in connection with the performance of services under this Agreement. VHB will not, as part of this Agreement, independently verify the accuracy and completeness of work prepared by other entities.

Compensation

VHB will perform the Scope of Services contained in this Amendment on a fixed fee basis for an additional fee of **\$19,000**. We will invoice monthly on based on estimated percent complete.



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August 13, 2020
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Services Not Included

The Scope of Services for this Agreement is inclusive only of those tasks herein specified. Should any other work be required, VHB will prepare an appropriate proposal or amendment, at the Client's request, that contains the scope of services, fee, and schedule required to complete the additional work items.

The Client understands that VHB is providing the limited services above. As such, VHB shall not be liable for any unknown or unforeseen circumstances which may affect the Client's purchase, sale or development of the Site.

Prepared By: **Luke Boucher, PE**

Department Approval: **Jacob San Antonio, PE**

Please execute this Client Authorization for VHB to proceed with the above scope of services at the stated estimated costs. No services will be provided until it is signed and returned to VHB.

☐ Subject to attached terms & conditions.

☒ Subject to terms & conditions in our original agreement dated 09/27/2019.

Vanasse Hangen Brustlin, Inc. Authorization

By: 

Print: Jacob San Antonio

Title: Managing Director

Date: 8/14/2020

Client Authorization *(Please sign original and return)*

By: _____

Print: _____

Title: _____

Date: _____



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

August 17, 2020

To: Select Board
From: David Genereux, Town Administrator
RE: Town Administrator's report

The following is a report on the general activities of the Town Administrator through August 15, 2020.

Citizen issues: Topics discussed with various citizens.

- ☐ Dealt with issues regarding a public records request for emails
- ☐ Provided information on miscellaneous topics, including Moose Hill and Towtaid Park

Meetings:

- ☐ Attended meeting with Mr. Brooks with the Worcester City Manager regarding the Town's intermunicipal agreement with the Health Alliance.
- ☐ Met with Neil Dixon, the Architect, who presented the final ADA upgrades needed for Town Hall. We intend to apply for grant funding over the next two months.
- ☐ Mr. Dixon and I have toured the Hillcrest Country Club building as well. He is now working on feasibility study for the building.
- ☐ Attended the August 5 School public forum. There was much discussion regarding the building, new fields and site work.

Activities:

- ☐ Interviewed four candidates for Health Agent Position. One candidate was unsuitable, two had potential but limited experience. The final candidate is quite qualified and is willing to work 25 hours per week.
- ☐ I am pleased to report that the Fire Department has received an SCBA grant in the amount of \$294,000. There is a local contribution of \$14,000, for which we are seeking a reserve fund transfer. The reserve fund will be replenished at the Fall Town Meeting.
- ☐ Planned two upcoming meetings, a forum with Senator Moore and David LeBoeuf scheduled online for August 17th at 4:00 pm, and internal kick off meeting with the water/sewer group on August 20. Weston and Sampson are now gathering information from the districts to perform the study.
- ☐ Sent letters to the three abutters located in the best position for the drainage of the Fire Station ponds looking for a potential easement.
- ☐ Planning for the next round of CARES Act funding that will be available in September.
- ☐ Spoke with David LeBoeuf about an economic development bond bill that was submitted in the House. He got \$250,000 for the expansion of the gas line by Burncoat Street, and \$75,000 for town wide business marketing. He also put in \$100,000 for improvements to the WorcShop in Rochdale for improvements. Time will tell whether any of these projects get approved as the bill moves forward.
- ☐ Worked on the bid for the Towtaid park equipment. I estimate that we will be finalizing the check and ordering next week.
- ☐ Planning the kickoff meeting for the Waite Pond Dam project on August 20th. The contract has been finalized.
- ☐ Worked on department head contracts for executive session.
- ☐ Worked on insurance claim for school employees whose ID's were listed on social media.
- ☐ The auditor has finalized the FY 2019 audit. We will have them present it to the Board at a future meeting.

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

Leicester Republican Town Committee
Leicester, MA 01524

August 4, 2020

Select Board
Town of Leicester
3 Washburn Square
Leicester, MA 01524

Re: Appointment of Registrar

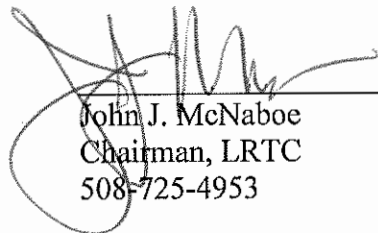
Dear Ladies and Gentlemen,

I am contacting you on behalf of the Leicester Republican Town Committee as its Chairman. Michael Curtis has recently moved out of Leicester and as a result has resigned as a Registrar for the Town of Leicester. I am requesting on behalf of the Leicester Republican Town Committee that you appoint William LeBeau of 73 Lake Avenue, Leicester, Massachusetts as his replacement on the Board of Registrars.

Please let me know if you require anything further.

Thank you for your assistance in this matter

Very truly yours,



John J. McNaboe
Chairman, LRTC
508-725-4953



TOWN OF LEICESTER CITIZEN VOLUNTEER FORM

From time to time vacancies/resignations occur on various town boards and committees. Should you be interested in volunteering to serve the Town in any capacity, please complete this form. Information received will be made available to boards, committees, and departments for their reference in filling vacancies.

NAME Suzanne Sears HOME TEL. _____

ADDRESS: _____ WORK TEL. _____

EMAIL ADDRESS: _____

Are you a citizen? ☒ Yes ☐ No Are you a registered voter? ☒ Yes ☐ No

- | | |
|---|--|
| <input type="checkbox"/> Advisory/Finance Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Agricultural Commission | <input type="checkbox"/> Historical Commission |
| <input type="checkbox"/> Arts Council | <input type="checkbox"/> Memorial Day Committee |
| <input type="checkbox"/> Bandstand Committee | <input checked="" type="checkbox"/> Parks and Recreation Committee |
| <input type="checkbox"/> Burncoat Park Planning Committee | <input type="checkbox"/> Recycling Committee |
| <input type="checkbox"/> Bylaw Committee | <input type="checkbox"/> Road Conversion Committee |
| <input type="checkbox"/> Capital Improvement Planning Comm. | <input type="checkbox"/> Stormwater Committee |
| <input type="checkbox"/> Commission on Disabilities | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Other _____ |

AVAILABILITY FOR MEETINGS

How many times per month are you available for meetings?

☒ Four ☐ Two ☐ One ☐ Less than one

Are you available for evening meetings?

☒ Monday ☒ Tuesday ☒ Wednesday ☒ Thursday

Are you available throughout the year for committee meetings?

☒ Yes ☐ No

If not, when are you **NOT** available?

☐ Winter ☐ Spring ☐ Summer ☐ Autumn

EDUCATION: _____

(Please complete reverse side)

EMPLOYMENT EXPERIENCE:

Town of Leicester: Are you currently or have you ever been employed by the Town? ☐ Yes ☒ No

If yes, state position(s) and date(s): _____

Other Experience: Start with present or last job (include title) and military service assignments.
Exclude organizations' names which indicate race, religion, sex, or national origin.

Currently on Ag, Bylaw & recycling also the president of LGS League

COMMENTS: Please tell us why you are interested in serving on the committees noted and any additional comments you may have: _____

I am interested in serving our town and becoming a member of parks n rec

Sometimes there is a short-term need for special background skills.

Please indicate your field(s) of training or experience below, as appropriate. Your application will be added to the list of residents who have expressed an interest in serving in similar capacities.

I possess the following training or experience:

- | | | |
|---|--|---|
| <input type="checkbox"/> Architecture | <input checked="" type="checkbox"/> Communications | <input checked="" type="checkbox"/> Computer Technology |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Economics | <input type="checkbox"/> Education |
| <input type="checkbox"/> Engineering, Civil | <input type="checkbox"/> Engineering, Electronic | <input type="checkbox"/> Engineering, Mechanical |
| <input type="checkbox"/> Financial Administration | <input type="checkbox"/> Fine Arts | <input type="checkbox"/> Government Contracts |
| <input checked="" type="checkbox"/> Health Care | <input type="checkbox"/> Historic Activities | <input type="checkbox"/> Human Services |
| <input type="checkbox"/> Insurance | <input type="checkbox"/> Land Use Planning | <input type="checkbox"/> Grant Writing |
| <input type="checkbox"/> Law | <input type="checkbox"/> Management | <input type="checkbox"/> Personnel Administration |
| <input type="checkbox"/> Property Appraisal | <input type="checkbox"/> Public Relations | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Science | <input type="checkbox"/> Statistics | <input type="checkbox"/> Survey Research |
| <input type="checkbox"/> Systems Analysis | <input type="checkbox"/> Transportation | |

Other Skills & Interests: _____

Government or Community Volunteer Experience (Leicester or Elsewhere)

Position/Activity	Date(s)	City or Town
_____	_____	_____
_____	_____	_____
_____	_____	_____

<div style="border: 1px solid black; padding: 5px; display: inline-block;"><small>eSigned via SeamlessDocs.com</small> <i>Suzanne C. Sears</i> <small>Key: cb5a1d93b8d05a9db6e2b633b76e2d8ca</small></div>	06/25/2020
Signature of Applicant	Date

Thank you for your interest in serving the Town of Leicester



TOWN OF LEICESTER

Council on Aging

40 Winslow Avenue • LEICESTER, MASSACHUSETTS 01524-1113

TELEPHONE: (508) 892-7016 • FAX: (508) 892-7506

www.leicesterma.org

Rachelle Cloutier, M.Ed.

Director of Elder Affairs

E-mail: cloutierr@leicesterma.org

MEMO TO: Leicester Select Board

FROM: Council on Aging/Rachelle S. Cloutier

DATE: August 13, 2020

RE: COA Board Appointment

The Council on Aging met on August 6, 2020 and appointed Renee McCue-Hall to the COA Board.

Renee is a graduate of Worcester State College and has a Master's Degree in Community Counseling from Assumption College. She holds an LCSW license. She will be a good addition to our COA Board.

We request for the Select Board appoint her to our COA Board.

Sincerely,

Rachelle S. Cloutier, M.Ed.

Director of Elder Affairs

Currently No Openings
10/8/19

(For Office Use Only)

DATE:

10/3/2019

VACANT TERM(S):

CO

RECEIVED

2019 OCT -3 PM 12:42

TOWN CLERK'S OFFICE
LEICESTER, MASS

TOWN OF LEICESTER CITIZEN VOLUNTEER FORM

From time to time vacancies/resignations occur on various town boards and committees. Should you be interested in volunteering to serve the Town in any capacity, please complete this form and return it, either by mail or in person, to the Selectmen's Office, Leicester Town Hall, 3 Washburn Square, Leicester MA 01524. Information received will be made available to boards, committees, and departments for their reference in filling vacancies.

NAME

Renee J McGee-Hall

Leicester MA

Are you a citizen?

☒ Yes

☐ No

Are you a registered voter?

☒ Yes

☐ No

- ☐ Advisory/Finance Board
- ☐ Arts Council
- ☐ Bandstand Committee
- ☐ Burncoat Park Planning Committee
- ☐ By-law Committee
- ☐ Cable Advisory Committee
- ☐ Capital Improvement Planning Comm.
- ☐ Commission on Disabilities
- ☐ Conservation Commission
- ☒ Council on Aging
- ☐ Other _____

- ☐ Economic Development Committee
- ☐ Green Energy Committee
- ☐ Historical Commission
- ☐ Memorial Day Committee
- ☐ Parks and Recreation Committee
- ☐ Personnel Board
- ☐ Recycling Committee
- ☐ Storm Water Committee
- ☐ Town Office Study Committee--Phase III
- ☐ Zoning Board of Appeals

AVAILABILITY FOR MEETINGS

How many times per month are you available for meetings?

☒ Four

☐ Two

☐ One

☐ Less than one

Are you available for evening meetings?

☐ Monday

☐ Tuesday

☐ Wednesday

☐ Thursday

Are you available throughout the year for committee meetings?

☒ Yes

☐ No

If not, when are you **NOT** available?

☐ Winter

☐ Spring

☐ Summer

☐ Autumn

EDUCATION:

masters

RECEIVED OCT 17 2019

e) Tax work off programs

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

STATE PRIMARY WARRANT

SS.

To the Constables of the City/Town of LEICESTER

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Primaries to vote at:

PRECINCTS ONE, TWO, THREE & FOUR

3 WASHBURN SQUARE, LEICESTER, MASSACHUSETTS

on **TUESDAY, THE FIRST DAY OF SEPTEMBER, 2020**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Primaries for the candidates of political parties for the following offices:

SENATOR IN CONGRESS.	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.	2 nd DISTRICT
COUNCILLOR.	7 th Worcester DISTRICT
SENATOR IN GENERAL COURT	2 nd Worcester DISTRICT
REPRESENTATIVE IN GENERAL COURT.	17 th Worcester DISTRICT
REGISTER OF PROBATE.	Worcester COUNTY

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

On the Town Clerk's bulletin board, in the front entry of the Town Hall, the Wardens and the Town Clerk, not less than Seven days before the first day of September, 2020.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 17th day of August, 2020.

_____	_____
_____	_____
_____	_____

Selectmen of: LEICESTER, MASSACHUSETTS

A True Copy, Attest:

_____, 2020.
Constable



RESERVE FUND TRANSFER REQUEST

Date of Request: 08/17/20

Department: #220 Name: Fire Department

Request is hereby made of the Advisory Board of the Town of Leicester for the following transfer from the Reserve Fund in accordance with Chapter 40, Section 6 of the MGLs.

CURRENT RESERVE FUND BALANCE: \$50,000

TOTAL AMOUNT OF REQUEST: \$14,000

To Line Number: 01-220-5400-0005

Amount: \$129,790.39

REVISED RESERVE FUND BALANCE: \$36,000

State what transfer will be used for and give reason for this emergency request:

The Fire Department received a \$294,000 grant from the Department of Homeland Security for replacement air packs. There is a 5% local contribution requirement as part of the grant, which amounts to \$14,000. This amount will be transferred back into the Reserve Fund at the Fall Town Meeting.

Signature of applicant: 

Approved: _____ Disapproved: _____

Chair, Select Board - Signature _____

ADVISORY BOARD ACTION

Date of Advisory Board meeting: _____

Approved: _____ Disapproved: _____

Amount approved: _____ Account Number: _____

Chair, Advisory Board - Signature _____

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Michael Dupuis
LEICESTER, TOWN OF
3 PAXTON ST
LEICESTER, MA 01524



FEMA

EMW-2019-FG-10257

Dear Michael Dupuis,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2019 Assistance to Firefighters Grant (AFG) Grant funding opportunity has been approved in the amount of \$280,000.00 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 5.00% of the Federal funds awarded, or \$14,000.00 for a total approved budget of \$294,000.00. Please see the FY 2019 AFG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2019 AFG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in black ink, appearing to read "C Logan".

Christopher Logan
Acting Assistant Administrator
Grant Programs Directorate

Bond Anticipation Note (BAN) Sale

August 13, 2020

Bids were taken for a note sale on 8/13/2020 for the following BAN's:

Renewal of:	\$700,000 Fire Station Settlement
	\$481,445 Middle School Feasibility Study
New Sale of:	\$400,000 Fire Retention Pond
	\$388,000 Waite Pond Dam

Notes will be issued on the renewal date of 8/26/2020 at a rate of 0.64, due 8/26/2021.

PROPOSED BOARD MOTION

I move to award \$1,969,445 par amount of bond anticipation notes, dated August 26, 2020 and maturing August 26, 2021 (the "Notes") to T.D. Bank, N.A. at a rate of 0.64%, and to authorize the Treasurer, members of the Select Board, and Town Clerk to sign and seal the Note certificate and other related documents, and to authorize the Treasurer, Town Administrator, members of the Select Board, the Town Clerk, and any other Town official to take any other action necessary to accomplish the settlement and ultimate payment of the Notes.

COLLECTION BOXES FOR NOT FOR PROFIT AND PROFIT ORGANIZATIONS AND INDIVIDUALS
(New Bylaw 5-7-01, Amended 10-20-15)

SECTION 1: This General Bylaw shall be known and cited as the "Collection Box Bylaw". Its purpose is to standardize the placement of collection boxes and maintenance of the area in which the collection boxes are located on real property in the Town of Leicester to promote the health, safety and welfare of the inhabitants of the Town of Leicester by reducing sources of filth, litter and debris caused by the improper placement and maintenance of such collection boxes.

SECTION 2: DEFINITIONS: For the purpose of this General Bylaw, the words and phrases used herein shall have the following meaning, except in those instances where the context clearly indicates a different meaning:

CERTIFICATE OF COMPLIANCE: The Certificate of Compliance issued by the Board of Selectmen to an operator of a collection box.

COLLECTION BOXES: Any type of self-service device for the collection of used and/or new articles of clothing, shoes; new and/or used articles of household goods including but not limited to bedding, curtains, decorative items such as pictures, and object d'art; books and/or magazines.

NOT FOR PROFIT ORGANIZATIONS OR AGENCY: Any entity that has been approved by the Internal Revenue Service as a not for profit organization, agency or corporation pursuant to Internal Revenue Code Section 501(c), and is recognized as any legal entity by the Commonwealth of Massachusetts and/or is registered with the Secretary of the Commonwealth, Department of Corporations.

FOR PROFIT ORGANIZATIONS OR AGENCY: Any entity that has not been approved by the Internal Revenue Service as a not for profit organization, agency or corporation pursuant to Internal Revenue Code Section 501 (c), and is recognized as a legal entity by the Commonwealth of Massachusetts and/or is registered with the Secretary of the Commonwealth, Department of Corporations.

INDIVIDUAL: Any person or persons including any person registered with the Town of Leicester as doing business under another name, who is not a legal entity recognized by the Commonwealth of Massachusetts and/or is not registered with the Secretary of the Commonwealth, Department of Corporations.

PROPERTY OWNER: Any individual, not for profit and/or for profit organization or agency who is the record owner of real estate located within the Town of Leicester and recorded at the Worcester District Registry of Deeds.

OPERATOR: Any natural person or other legal entity, including but not limited to, not for profit or for profit corporations, partnerships, joint ventures who either own, operate or are otherwise in control of the collection box.

SECTION 3: PERMITTED LOCATIONS Collection boxes are permitted in all zoning districts designated on the Town of Leicester Zoning Map.

SECTION 4: GENERAL REQUIREMENTS The placement of collection boxes on real estate by an operator is prohibited without the written permission of the property owner. The operator of the collection box shall provide a copy of the property owner's written permission to the Board of Selectmen. The Board of Selectmen may then issue a Certificate of Compliance to the operator. The Board of Selectmen reserves the right to deny any request for a Certificate of Compliance at their discretion. A letter with the reason for denial will be sent to the applicant.

SECTION 5: PROPERTY OWNER OBLIGATIONS Any property owner who grants permission to an operator for placement of a collection box shall be held responsible for keeping the area around the collection box free from excess articles that do not fit into the collection box or have not been properly placed into the collection box. The property owner will be responsible for the removal and storage of articles that will not fit

into the collection box. The property owner shall maintain the area around the collection box daily. The Board of Selectmen may assess fines not to exceed \$100.00 per Section 7 to the property owner for failure to remove excess articles immediately upon receipt of written notification from the Board of Selectmen. All notices shall be sent to both the property owner and operator.

SECTION 6: OPERATOR OBLIGATIONS Collection boxes must be clearly labeled contact information for the operator on the front of the box including name, address and telephone number. Any operator who fails to obtain a Certificate of Compliance or fails to pick up items from the collection box within five (5) calendar days from the Board of Selectmen's written request to remove same shall bear the expense of the collection box removal and storage by the Town of Leicester and/or the property owner. The Board of Selectmen shall enforce compliance with this Bylaw and may enter upon real property for purposes of such compliance. The Board of Selectmen may assess fines not to exceed \$100.00 per Section 7 to the operator for failure to empty and maintain the collection box(es) immediately upon receipt of written notification from the Board of Selectmen. All notices shall be sent to both the property owner and operator.

SECTION 7: VIOLATION Any violation of the provisions of this Bylaw shall be punished by a fine Not to exceed \$100.00 for each offense. Both the property owner and collection box operator be jointly and severally liable for each violation. If within one year from the issue date of the Certificate of Compliance, the Board of Selectmen issues three (3) notices of non-compliance to the property owner and/or operator has then said operator shall not be allowed to place any collection boxes within the Town of Leicester and any existing placements shall be removed by the operator forthwith after notice or by the Town. Any operator or owner shall be granted the opportunity to be heard by the Board of Selectmen prior to the final notice of non-compliance. Any continued violation of this Bylaw after final notice and hearing shall be subject to the provisions of Section 6.1 of the General Bylaws of the Town of Leicester.

**SELECT BOARD MEETING MINUTES
JULY 20, 2020 AT 6:00PM
VIRTUAL MEETING**

CALL TO ORDER/OPENING

Chairwoman Provencher called the meeting to order at 6:00pm. Chair Dianna Provencher, Vice-Chair Harry Brooks, Second Vice-Chair John Shocik, Selectman Rick Antanavica, Selectman Herb Duggan Jr., Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg were in attendance.

1. SCHEDULED ITEMS

None

2. PUBLIC COMMENT PERIOD

Resident Doug Belanger of 13 Harberton Drive requested the Select Board read and respond to the letter sent in from his neighbor David Baril expressing concerns about a potential increase in water on his property resulting from the Fire & EMS Headquarters water mitigation project.

3. RESIGNATIONS & APPOINTMENTS

a. Resignation – Building Inspector – David McRae

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to accept the resignation of Building Inspector David McRae and to send a letter of thanks for service. Roll call: 5:0:0.

b. Appointment – Conservation Commission – Steve Paretti

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to appoint Steve Paretti to the Conservation Commission for a three-year term. Roll call: 5:0:0.

c. Appointment – Highway Seasonal Laborer – Nick Miller

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to appoint Nick Miller and Conor Higgins as highway seasonal laborers. Roll call: 5:0:0.

d. Appointment – Highway Seasonal Laborer – Conor Higgins

See above – joint motion made

e. FY21 Appointments to Boards and Committees

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to approve all FY21 appointments to boards and committees as listed in the packet. Roll call: 5:0:0.

4. OTHER BUSINESS

a. Contract – BSC – Community Compact Culvert Assessment

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to authorize the Chair to sign a contract with BSC for a culvert assessment through the community compact grant. Roll call: 5:0:0.

b. Discuss Contractor Use of Compost Area at the Recycling Center

Highway Superintendent Dennis Griffin expressed concerns regarding root balls, large brush and large logs being dropped off at the Recycling Center. Highway does not have the space, time or manpower to compost these items and the cost to have an outside company do it is \$10-\$12K per year. There were concerns regarding whether contractors with keys were dumping these items. Several Recycling volunteers confirmed that these

items were coming primarily from residents and that they weren't aware these items could not be taken. The need for additional monitoring when residents are dropping off items was discussed.

Mr. Genereux also expressed concern about potential anti-aid violations by spending public dollars to process materials from private contractors at a very low cost. The five contractors using the Center pay \$30 per year per vehicle, a \$75 annual fee and a key deposit of \$75. Increasing the annual cost for contractors was discussed as a possibility. Concerns about out of town contractors bringing in materials that may contain the Asian Long Horned beetle were raised. The Board asked the Town Administrator to look into the legality of providing this service to private contractors and the Recycling Committee to come back with a plan to address the concerns raised. This item will be discussed again at the August 17th select board meeting.

c. Request to Purchase Radios for the Fire & EMS Headquarters

Fire Chief/EMS Director Bob Wilson discussed the need to purchase backup radios for the headquarters due to two recent incidents where the on duty crew did not hear the tones; one was due to an antennae that was blown down by the wind which has been fixed. Chief Wilson noted the Building Committee held off on purchasing these radios due to funding concerns. The radio grant that the Police Department has applied for only overlaps with this request on one radio which could still be used in the day room of the station. The proposed system would allow fire and ems personnel to talk to MEMA and other Towns as well as set up an emergency operations center where police, fire and highway radios could be monitored. A motion was made by Mr. Brooks and seconded by Mr. Shocik to approve the request to purchase radios for the Fire & EMS Headquarters. Under discussion, Mr. Duggan stated he reviewed the list and nothing looked excessive and also expressed interest in helping select a company. Roll call: 4:0:1 (Mr. Antanavica abstained).

d. FY21 Town Administrator Goals

This item will be discussed at the August 17th meeting.

e. Authorize Chair to sign letter regarding Capital Committee voting on recommendation for Waite Pond Dam

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to authorize the chair to sign a letter regarding the capital committee voting on the recommendation for the Waite Pond Dam. Roll call: 5:0:0.

5. REPORTS & ANNOUNCEMENTS

a. Town Administrator Report

The Town Administrator presented highlights from his written report.

b. Select Board Reports

The Select Board discussed a variety of topics including the ability for nonprofit clubs in town to operate during Phase 3, renewing the Town's agreement with the Worcester Regional Public Health Alliance, thanks for service to Amber Keats who returned from deployment in Iraq, thanks to all first responders for their efforts during the pandemic, a reminder to dump standing water around your house to reduce mosquitos, wearing DEET and checking for ticks, the upcoming Burncoat Park Sports Planning Committee meeting, the removal of double poles on the common and that the summer concert series is going well.

6. MINUTES

a. June 29, 2020

b. July 7, 2020

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to approve the minutes of June 29th and July 7th with one change: FY21 goals were slated to be discussed on July 20th, not July 7th. Roll call: 5:0:0.

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

No executive session was held

A motion to adjourn was made by Mr. Brooks and seconded by Mr. Antanavica at 8:07pm. Roll call: 5:0:0.

**SELECT BOARD MEETING MINUTES
JULY 30, 2020 AT 6:00PM
TOWN HALL, SELECT BOARD CONFERENCE ROOM**

CALL TO ORDER/OPENING

Chairwoman Provencher called the meeting to order at 6:05pm. Chair Dianna Provencher, Vice-Chair Harry Brooks, Second Vice-Chair John Shocik, Selectman Rick Antanavica, Selectman Herb Duggan Jr., Town Administrator David Genereux, Assistant to the Town Administrator Kristen Forsberg, Private Investigator Paul L'Italien, and paramedics Ruben Torres and Koury McDowell were in attendance.

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

Exception 1 – To discuss the discipline or dismissal of, or complaints or charges brought against an employee – EMS Department

A motion was made by Mr. Shocik and seconded by Mr. Antanavica to enter into executive session at 6:06pm under MGL Chapter 30A, Section 21A, Exception 1, to discuss the discipline or dismissal of, or complaints or charges brought against an employee (EMS Department). The Chair declared that to discuss these matters in open session would compromise the position of the Town. Roll call: 5:0:0.

The Board reconvened in open session at 6:27pm. This item was scheduled to be discussed solely during executive session but was discussed in open session at the request of paramedic Ruben Torres.

Mr. Genereux introduced investigator Paul L'Italien from L'Italien Investigation. Mr. Genereux noted the Town hired a different investigator in March when Mr. Genereux learned of the alleged incident, but he was COVID sensitive and wanted to wait until the pandemic died down. Mr. Genereux received the first formal complaint from the victim on June 24th, at which time he contacted the original investigator again and was referred to Mr. L'Italien who was hired.

Mr. L'Italien is a retired Massachusetts State Police Captain who has been hired as a private investigator by different municipalities and law firms since 2015. The investigation centered around a private, explicit personal photo of the victim that was allegedly shared by coworker Ruben Torres with two other coworkers. Mr. L'Italien proceeded to interview the parties involved, including Mr. Torres. After initially denying this occurred, Mr. Torres admitted he had accessed a photo from the victim's google account when victim inadvertently left the google account open on the public computer at the Fire & EMS Headquarters. Mr. Torres stated he scrolled through the photos, came across the photo in question, took a picture of the photo with his cell phone and showed it to two coworkers. Mr. L'Italien noted once of the witnesses indicated the photo was shown to him on two occasions. Mr. Torres stated he only showed it once then deleted it.

Mr. L'Italien interviewed the victim who admitted the goggle account was left open on the shared public comment and was very embarrassed this had occurred. The victim indicated Mr. Torres had first accessed the goggle photos in November but was mortified and decided not to say anything but to be more careful leaving the account open going forward. When the victim realized this happened again in February, they brought it to the attention of supervisor Mike Franklin who turned the matter over to Town Administrator David Genereux. As mentioned above, COVID caused a delay in investigating this matter.

Mr. L'Italien found that Mr. Torres violated the Town's sexual harassment policy on two occasions and the discriminatory harassment policy on two occasions by displaying the degrading photo twice.

Mr. Torres stated that several people can attest to the victim leaving the google account open on the public computer. He stated he did screen shot the photo and showed it to two coworkers but only on one occasion. Once his coworkers said they were uncomfortable seeing the photo, Mr. Torres stated he removed it from his phone. Mr. Torres added that the purpose of taking a picture of this photo was to show his supervisor that the victim was using a work computer for personal use.

Paramedic and coworker Koury McDowell stated he works with both parties and a deeper issue exists between them. Mr. McDowell stated he believed the photo was not as explicit as described and that both parties have been working together at the station with no incident since this occurred.

Mr. L'Italien stated that while Mr. Torres was very polite and gentlemanly, he denied taking the photo to the Town Administrator and the Assistant to the Town Administrator on March 11th, denied it to the victim when he was confronted, denied it to his Supervisor Mike Franklin, denied it to a police detective and initially denied it to Mr. L'Italien before finally admitting he took the photo. Based on this, Mr. L'Italien found the claim that the photo was taken to show a supervisor at this point in the investigation to not be credible.

The Board and Mr. Torres discussed the negative relationship between the two employees over the years and Mr. Torres stated he believed the victim was retaliating against him over previous issues. Mr. Torres also stated that showing the photo to his coworkers before going to a supervisor was a poor decision on his part. The Board discussed the Town's sexual harassment and discriminatory harassment policies as codified in the Board's Comprehensive Policy Manual.

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to terminate paramedic Ruben Torres, under discussion, the Board asked the Town Administrator to look into the possibility of issues existing in the EMS Department and expressed their appreciation for Mr. Torres' service to the Town. Mr. Brooks asked Mr. Torres if he would like to resign. Mr. Torres responded in the affirmative and proceeded to write a resignation letter. Mr. Brooks rescinded his motion and Mr. Antanavica rescinded his second.

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to accept the resignation of paramedic Ruben Torres. Roll call: 5:0:0.

A motion to adjourn was made by Mr. Brooks and seconded by Mr. Shocik at 7:12pm. Roll call: 5:0:0.

**SELECT BOARD MEETING MINUTES
AUGUST 3, 2020 AT 6:00PM
VIRTUAL MEETING**

CALL TO ORDER/OPENING

Chairwoman Provencher called the meeting to order at 6:00pm. Chair Dianna Provencher, Vice-Chair Harry Brooks, Second Vice-Chair John Shocik, Selectman Rick Antanavica, Selectman Herb Duggan Jr., Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg were in attendance.

1. RESIGNATIONS & APPOINTMENTS

a. Appointment – Mike Franklin – EMS Coordinator

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to appoint Mike Franklin as EMS Coordinator for FY21. Roll call: 5:0:0

b. Appointment – Kyle Maldonado – Per Diem/On Call EMT-Basic

A motion was made by Mr. Antanavica and seconded by Mr. Brooks to appoint Kyle Maldonado as a per diem/on call EMT Basic. Roll call: 5:0:0.

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

Mr. Genereux noted the Superintendent requested the temporary use of Memorial School to store extra classroom desks and other items being removed due to COVID limitations on class sizes. The Superintendent agreed to coordinate with the Fire Department to ensure the desks are placed in an area where they won't be damaged during upcoming fire training. A motion was made by Mr. Antanavica and seconded by Mr. Duggan to approve the use of Memorial School as temporary storage for desks and other items to be removed from the schools due to COVID restrictions. Roll call: 5:0:0

b. Discussion/vote of use of Memorial School for fire training activities

A motion was made by Mr. Shocik and seconded by Mr. Brooks to authorize the use of Memorial School for fire training activities. Roll call: 5:0:0.

c. Open warrant for 09/26/2020 Town Meeting; Set close date of warrant for 08/13/2020 at 5:00 pm

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to open the warrant for the September 26, 2020 Special Town Meeting and to set the closed date of the warrant for August 13, 2020 at 5:00pm. Under discussion, Mr. Genereux noted that additional articles and citizens' petitions could be added to this meeting but there will be a second Fall Special Town Meeting in November to address regular business so this meeting can focus on the school vote. Roll call: 5:0:0.

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)

Mr. Genereux discussed the required retrofit of the former Millbrook Distributors building to accommodate Town Meeting. State legislation allows for municipal legislative bodies to meet in excess of the 25 person gathering limit provided there is social distancing and a safe environment. As this meeting is anticipated to be well attended and to avoid weather concerns associated with an outdoor Town Meeting, the former Millbrook building has been selected. The building has power but no IT such as equipment, internet and wifi. These items will have to be brought in at an estimated cost of \$10K-\$17K. Funding for these accommodations will be paid for by the Town's portion of the CARES act. Mr. Genereux noted the town is allowed to send an informational

mailer listing pros and cons to residents but as the cost is \$2,300 and Town Counsel would have to write the con side since the opposing group declined to write it, this will not happen. Information regarding the school vote will be posted on the website. Mr. Genereux added that there are 350 parking spaces on site and he is working with an adjacent property owner to obtain more spaces. The Chief of Police has allowed stated he will allow parking along Route 56.

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

Mr. Genereux discussed the proposed Town Meeting warrant article for the new school. The proposed school would replace both the Middle and Elementary schools. The MSBA grant amount will be \$42M and the Town will pay \$49.5M via debt exclusion. The twenty-year borrowing will happen incrementally over several years, resulting in the average single-family home tax bill increasing by \$910.80 in 2025. A motion was made by Mr. Brooks and seconded by Mr. Duggan to place the article for site work, construction and furnishing of a new Pre-K – 8 school on the September 26th Special Town Meeting warrant. Roll call: 5:0:0.

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

A motion was made by Mr. Brooks and seconded by Mr. Shocik to place the question for site work, construction and furnishing of a new Pre-K-8 school on the November 3rd presidential ballot. Roll call: 5:0:0.

g. Discussion/vote Letter to Massachusetts Municipal Association – Police Reform Legislation

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to send a letter to the MMA opposing their support of police reform legislation. Roll call: 5:0:0.

A motion to adjourn was made by Mr. Antanavica and seconded by Mr. Shocik at 6:50pm. Roll call: 5:0:0.